



LAW AND JUSTICE
FOUNDATION

OF NEW
SOUTH WALES

Annual Report

2003





27 November 2003

The Hon. Bob Debus MP
Attorney General of NSW
Level 36, Governor Macquarie Tower
1 Farrer Place
SYDNEY NSW 2000

Dear Attorney

I have pleasure in presenting a copy of the Law and Justice Foundation's Annual Report for the financial year 2002–2003.

In accordance with Section 19(1) of the *Law and Justice Foundation Act 2000*, the Annual Report exhibits a true and correct view of the financial position of the Law and Justice Foundation as at 30 June 2003, and of the transactions of the Law and Justice Foundation with respect to the period of 12 months to that date.

The Annual Report has been submitted to and approved by the Law and Justice Foundation Board of Governors, and is available for inspection at the office of the Law and Justice Foundation.

I would be grateful if you would lay the Annual Report before Houses of Parliament as soon as is practical.

Yours sincerely

Tony Fitzgerald
Chairman

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About the Law and Justice Foundation

Who we are

The Law and Justice Foundation is a statutory body with a 35-year history of improving access to justice for the people of NSW.

The Foundation's Board and staff come from a range of different backgrounds such as law, research, education and the social sciences. This enables us to consider issues of access to justice from different perspectives.

The Foundation is incorporated in New South Wales by the Law and Justice Foundation Act 2000 (NSW).

Our Purpose

The Foundation's Mission is to advance the fairness and equity of the justice system, and to improve access to justice, especially for socially and economically disadvantaged people.

What we believe

- ♦ 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 NGOs 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
- ♦ conduct rigorous, independent research to inform policy development
- ♦ contribute to the availability of understandable, legal information
- ♦ support projects and organisations that improve access to justice.

Our goals and objectives

1

Identify Issues and Needs

Identify the legal and access to justice needs of the community, particularly of socially and economically disadvantaged people.

- 1.1 Establish and maintain ongoing processes to accurately and independently assess legal and access to justice needs
- 1.2 Communicate results
- 1.3 Determine priorities for Foundation action

2

Act to Address Issues and Needs

Conduct programs to address identified legal and access to justice needs, particularly for socially and economically disadvantaged people.

- 2.1 Conduct, sponsor and collaborate in rigorous, objective **research** that advances knowledge of issues related to a fair, equitable and accessible justice system, and informs policy debate
- 2.2 Contribute to the development of and access to high quality, understandable, **legal information** that enhances access to justice and meets the needs of the community
- 2.3 Identify, facilitate and **sponsor appropriate projects** that contribute to advancing the development of a fair, equitable and accessible justice system

3

Use Best Practice Management

Optimise the use of resources through the highest standards of management.

- 3.1 Develop the information management capability to support the Mission of the Foundation
- 3.2 Implement best practice management systems which enable the effective use of resources and build a cooperative and productive work environment
- 3.3 Effective communication strategies

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.

The Hon. G.E. (Tony) Fitzgerald AC, QC is Chair of the Board. His first judicial appointment was to the Federal Court. He was the inaugural President of the Queensland Court of Appeal and moved to the NSW Court of Appeal in 1998, retiring in April 2001. From 1987–89 he conducted the Queensland Corruption Inquiry. In 1990–91 he conducted an inquiry into the conservation, management and use of Fraser Island and the Great Sandy Region. In November 2001 he completed a study into *Community Justice Issues in Cape York Indigenous Communities*. He is a mediator, arbitrator & dispute resolution consultant.



Geoff Mulherin CSC has been Director of the Foundation since November 2000. He is an Associate of the Research Institute for Asia and the Pacific at the University of Sydney, and is a former Army Officer. His experience includes cease-fire dispute resolution in the Middle East for the United Nations and leadership of humanitarian relief operations in remote areas of Indonesia.

Jason Behrendt is the NSW Attorney General's most recent appointee to the Law and Justice Foundation's Board of Governors. He is an Aboriginal solicitor at Chalk & Fitzgerald Lawyers and Consultants, specialising in advising Aboriginal corporations and land councils in relation to Native Title and Commonwealth and State environmental legislation. Prior to this he worked with then-Commissioner Mick Dodson to prepare HREOC's reports on the operation of the *Native Title Act*.



Annette O'Neill is a Senior Member of the Consumer, Trader and Tenancy Tribunal, a Member of the Administrative Decisions Tribunal, Deputy Chair of the Public Interest Advocacy Centre and a consultant social worker. She was until 2002 Chair of the Centennial Park and Moore Park Trust and a Member of the Board of Studies in Social Work at Sydney University. For eight years she was the Senior Member of the Social Security Appeals Tribunal.

The Hon. Kevin Rozzoli was the Member of Parliament for Hawkesbury from 1973 until his retirement from politics in the March 2003 election. Between 1988 to 1995 he was the Speaker of the Legislative Assembly. He is Chairman of The Haymarket Foundation Ltd. and Chairman of the National Drug and Alcohol Research Centre. Mr Rozzoli was admitted to the NSW Bar in 1985.



The Hon. Janelle Saffin was a member of the NSW Legislative Council until March 2003. She was Deputy Chair of the Joint Parliamentary Review Committee and sat on the Law and Justice Review Committee. She is a lawyer/educator with experience in advocacy, community development and education. She is active in many legal organisations and advocates for rural and regional people.

Bret Walker SC is a Senior Counsel at the NSW Bar and is the current President of the Bar Association of NSW and Chairman of the National Criminal Law Liaison Committee of the Law Council of Australia. He was President of the Law Council of Australia 1997–1998. He has been a member of the Board of Governors since 1993.



Pauline Wright is a solicitor with the law firm PJ Donnellan & Co. She has a special interest in civil liberties. Ms Wright is currently Vice President of the NSW Council for Civil Liberties and a Councillor of the Law Society of New South Wales.

Message from the Chairman

This has been another busy and productive year for the Foundation, which through its research, grants and legal information programs continues to improve the fairness, equity and accessibility of the justice system, particularly for socially and economically disadvantaged people.

Many of the Foundation's current activities are mentioned in the Director's Overview and outlined in more detail in the rest of this report. During the year, the Foundation undertook a major strategic planning review, which enabled the Board and staff to re-examine the Foundation's objects and its approach to achieving them, and to reassess and confirm a number of important standards that underpin the Foundation's work:

- ♦ **independence**
- ♦ **innovation**
- ♦ an **evidence-based approach**, emphasising empirical research and evaluation
- ♦ **collaboration** when appropriate
- ♦ **accountable, value-for money** service to the community.

On behalf of the Board, I thank all the individuals and organisations that assisted the Foundation in its work during the year. I also particularly thank the Director and staff of the Foundation.



Tony Fitzgerald
Chairman, Board of Governors
November 2003



Director's Overview



2002–2003 has been a year in which the Foundation continued in its existing strategies to improve the fairness, equity and accessibility of the justice system, and in which we made significant progress towards refining and redirecting the Foundation's work towards those strategies and activities which we believe will make the most difference in achieving our statutory objects. Working within the framework of the strategic plan developed in response to the introduction of the Law and Justice Foundation Act of December 2000, the Foundation also undertook an important triennial strategic planning review prior to seeking funding for the period 2003–2006 from the Public Purpose Fund. This review gave us the opportunity to evaluate our strategies and make the necessary changes to ensure that the Foundation was able to provide valuable services to the community and the justice system now, and to continue to be able to do so into the future.

Access to Justice and Legal Needs

Not long before the beginning of this financial year, the Foundation commenced a major program of research aimed at identifying the particular legal and access to justice needs of disadvantaged people in NSW. This is a most ambitious task—not only because of the complexities of the issues involved, but also because of the challenge of identifying a suitable combination of methodologies to suit the task.

The Foundation seeks always to bring balanced, rigorous, evidence-based methods to the work we do. While we believe that this results in highly influential and persuasive output, we also recognise that it is the component of the research 'field' that usually receives insufficient attention—in part due to the costs involved. Yet in this particular program, targeted at some of the most vulnerable people in the community, often little empirical data is available and what is available is difficult to find. In some cases, where many reports and reviews have been conducted, the communities feel as if little came of their previous contributions. The Foundation has therefore embarked on a combination of projects involving consultations and submissions, literature analysis, original survey work, and quantitative and qualitative analyses that we hope will shed much light on the legal and access to justice needs of socially and economically disadvantaged people.

The results of this work will be reported progressively. However, perhaps the greatest value will become evident cumulatively. As each separate project reveals new information relevant to particular groups or situations, that data, when combined, will begin to build a more complete picture of the relevant legal and access to justice needs. To make this cumulative benefit accessible, we have set ourselves yet another ambitious target—within the next two years we hope to provide a sophisticated online search facility that will find the relevant data from all of the reports of this overall program and present it in a useful form for a range of potential users.

2002–03 was the first year committed to this program, and important progress has been made on essential Phase 1 components. Reports of outcomes from the program's consultation and public submissions project, the analysis of data collected from a range of major not for profit legal service providers in NSW, a pilot survey of legal needs in the Bega area, and an examination of the particular legal needs of elderly people, were all well under way at the end of the period.

Other Research Programs

Work continued on a number of the longer term projects currently under way, with a number of projects nearing completion. An important project—an evaluation of the case management reforms conducted in the late 1990s by the District Court of NSW and the County Court of Victoria—was completed during the period and will be of significant benefit to any court wishing to implement similar reforms in the future. Work continued on other projects, many of which should be published in the next financial year.

Legal Information

In this reporting year the Foundation made important contributions to the availability of plain language information and community legal education in NSW. Key contributions included:

- ♦ Conducting a popular ‘plain language’ law seminar, well attended by representatives from across the legal and related sectors
- ♦ Establishing a program of legal information grants that, while part of the larger grants program, added value to potential producers of plain language material, improving their capacity to work effectively in the publishing environment.
- ♦ Developing a set of Quality Guidelines for Plain Language Legal Information, principally for use by the Foundation but with a view for wider adoption.
- ♦ Bringing together a range of service provider organisations—government and non-government—to form an ongoing ‘Referral Forum’ aimed at improving access to justice through facilitating the most effective and appropriate client referral practices.
- ♦ Encouraging the greatest possible use of plain language and appropriate materials for target groups in the community through the *Online Legal Information Network*, the electronic newsletters *Legalinfo-online* and *Plain Language Law*, and the development of a community legal education database.

Current research reinforces the need for access to plain language legal information to allow individuals to comprehend the law and the justice system that affects them, and thus to enable all members of the community to effectively participate in our democratic society. The Foundation continues to work collaboratively and innovatively to ‘make a difference’ as we contribute to these goals.

Grants

The Foundation considers that the Grants program is a vital component of what the Foundation does. Importantly, this program provides an avenue through which new and innovative proposals to improve the fairness, equity and

accessibility of the justice system can be identified and, where appropriate, supported and evaluated. It is also a program through which access to justice can be improved, especially through community-identified initiatives, in a more responsive manner and timeframe than might otherwise be possible.

As with all our work, the Foundation seeks to bring a rigorous, responsible, evidence-based approach to our Grants program in order to maximise the benefit from our limited resources. The Foundation does not provide recurrent funding to organisations or programs. Rather, the Foundation seeks to identify and support projects that will contribute to achieving the Foundation’s objects by supporting:

1. genuine ‘one-off’ projects that will make a difference;
2. projects that are likely to be both successful and gain ongoing support beyond any initial funding provided by the Foundation;
3. projects that provide important legal information and education to the community in an understandable form and in a sustainable manner; new and innovative projects that hold out promise for improving access to justice and that while we may not be certain at the outset of ultimate success, through an evaluative regime, knowledge of the effectiveness and appropriateness of this innovation will be greatly increased;
4. projects that provide important legal information and education to the community in an understandable form and in a sustainable manner; and
5. impartial and rigorous research projects that will contribute to the knowledge base concerning issues of access to justice.

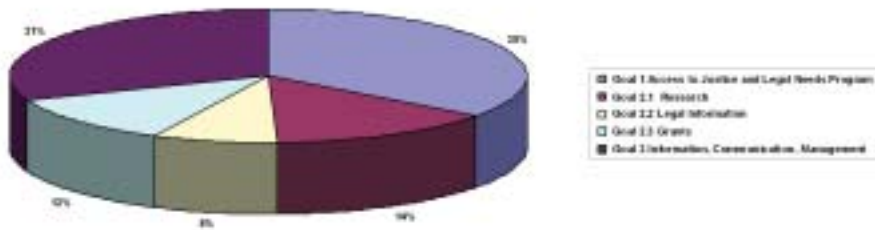
The details of the projects supported during the year are contained later in the report. However, it is pleasing to see that the Foundation was able to support projects that met identified legal needs of Indigenous people, elderly people, people with disabilities, young people, sexual assault victims, vision-impaired people, people experiencing credit and debt difficulties, and people with a mental illness in contact with the justice system, and in some cases built the capacity of organisations that deliver services to them.

2002–03 has been another demanding year for the staff of the Foundation. In addition to working to achieve ambitious goals, all staff members were active participants in what is a crucial triennial strategic planning process associated with our three year funding cycle. This was not an easy nor a quick task, and involved difficult decisions both before and after the funding decision. Nevertheless, the Foundation’s staff remained committed to getting the real work done and to achieving the best outcomes in all they did. I would like to express my sincere thanks to the staff for their hard work and patience throughout the year.

Strategic priorities 2002–2003

- ◆ conducting an **Access to Justice and Legal Needs Research Program** to identify access to justice and legal needs of socially and economically disadvantaged people
- ◆ completing and continuing current **research** program
- ◆ ensuring availability of high quality, understandable, **legal information**
- ◆ operating a **Grants Program** to support projects and organisations which improve access to justice
- ◆ developing the Law and Justice Foundation **information management** capability
- ◆ developing the Law and Justice Foundation **staff**

How our resources were allocated



Achievements

Access to Justice and Legal Needs Research Program

The Foundation's work this year provided a starting point for the next Stage of the Program and resulted in a picture emerging of the legal needs—and barriers to access—of people in NSW. Our achievements included:

- ◆ obtaining contributions from government, non-government and community sectors through wide ranging consultations and submissions
- ◆ developing an Access to Justice Data Digest to provide a snapshot of expressed legal need in the community
- ◆ undertaking a comprehensive legal needs survey in the Bega Valley Shire—a pilot for wide-ranging legal needs surveys in selected Local Government Areas
- ◆ researching legal needs of older people—the first in a series of qualitative studies of legal needs of selected demographic groups in the community.

Research

- ◆ The Civil Process Reform project was completed.
- ◆ Evaluation of Legal Theatre initiated—an innovative community legal education strategy
- ◆ Fieldwork completed or substantially progressed in a number of projects including Models of Contract Law, Australian and German Civil Litigation, and Enforcing Human Rights in Australia.

Legal Information

The emphasis this year was on capacity building and supporting the development of, and access to, plain language legal information. Projects and initiatives included:

- ♦ developing Quality Guidelines for Plain Language Legal Information
- ♦ introducing the Plain Language Law newsletter
- ♦ convening a plain language law seminar
- ♦ convening a Legal Information Publishing seminar
- ♦ establishing the Legal Referral Forum
- ♦ convening the Online Legal Information Network

Grants

The Foundation provided \$204,965.00 and additional in-kind grants to support projects that benefitted a wide range of the people in our community including:

- ♦ Indigenous people
- ♦ young people
- ♦ people from culturally and linguistically diverse communities
- ♦ people with disabilities
- ♦ migrants and refugees
- ♦ boarders and lodgers

GOAL 1

Identify Issues and Needs

Identify the Legal and Access to Justice Needs of Socially and Economically Disadvantaged People

OBJECTIVES

- 1.1 Establish and maintain ongoing processes to accurately and independently assess legal and access to justice needs
- 1.2 Communicate results
- 1.3 Determine priorities for Foundation action

OBJECTIVE 1.1

Establish and Maintain Ongoing Processes to Accurately and Independently Assess Legal and Access to Justice Needs

To achieve its objectives, the Law and Justice Foundation must be able to identify and assess the legal and access to justice needs of the community. To do this we will establish a comprehensive needs identification system that obtains and analyses information and data from diverse sources including the Foundation's own knowledge systems, targeted, specific research, and a comprehensive range of external agencies.

Access to Justice and Legal Needs Research Program

During 2002–2003 this was the Foundation's priority program and built on the work already achieved in the previous year. The Program's objectives are to examine the ability of disadvantaged people to:

- ◆ Obtain legal assistance (including legal 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 advocacy and support (including non-legal early intervention and preventative mechanisms, non-legal forms of redress, and community based justice)
- ◆ Participate effectively in law reform processes.

The Program consists of two principle Stages.

STAGE 1

The aim of Stage 1 has been to obtain an overall picture of the legal and access to justice needs of the community, with a view to laying the groundwork for the various research projects which will take place in Stage 2.

The main objectives for Stage 1 were to identify:

- ◆ those features of economic and social disadvantage which result in inequitable access to law and justice
- ◆ the principal barriers which obstruct access to justice
- ◆ the range of legal issues, problems and complaints which are handled by organisations involved in service delivery to the public.

To achieve these objectives the following Stage 1 projects were undertaken:

- ◆ Access to Justice and Legal Needs literature review
- ◆ Access to Justice and Legal Needs Data Digest: Legal Information and Advice Statistics for NSW
- ◆ Public Consultations

Initial Literature Review

The aim of this project was, using existing literature, to identify those features of economic and social disadvantage which result in inequitable access to law and justice, and to identify the principal barriers faced by economically and socially disadvantaged people in achieving access to justice.

The result of the review was an indication of legal needs and the economic and social disadvantage which results in inequitable access to law and justice, as identified by the existing literature.

Access to Justice Data Digest

The *Access to Justice Data Digest* contributes to Stage 1 of the Access to Justice and Legal Needs Program by providing a snapshot of expressed legal need in the community. In particular the *Digest*, using data collected by a range of NSW services that provide assistance with legal problems, describes:

- ◆ the nature of legal inquiries to these services
- ◆ the demographic characteristics of those who seek assistance from these services
- ◆ the pathways they take to resolve their problems.

The *Digest* is based primarily on data from the Legal Aid NSW Information/Advice Service, the Legal Aid NSW Duty Solicitor Service, LawAccess NSW, NSW Community Legal Centres and the Chamber Magistrate Service. The *Digest* also includes an overview of published demographic data of non-court-based dispute resolution services in NSW.

The *Digest* is, we believe, the first attempt in NSW to capture, compile and present such information. To facilitate comparison across a range of key indicators, raw data from the agencies were transformed, classified and mapped to a common set of categories. This report makes use of readily available data and should provide, in the one volume, a valuable reference for those concerned with identifying and addressing access to justice and legal need in the community.

The data collected for the project will also feed into research to be undertaken in Stage 2 of the program.

Submissions and Consultations

The aim of this project was to identify, engage and involve key stakeholders, organisations and the general public in the identification of particular issues and areas which could be further explored as part of the Program's ongoing work. The Foundation sought input from a wide range of organisations, stakeholders and individuals, and through an advertising campaign sought submissions from the community.

The Foundation also conducted roundtable forums and participated in relevant conferences and workshops.

Based on the responses received during the consultation process, three disadvantaged groups have been selected as priority groups for further in-depth analysis of their particular legal needs: people with a mental illness/psychiatric disability; homeless people; and prisoners and people who have been recently released from prison.

STAGE 2

Building on the general picture of access to justice and legal needs derived from the first stage, Stage 2 of the program aims to address the program objectives by:

- ◆ Assessing legal needs of disadvantaged people in selected geographical (local government) areas
- ◆ Assessing the legal needs of selected disadvantaged groups

In 2002–2003 two studies were conducted as pilots for Stage 2 research.

Pilot Study of Assessment of Access to Justice and Legal Needs in Particular Local Government Area

As part of planned detailed research into the legal needs of residents in selected NSW communities, a pilot study was conducted in Bega Valley Shire. Telephone and face-to-face interviews were conducted to identify:

- ◆ the nature of legal issues encountered
- ◆ methods used to resolve legal issues
- ◆ legal issues and methods used to resolve legal issues by social economic status
- ◆ barriers in access to justice.

The results of the pilot survey will be published in late 2003. Six other Local Government Areas have been selected to be researched in Stage 2 of the program.

Pilot Study of Legal Needs of a Disadvantaged Demographic Group — Elder Law

This study aimed to identify particular access to justice and legal issues for older people. It was based on literature review, submissions and consultations with older people, consultations with policy makers, service providers, lawyers, academics and advocates, together with analysis of previous work on this topic.

The study identified a range of legal issues for older people—including employment, social security, power of attorney and guardianship, health/disability and age discrimination. Barriers to accessing legal services confronting older people were also identified. A report of this study will be published late in 2003.

Analysing Internal Data and Information

This year we have improved our systems to enable us to better analyse information available from our own research and accumulated data.

Analysing Information from External Consultation and Information Sources

Throughout the year the staff has maintained interactive relationships with frontline practitioners from government and non-government organisations, community workers and local communities. This enabled us to:

- ◆ increase our understanding of factors influencing equitable access to justice for the people of NSW
- ◆ share information
- ◆ develop working relationships with others in the field.

In addition, formal representation of Foundation staff on committees and working parties provides information which can be utilised directly in determining access to justice and legal need. In 2002–2003 the Foundation was formally represented on the following committees:

- ◆ Law Society Online Services Committee
- ◆ Legal Information Access Centre (LIAC) Board
- ◆ NSW Internet Guide Steering Committee
- ◆ Pro Bono Disbursement Trust Fund
- ◆ Rape Crisis Centre
- ◆ Weblaw Steering Committee (Chair)
- ◆ Advisory Group for the *Chamber Magistrates Service Cooperation project*

As part our information gathering and sharing process Foundation staff also participated in numerous conferences.

OBJECTIVE 1.2

Communicate Results

The Foundation recognises that two-way exchange of information is mutually beneficial and we have established ways we can keep others informed of our progress and findings. For details of ways we have communicated results of our work to others and how we have kept people informed this year see Goal 3 Objective 3.3.

OBJECTIVE 1.3

Determine Law and Justice Foundation Priorities for Action

The Foundation continued the process commenced last year to facilitate determination of our priorities, ensuring they meet our objectives, and contribute to improving access to justice for the NSW community.

Our achievement in 2002–2003 has been using the results of our research efforts—outlined in Objective 1.1—to identify particular areas of need for future research, legal information and project work. Our research has also been able to inform our grants process.

Our achievements include:

- ◆ Working with relevant agencies to establish the most effective ways to collect and report data so that a useful picture of how legal need changes over time can be established
- ◆ Recognising the need to provide an intelligible and continually up-datable method of ensuring that the Foundation's work is accessible to the people of NSW, we have set ourselves an ambitious target to provide a sophisticated online search facility that will find the relevant information from all of the reports of the Access to Justice and Legal Needs Research Program (and, eventually, other output of the Foundation) and present it in a useful form.
- ◆ Selection of the priority disadvantaged groups to be included in a series of in-depth studies of the particular legal needs of specific disadvantaged groups in the 2nd stage of the Access to Justice project:
 - People with a mental illness/psychiatric disability
 - Homeless people
 - Prisoners and people who have been recently released from prison
- ◆ Selection of Local Government Areas for quantitative research, based on indicators for disadvantage:
 - South Sydney
 - Fairfield
 - Campbelltown
 - Newcastle
 - Nambucca
 - Walgett

GOAL 2

Act to Address Issues and Needs

Conduct Programs to Address Identified Legal and Access to Justice Needs, Particularly for Socially and Economically Disadvantaged People

OBJECTIVES

- 2.1 Conduct, sponsor and collaborate in rigorous, objective research that advances knowledge of issues related to a fair, equitable and accessible justice system, and informs policy debate
- 2.2 Contribute to the development of and access to high quality, understandable, legal information that enhances access to justice and meets the needs of the community
- 2.3 Identify, facilitate and sponsor appropriate projects that contribute to advancing the development of a fair, equitable and accessible justice system

OBJECTIVE 2.1 — Research

The Foundation's research program in 2002–2003 had two aspects—in-house projects, and in-kind assistance to Foundation grant holders. The strength of our research is underpinned by our collaborative work with leading researchers from a range of universities.

This year, work in-house has centred on the Access to Justice and Legal Needs Research Program and in continuing or completing work on other projects.

In the second half of 2002, we welcomed Simon Bronitt from the Australian National University as the Law and Justice Foundation Justice Research Fellow, undertaking a project on the NSW “police move-on” powers (Section 28F of the NSW *Summary Offences Act 1988*).

The Foundation has enhanced its role in assisting grant applicants with both methodology and evaluation.

Civil Process Reform

This project, completed this year, evaluated the impact of the 1996 case management reforms of the NSW District Court and the Victorian County Court. The results are based on data from the Court databases, and surveys of solicitors and litigants. The project was funded by the Foundation with a major contribution from the County Court of Victoria.

The reforms differed in the two courts. In New South Wales, case management is rules-based or default driven. In Victoria, a Judge actively managed each proceeding through orders made shortly after commencement and thereafter as necessary.

The study found that in both courts, case processing time was significantly reduced under the new reforms, although there had been little change in the percentage of cases settling early in the litigation process.

The impact on litigant costs differed significantly between the two States, with costs in New South Wales increasing by more than twice the inflation rate over the same period. Costs in Victoria held steady. Apart from new case management regimes, other factors undoubtedly contributed to these findings. In New South Wales the *Legal Profession Reform Act* came into effect from July 1994. Corresponding legislation in Victoria occurred in 1997.

Lawyers in both jurisdictions indicated that the quality of the litigation had been improved by the reforms.

The results of this report provide an important resource for courts undertaking any future reforms.

Community-based Mediation in Family Law

This ongoing project is an examination of community-based mediation in the family law system. It traces the impact of the ‘shadow of the law’ on the process and outcomes of family and child mediation in the context of the Family Court's increased outsourcing of mediation services. It is based on extensive fieldwork involving observation of mediation sessions and in depth interviews with parties to mediation, mediators and lawyers. The research is being conducted in collaboration with Monash University under an Australian Research Council (ARC) SPIRT grant.

Enforcing Human Rights in Australia

This ongoing project examines the effect of the transfer of race, sex and disability discrimination disputes from the Human Rights and Equal Opportunity Commission to the Federal Magistrates Service or Federal Court. The research draws on interviews with complainants, respondents, lawyers and HREOC staff, as well as available case data. It evaluates the ability of disadvantaged complainants to enforce their rights in this newly mandated forum. It is conducted in collaboration with Griffith and Monash Universities under an ARC SPIRT grant.

Norm Forms and Related Studies

This study compares the effect of fixed rules and discretionary principles on negotiation in legal disputes. It was based on an extensive literature review and the results of simulated experiments. The project was conducted in collaboration with Monash University under an ARC SPIRT grant. From the literature review, a categorisation of rules in terms of the degree of discretion was developed. Using this categorisation, experimental instruments were created for the simulation experiments in which solicitors participated. The results showed a simplified system based on discretionary principles is potentially easier to apply than fixed rules. A report of the findings will be published in 2004.

Models of Contract Law

Using experimental techniques, this ongoing project evaluates the utility of Contract Law codes in dispute resolution. It is being conducted in collaboration with the Universities of Melbourne and Newcastle under an ARC SPIRT grant.

Australian and German Civil Litigation — A Comparative and Empirical Analysis

The purpose of this study is to compare processes in civil litigation in Germany and Australia and to identify factors contributing to differences in cost and delay. It draws on data from the Supreme and District Courts of New South Wales and from the Regional Court of Stuttgart. It is being conducted in collaboration with the Universities of New South Wales and Newcastle under an ARC SPIRT grant.

Reasonable Directions for Public Order Law? A Review of “Move-on” Powers in New South Wales

Last year, as part of its Justice Awards, the Foundation offered a research fellowship. The Justice Research Fellowship was awarded to Simon Bronitt from the Australian National University to review the “move-on” powers in New South Wales (*Summary Offences Act 1986 s.28f*). The research reviews and analyses empirical data, legal concepts and operational policies governing move-on powers. Political and community pressures that influenced the creation of these laws and operate to sustain discriminatory patterns of enforcement are the subject of consideration.

Legal Theatre Evaluation

The Foundation provided a grant to the South West Sydney Legal Centre to support the development of a new and innovative performance-based form of community legal education. The aim of the project is to use forum theatre to engage and educate recently arrived migrants about selected legal issues and the availability of legal services.

The project was developed in response to the identified needs of many recently arrived migrants who have very little information on law, the legal system, and the availability of legal and other assistance, and whose access to justice is often restricted by language, cultural and comprehension barriers.

While legal theatre has potential to be an effective method of delivering legal information to migrant and refugee communities, the innovative nature of the project meant little empirical evidence was available to confirm this. As a result, and in partnership with a team from the University of Sydney, the Foundation is evaluating the project to ensure that the effectiveness of the method is properly assessed.

OBJECTIVE 2.2 — Legal Information

The Foundation continued to provide a diverse program of initiatives directed particularly at improving access to accurate, understandable legal information. The Foundation believes it is critical that the community have access to plain language legal information to ensure that people understand their legal rights and obligations.

Major initiatives this year included work on improving legal information standards and collaborative projects to support appropriate ways of delivering legal information to a diverse community.

This work has been enhanced by the establishment of a specialist Legal Information Grants Program (*see* page 18).

SUPPORTING PLAIN LANGUAGE LEGAL INFORMATION

Quality Guidelines for Plain Language Legal Information

The Foundation developed a set of quality guidelines as part of the grant conditions for legal information resources funded by the Foundation. The quality standards underpin the Foundation's support of high quality, relevant legal information resources to increase understanding of the law and legal system, especially for those who are socially and economically disadvantaged.

The standards are available on the Foundation's website and are included as part of legal information grant conditions to ensure the quality of Foundation funded grant products. The Foundation consulted widely in the development of the Quality Guidelines, and hope that they will be of value to other organisations producing plain language legal information.

Speaking Plainly: Plain Language Law Seminar

More than 100 people attended this seminar aimed at promoting the use of plain language to communicate legal issues to the community.

The seminar attracted representatives from government agencies, courts, tribunals, community legal centres, law firms and universities. Speakers included the Legal Services Commissioner Steve Mark, plain language law experts Professor Peter Butt and Christopher Balmford and Justice John Faulks from the Family Court.

The seminar papers are available on the Foundation's website. The Foundation also maintains a bank of useful resources for those concerned with delivering legal information in plain language.



Prof. Peter Butt, Judith Bennett, Christopher Balmford, Michèle M. Asprey and Dr. Robert Eagleson at the Plain Language Law Seminar on 12 September 2002

Plain Language Law Newsletter

The Foundation launched a free bi-monthly online newsletter for anyone interested in keeping abreast of plain language legal information and education initiatives.

During the year five issues were published covering new resources including books, videos, web pages, posters, pamphlets or kits; community legal education; relevant seminars and conferences, and research relating to plain language law.

CAPACITY BUILDING

Legal Referral Forum

Building on its 2001 research *Gateways to the Law*, an in-depth exploration into how non-profit agencies assist clients with legal problems and what issues they face, the Foundation initiated a forum to improve the quality of referral for people with legal problems in NSW. The Forum brings together organisations to disseminate existing knowledge and experience about legal referral, and identify common concerns and potential areas of cooperation.

Participating organisations include Legal Aid NSW, the Law Society of NSW, Community Legal Centres, the Legal Information Access Centre, LawAccess NSW, the National Pro Bono Resource Centre, the Local and Community Services Association, and the Family Support Association.

The forum has met four times and current focus areas include effective referral systems and referral competencies.

The activities of the forum and other referral initiatives in NSW are outlined at www.lawfoundation.net.au/information/referral/.

Reaching Your Audience: A Discussion on Promoting Information and Services to the Community

More than 50 people participated in a forum co-hosted by the Foundation and the Australian Securities and Investment Commission to discuss strategies for how government and community agencies can effectively promote their information and services to the community, particularly to people who are economically and socially disadvantaged.

Based on participant experience, the forum aimed to improve access to information and services, share knowledge and experience, and explore possibilities for future cooperative activities.



Merona Martin, Legal Aid NSW; Graham Spindler, NSW Parliament; and Elizabeth McKibbin, Legal Information Access Centre at the "Reaching Your Audience" Forum on 21 February 2003

The Forum proceedings were published at www.lawfoundation.net.au/information/target/.

Legal Information Publishing

To improve the knowledge and expertise of community organisations in relation to legal information publishing, the Foundation, in partnership with the Victoria Law Foundation, hosted a Q&A session on legal information publishing.

Presented by Richard Coverdale, the Director of Publishing at the Victoria Law Foundation, the session covered a range of issues including establishing need, user testing and marketing and distribution.

In addition, the Foundation provides an advice service to support community organisations in the improvement of their knowledge about legal information publishing. This service is supported by a database of publishing suppliers.

Online Legal Information Network (OLIN)

The Foundation established OLIN in 2002 and provides secretariat support for the Network. OLIN is a NSW based network of people from non-profit organisations (including government and non-government) to provide a forum for building knowledge, exchanging information and discussing issues in relation to online delivery of legal services.

'Having access to a collective pool of knowledge and experience is of great value.'

— Government Department Representative

OLIN is a cooperative activity with participants providing venues and catering free of charge. Participating agencies include community legal centres, government agencies, courts, the Legal Aid Commission, the Legal Information Access Centre, the Law Society of NSW and AustLII.

A seminar convened by OLIN included a presentation by the US Legal Services Corporation (LSTech) which runs a competitive technology

grants program for legal aid programs in the US. LSTech has led the way on technology and access to justice issues, and has funded the development of template based justice web portals that allow US state legal aid agencies to adapt the template to suit their own needs and develop their own website.

OLIN has also published resource sheets arising from meetings relating to user needs analysis, plain legal language, technology for justice in the US, and content management systems.

'The seminars I attended were very well produced and presented, relevant and informative. The list of OLIN members and having the chance to talk to them was also very useful, as there are few opportunities to keep in touch or to get to know the relevant people in other organisations and find out what they are doing with their information resources.'

— Community Legal Centre Representative



Richard Zorza during the OLIN Presentation "Technology for Justice in the US" on 24 October 2002

OBJECTIVE 2.3 — Grants

The Law and Justice Foundation's grants program plays an important role in achieving its objects by providing financial and other support to projects designed to overcome barriers to justice, particularly those projects initiated at the community level.

Our grants program is rigorous in its focus on projects directed at priority need areas which will produce realistic, effective and sustainable outcomes. We ensure all relevant parties are involved in the projects we support and the organisations undertaking the project have the capacity to achieve the outcomes.

In 2003, our grants program has been enhanced by the development of the specialist legal information grants program to support the production of high quality, relevant legal information resources to increase understanding of the law and legal system, especially for those who are socially and economically disadvantaged.

Grants approved in 2002/2003

In 2002/2003 the Foundation approved cash grants totalling \$204,965.00.

DISABILITY

Production of Using Discrimination Law

Disability Discrimination Legal Centre

Amount: \$17,280 (including GST)

Due for completion: 2004

The aim of this project is to produce a NSW version of the Victorian publication *Using Discrimination Law*, a guide to Australia's discrimination legislation.

Outcome: The publication will be an up-to-date tool for people with disabilities, their associates and advocates to use in determining whether a matter is disability discrimination, and if so, how they might proceed to pursue their rights under the relevant legislation.

Audio Version of Women and Family Law (7th ed.)

Royal Blind Society

Amount: \$6,438.00

Due for completion: end 2003

To enable equitable access to justice, the Foundation has provided a grant to the Royal Blind Society to produce an audio version of the popular Women's Legal Resources Centre publication, *Women and Family Law*.

Outcome: The audio version of *Women and Family Law* will be widely available to visually impaired women throughout NSW.

Education Program about Complex Communication Needs

Dr Leanne Togher, Sydney University

Amount: \$8,500

Due for completion: 2004

The Foundation has partnered with the NSW Attorney General's Department in funding the development of a training program on complex communication needs. Primarily aimed at staff working in NSW courts, the program will also be available to judicial officers, police, corrective service officers, legal practitioners and community workers.

Outcome: The two-hour education and training program will provide strategies for court staff and others dealing with people with life-long disability and complex communication needs. The program will facilitate improved access to the justice system for those with complex communication needs.

INDIGENOUS COMMUNITIES

Research into the Use and Availability of Diversionary Options for Indigenous People in NSW

Coalition of Aboriginal Legal Services (COALS) NSW

Amount: \$3,000.00

Due for completion: end 2003

The Foundation has provided a grant to the Coalition of Aboriginal Legal Services to conduct preliminary research into the use and availability of diversionary options for Aboriginal clients. As well as the cash grant, the Foundation is also providing inkind assistance in the form of a Senior Researcher providing input into the survey to be employed in the project.

Outcome: The project will document ALS solicitors' impressions of the impact diversionary programs have upon individual Aboriginal clients, and develop a basis for future empirical comparative work on outcomes for Indigenous and non-Indigenous offenders.

Outreach Program for Walgett Family Violence Prevention Unit

Women's Legal Resources Centre

Amount: \$21,836.00

Due for completion: 2004

The Foundation's grant enables the Women's Legal Resources Centre to auspice the Walgett Family Violence Prevention Unit to prepare and deliver a legal outreach program to Indigenous communities in far western NSW. Over a twelve-month period the Walgett-based solicitor will regularly travel to Bourke, Brewarrina, Collarenebri and Lightning Ridge to establish networks with community workers, attend court list days and provide advice clinics.

Outcome: The project will provide regular information, education and advice to community workers and Aboriginal women in far western NSW communities that have limited access to legal services. The evaluation will identify the best practice method for delivering services to this group.

CREDIT AND DEBT

Research and Policy Project on Debt Collection Practices

Consumer Credit Legal Centre

Amount: \$17,000.00

Due for completion: 2004

The Consumer Credit Legal Centre is conducting a research and policy project around the issue of debt collection practices. Debt collectors operate in an environment of increased credit access by some vulnerable income groups, and many socially and economically disadvantaged people do not understand debt collection practices or their rights in relation to debt collection.

Outcome: The project's research will provide greater insight into legal issues surrounding debt collection practices, and will promote the Consumer Credit Legal Centre with a basis to advocate for changes to law and procedures in relation to debt collection.

Arabic-Language Radio Project on Credit and Debt Issues

Consumer Credit Legal Centre NSW Inc.

Amount: \$6,240.00

Due for completion: 2004

The Law and Justice Foundation has partnered with Australian Securities and Investment Commission to fund the Consumer Credit Legal Centre to produce a series of Arabic-language radio spots on credit and debt issues.

Outcome: As well as informing listeners of Arabic-language radio about credit and debt issues, the project will be evaluated as to the effectiveness of radio community awareness campaigns in providing legal information to target communities.

Update of Debtor's Guide to the Local Court

Macarthur Legal Centre

Amount: \$7,500.00

Due for completion: 2004

The Foundation's grant contributes to the updating of this valuable resource. The Foundation's Legal Information Unit provided advice to Macarthur Legal Centre when it was researching production options for the updated edition. *Debtor's Guide to the Local Court* will be published by Federation Press.

Outcome: Individuals facing debt matters in the Local Court will have up-to-date information about court processes and their legal options available.

YOUNG PEOPLE

Youth Justice Rural Training Project

Macquarie Legal Centre

Amount: \$9,892.00

Due for completion: 2004

The Centre is organising and conducting low-cost workshops on policing and criminal law for youth workers in regional and remote areas in NSW. The workshops are being conducted in areas where there are very high numbers of young people in contact with the criminal justice system.

Outcome: Youth workers will better be able to assist and advocate for their clients when dealing with the police and juvenile justice system.

Update of Youth Justice: Your Guide to Cops and Courts

Macquarie Legal Centre

Amount: \$5,000.00

Due for completion: end-2003

The Foundation's grant contributes to the production of the third edition of this important resource. The Foundation's Legal Information Unit provided advice to Macquarie Legal Centre when it was researching production options for the updated edition. *Youth Justice: your guide to cops and courts* will be published by Federation Press later this year.

Outcome: Youth workers, young people, legal practitioners and the general community will have an accessible guide to the juvenile justice system in NSW.

MENTAL HEALTH

Update of the Mental Health Rights Manual

Mental Health Coordinating Council

Amount: \$18,000.00

Due for completion: 2004

The planned 2nd edition of the *Mental Health Rights Manual* will provide updated information about the *Mental Health Act* and the rights of people with mental illness, as well as information for carers, advocates, service providers and the general public. The Foundation's Legal Information Unit provided advice to the Mental Health Coordinating Council when it was researching production options for the updated edition. The *Mental Health Rights Manual* will be published by Federation Press.

Outcome: The *Mental Health Rights Manual* will assist people with mental illness, their carers and advocates, to understand their rights and responsibilities in relation to treatment, work, family relationships and education.

MIGRANTS AND REFUGEES

Migrant and Refugee Legal Theatre Project

South West Sydney Legal Centre

Amount: \$14,100.00

South West Sydney Legal Centre is employing the techniques of community legal theatre to educate newly arrived migrants and refugees in south western Sydney about their legal rights and responsibilities. The project uses the techniques of workshopping and performance and focuses on legal issues identified by the migrants and refugees themselves. In addition to providing a cash grant, the Foundation is also partnering with a team from the University of Sydney to evaluate the project.

Outcome: As well as providing legal information and education to the target communities, the Foundation's evaluation of the legal theatre methodology—a relatively unknown community legal education method—will be made widely available to other agencies.

Lawyers' Education Kit on Refugee Law (online version)

Australian Lawyers for Human Rights

Amount: \$4,000.00

Due for completion: 2004

Australian Lawyers for Human Rights has developed an education kit on refugee law in partnership with the Centre for Refugee Research at the University of NSW. Aimed primarily at legal professionals, it covers legal issues relating

to refugees and asylum seekers in Australia. The Foundation's grant provides ALHR with the opportunity to make the kit available on the internet.

Outcome: An accessible, relevant and up-to-date information resource about refugee law will be freely available online.

FAMILY LAW

One-Day Seminar on Self-Representation in Family Court

Western NSW Community Legal Centres

Amount: up to \$3,000

A grant was made to Western NSW Community Legal Centre to cover costs incurred in convening a one day seminar on self-representation in the Family Court. The seminar mirrors a seminar that was conducted by Hawkesbury Nepean Community Legal Centre in 2002, that was also funded by the Law and Justice Foundation.

Outcome: As well as the Dubbo community having access to information about self-representation in the Family Court, the Law and Justice Foundation is exploring ways in which these metropolitan and regional seminars on self-representation in the Family Court can be developed as 'templates' for use by other organisations in NSW.

HOUSING AND TENANCY

Poster Campaign to Promote Awareness of Boarders and Lodgers in NSW

NSW Tenants' Union

Amount: \$3000.00

Due for completion: end 2003

On behalf of the Boarders' and Lodgers' Action Group (BLAG), the Tenants' Union is developing posters highlighting the lack of legislative protection for boarders and lodgers in NSW.

Outcome: The posters are part of a campaign to raise awareness and promote law reform of the issue of lack of legislative protection for boarders and lodgers amongst community organisations not involved in BLAG. The posters and a community action kit will be distributed to organisations such as church groups, service groups, community services, neighborhood centres.

Seminar on Public Housing Estates

Shelter NSW

Amount: \$1255.00

The Foundation grant supported the attendance of low-income tenants at Shelter NSW's one-day seminar on public housing estates, as well as the preparation of a background paper on *Tenancies, communities and the (re)development of public housing estates*.

Outcome: More than 100 people from non-profit organisations, NSW government agencies, and local councils, as well as public tenants, attended the seminar. The seminar papers are the prepared background paper on redevelopment of public housing estates have been widely disseminated to enable access to current public policy debates on housing.

CAPACITY BUILDING

Migrant and Refugee Legal Theatre Project Evaluation

Sydney University

Amount: \$10,000

Due for completion: mid 2004

In addition to providing a grant to South West Sydney Legal Centre to support the legal theatre project (see above), the Foundation, in partnership with Sydney University, is evaluating the project to ascertain its effectiveness to deliver legal information.

Outcome: The evaluation will assess and provide an analysis of the effectiveness of legal theatre as a community education tool to deliver legal information, especially to people from culturally and linguistically diverse communities.

Residential Parks Community Networking Development

Parks and Village Service (PAVS)

Amount: \$21,615.00

Due for completion: end 2003

The Combined Pensioners and Superannuants Association PAVS project has been supported to develop a network organisation to give the park resident capacity to collectively deal with legal and access to justice issues that affect this group.

Outcome: Residential park residents will be trained in lobbying, networking and policy development techniques to enable them to promote their rights as park and village residents.

Travel Support for Community Legal Centres National Conference Melbourne (1–4 September 2002)

National Association of Community Legal Centres

Amount: \$3,000.00

The grant was made to the Conference Organising Committee of the Community Legal Centres National Conference to subsidise travels costs of NSW community legal centre workers from rural and regional NSW community legal centres providing services to socially and economically disadvantaged communities to attend the Conference.

COURT PROCESSES AND SEXUAL ASSAULT COUNSELLORS

Update of Counsellors and Subpoenas: A Guide for All Counsellors and Professionals Who Provide Confidential Counselling

Women's Legal Resources Centre

Amount: \$6,546.00

Due for completion: 2004

The introduction of the *Criminal Procedure (Sexual Assault Communication Privilege) Amendment Act* in July 2002 has necessitated an updated edition of this valuable guide. While the key audience for the publication is sexual assault counsellors, the information it contains will be useful to all counsellors and solicitors.

Outcome: Sexual assault counsellors and others whose notes are subpoenaed by defence lawyers will have an up-to-date guide to their rights and obligations in relation to court processes.

ENVIRONMENTAL LAW

Rural Environmental Law Workshops

Environmental Defenders' Office

Amount: \$15,000.00

Due for completion: 2006

The Environmental Defender's Office's grant supports the development and delivery of a three-year series of workshops on environmental law in regional and rural NSW. The EDO has secured the support of Rural Press newspapers to promote the workshops in different regions, and will cover such diverse areas as salinity, biodiversity legislation and water sharing.

Outcome: Providing access to legal information and education about important rural issues for people living in rural and remote NSW.

WEBSITE MIGRATION AND HOSTING COSTS

Welfare Rights Centre Website

Amount: \$1,683.00

Combined Community Legal Centres Group Website

NSW Combined Community Legal Centres Group

Amount: \$1,080.00

Following the decision for the Foundation to withdraw from hosting community organisations' websites on our server, the Foundation provided grants to WRC and CCLC to enable migration of the sites to alternative service providers.

In-kind grants

As well as cash grants, the Law and Justice Foundation sometimes provides in-kind assistance to community and other organisations through research assistance, strategic advice and other efforts that add value to an organisation. In 2002–2003, the Foundation has provided the following in-kind assistance:

Online Independent Social Security Handbook

The Foundation provided an in-kind grant to the Welfare Rights Service in the form of research and consultancy about online publishing. As a result of this the Welfare Rights Service was able to produce the Handbook in a timely fashion at an affordable cost.

Being on the Street Youth Project

The Foundation has provided an in-kind grant to the Western NSW Community Legal Centre and its project partners to investigate young people's perceptions of their interaction with police. The Foundation has provided assistance to the Western NSW CLC in revising the research design. It will also assist the Centre with sampling, survey design and data analysis.

Exploration of the Use and Availability of Diversionary Options in an Indigenous Context

The Foundation has provided a grant to Newcastle University to collect, analyse and disseminate information regarding the availability and rates of Indigenous participation in diversionary schemes in the criminal justice system. The Foundation has provided advice on research methodology and assistance with questionnaire design.

Start Out Right: Legal Education for School Leavers

The Foundation has provided a grant to the Illawarra Community Legal Centre to pilot a legal information service to young school leavers. The Foundation advised on the design of the evaluation strategy.

Grants products launched in 2002–2003

Several products launched in 2002–2003 were funded by the Law and Justice Foundation's Grants Program in previous years.

DISABILITY

Guarded Participation — A Report on Alternative Dispute Resolution (ADR) and People with Disabilities

The Foundation provided a small grant to lawyer and disability advocate Jim Simpson to investigate the role of alternative dispute resolution in disputes involving people with disabilities.

Outcome: Jim Simpson's consultation with individuals and agencies reveals the importance of safeguarding the interests of people with disabilities in ADR and how to decide whether ADR is appropriate in a particular case. To make the report widely available to people interested in disability and ADE issues, the Foundation has published the report online at www.lawfoundation.net.au/resources/simpson/index.html

INDIGENOUS

Report into Substantiated Cases of Emotional Abuse and Neglect Against Indigenous Children in NSW

A Law and Justice Foundation grant to Professor Chris Cunneen (University of Sydney) and Lecturer in Law Terry Libesman (UTS) allowed them to do follow up work to their participation in the 1997 *National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their families*. They undertook research into outcomes for Indigenous children who were found to be neglected or emotionally abused, analysing 1996–1997 NSW Department of Community Services case files.

Outcome: The report has been the basis of a submission to the Federal legislative inquiry into child protection services as well as forthcoming book chapters and journal articles. The report is available online on the AustLII website at www.austlii.edu.au/au/other/IndigLRes/2001/1.html

DOMESTIC VIOLENCE

Apprehended Violence Orders — A Guide to Legal Practice in NSW

The Law and Justice Foundation provided a grant to the Domestic Violence Advocacy Service to produce three publications—*Domestic Violence: the legal process*, *Domestic Violence: community workers' Kit*, and *AVOs — a guide to legal practice in NSW*. The Guide is a practical guide to the law and procedure of apprehended violence orders in NSW. Written by Libby Goss and Monica Neville, it includes useful information and practice guidelines accumulated over years of experience in the field.

Outcome: The Guide is a portable practice manual for solicitors and police prosecutors acting in AVO applications in NSW local courts. The Foundation's grant has also enabled the DVAS to provide discounted copies to community legal centres and Women's Domestic Violence Court Assistance Program coordinators.

YOUNG PEOPLE

Young People's Experience of the Young Offenders' Act



The Law and Justice Foundation provided a small grant and in-kind research assistance to the Youth Justice Coalition to investigate the experiences of young people who have been cautioned or attended a youth justice conference under the *Young Offenders' Act*. Twenty four young people from Cabramatta, Campbelltown, Kempsey,

Wagga Wagga and Wollongong were interviewed, and the YJC also sought the views of youth justice conference administrators and youth liaison officers via a questionnaire.

Outcome: A qualitative study into young people's experiences of the *Young Offenders' Act* that will assist solicitors, youth workers and advocates, youth justice conference administrators and police officers to address the needs of young people being dealt with under the Act. The Foundation has published the report on its website to enable the Youth Justice Coalition to make it widely available to people interested in the issue of juvenile justice. <http://lawfoundation.net.au/resources/young/index.html>

Working with Young Gays and Lesbians? The Legal Guide for Health, Youth and Community Organisations, Local Councils and Funding Providers in NSW

The Law and Justice Foundation provided a small grant to Hawkesbury/Nepean Community Legal Centre to produce a legal guide for organisations working with young gays and lesbians in NSW. Written by Sara Blazey and Nick Manning, the guide covers such issues as care and protection legislation, mandatory reporting requirements, confidentiality, access and equity and discrimination.

Outcome: A valuable guide to legal rights and responsibilities for organisations that provide direct services to young people, as well as councils and funders that provide premises, financial support or auspice these organisation. Copies of the guide are available from Hawkesbury Nepean Community Legal Centre Tel: (02) 4588 5618.

Get Youth to It

The Foundation provided a grant to the Northern Rivers Community Legal Centre (NRCLC) to produce a video that informs young people about their rights and responsibilities in relation to public space, and their dealings with police. Working with young people and consulting with such organisations as the NSW Police Service, Legal Aid and the Aboriginal Legal Service, NRCLC have produced an informative and innovative education tool.



Outcome: The 20-minute video informing young people of their rights and responsibilities is a valuable education resource for youth centres, youth liaison officers, community centres and schools. The video is distributed by Streetwize Communications www.streetwize.com.au

PRISONERS

Debt and Legal Information for Families



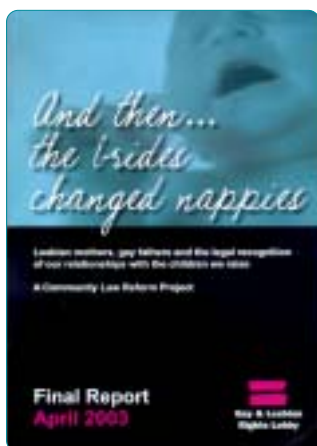
The Law and Justice Foundation provided a grant to Community Restorative Centre Justice Support (CRC Justice Support) to produce a wallet sized card and information brochure that promotes CRC's free and confidential 1800 telephone legal and financial counselling advice. The aim was to break the avoidable association of incarceration and debt

for many imprisoned people and their families.

Outcome: CRC Justice Support has distributed the resources through its regular prisoner family support programs and through Department of Corrective Services welfare offices. Use of the 1800 telephone service has increased significantly since the launch of the materials. Cards and brochures are available from CRC Justice Support; Tel: 9288 8700

DISCRIMINATION

And Then...The Bride Changed Nappies



The Foundation's grant to the Gay and Lesbian Rights Lobby supported a community law reform project around the issue of discrimination and gay parenting in NSW, particularly in relation to the rights of the children of gay relationships. The grant enabled author Jenni Milban to widely consult with gay and lesbian

parents in Sydney, the Blue Mountains, Newcastle and Lismore about their experiences.

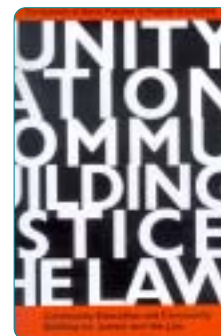
Outcome: The report provides a comprehensive insight into discrimination against gay and lesbian parents and has informed the NSW Law Reform Commission's review into the *Property (Relationships) Act 1984*. It provides the Gay and Lesbian Rights Lobby with a useful tool for advocating federal and state legislative reform. Copies of *And then...the bride changed nappies* are available from the Gay and Lesbian Rights Lobby; Email: info@glrl.org.au or online at www.glrl.org.au.

CAPACITY BUILDING

The Bulletin of Good Practice in Popular Education: Community Education and Community Building for Justice and Law

The Law and Justice Foundation provided a small grant to the Centre for Popular Education at UTS to produce a book that focuses attention on current community legal education practice throughout Australia.

Outcome: Community legal education workers can learn from the expertise and experience of various community legal education practitioners including tenancy advocates, community development officers and consumer credit solicitors. The publication can be purchased from the Centre for Popular Education for \$10.00 (including GST). Tel: (02) 9514 3843; Email: cpe@uts.edu.au.



My Time is not a Gift to Government: An Exploratory Study of NSW Community Legal Centre Volunteers

The Law and Justice Foundation provided a small grant to the Combined Community Legal Centres' Group (NSW) to support its collaborative effort with the University of Wollongong's Institute of Social Change and Critical Inquiry to explore the motivations and views of volunteers in NSW community legal centres.



Outcome: The study was initiated by the Combined Group in anticipation of the Commonwealth Government's review of the funding and operation of NSW community legal services. It serves as a useful tool to describe volunteers' input and commitment to the community legal sector. Copies of the study are available from the Combined CLC Group Tel: (02) 9318 2355.


**GOAL
3**

Use Best Practice Management

Optimise the Use of Resources Through the Highest Standards of Management

OBJECTIVES

- 3.1 Develop the information management capability to support the Mission of the LJF
- 3.2 Implement best practice management systems which enable the effective use of resources and build a cooperative and productive work environment
- 3.3 Effective communication strategies

The Foundation continues to strive to improve productivity by refining administrative details and processes. This year further development of the intranet has taken place and additional electronic management systems have been implemented, resulting in saving of valuable staff time. Savings have also been achieved through reducing operating costs and being diligent in identifying the most cost efficient ways we can undertake our activities while still maintaining the integrity and quality of our output.

Resources have been shifted to priority areas identified through our planning process, highest priority given to activities in Goal 1, to ensure the effective implementation of the 'Access to Justice and Needs Research Program'.

Objective 3.1 Information Management

IT Systems and Management

Information systems continue to play an ever-increasing role in the Foundation's operations and in its communication with its stakeholders. In the past year this has resulted in:

- ♦ the Foundation completing the upgrade of its corporate computer system
- ♦ completing the re-development of the Foundation Intranet. The site was restructured to streamline updating of information and improve navigability and the content was further developed to support staff's Intranet and business needs.
- ♦ a redevelopment of our website to reflect the focus of the organisation and to improve navigability of site.
- ♦ the completion of the reorganisation of our library collection, including Foundation publications and the development of the collection and the provision of current awareness and document delivery services in order to provide current, relevant information to support Foundation research activities
- ♦ the construction of the Access to Justice database from the Literature Review stage of the Access to Justice Project.
- ♦ the development of databases for streamlining the publishing of our online newsletters such as *Plain Language Law*, *Legalinfo-online* and *E-Bulletin*

Objective 3.2 Management Systems

Strategic and Business Planning

Considered business planning is core to the Foundation's performance management system. Our 2002–2003 Business Plan operationalised the second year of the Strategic Plan 2001–2004. This was complemented by prudent budget preparation aligned to our business objectives.

Successful submission to the Public Purpose Fund (PPF) resulted in continuance of funding support for a further three years.

Prior to seeking funding for the 2003–2006 period, the Foundation undertook an important strategic planning review. This review gave us the opportunity to evaluate our strategies and make the necessary changes to ensure that the Foundation was able to continue to provide its services to the NSW community.

In light of the review and the new funding allocation, a new strategic plan (2003–2006) and the 2003–2004 business plan have been completed which will guide the Foundation towards achieving its objects.

Business Management

The Foundation maintained its sound financial management and the annual independent audit was completed without qualification. All service level agreements and contracts were reviewed and renewed as required.

The Board of Governors monitored Foundation performance through quarterly Managers' reports and monthly Director's reports, as well as reports relating to special projects and issues, as required.

In addition, all monthly financial reports were presented to the Board for approval.

In light of the current global economic volatility a review of the Foundation investment strategy was undertaken. This included seeking advice from financial advisors from the four major banks. The advice received from the banks was provided to the Board of Governors.

HR Management

The new Performance Management System was implemented in conjunction with the 2002–2003 Business Plan. Performance reviews were completed for all staff. Regular monthly staff meetings provide a forum for consultation and discussion between all staff and management.

The Intranet now provides a directory of all Foundation policies and procedures and is accessible to all staff. The Intranet is also used on a daily basis to keep staff up to date with organisational and professional issues.

Staff training and development has encompassed attendance at conferences and seminars, professional courses and training specifically relevant to the work of the Foundation, including Nvivo, SPSS, professional writing and presentation skills. Courses are often led in-house by our own staff. Staff are also undertaking further formal professional studies at tertiary institutions.

The Foundation reviewed its Remuneration Policy with particular attention given to salary packaging.

Objective 3.3

Effective Communication Strategies

Communications play a strategic role in enabling the Foundation to communicate the results of our research and other work to the community, to learn what the key issues are, and to build closer links with all relevant groups. We focus on strong two-way communication processes facilitating the flow of information between individuals and organisations keeping people informed and up-to-date about our work. In this financial year this has been particularly important to the implementation of the *Access to Justice and Legal Needs Research Program*.

We continued to use a variety of targeted communication channels, including communicating results of our work at conferences, online services, publications, and special events.

Priority in 2002–2003 was given to:

- ♦ increasing access to information through major changes to technology infrastructure and the website, and through the development of online communication strategies
- ♦ transferring research outputs to a wide audience through publications, seminars, forums, networks, special events and presentations
- ♦ using forums and conferences to promote the work of the Foundation and, in particular to inform others of the Access to Justice and Legal Needs Research Program.

Communication of results

Online communication

Law and Justice Foundation Website — www.lawfoundation.net.au

The Foundation's website provides comprehensive information about our activities as well as being a gateway to a range of online legal information resources. The website is designed to ensure that information is accessible and understandable for all.

Law and Justice Foundation e-Bulletin

Produced monthly, with a subscriber list of approximately 2000, the Law and Justice e-Bulletin provides via e-mail, regular up-to-date information on Foundation activities, as well as forthcoming events and Grants rounds.

Plain Language Law

Launched this year, the Foundation's free bi-monthly online newsletter for anyone interested in keeping abreast of plain language legal information and education initiatives.

Legalinfo-online

Our free electronic newsletter, *Legalinfo-online*, continues to provide a valuable source of information about access to justice information available via the Internet. There are now over 1820 subscribers from government, community organisations, courts, universities and law firms.

Conference Presentations and Seminars

Foundation staff made presentations at:

- ♦ the National Conference of Community Legal Centres
- ♦ Technology to Increase Access to Justice, National legal Aid Best Practice Conference, Melbourne
- ♦ the Community Legal Centres NSW State Conference, *Skilling up, reaching out*

Publications

The Changing Face of Litigation: Unrepresented Litigants in the Family Court of Australia

Hunter, R, Genovese, A and Chrzanowski, A (August 2002)



Access to Justice Roundtable: Proceedings of a Workshop, July 2002

Law and Justice Foundation of NSW (April 2003)

Law and Justice Foundation Bulletin

The quarterly Law and Justice Foundation Bulletin highlights the activities of the Foundation, including new grants products, research reports and legal information initiatives. It is available in printed form and distributed to more than 2000 people nationally. It is also published on the website at www.lawfoundation.net.au/publications/bull/.

Special Events

2002 Justice Awards

More than 350 people gathered to celebrate the 2002 Justice Awards at a dinner at Parliament House on 11 November 2002.

The 2002 ceremony marked the fourth year for the Justice Awards, which have grown to celebrate all access to justice efforts in New South Wales.

Hosted by the Chair of the Law and Justice Foundation's Board of Governors the Hon. Tony Fitzgerald AC, QC, the Justice Awards celebrated the achievements of a diverse group of individuals. The Law and Justice Address was delivered by the Hon. Fred Chaney AO who spoke about current initiatives to improve access to justice for Indigenous people.

The 2002 Justice Award winners were:

2002 Justice Medal

The Justice Medal is presented to an individual for outstanding achievement for improving access to justice in NSW, especially for socially and economically disadvantaged people. The Medal was presented by Sir Anthony Mason AC KBE

The 2002 Justice Medalist is the **Hon. Hal Wootten AC, QC** for his life long commitment improving access to justice for socially and economically disadvantaged people. While he is most publicly recognised as the Royal Commissioner investigating Aboriginal deaths in custody, he was awarded the Medal for his role in establishing the Aboriginal Legal Service in NSW in 1970, a precedent for the many Aboriginal Legal Services operating across the country today, and for his ongoing support for the Indigenous Law Centre at the University of NSW.



Prof. Garth Nettheim, Sir Anthony Mason, Gillian Cowlshaw, The Hon. Hal Wootten and Duncan Chappell

2002 Aboriginal Justice Award

The Aboriginal Justice Award is presented to an Aboriginal person outstanding commitment to improving access to justice for Aboriginal people in NSW. Developed in consultation with the Aboriginal Justice Advisory Council, the Award was sponsored by the NSW Attorney General's Department and presented by Winsome Matthews, Chairperson, Aboriginal Justice Advisory Council.

The 2002 Aboriginal Justice Award winner was **Cleonie Quayle** of Tranby College for her commitment to education and community action for Aboriginal people, demonstrated by her past leadership of Wirringa Baiya, the only independent Aboriginal Women's legal centre in NSW and her current role at Tranby College coordinating the National Indigenous Legal Studies Diploma.



Cedric Hassing; Cleonie Quayle, Tranby College; Keppie Waters and Rowena Lawrie, Attorney General's Department

Special Commendations were presented to:

- ◆ Joseph Trindall, a Gamilaroi Elder who has done so much work to improve access to justice for Aboriginal people in Moree and Armidale.
- ◆ Larry Towney, Centacare's Aboriginal Program Manager in Narromine.

2002 Regional and Rural Justice Award

The Award is presented to an individual for outstanding commitment to improving access to justice for people in regional and rural NSW. The Award was sponsored by the Northern Regional Task Force and was presented by the NSW Attorney General, the Hon. Bob Debus MP.

The 2002 Regional and Rural Justice Award winner was **Sister Pat Linnane** of the Mercy and Justice Centre in Bathurst where she works with marginalised members of the community, including refugees, people with mental illness, young people, prisoners and their families.



Nancy Walker, Sister Pat Linnane, Morganics and Geoff Mulherin

High Commendations were presented to:

- ◆ Morgan Lewis for his work in strengthening the sense of cultural identity of young Koori men and boys in western NSW
- ◆ Nancy Walker for her work to raise family violence issues in Northern NSW's Aboriginal communities.

2002 Law and Justice Volunteer Award

The Award is presented to an individual who, in a voluntary capacity, has demonstrated outstanding commitment to improving access to justice in NSW. The Award was sponsored by the NSW Bar Association and was presented by Bret Walker S.C., President of the NSW Bar Association.

The 2002 Law and Justice Volunteer Award was presented to **Jeanette Moss** of the Western Sydney Intellectual Disability Support Group. For over twenty-five years Jeanette has voluntarily worked for systemic change in the way our society cares for people with intellectual disability.



Paul McCullough, Jeanette Moss, Bret Walker SC, Douglas Barry and Estelle Adamek

2002 Law Society President's Award

The Award is presented to an individual solicitor for participating in the Law Society's Pro Bono Scheme. The Award was sponsored by the Law Society of NSW and was presented by Senior Vice President Robert Benjamin.



Barbara Garrick, Robert Benjamin, Michael Conn and Gai Winn

The 2002 Law Society President's Award was made to **Barbara Garrick** of Barbara Garrick and Associates for her pro bono work in the difficult area of family law and her assistance to the Hunter Community Legal Centre.

2002 PILCH Award

The Award is presented to an individual solicitor or barrister for outstanding commitment to improving access to justice via pro bono work provided through the PILCH Scheme. The Award was sponsored by the Public Interest Law Clearing House and presented by PILCH President Chris Greiner.



Chris Greiner and Peter Olds

The 2002 PILCH Award was presented to **Peter Olds** of Freehills for his work in coordinating a large-scale pro bono effort to assist temporary protection visa (TPV) holders in Australia.

Combined Community Legal Centres Group Award

The Award is presented to an individual who, in a voluntary capacity in a NSW community legal centre, has demonstrated outstanding commitment to improving access to justice in NSW. The Award was sponsored by the Combined Community Legal Centres Group and presented by the 2001 Justice Medalist Jim Simpson.

The 2002 Combined Community Legal Centres Group Award was presented to **John Longworth** for his long-term volunteering at Kingsford Legal Centre.



John Longworth, Jim Simpson, Mark Whelan and Clare Sneddon

High Commendations were awarded to:

- ♦ Clare Sneddon, Warringa Baiya Aboriginal Women's Legal Centre
- ♦ Mark Whelan, Illawarra Legal Centre
- ♦ Nick Yetzotis, Marrickville Legal Centre

2002 LIAC Centre of Excellence Awards

The Awards are presented for innovative achievement by Legal Information Access Centres in NSW public libraries to provide plain language legal information to the community. The Awards are sponsored by LIAC and were presented by the Hon. Justice Mahla Pearlman, President of the Library Council.

Three public libraries were awarded LIAC Centre of Excellence Awards:

Wollondilly Library and Information Service for establishing an excellent working relationship with local police to distribute plain language legal information through Picton Police Station.

Macquarie Regional Library for creatively participating in Dubbo's Law Week celebrations and working with local service providers to promote the LIAC service.

Marrickville Library Services for promoting their new LIAC service extensively to the local community, including schools, day care centres and community organisations throughout Marrickville.



The Hon. Tony Fitzgerald, Elizabeth McKibbin, Sir Anthony Mason, and representatives from Wollondilly, Macquarie and Marrickville Libraries

In 2002–2003 the Foundation undertook a strategic planning review with the aim of re-examining our objectives and how best to achieve them. The result of the review was the development of the Strategic Plan 2003–2006 to guide the Foundation’s work over the next three years. While not a major change in our activities, the new strategic plan directs the Foundation along strategies that more clearly focus on our priority objectives.

A business plan for the year ahead was structured to continue progress towards achievement of the strategic goals and objectives. Four goals were identified to provide a context and framework for the activities of the Foundation in meeting its obligations under the *Law and Justice Foundation Act 2000*.

Our Purpose

To advance the fairness and equity of the justice system, and to improve access to justice, especially for socially and economically 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 for 2003–2004

GOAL 1 Identify Legal and Access to Justice Needs

Identify needs through rigorous, evidence-based research, and the analysis of information from internal and external sources.

GOAL 2 Identify Effective Reforms, Initiatives and Programs

Identify effective reforms, initiatives and programs through research, evaluation and consultation.

GOAL 3 Improve Access to Justice

Facilitate improved access to justice through legal information, community legal education and the support of selected projects.

GOAL 4 Use Best Practice Management and Communication Practices

Optimise the use of resources through the highest standards of management and effective communication.

The Law and Justice Foundation would like to acknowledge with gratitude the support provided by the following people and organisations. Their support was either by way of commentating on grant applications, membership of committees, reviewing publications, providing advice or contributing to specific Foundation programs.

INDIVIDUALS

Margaret Allison
Director General

NSW Department of Ageing, Disability and Home Care

Anita Anderson
Director
NSW Local Courts

Donna Bain
Manager, Policy and Research
Law Society of NSW

Christopher Balmford
Director
Words and Beyond Pty Ltd

Rosemary Barry
Senior Editor
Redfern Legal Centre Publishing

Associate Professor Terry Beed
School of Business
University of Sydney

Robert Benjamin
President
NSW Law Society

Lani Blackman
Manager, Policy & Secretariat
Australian Law Reform Commission

Linda Blair
Coordinator
Women's Legal Resources Centre

Peter Butt
Associate Professor of Law
University of Sydney

Mark Burdack
Director
LawAccess

Adele Byrne
Registrar
Federal Magistrates Service

Phillip Byrne
NSW Tenants' Union

Danielle Castles
NSW Legal Aid

Alison Churchill
Executive Officer
CRC Justice Support

Ian Collie
Producer
Hilton Cordell Productions

Richard Coverdale
Director of Publishing
Victoria Law Foundation

Nicholas Cowdery QC
Director of Public Prosecutions

Karen Crawshaw
Director
Legal & Legislative Services Branch
NSW Health

Kim Cull
2002 President
Law Society of NSW

Associate Professor Chris Cunneen
Director
Institute of Criminology

Greg Curry
Director, Executive and Strategic Services
NSW Attorney Generals Department

Andrea Durbach
Director
Public Interest Advocacy Centre

Marcia Dwonczyk
Director — Client Access Branch
Department of Ageing, Disability and Home Care

Dr Robert Eagleson

Justice John Faulks
Leader, Self Represented Litigants Project
Family Court of Australia

Jane Floyd
NSW Attorney General's Department

Phillip French
Executive Director
People with Disabilities NSW

Laurie Glanfield AM
Director General
NSW Attorney General's Department

Con Gouriotis
Director
Casula Powerhouse Arts Centre

Bill Grant
Chief Executive Officer
NSW Legal Aid

- Julia Haraksin
*Coordinator, Disability Strategic Plan
NSW Attorney General's Department*
- Judy Harrison
*Convenor
National Women's Justice Coalition*
- Peter Hennessy
*Executive Director
NSW Law Reform Commission*
- Monique Hitter
NSW Legal Aid
- Brigid Inder
*Director
NSW Combined Community Legal Centres Group*
- David Ingram
*Manager, Training
SBS Radio*
- Roger Johnson
Regional Institute
- Steve Karas OAM
*Principal Member
Refugee Review Tribunal*
- Stepan Kerkyasharian AM
*Chairperson
Community Relations Commission*
- The Hon. Justice Michael Kirby AC CMG
High Court of Australia
- Alan Kirkland
*Director
NSW Council of Social Service*
- Ilona Lee
*Manager
NSW Multicultural Health Communication Service*
- Janet Loughman
*Convenor
Youth Justice Coalition, and
Chairperson
Combined Community Legal Centres*
- Cheryl McCoy
*Director — Operational Policy and Programs
NSW Police*
- James McDougall
*Director
National Association of Community Legal Centres*
- Rod McGuinness
Arts Law Centre
- Lorna McKenzie
*e-business coordinator
Department of Industrial Relations*
- Elizabeth McKibbin
*Manager
Legal Information Access Centre*
- Colin Neave
Australian Banking Industry Ombudsman
- David O'Connor
*Director General
NSW Department of Fair Trading*
- Phil O'Donoghue
*Deputy Director
Australian Council of Social Service*
- The Hon. Justice Mahla Pearlman, AM
*Chief Judge
Land and Environment Court of NSW*
- Mary Perkins
*Executive Officer
Shelter NSW*
- Associate Professor Debra Picone
*Deputy Director General, Policy
NSW Health*
- Jane Pritchard
LawAccess NSW
- Dr Patricia Ranald
*Principal Policy Officer
Public Interest Advocacy Centre*
- Gordon Renouf
*Director
National Pro Bono Resource Centre*
- Steven Reynolds
*Director
General Purpose Standing Committees
Legislative Council, NSW Parliament*
- Delia Rickard
*Deputy Executive Director
Consumer Protection
Australian Securities and Investments Commission*
- Sue Richards
Family Support Services Association
- Dominic Riordan
*Manager — Corruption Prevention
Independent Commission Against Corruption*
- Alan Robinson
Shoalcoast Legal Centre
- Natalie Ross
Inner City Legal Centre
- Justice Ronald Sackville
Federal Court of Australia
- John Sampson
NSW Attorney General's Department
- David Sherlock
*Director General
Department of Juvenile Justice*
- Liz Skelton
*General Manager
Streetwize Communications*

Michael Small
*Disability Rights Policy Unit
 Human Rights and Equal Opportunity Commission*

Bob Smith
*Director General
 Department of Land and Water Conservation*

Bridget Sordo
*Community Assistance
 Law Society of NSW*

Brenton Taylor
*Executive Director
 Local Government and Shires Association NSW*

Brendan Thomas
*Executive Officer
 Aboriginal Justice Advisory Council*

Rugmini Venkatraman
*Regional Violence Prevention Specialist
 NSW Attorney General's Department*

Clare Vernon
*Director — Victims Services
 NSW Attorney General's Department*

Sue Walden
Legal Information Access Centre

Cathie Warburton
Australian Securities and Investment Commission

Dr Don Weatherburn
*Director
 NSW Bureau of Crime Statistics and Research*

Tony Westmore
*Director
 Indigenous Law Centre*

Meredith Wilkie
*Director
 Race Discrimination Unit Human Rights and Equal
 Opportunity Commission*

Faye Williams
Local and Community Services Association

Helen Williams
Centre for Continuing Education

ORGANISATIONS

Aged Care Rights Service
 Centre for Elder Law UWS
 Chamber Magistrates
 Coalition of the Aged
 Combined Pension and Superannuants Association
 Disability and Aged Information Service, Lismore
 Elder Abuse Monitoring Project
 Grandparents Australia
 Guardianship Tribunal
 LawAccess NSW
 Law Society of NSW, Family Law Committee
 Law Society of NSW, Law and Litigation Committee
 Law Society of NSW, Regional Presidents
 Legal Information Access Centre
 National Association of Community Legal Centres
 National Information Centre on Retirement Investments
 NCOSS Federation of non-government associations
 NSW Anti-Discrimination Board
 NSW Combined Community Legal Centres
 NSW Committee on Ageing
 NSW Legal Aid
 Office for Ageing
 Office of the Public Guardian
 Seniors Information Service
 Shelter NSW
 Veterans Advocacy Service
 Women's Information and Referral Service

Governors' Report

The Governors of the Law and Justice Foundation of New South Wales submit herewith the annual financial report for the financial year ended 30 June 2003. 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 are:

- | | | |
|------------------|------------|--------------|
| ♦ G E Fitzgerald | ♦ D Mills | ♦ P Wright |
| ♦ K Rozzoli | ♦ B Walker | ♦ G Mulherin |
| ♦ A O'Neill | ♦ J Saffin | ♦ J Behrendt |

The above named directors held office during and since the end of the financial year except for:

- ♦ J Behrendt (Appointed 19 July 2002)

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 2003 operating net deficit was \$329,344. The 2002 operating net deficit was \$243,403.

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 operation 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


GOVERNOR
Sydney, 17.11.03


GOVERNOR
Sydney, 17 Nov 03

Auditor's Report

Deloitte Touche Tohmatsu
 A.B.N. 78 490 121 000
 Grosvenor Place
 225 George Street
 Sydney NSW 2000
 PO Box N250 Grosvenor Place
 Sydney NSW 1217 Australia
 D: 10007552
 Telephone (02) 9322 7000
 Facsimile (02) 9322 7001
 www.deloitte.com.au

**Deloitte
 Touche
 Tohmatsu**

INDEPENDENT AUDIT REPORT TO THE GOVERNORS
OF LAW AND JUSTICE FOUNDATION OF NEW SOUTH WALES

Scope

We have audited the attached financial report, being a special purpose financial report, of Law and Justice Foundation of New South Wales for the financial year ended 30 June 2003 as set out on pages 6 to 23. The Board is responsible for the financial report and has determined that the accounting policies used and described in Note 1 to the financial statements are appropriate to their needs. We have conducted an independent audit of the financial report in order to express an opinion on it to the Board of Law and Justice Foundation of New South Wales. No opinion is expressed as to whether the accounting policies used, and described in Note 1, are appropriate to the needs of the Board or the reporting requirements under the Law and Justice Foundation Act 2000.

The financial report has been prepared to satisfy the Governors' information needs. We disclaim any assumption of responsibility for any reliance on this audit report or on the financial report to which it relates to any person other than the Governors, or for any purpose other than that for which it was prepared.

Our audit has been conducted in accordance with Australian Auditing Standards. Our procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial report and the evaluation of significant accounting estimates. These procedures have been undertaken to form an opinion whether, in all material respects, the financial report is presented fairly in accordance with the accounting policies described in Note 1 to the financial statements. These policies do not require the application of all Accounting Standards and other mandatory professional reporting requirements in Australia.

The audit opinion expressed in this report has been formed on the above basis.

Audit Opinion

In our opinion, the financial report presents fairly in accordance with the accounting policies described in Note 1 to the financial statements the financial position of Law and Justice Foundation of New South Wales as at 30 June 2003 and the results of its operations and its cash flows for the year then ended.

Deloitte Touche Tohmatsu
 DELOITTE TOUCHE TOHMATSU



M Dreyer
 Partner
 Chartered Accountants

Sydney, 17 November 2003

⁵ The liability of Deloitte Touche Tohmatsu is limited by, and to the extent of, the Accountants' Scheme under the Professional Standards Act 1994 (NSW).

Statement by the Board of Governors

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 fair 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 statements 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.

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, but may cease at the end of the current three-year agreement in June 2006.

On behalf of the Board of Governors



GOVERNOR
Sydney, 17.11.03



GOVERNOR
Sydney, 17 Nov 03

Financial Statements

Statement of Financial Performance for the Financial Year Ended 30 June 2003

	Note	2003 \$	2002 \$
		<u> </u>	<u> </u>
Revenue from ordinary activities		3,047,491	2,036,721
Employee benefits expense		(1,181,691)	(1,147,167)
Premises costs		(207,301)	(187,851)
Depreciation expense		(44,601)	(44,025)
Grants and projects costs		(204,965)	(202,456)
Accounting fees		(17,273)	(18,000)
Printing costs		(71,359)	(28,911)
Insurance costs		(28,654)	(18,659)
Disposals of investments		(1,323,702)	(217,199)
Other expenses from ordinary activities		(297,289)	(415,856)
Surplus/(deficit) from ordinary activities before income tax expense	2	<u>(329,344)</u>	<u>(243,403)</u>
Income tax expense relating to ordinary activities	1(e)	-	-
Net surplus/(deficit)		<u><u>(329,344)</u></u>	<u><u>(243,403)</u></u>
Adjustment to retained profits at 1 July 2002 as a result of the adoption of AASB 1028 "Employee Benefits"	11	(1,213)	-
Total Revenue, Expense and Valuation Adjustments Recognised Directly in Equity		(1,213)	-
Total Changes in Equity Other than those Resulting from Transactions with Owners as Owners		<u>(330,557)</u>	<u>(243,403)</u>

Notes to the Financial Statements are included on pages 40 to 47

Statement of Financial Position for the Financial Year Ended 30 June 2003

	Note	2003 \$	2002 \$
CURRENT ASSETS			
Cash assets		1,338,503	1,436,810
Receivables	4	61,970	65,838
Other current assets	5	24,248	18,952
Other financial assets	6	3,456,056	3,561,402
TOTAL CURRENT ASSETS		<u>4,880,777</u>	<u>5,083,002</u>
NON-CURRENT ASSETS			
Property, plant and equipment	7	485,120	519,709
TOTAL NON-CURRENT ASSETS		<u>485,120</u>	<u>519,709</u>
TOTAL ASSETS		<u>5,365,897</u>	<u>5,602,711</u>
CURRENT LIABILITIES			
Payables		88,123	81,672
Provisions	8	102,769	60,666
Grants and external projects allocated- not drawn		550,186	500,332
TOTAL CURRENT LIABILITIES		<u>741,078</u>	<u>642,670</u>
NON-CURRENT LIABILITIES			
Provisions	9	13,438	18,103
TOTAL NON-CURRENT LIABILITIES		<u>13,438</u>	<u>18,103</u>
TOTAL LIABILITIES		<u>754,516</u>	<u>660,773</u>
NET ASSETS		<u>4,611,381</u>	<u>4,941,938</u>
EQUITY			
Accumulated surplus	11	4,611,381	4,941,938
TOTAL EQUITY		<u>4,611,381</u>	<u>4,941,938</u>

Notes to the Financial Statements are included on pages 40 to 47

Statement of Cashflows for the Financial Year Ended 30 June 2003

	Note	2003 \$	2002 \$
<i>Cashflows from Operating Activities</i>			
Receipts from customers and grants		1,647,129	1,838,112
Interest received		132,140	135,604
Payments to suppliers, employees, and grants and projects		(1,864,971)	(1,787,409)
Dividends received		88,075	63,942
<i>Net Cash Provided by/(Used in) Operating Activities</i>	12(b)	2,373	250,249
<i>Cashflows from Investing Activities</i>			
Proceeds on sale of investment securities		1,143,717	3,836,432
Payment for investment securities		(1,234,385)	(4,022,326)
Payment for fixed assets		(10,012)	(29,070)
<i>Net Cash Provided by/(Used in) Investing Activities</i>		(100,680)	(214,964)
NET (DECREASE)/INCREASE IN CASH HELD		(98,307)	35,285
CASH AT BEGINNING OF FINANCIAL YEAR		1,436,810	1,401,525
CASH AT END OF FINANCIAL YEAR	12(a)	1,338,503	1,436,810

Notes to the Financial Statements are included on pages 40 to 47

Notes to the Financial Statements for the Financial Year Ended 30 June 2003

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 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.

The financial report has been prepared in accordance with the Law and Justice Foundation Act 2000, the basis of accounting specified by all Accounting Standards and UIG Consensus Views, and the disclosure requirements of Accounting Standards AASB 1001 "Accounting Policies", AASB 1018 "Statement of Financial Performance", AASB 1034 "Financial Report Presentation and Disclosures", AASB 1040 "Statement of Financial Position" and UIG Abstract 35 "Disclosure of Contingent Liabilities".

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 \$3,000 requires the approval of, and is at the discretion of, the Board of Governors. Grants less than \$3,000 can be approved by the Director. Those approved in the current financial year are reported as expenses in the statement of financial performance, to the extent drawn.

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 financial performance.

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

Public Purpose Fund income is brought to account at a monthly accrual of \$125,000. 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 2003 totaled \$1.5 million.

The Law and Justice Foundation of New South Wales also approves and administers a number of specific purpose grants for which the Trustees of the Public Purpose Fund allocate to the Law and Justice Foundation additional monies. These are accounted for separately from the Law and Justice Foundation's core income.

(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.

With regard to the Strata Title at Reid House, the Board of Governors has not been able to differentiate between the land and building content of the investment and accordingly attribute the whole amount to land. This amount is not depreciated.

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

Leasehold improvements	4 years
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, sick leave, and long service leave expected to be settled within 12 months, are measured at their nominal values using the remuneration rate expected to apply at the time of settlement.

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) Accounts Payable

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) Capital Gains Tax

No provision has been made for capital gains tax which may arise in the event of revalued assets being sold as no decision has been made to sell any of these assets.

(j) 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 taxation authority, 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 taxation authority is included as part of receivables or payables.

(k) Receivables

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

(l) Investments

s16 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 Trustees 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 a range of investments across property, debentures and equities with the aims of ensuring the continuity of income for Foundation operations and to obtain some growth in the capital base over the medium to long term. The asset allocation of the proportion of equities matches that of an investor wishing to gain prudent growth at a return higher than term and bank deposits over the longer term.

Investments in listed companies are valued at the quoted market value prevailing at the end of the financial year. All other investments are valued at cost. Interest revenue is recognised on an accrual basis. Dividend revenue is recognised on a receivable basis

(m) Litigation Support Fund

The Law and Justice Foundation of New South Wales has run a scheme known as the Litigation Support Fund ('the Fund') which has funded the disbursements of litigants who have strong cases but who, without the support provided by the Fund, would not be able to pursue their cases. The Fund was set up on the basis that no monies are repayable for cases which fail. While only cases evaluated as low risk were supported, for prudential reasons, a general provision for doubtful debts, has been established.

The Law and Justice Foundation of New South Wales has discontinued the scheme, however, until all funded cases are completed, there will be loans outstanding.

(n) 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.

Rental Revenue

Revenue from the rental of premises is recognised on an accrual basis.

(o) Going Concern

The financial report for the year ended 30 June 2003 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, but may cease at the end of the current three-year agreement in June 2006.

(p) 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.

(q) Changes in Accounting Policies

In accordance with Accounting Standard AASB 1028 "Employee Benefits", on 1 July 2002 the company changed its policy for recognising provisions for annual leave. Under the new policy the amount of the provision is calculated using the remuneration rate expected to apply at the time of settlement, rather than the remuneration rate that applies at reporting date. The effect of this change in accounting policy is to decrease opening retained profits in the company by \$1,213.

2. SURPLUS/(DEFICIT) FROM ORDINARY ACTIVITIES

	2003	2002
	\$	\$
Surplus/(deficit) from ordinary activities before income tax includes the following items of revenue and expense:		
Operating Revenue		
Public Purpose Fund	1,500,000	1,500,000
Sales revenue:		
Sale of goods	2,711	8,443
Rendering of services	48,528	47,653
	51,239	56,096
Rental revenue	95,095	91,667
Interest revenue:		
Litigation Support Fund	18,130	22,538
Other financial assets	112,300	126,062
	130,430	148,600
Royalties	159	207
Dividends	88,075	63,942
Write back of grants and projects	38,141	33,732
Other	634	12,358
	<u>1,903,774</u>	<u>1,906,602</u>
Non-operating Revenue		
Proceeds from the sale of:		
Investments	1,143,717	130,119
	<u>3,047,491</u>	<u>2,036,721</u>
Expenses		
Employee benefits expenses	1,181,691	1,147,167
Premises costs	207,301	187,851
Depreciation expense	44,601	44,025
Grants and projects costs	204,965	202,456
Accounting fees	17,273	18,000
Printing costs	71,359	28,911
Insurance costs	28,654	18,659
Bad debt	195	450
Other costs	282,278	2543,818
Cost of disposals of investments	1,323,702	217,199
Net decrement arising from the revaluation of non-current assets:		
Investments	14,816	161,588
	<u>3,376,835</u>	<u>2,280,124</u>

3. SALE OF ASSETS

	2003	2002
	\$	\$
Sale of assets in the ordinary course of business have given rise to the following profits and losses:		
Net Losses		
Investment	179,985	87,080
Property, plant and equipment	<u>-</u>	<u>179</u>
	<u>179,985</u>	<u>87,259</u>

4. RECEIVABLES

Trade receivables	17,543	19,701
Interest receivable	44,427	46,137
Litigation Support Fund 1(n)	3,520	3,324
Litigation Support Fund provision for doubtful debts	<u>(3,520)</u>	<u>(3,324)</u>
	<u>61,970</u>	<u>65,838</u>

5. OTHER CURRENT ASSETS

Prepayments	24,248	16,384
Other	<u>-</u>	<u>2,568</u>
	<u>24,248</u>	<u>18,952</u>

6. OTHER FINANCIAL ASSETS

Shares — at market value	2,056,056	1,618,720
Debentures — at cost	<u>1,400,000</u>	<u>1,942,682</u>
	<u>3,456,056</u>	<u>3,561,402</u>

7. PROPERTY, PLANT AND EQUIPMENT**2003**

	Buildings	Leasehold Improvements	Office Furniture & Fittings	Office Equipment	Total
Gross Carrying Value					
Balance at 30 June 2002	442,010	173,908	75,267	286,129	977,315
Additions	-	-	-	10,012	10,012
Disposals	-	-	-	-	-
Balance at 30 June 2003	<u>442,010</u>	<u>173,908</u>	<u>75,267</u>	<u>296,141</u>	<u>987,327</u>
Accumulated Depreciation					
Balance at 30 June 2002	-	(166,302)	(53,505)	(237,798)	(457,605)
Depreciation expense	-	(6,217)	(7,073)	(31,311)	(44,601)
Disposals	-	-	-	-	-
Balance at 30 June 2003	<u>-</u>	<u>(172,519)</u>	<u>(60,578)</u>	<u>(269,109)</u>	<u>(502,206)</u>
Net Book Value					
As at 30 June 2002	442,010	4,616	21,762	51,322	519,709
As at 30 June 2003	<u>442,010</u>	<u>1,389</u>	<u>14,689</u>	<u>27,033</u>	<u>485,120</u>

The Buildings were independently valued on 16 August 2002 by G. Paton FAPI, FREI, AIAMA, AFAIM. The valuation of \$1,050,000 was based upon a current market direct comparison basis. The valuation was not made in accordance with a regular policy of revaluations and has not been brought to account in the financial statements.

	2003 \$	2002 \$
Aggregate depreciation allocated, whether recognised as an expense or capitalised as part of the carrying amount of other assets during the year:		
Buildings	-	-
Leasehold improvements	6,217	5,260
Office furniture & fittings	7,073	6,992
Office equipment	<u>31,311</u>	<u>31,773</u>
	<u>44,601</u>	<u>44,025</u>

8. CURRENT EMPLOYEE ENTITLEMENTS

Provision for annual leave (note 10)	66,769	60,666
Provision for redundancy (note 10)	<u>36,000</u>	<u>-</u>
	<u>102,769</u>	<u>60,666</u>

9. NON-CURRENT EMPLOYEE ENTITLEMENTS

Provision for long service leave (note 10)	<u>13,438</u>	<u>18,103</u>
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10. EMPLOYEE BENEFITS

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

Provision for employee benefit:

Current (note 8)	102,769	60,666
Non-current (note 9)	13,438	18,103
Accrued wages and salaries (i)	<u>31,803</u>	<u>29,866</u>
	<u>148,010</u>	<u>108,635</u>

(i) Accrued wages and salaries are included in the current trade payables balance.

11. ACCUMULATED SURPLUS

Balance at beginning of financial year	4,941,938	5,185,341
Adjustment to opening retained profits on initial adoption of AASB 1028		
"Employee Benefits" (note 1(q))	(1,213)	-
Net (deficit)/surplus	<u>(329,344)</u>	<u>(243,403)</u>
Balance at end of financial year	<u>4,611,381</u>	<u>4,941,938</u>

12. NOTES TO STATEMENT OF CASHFLOWS

	2003	2002
	\$	\$
(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 statement of financial position as follows:		
Cash	<u>1,338,503</u>	<u>1,436,810</u>
(b) Reconciliation of Operating Deficit from Operating Activities to Net Cash Flows from Operating Activities		
<i>Net Surplus/(Deficit)</i>	(329,344)	(243,403)
(Profit)/Loss on sale of other financial assets	179,985	87,080
(Profit)/Loss on sale of fixed assets	-	179
Depreciation of non-current assets	44,601	44,025
Net (increment)/decrement arising from the revaluation of investments	14,816	161,588
<i>(Increase)/Decrease in assets</i>		
Receivables	3,868	156,733
Other current assets	(5,296)	8,055
<i>(Decrease)/Increase in liabilities</i>		
Payables	6,451	(12,003)
Provisions	37,438	(399)
Grant and projects allocated — not drawn	<u>49,854</u>	<u>48,394</u>
<i>Net Cash from Operating Activities</i>	<u>2,373</u>	<u>250,249</u>
(c) Non-Cash Financing and Investing Activities		
The net decrement for the revaluation of investments from cost to market value was \$14,816.		

13. 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.

2003	Average Interest Rate	Fixed Interest Rate Maturity	Variable interest rate	Non-interest bearing	Consolidated Total
Financial assets					
Cash and deposits	4.65%	-	1,338,503	-	1,338,503
Receivables			-	61,970	61,970
Other current assets	-	-	-	24,248	24,248
Investments	4.65%	1,682,294	-	1,773,762	3,456,056
		1,682,294	1,338,503	1,859,980	4,880,777
Financial liabilities					
Trade creditors and accruals	-	-	-	88,123	88,123
	-	-	-	88,123	88,123
Net financial assets	-	1,682,294	1,338,503	1,771,857	4,792,654
2002					
	Average Interest Rate	Fixed Interest Rate Maturity	Variable interest rate	Non-interest bearing	Consolidated Total
Financial assets					
Cash and deposits	4.83%	-	1,436,810	-	1,436,810
Receivables		46,137	-	19,701	65,838
Other current assets	-	-	-	18,952	18,952
Investments	5.07%	1,942,682	-	1,618,720	3,561,402
		1,988,819	1,436,810	1,657,373	5,083,002
Financial liabilities					
Trade creditors and accruals	-	-	-	81,672	81,672
	-	-	-	81,672	81,672
Net financial assets	-	1,988,819	1,436,810	1,575,701	5,001,330

14. 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.

15. ECONOMIC DEPENDENCY

The Law and Justice Foundation of New South Wales is dependent on allocations from the Public Purpose Fund.

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, but may cease at the end of the current three-year agreement in June 2006.

16. REMUNERATION OF AUDITORS

	2003	2002
	\$	\$
Auditing the financial report	18,000	18,000

17. EMPLOYEES

Number of employees at end of financial year	19	19
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18. ADDITIONAL ORGANISATION INFORMATION

Principal Place of Business

Level 14
130 Pitt St
SYDNEY NSW 2000
Tel: (02) 9221 3900

Law and Justice Foundation of New South Wales

ADDRESS	Level 14, 130 Pitt Street, Sydney NSW 2000
POSTAL	GPO Box 4264, Sydney NSW 2001
DX	984 Sydney
TEL	(02) 9221 3900
FAX	(02) 9221 6280
WEBSITE	www.lawfoundation.net.au
EMAIL	lf@lawfoundation.net.au

Staff Listing

FULL YEAR

Ana Berger
ADMINISTRATION MANAGER

Sarah Ellison
RESEARCHER

Ann Eyland
PRINCIPAL RESEARCHER

Abigail Gray
RESEARCH ASSISTANT PART-TIME

Judith Henderson
BUSINESS DEVELOPMENT MANAGER

Maria Karras
SENIOR RESEARCHER

Catherine Lloyd
GRANTS MANAGER

Christine Miller
LIBRARY TECHNICIAN

Geoff Mulherin
DIRECTOR

Joanna Mullins
RESEARCHER

Sheridan Old
EXECUTIVE ASSISTANT

Julia Perry
HEAD OF RESEARCH

Louis Schetzer
SENIOR PROJECT MANAGER

Sue Scott
KNOWLEDGE AND LEGAL INFORMATION MANAGER

PART YEAR

Roberto Buonamano
RESEARCHER PART-TIME
(July 2002–February 2003)

Myra Cheng
RESEARCH ASSISTANT PART-TIME
(July–August 2002)

Rachael Cunliffe
ADMINISTRATIVE ASSISTANT
(October 2002–April 2003)

Naomi Doncaster
DATA MANAGER
(July–August 2002)

Robyn Drummond
INFORMATION MANAGER
(July 2002–February 2003)

Angela Higgs
EXECUTIVE ASSISTANT PART-TIME
(from October 2002)

Jenny Kaldor
RESEARCH ASSISTANT
(July 2002–February 2003)

Emma Lander
RECEPTIONIST/OFFICE CLERK
(July–September 2002)

Simon Miller
WEB AND PUBLISHING COORDINATOR
(from March 2003)

Vaidehi Subhramanyam
ACCOUNTS CLERK
(July 2002–April 2003)

Lisa Turnbull
RECEPTIONIST/OFFICE CLERK
(from October 2002)

Albert Zhou
STATISTICAL ANALYST
(until April 2003)