QON No. 129

# LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2024-2025
Ms Nicole Lawder MLA (Chair), Ms Suzanne Orr MLA (Deputy Chair),
Miss Laura Nuttall MLA

## ANSWER TO QUESTION ON NOTICE

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Asked By: Mr Peter Cain MLA

Addressed to: Chief Executive Officer, Legal Aid ACT

Reference: Legal Aid ACT

Hearing Date: 30/07/2024

In relation to: Legal Aid – External legal service providers

QON lodgement Date: 30/07/2024

Answer Due date: 07/08/2024

(1) Do your staff on occasion have to make referrals to private practitioners?

(a) How are these referrals made i.e. how are the appropriate lawyers identified?

(b) Have there been any occasions where your staff have received gifts from private practitioners who have received referrals?

(c) Do you have a gifts policy or a conflict of interest management policy?

(2) Noting page 78 of BS D that you will be financing much of your equity in 2025-26. By the end of the 2027-28FY it is forecasted to almost be completely sold, with only 1.8m in assets. Where will this money be allocated?

(a) Where is most of this equity invested, shares or bonds?

(b) Do you think you will struggle to maintain an insurance buffer for Legal Aid by emptying your investments?

Chief Executive Officer, Legal Aid ACT: The answer to the Member's question is as follows:

1 Yes, referrals to private practitioners do occur.

1(a) Staff regularly make referrals to private practitioners who are members of the Legal Aid ACT General Panel. Grants of aid are offered and assigned across the General Panel to practitioners in accordance with their identified area of practice experience (eg, Criminal, Family, Civil Law).

1(b) Very infrequently (eg Christmas) some private practitioners have gifted minor consumables (eg chocolates, biscuits) that have been shared across the office.

1(c)  Legal Aid ACT has a gifts policy that forms part of its Chief Executive Financial Instructions. This policy has been implemented, in part, to protect the Commission and its staff from real or perceived undue influence and possible criticism.

2(a)  Legal Aid ACT invests the cash component of its equity in short term deposits with a bank. As at 30 June 2025, we are budgeting a cash balance of $5.9 million and we are forecasting this balance to reduce to $5.5 million by 30 June 2028.

2(b)  Legal Aid ACT has budgeted modest deficits for 2025-26 to 2027-28. This strategy aims to ensure we will retain sufficient funds to meet our expected expenses and liabilities. Noting, the short-term nature of funding for some initiatives continues to make it challenging to plan with any degree of certainty for our future service delivery.

Approved for circulation to the Select Committee on Estimates 2024-2025

Signature: Date: 6/8/24

By the Chief Executive Officer, Legal Aid ACT, Dr John Boersig