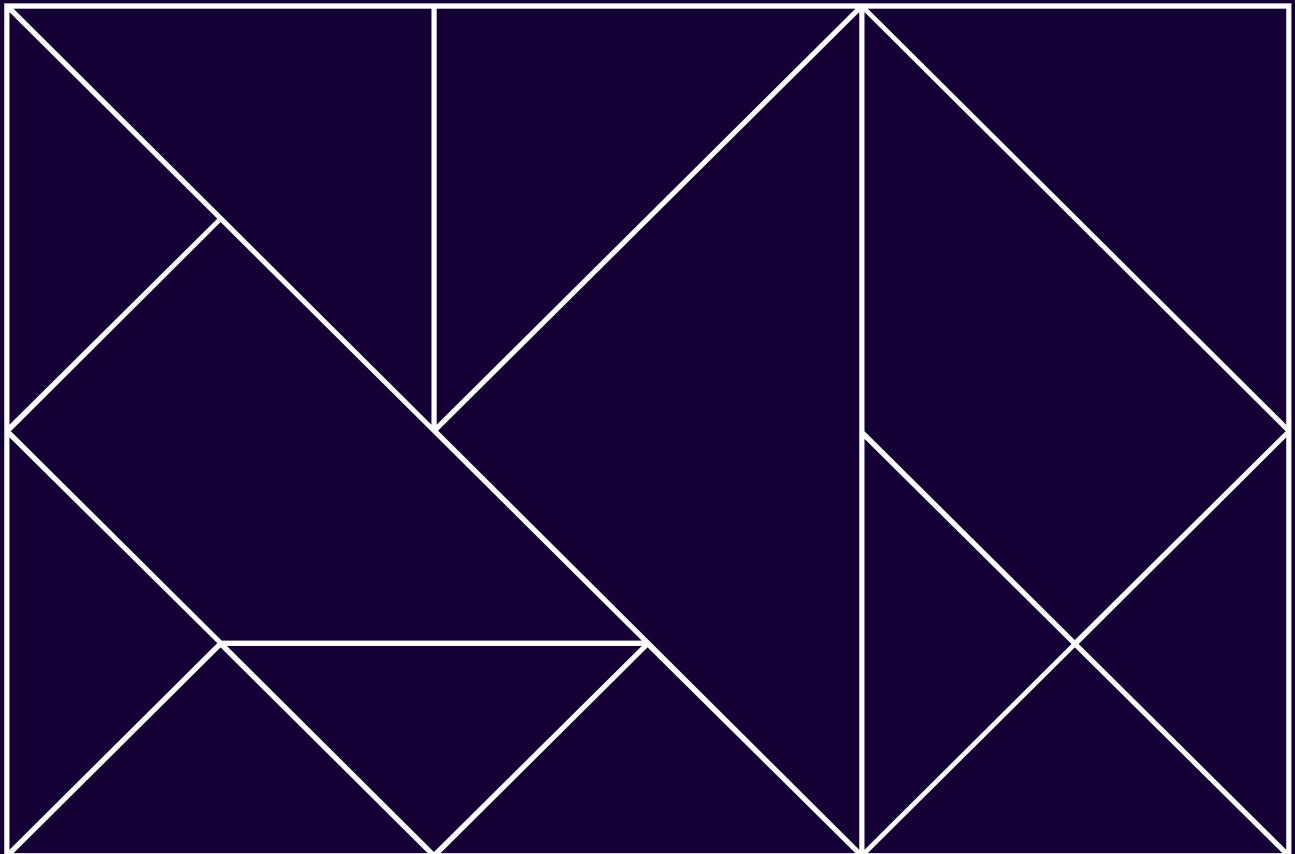


November 2022

Report to Government of Western Australia – Department of Justice

# Assessment on the Current Legal Needs in Western Australia

Final Report



## **About ACIL Allen**

ACIL Allen is a leading independent economics, policy and strategy advisory firm, dedicated to helping clients solve complex issues.

Our purpose is to help clients make informed decisions about complex economic and public policy issues.

Our vision is to be Australia's most trusted economics, policy and strategy advisory firm. We are committed and passionate about providing rigorous independent advice that contributes to a better world.

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# Introduction





## 1.1 Background

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The National Legal Assistance Partnership (NLAP) 2020–25 is the national partnership agreement between the Commonwealth Government and all State and Territory governments, that provides funding and sets out arrangements for the delivery of Commonwealth-funded legal assistance services. Throughout the agreement period, the Commonwealth Government has agreed to contribute \$294 million, for the Western Australian Government to administer the delivery of legal assistance services on its behalf.

The WA Department of Justice (the Department hereafter) is responsible for administering NLAP funding, among other Commonwealth and State funding streams. These funds are administered by the Legal Assistance Branch, and is subject to change depending on the needs of the sector.

In 2022–23, the Department will distribute approximately \$128 million to the State's legal assistance sector, including approximately \$60.8 million from the Commonwealth under the NLAP 2020–25. These funds support the sector to deliver a range of essential frontline services, including but not limited to, information, advice, representation, mediation, document drafting, domestic violence supports and community legal education.

In addition to funding administered by the Department, legal assistance providers may receive funding from alternative sources, such as:

- direct Commonwealth Government funding from agencies, such as National Indigenous Australians Agency or Australian Department of Social Services.
- other State Government funding from the WA Department of Mines, Industry Regulation and Safety or Department of Communities.
- grants and donations from the Public Purposes Trust.

In response to unforeseen circumstances and events, the Commonwealth and State governments may also provide additional funding to the sector. This is in recognition of the increased demand for legal assistance stemming from disaster events / humanitarian crises. Over the recent years, the sector received an additional \$16.5 million, in response to the COVID-19 pandemic, Tropical Cyclone Seroja in the state's mid-west and the Afghanistan displacement crisis.

## 1.2 Scope of our engagement

As part of the NLAP requirements, the Department was required to develop a Legal Assistance Strategy and Legal Assistance Action Plan, which were to be published on 30 June and 30 September 2022 respectively. Together, these documents ensure that the legal assistance sector is supported to deliver appropriate and timely legal assistance across Western Australia.

ACIL Allen was engaged by the Department to develop a WA Legal Needs Report and supporting data tool, to fulfil the *NLAP Clause C5(a)* – that is, the part of the Legal Assistance Strategy that must indicate the estimated level and nature of legal need in the State, including sub-jurisdictional regions where appropriate.

Our consideration of legal assistance is not limited to those funded under NLAP funding. Instead, all legal assistance is in-scope, irrespective of funding source. This is to enable the mapping of all legal need against all legal assistance delivered, which will afford a holistic view of the sector.

In doing so, the Department will be able to perform collaborative service planning across the various legal assistance providers and make informed decisions on appropriate funding allocations.

### Box 1.1 Past assessments of legal need

Under the previous funding program, there were two major developments in the approach to assessing legal need in Western Australia.

#### ***AECOM Assessment of Legal Need (2003)***

This assessment identified a set of socio-economic indicators to assist with mapping the potential demand for legal assistance services at the local government level.

Each local government area was then ranked based on their relative position across all indicators, with rankings added together to form a composite indicator called Index of Demand. In practice, the lower the total additive value, the greater the estimated demand for legal assistance services.

This assessment approach was first introduced in 2003, and remained in use until 2016.

#### ***Kalico Consulting Legal Need in Western Australia (2017)***

This expanded on AECOM's approach to incorporate demographic data on Priority Client Groups and Need for Legal Assistance Services indicators as developed by the Law and Justice Foundation in New South Wales.

This assessment approach was used in 2017 to inform service planning under the previous funding program.

Source: ACIL Allen, from AECOM and Kalico Consulting

## 1.3 Report structure

This report is presented in four parts, including:

- **Part I: Introduction** – provides a broad overview of the purpose and context of this report. It also provides guidance for interpreting the analysis in this report
- **Part II: Overview of legal assistance sector** – explores the various legal assistance providers, nature and extent of legal assistance, priority client groups and alternative means to resolve legal need.
- **Part III: Supply of legal assistance** – presents a complete analysis of legal assistance in relation to particular Areas of Law, Priority Client Groups and Justice Regions. Each of these perspectives also considers what types of services are delivered and who is delivering it. **Box 1.2** provides additional guidance on navigating this part of the report.



- **Part IV: Relative sufficiency of legal assistance** – indicates the sufficiency of legal assistance, by matching supply of legal assistance against measures of legal need.
- **Appendices** – presents qualitative analysis on the barriers and risk factors experienced by Priority Client Groups and additional technical information / findings that may provide a more comprehensive understanding of this report, including the relative sufficiency of legal need by select sub-population.

#### **Box 1.2** Guide to reading Part III: Supply of legal assistance

Our analysis is based on unit level service data and the intersection across Areas of Law, Priority Client Groups and Justice Regions is presented in Part III. This means that analysis on one perspective (e.g., Area of Law), can also be found in the other two sections (e.g., Priority Client Groups).

To reinforce this concept, examples for each perspective are presented below.

##### ***Child protection matters***

Analysis about child protection matters can be found under sections about that law type (e.g. under 4.1.5 Priority Area of Law and 8.4.1 Child protection matters), but also under the Law Type subsections in each of the sections about Priority Client Groups and Justice Regions.

##### ***Aboriginal and Torres Strait Islander people***

Analysis about Aboriginal and Torres Strait Islander people can be found under the dedicated sections about that Priority Client Group, but also under the Priority Client Group subsections about Areas of Law and Justice Regions.

##### ***Albany***

Analysis about *Albany* can be found under the dedicated section about that Justice Region, but also under the Justice Region subsections about Areas of Law and Priority Client Groups.

## **1.4 Important guidance for interpreting analysis in this report**

The aim of this report is to estimate the level and nature of both legal need and legal assistance provision in Western Australia, and in so doing, highlight areas of relative unmet need. While some indication of unmet need is provided, critical caveats apply to this analysis. This means that care should be taken when interpreting this indication.

This is the first time such an exercise has been undertaken for the legal assistance sector in WA. Through this process, important lessons have been identified which will enhance the accuracy of future analyses. While the methodological approach to preparing analysis in this report is sound, the limitations pertain most importantly to the quality and completeness of project data.

Stakeholders must consider the limitations and areas of future research which are outlined below, to inform future efforts to estimating unmet legal need in WA.

### **1.4.1 Limitations to the service data**

Given our assessment is centred on a data-driven approach, its validity and accuracy are predicated on the quality of the underlying data. While our data cleaning process has addressed some of the data quality concerns, there are outstanding issues that can only be resolved through broad-based improvements at the sectoral level.

As specified in the National Legal Assistance (NLA) Data Standards Manual, the extent to which service user demographics are recorded depends on the type of legal assistance. In particular, demographic variables are characterised as one of two categories:

- *Basic service characteristics*, which are universally recorded for all services and cover most high-level demographic information, such as gender and age.

- *Detailed service characteristics*, which are encoded for select services (i.e., typically more resource intensive). This covers some of the more personal demographic information, such as in custody status.

Recognising the differences in reporting burdens, the completeness and quality of data may vary across the demographic variables. Importantly, this disproportionately affects the more “specific” Priority Client Groups since the associated demographic identifiers are typically part of the detailed service characteristics.

In addition to this, certain types of legal assistance (i.e., information and referral services) commonly have limited Priority Client Group and Justice Region information assigned to it. This limitation may lead to potential bias in service intensity, since more intensive services are likely to be associated with better data collection (given the higher level of engagement users will have with service providers) when compared to less intensive services (e.g., information and referral services).

It is noted that the data gaps for information and referral services are not limited to a specific provider type, but affect the sector as a whole. While there was concerted effort to fill-in these gaps, many of these data fields are still incomplete which may affect the accuracy of our findings.

For Priority Client Group information, various assumptions were made to improve the data completeness of information and referral services. These assumptions were limited to specialist service providers, where the target service users are particularly clear. On the other hand, similar assumptions were not applied to data on Justice Regions since most of the data gaps pertained to state-wide service providers.

However, Law Type information was mostly recorded for information and referral services; hence, were generally incorporated as part of the analysis.

Currently, service data only records postcode information for service users. However, for the purposes of this report, postcodes were mapped to Statistical Area Level 2 and from this, to Justice Regions. Given these represent different geographical encoding systems, this concordance is imperfect.

In cases where geographical information is recorded, some providers may have recorded service location as opposed to service users’ place of residence. This may partly explain why service delivery may be high for certain Justice Regions.

For example, legal assistance is particularly high for Perth Inner, given the: 1) high concentration of courts, 2) large number of specialist legal assistance providers and 3) Perth-based central offices. On the other hand, Perth – South East has high levels of service delivery, which partly reflects the large number of prisons and detention centres in that region. Some of the intersections between service locations (i.e., state-based prisons and detention centres) and Justice Regions are presented in **C-1**.

More broadly, we have relied on service provider data which was recorded prior to the latest version (v3) of the NLA Data Standards Manual and recording practices detailed in that version. As a result, the data used does not comply with the latest recording practices and for that reason, may give rise to some anomalous results.

We have presented our analysis on the completeness of service data in **E-1**. This will highlight areas where extra caution is required, when interpreting the presented findings.

### **1.4.2 Constraints on population estimates**

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To represent the underlying need for legal assistance, we estimated the count and distribution of Priority Client Groups across Western Australia. This relies on a range of:

- Publicly available datasets and information
- Confidential data held across various government agencies.

It is important to note that some of these datasets do not fully represent the Priority Client Groups as they were not collected for this purpose. Using the Priority Client Group “people experiencing or at risk of family violence” as an example, the Department facilitated the provision of data identifying family violence victims. This is a subset of the Priority Client Group since it omits the at-risk group.

In this instance, the victim count was scaled up to account for the under-reporting of family violence incidents. The scale factor was based on the prevailing literature, but it is simply impossible to fully capture the underlying population dynamics. This is because academic research is mostly focussed on system-level changes, which may not be directly relevant given our model granularity is at the sub-jurisdictional level.

Notably, certain estimates of Priority Client Groups are only available at the state-wide level. Examples of these cohorts include victims of institutional abuse and involuntary mental health patients. This means that for these cohorts, there will only be a single measure of service-to-need, thus impeding our assessment of unmet need due to a lack of comparators.

More broadly, data recency is also a key concern particularly for the Priority Client Group intersections. This is because these estimates rely heavily on data from the 2016 Census, which is the most recent Census data available at the time of analysis.

In particular, these limitations are specific to estimates of children and young people, older people, women, Aboriginal and Torres Strait Islander people and people who are culturally and linguistically diverse.

It is acknowledged that these datasets are at least five-years old and need to be updated to capture the population dynamics, particularly since the onset of the COVID-19 pandemic. Our understanding is that the Department will independently update the relevant data sources within the underlying tool, when the relevant 2021 Census data is released.

Aside from these Priority Client Group intersections, the remaining Priority Client Groups were estimated using contemporary datasets. For example, people in custody and/or prisoners was estimated using WAPOL data from FY21.

### **1.4.3 Drawbacks from using observed legal assistance provision**

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The analysis in this report may be subject to service access bias, where certain legal problems are systematically under addressed due to personal or systematic barriers. While these are discussed qualitatively, our analysis is mostly quantitative and as such, draws on observed legal assistance.

Our analysis of service data is limited to the nature and quantum of services delivered. It cannot substantiate whether the services provided, adequately addressed a client’s legal need.

Legal assistance, as represented in this report and the underlying data tool, is based on a service count. This implies that our analysis may not distinguish between say, 20 services were delivered to one user, or one service being delivered to 20 individuals.

Even though pro bono services account for a relatively small proportion of overall legal assistance, its omission may understate the delivery of legal assistance in some areas. Currently, our analysis is strictly limited to data provided by Commonwealth and State-funded legal assistance service

providers, specifically the Aboriginal Legal Service of WA, Community Legal Centres, Family Violence Prevention Legal Services and Legal Aid Western Australia.

In future tool iterations, data on pro bono services should be incorporated where possible, since it typically addresses the legal need for individuals that cannot access assistance from legal assistance providers and cannot afford to engage a private lawyer.

In addition to this, our analysis has not fully considered how services to community, such as community legal education, can help address legal need. This is because our analysis pertains to services to individuals only.

Generally speaking, services to community are focussed on early intervention and/or preventive measures. By increasing public awareness of the law and legal rights, the incidence of legal problems may be lower, thus requiring fewer or less extensive forms of legal assistance.

#### 1.4.4 Sectoral engagement for output validation

The project incorporated engagement with legal assistance providers at an early stage (particularly around explaining the purpose of the engagement, outlining data requirements and liaising with legal assistance service providers to better understand their raw data).

However, the project timeline has meant that there has not been an opportunity to seek feedback on modelling results and some of the key modelling assumptions. Stakeholder feedback will be integral to refining future analysis.

### 1.5 Glossary of terms and abbreviations

**Table 1.1** Glossary of terms

Term used	Description
Civil law	Civil law refers to both Commonwealth and Western Australian civil law matters.
Criminal law	Criminal law refers to both Commonwealth and Western Australian criminal law matters.
Discrete legal assistance	This refers to the provision of unbundled legal services.
Family law	Family law refers to both Commonwealth and Western Australian family law matters.
Generalist CLC	Generalist CLCs provide place based legal assistance to a defined geographic region.
Justice regions	As specified by the Department of Justice, Western Australia can be divided into 13 Justice Regions. Notwithstanding minor differences, these regions are broadly mapped to ASGS Statistical Area Level 3 / 4.
Law type	This is the broadest classification of legal matters. Legal problems can fall into one of three law types: civil, criminal and family law matters.
NLAS (Capability)	This indicator provides a proxy measure of legal capability by identifying people aged 15 to 64, with low personal income, and who have a lower level of educational attainment.
Priority Areas of Law	This refers to areas of law that have been either identified in the NLAP, or have been identified as Western Australian-specific priorities through consultation with the legal assistance sector. A complete list is presented in B-1.
Priority Client Groups	This refers to populations that were identified either in the NLAP, or through consultation with the legal assistance sector, in recognition that some groups of people experiencing vulnerability and disadvantage are more likely to face legal problems and less able to access legal assistance. A complete list is presented in A-1.
Problem type	This represents the most granular classification of legal matters. Problem types can be grouped into one of three law types: civil, criminal and family law matters.
Pro bono legal assistance	This refers to legal assistance that is provided by private law firms and individual lawyers on their own time, without government funding.

Term used	Description
Provider type	Legal assistance providers can be characterised as one of four provider types: LAWA, ALSWA, CLCs and FVPLSs.
Service providers	This refers to all legal assistance service providers in Western Australia.
Service type	The multitude of legal assistance delivered can be grouped into service types. This report has specified service types in accordance with the NLA Data Standards Manual. Notably, there is an additional service type, <i>grant of legal aid</i> , which was added to represent grants provided by LAWA to help clients access private lawyers.
Specialist CLC	Specialist CLCs provide legal assistance in relation to a specific area of law or client group; hence, their service delivery is not geographically bounded.
Unallocated region	Unallocated region refers to services delivered where the client residential location is unknown.
Unmet legal need	Unmet legal need refers to the statistically inference of need for legal assistance, which is not serviced according to observable provider data.
Unweighted services	Unweighted services refers to count of services delivered, as conventionally understood.
Weighted services	Weighted services are calculated by applying service weights, to the unweighted service count. This adjustment was made in recognition of different resource intensity across services.

**Table 1.2** List of acronyms

Abbreviation	Full name
AFLS	Aboriginal Family Legal Services
ALSWA	Aboriginal Legal Service of WA
ASGS	Australian Statistical Geography Standard
CABWA	Citizens Advice Bureau WA
CLASS	Community Legal Assistance Services System
CLC	Community Legal Centre
CLE	Community Legal Education
CLS	Community Legal Service
EDO	Environmental Defender's Office
FVPLS	Family Violence Prevention Legal Service
FVRO	Family Violence Restraining Order
FY	Financial Year (note FY21 span 1 July 2020 to 30 June 2021)
LAWA	Legal Aid WA
MIDLAS	Midland Information, Debt and Legal Advocacy Services
MWRC	Marninwarntikura Women's Resource Centre
NLA	National Legal Assistance
NLAP	National Legal Assistance Partnership
NLAS	Need for Legal Assistance Service indicators
SA2	Statistical Area Level 2
SAC	Southern Aboriginal Corporation
SCALES	Southern Communities Advocacy, Legal and Education Service
VRO	Violence Restraining Order
WRAS	Welfare Rights & Advocacy Service

# Overview of the legal assistance sector



# Western Australian legal assistance sector

# 2

*This chapter presents an overview of the legal assistance sector in Western Australia. It outlines the various legal assistance providers, nature and extent of legal assistance, priority client groups, and alternative means to resolve legal need.*

## 2.1 Service providers

The legal assistance sector delivers a range of services to assist people with a legal problem. This includes the provision of mainstream and specialist legal assistance, as well as Aboriginal and Torres Strait Islander-specific legal assistance.

In Western Australia, legal assistance is delivered by the following providers<sup>1</sup>:

- Aboriginal Legal Service of WA (ALSWA),
- Community Legal Centres (CLCs),
- Family Violence Prevention Legal Services (FVPLS)
- Law Access, and
- Legal Aid WA (LAWA).

While all providers receive some level of State funding administered by the Department, only ALSWA, CLCs and LAWA receive NLAP funding.

FVPLSs currently do not receive NLAP funding, and instead come under a separate funding stream via the Commonwealth Department of Prime Minister and Cabinet. Law Access similarly does not receive any NLAP funding.

### 2.1.1 Legal Aid WA

LAWA is a statutory agency which provides free or low-cost legal assistance in the areas of civil law, criminal law and family law. The level of assistance differs depending on the type of law, a person's financial position and available resources at the time.

LAWA's services include legal information and referrals, including via community legal education, telephone Infoline, and the info chat and info bot options on its website, legal advice, legal tasks, dispute resolution and mediation and legal representation, including duty lawyer services and grants of legal aid for ongoing assistance. LAWA also delivers holistic services with non-legal support to connect clients to the social support services they need.

<sup>1</sup> It is noted that in addition to the listed legal assistance service providers, pro bono lawyers also make a valuable contribution to the provision of legal assistance to people who otherwise cannot afford legal assistance.

LAWA has ten offices (Perth, Bunbury, Albany, Kalgoorlie, Geraldton, South Hedland, Broome, Kununurra and Christmas Island), 18 virtual offices, and regularly visits 53 outreach locations.

### **2.1.2 Aboriginal Legal Service of WA**

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ALSWA are an Aboriginal community controlled not-for-profit organisation which provides state-wide culturally safe legal assistance services in the areas of criminal, civil and family law to Aboriginal and Torres Strait Islander people.

ALSWA operates the Custody Notification Service, Bail Support and Prison In-Reach Service, the Youth Engagement Program and the Work and Development Permit Program as well as undertaking law reform, community legal education and advocacy activities.

ALSWA has a head office in Perth, and provides regional services out of their offices in Albany, Broome, Bunbury, Carnarvon, Derby, Geraldton, Halls Creek, Kalgoorlie, Kununurra, Northam and South Hedland.

ALSWA attends 29 regional and remote circuit court locations and numerous Aboriginal communities as part of its civil outreach service delivery.

### **2.1.3 Community Legal Centres**

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CLCs are independent, not-for-profit organisations which provide free or low cost legal assistance services to people who are experiencing vulnerability and disadvantage including financial disadvantage.

CLCs' predominant areas of expertise are civil and family law, however as flexible and responsive organisations, they set their organisational and service delivery priorities in response to the legal and related needs of the communities they serve. They often work in partnership with non-legal support services to provide multi-disciplinary, holistic assistance. They also undertake community legal education, law reform and advocacy activities.

There are 15 generalist CLCs, which provide place based legal assistance services to a defined geographic region. This covers all 13 Justice Regions in Western Australia.

There are 8 specialist CLCs, which provide legal assistance services in relation to:

- *Specialist areas of law*, include matters relating to tenancy, immigration, employment, consumer, consumer credit, environment and social security.
- *Specialist client groups*, including people with mental health issues, people at risk of or experiencing homelessness, people with disabilities, people from culturally and linguistically diverse backgrounds, people at risk of or experiencing family violence, older people, youth and women.

### **2.1.4 Family Violence Prevention Legal Services**

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FVPLSs are specialist Aboriginal community controlled, not-for-profit organisations which provide legal and other holistic, culturally safe and trauma informed services to Aboriginal and Torres Strait Islander people experiencing or at risk of family violence and sexual assault.

They assist in family law, criminal injuries compensation, care and protection, and family violence restraining order matters. They also undertake community legal education, early intervention and prevention, law reform, policy and advocacy activities.



There are three FVPLSs which provide legal assistance and non-legal supports in the following regions:

- West Kimberley
- East Kimberley, including Fitzroy Valley
- Gascoyne
- Mid-West
- West Pilbara
- Wheatbelt
- Goldfields
- Great Southern
- Perth metropolitan.

Outreach services are provided across each regional area to remote Aboriginal townships and communities.

It is noted that for the analysis presented in this report, service data for Perth Metro FVPLS is from the Djinda Service, which was operated by the Women's Legal Service. In particular, the Djinda Service provides legal assistance to Aboriginal and Torres Strait Islander women experiencing or at risk of family violence and sexual assault.

However, from FY23 onwards, the Perth Metro FVPLS is provided by a partnership between two Aboriginal controlled, not-for-profit organisations, namely the Southern Aboriginal Corporation and Aboriginal Family Legal Services.

### 2.1.5 Law Access

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Law Access is a state-wide, not-for-profit, pro bono referral service.

Law Access facilitates pro bono legal assistance in civil, criminal and family law matters for those who cannot afford a lawyer and cannot access other low or no cost legal services. To maximise the impact of pro bono contributions, Law Access assesses the need for assistance, legal merit and whether resolution of the matter may have a broader positive effect for vulnerable groups in the community.

Law Access promotes and facilitates pro bono engagement both on individual matters and through projects with broader benefit. Law Access works collaboratively with other legal assistance service providers and stakeholders on projects and law reform issues to improve access to justice.

## 2.2 Types of legal assistance

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As specified in the NLA Data Standards Manual, legal assistance can be classified as either:

- *Service for individuals*, which refers to individual services for individual clients. In this context, clients can refer to individuals, groups or organisations. Services delivered cover the spectrum of the legal process, from information and advice services aimed at prevention and early intervention, to services for those who need a lawyer to represent them.
- *Services for community*, which refers to community-focused services such as community legal education, law and legal services reform and stakeholder engagement.

For the purposes of our report and underlying data tool, only services for individuals have been mapped against estimates of legal need. Services for the community were excluded, given the information on service users is currently limited to individuals. That said, this report presents a summary of these services, where data is available.

However, not all services for individuals were included. Given the engagement is centred on identifying unmet legal need, non-legal support was omitted. Similar to services for community, this report also outlines the service profile for non-legal support.

We have also added an additional type of legal assistance – grants of legal aid. Currently, this is not part of NLA Data Standards Manual. The key difference between grants of aid and other forms of legal assistance, is that private lawyers are funded by LAWA to deliver these services.

Therefore, the types of legal assistance included for the assessment of unmet legal need are:

- Information services
- Referrals
- Legal advice
- Legal task
- Ongoing legal support
- Facilitated resolution processes
- Duty lawyer services
- Dispute resolution services
- Court/Tribunal services
- Other representation services
- Grants of legal aid.

Aside from grants of legal aid, the following descriptions of legal assistance is taken directly from the NLA Data Standards Manual.

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### **2.2.1 Information services**

Information services refer to the provision of information in response to enquiries about: 1) the law, legal systems and process, and 2) legal and other support services to assist in the resolution of legal problems. Importantly, the information provided is of general application and does not constitute specific legal advice.

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### **2.2.2 Referral**

Referrals are made when the service provider determines that the client can be assisted by external providers (i.e., another individual or organisation), and provides the client with the contact details to that service.

Depending on who initiates contact with the external providers, referrals can be classified as either simple or facilitated referrals. Simple referrals cover instances where the contact details of the external providers are provided, and the onus is on the client to make contact. Facilitated referrals are when the service provider directly assists by contacting the external provider on the client's behalf.

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### **2.2.3 Legal advice**

Legal advice involves the provision of fact-specific legal advice in response to requests for assistance to resolve specific legal problems.

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### **2.2.4 Legal task**

Legal task is when the service provider completes a discrete piece of legal work to assist in resolving a legal problem. Examples of legal tasks include:

- preparation or assistance with the drafting of documents
- writing a letter to another party asking to do something or stop doing something
- advocating on behalf of a client without taking ongoing carriage of the matter.

Importantly, a legal task is hallmarked by its one-off service provision and does not entail carriage of the matter in an ongoing, representative capacity.

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### **2.2.5 Ongoing legal support services**

In an ongoing legal support service, the service provider makes an upfront commitment to the client to provide them with ongoing support in their own efforts to resolve their legal problem.

The service provider does not take carriage of the legal problem, nor represent the client in any legal proceedings. This implies that the client is self-represented in any legal proceedings taking place in a court, tribunal, or alternative dispute resolution forum.

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**2.2.6 Facilitated resolution processes**

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Facilitated resolution process involves the service provider assisting opposing parties to resolve or narrow their issues in dispute, without going to court. This is strictly limited to the service provider setting up and/or conducting activities to facilitate resolution. Some of the activities include initial screening to determine whether the matter is suitable for the dispute resolution process, as well as organising conferences, arbitration or mediation services.

It does not entail the actual representation of clients, which would be recorded separately under the dispute resolution services.

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**2.2.7 Duty lawyer services**

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Duty lawyer services are legal services provided by a duty lawyer at a court or tribunal. There are a number of activities that may be performed by the duty lawyer, including:

- the provision of legal advice
- assisting clients in making pleas of guilty and sentence submissions
- making appearances under certain circumstances (e.g., asking for adjournment)
- delivering legal assistance, such as drafting legal documents or negotiating with other parties on behalf of the client.

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**2.2.8 Dispute resolution services**

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Dispute resolution services involve the legal representation of a client in a facilitated resolution process, or alternative dispute resolution process. It also covers any preparation preceding the resolution process, as well as the work involved in recording agreement following the successful dispute resolution.

It excludes any court/tribunal based alternative dispute resolution, which are alternatively recorded under the court/tribunal services.

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**2.2.9 Court/Tribunal services**

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Court/tribunal services relate to any ongoing representation for any matter before a court, tribunal or inquiry, including alternative dispute resolution processes. These services are characterised by providers taking carriage of a matter in an ongoing, representative capacity.

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**2.2.10 Other representation services**

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Other representation services relate to any matter where the service provider:

- takes carriage of a matter in an ongoing, representative capacity, but due to the nature of the matter it does not proceed to a court, tribunal or inquiry, or
- is not required to appear before a court, tribunal or inquiry.

### 2.2.11 Grants of legal aid

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Under a grant of aid<sup>2</sup>, LAWAW pays for a private lawyer to have ongoing legal representation for a client's legal problem. These funds are released in stages to coincide with the amount of legal assistance delivered.

Normally, the first stage of a grant of aid will pay for initial advice, investigation, and negotiation on a client's case. However, it can be extended to cover more work (e.g., going to trial) if there is legal merit to take the case to the next stage.

## 2.3 Law types

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The nature of legal problems addressed by the sector may be categorised as one of three law types: civil law, criminal law and family law matters. Within each law type, there are a number of problem types, which provide a more granular representation of the legal problem.

As part of its Legal Assistance Strategy, the Department has identified a set of Priority Areas of Law.<sup>3</sup> While the Strategy does not explicitly make this distinction, Priority Areas of Law can fall into one of two categories:

- *National Priority Areas of Law*, which are the Commonwealth service priorities specified in NLAP Schedule A.
- *WA-specific Priority Areas of Law*, which represents the areas of law that the Department has identified in consultation with the WA legal assistance sector. This is in addition to the national priorities.

Collectively, this represents the new and emerging legal problems that the sector is addressing. It is noted that Priority of Areas may evolve over time, as the sector needs to be responsive to changing client needs.

For the purposes of our report, Priority Areas of Law refers to both national and WA-specific Priority Areas of Law.

### 2.3.1 Civil law

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For the purposes of this report, civil law encapsulates both Commonwealth and Western Australian civil law matters. The NLA Data Standards Manual currently specifies 22 problem types under civil law matters, including:

- |  |                            |  |
|--|----------------------------|--|
| 1. Child protection                    | 8. Environment             | 16. Other services for victims of violence |
| 2. Consumer                            | 9. Guardianship for adults | 17. Proceeds of crime                      |
| 3. Consumer credit                     | 10. Health                 | 18. Social security                        |
| 4. Credit and debt                     | 11. Housing                | 19. Veterans' entitlements                 |
| 5. Discrimination                      | 12. Immigration law        | 20. Victim compensation                    |
| 6. Domestic violence protection orders | 13. Injury compensation    | 21. Wills and estates                      |
| 7. Employment                          | 14. Mental health law      | 22. Other civil law problems.              |
|  | 15. Neighbourhood disputes |  |

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<sup>2</sup> Legal Aid WA. 2016. [Applying for a grant of aid](#)

<sup>3</sup> At this stage, not all Priority Areas of Law can be mapped against problem types; hence, they may not be represented in the service data. This is because the NLA Data Standards Manual may not be sufficiently detailed / expansive in its data recording requirements for certain legal problems.

There are currently 11 Civil Priority Areas of Law, however only some can be matched against problem types. **Table 2.1** presents the correspondence between Civil Priority Areas of Law and problem types, including those that do not have problem type equivalents.

**Table 2.1** Mapping Civil Law Priorities to problem types

#	Priority Areas of Law	Problem type
1	Child protection matters	Child protection
2	Consumer law matters	Consumer Consumer credit
3	Human rights and anti-discrimination matters	Discrimination
4	Employment matters	Employment
5	Migration matters	Immigration law
6	Restraining order matters	Domestic violence protection orders
7	Social security law matters	Social security
8	Tenancy matters	Housing
9	Bankruptcy matters	No equivalent problem type
10	Extradition matters	No equivalent problem type
11	Insurance law matters	No equivalent problem type

*Source: ACIL Allen, from WA Department of Justice*

### 2.3.2 Criminal law

For the purposes of this report, criminal law refers to both Commonwealth and Western Australian criminal law matters. The NLA Data Standards Manual currently specifies 23 problem types under criminal law matters, including:

1. Abduction, harassment and other offences against the person
2. Acts intended to cause injury
3. Dangerous or negligent acts endangering persons
4. Domestic / Family violence
5. Drug importation
6. Environmental pollution
7. Fraud, deception and related offences
8. Homicide and related offences
9. Illicit drug offences
10. Miscellaneous offences
11. Motor vehicle property damage
12. National security offences
13. Offences against government procedures, government security and government operations
14. People smuggling
15. Prohibited and regulated weapons and explosives offences
16. Property damage
17. Public order offences
18. Robbery, extortion and related offences
19. Sexual assault and related offences
20. Theft and related offences
21. Traffic and vehicle regulatory offences
22. Unlawful entry with intent/burglary, break and enter
23. Other criminal law problems.

There are currently three Criminal Priority Areas of Law, however there are no neat, exclusive problem type equivalents. A list of the Criminal Priority Areas of Law is provided below:

- Matters where the defendant is a child
- Matters where the defendant is being charged with a criminal offence for which a sentence of imprisonment is likely to apply should the defendant be found guilty.
- Assisting persons being detained in custody.

### 2.3.3 Family law

Family law refers to both Commonwealth and Western Australian family law matters. The NLA Data Standards Manual currently specifies nine problem types under family law matters, including:

- |   |                               |
|---|-------------------------------|
| 1. Abduction  | 5. Family law property        |
| 2. Child support  | 6. Parenting arrangements     |
| 3. Child representation / Independent Children’s Lawyer | 7. Surrogacy                  |
| 4. Divorce, de-facto separations and/or annulment       | 8. Spouse maintenance         |
|   | 9. Other family law problems. |

There are currently five Family Priority Areas of Law, however only some can be matched against problem types. **Table 2.2** presents the limited correspondence between Family Priority Areas of Law and problem types, including those that do not have problem type equivalents.

**Table 2.2** Mapping Family Law Priorities against problem types

#	Priority Areas of Law	Problem type
1	Matters involving complex issues about the living arrangements, relationships and financial support of children	Parenting arrangements
2	Assisting people with property settlement matters if they are experiencing financial disadvantage or are at risk of homelessness	Family law property Spouse maintenance
3	For LAWVA, the representation of children in family law proceedings and family dispute resolution processes should also be a focus.	Child representation / Independent Children’s Lawyer
4	Matters where the safety or welfare of children are at risk	No equivalent problem type.
5	Matters involving allegations of family violence	No equivalent problem type.

Source: ACIL Allen, from WA Department of Justice

## 2.4 Priority Client Groups

Legal assistance is typically reserved for people experiencing financial and/or social disadvantage. As part of its Legal Assistance Strategy, the Department has identified vulnerable cohorts that are more likely to encounter legal problems and are less likely to access legal assistance given their disadvantage. These cohorts are:

1. Aboriginal and Torres Strait Islander peoples
2. Children and young people
3. Older people
4. People experiencing, or at risk of, family violence
5. People experiencing, or at risk of, homelessness
6. People in custody and/or prisoners
7. People residing in rural and remote areas
8. People who are culturally and linguistically diverse
9. People with a disability or mental illness
10. People with low education levels
11. Single parents
12. People residing in regional areas
13. People who identify as LGBTQI+
14. Women
15. Victims of institutional abuse
16. Involuntary patients under the *Mental Health Act 2014 (WA)*
17. People who fall into multiple Priority Client Groups.

Priority Client Groups and its specifications are described in greater detail in A-1. Similar to the Priority Areas of Law, these Priority Client Groups may also change over time. Importantly, legal assistance providers are able to assist individuals who fall outside of these groups.

## 2.5 Justice Regions

Western Australia is delineated into 13 Justice Regions specified by the Department, which are broadly mapped to the Australian Statistical Geography Standard (ASGS) Statistical Area Level 3 or 4.

For the purposes of this report, we also added 'Christmas Island and Cocos Keeling Islands' for service users residing in these territories, and 'Outside WA' for interstate service users.<sup>4</sup>

For completeness, the Justice Regions are as follows:

- Albany
- Bunbury
- Goldfields – Esperance
- Kimberley
- Mid-West & Gascoyne
- Peel
- Pilbara
- Wheatbelt
- Perth metropolitan – Inner
- Perth metropolitan – North East
- Perth metropolitan – North West
- Perth metropolitan – South East
- Perth metropolitan – South West
- Christmas Island and Cocos Keeling Islands
- Outside WA.

<sup>4</sup> Acknowledging that there are regional differences, we have provided commentary specific to the underlying areas, where appropriate.

## 2.6 Funding of legal assistance

In FY21, the sector received approximately \$160.1 million to deliver legal assistance and related non-legal assistance, from 38 different funding sources (see table below).<sup>5</sup> However, the amount funded varies significantly across funding sources.

**Table 2.3** Legal Assistance Funding Sources

Source	Funder	Source	Funder
1 Bail Support Service and Prison In-Reach Program	SG	20 Keeping Women Safe in their Homes	SG
2 Cross Examination of Parties Scheme	CG	21 LAWA State Baseline	SG
3 Custody Notification System	CG&SG	22 Mental Health Act	SG
4 Disability Advocacy	CG&SG	23 Migrant Settlement Services	CG
5 Domestic Violence Advocacy and Victim Support Service	SG	24 Mirrabooka Family Violence Hub	LG
6 DR Property Mediation Trial	CG	25 MoneyBusiness	CG
7 Elder Abuse	CG&SG	26 National Redress Scheme	CG
8 Employment	CG&SG	27 NDIS Appeals	CG
9 Expensive Cases	CG&SG	28 NLAP	CG&SG
10 Family Violence	CG	29 Other	SG & O
11 Federal Court Self Represented Litigants Service	CG	30 PPT	SG & O
12 Financial Counselling	CG&SG	31 PRAC	SG
13 FVPLS	CG&SG	32 Public Tenancy Support	SG
14 Grant	CG,SG, LG, & CP	33 Re-Integration	SG
15 High Risk Offender Act Application	SG	34 Rural Women's Outreach Project	CG&SG
16 Homeless Accommodation Support	SG	35 Shuttle Conferencing	SG
17 Housing Support Worker D&A	SG	36 TAES	SG
18 Indian Ocean Territory (Xmas/Cocos Islands)	CG	37 Women's Temp Visa	CG
19 Indigenous Women's Outreach Project	CG&SG	38 Work and Development Permit	SG

Source: Service Data Tool.

Note: CG = Commonwealth Government, SG = State Government, LG = Local Government, CP = Commercial or Philanthropic, O = Other

Sector funding predominantly comes from government entities, as it represents 99 per cent of amount funded. The remainder comes from either commercial or philanthropic organisations, such as BHP or Anglicare.

In relation to funding from government entities, the State contributes approximately 55 per cent and the Commonwealth contributes the remaining balance. The majority of funding from government entities is mostly general purpose. However, it also includes funding for specific initiatives. For instance, in light of the COVID-19 pandemic, the sector received temporary surge funding to deliver additional frontline legal services and cover IT costs incurred when transitioning to a virtual service delivery model.

<sup>5</sup> This analysis is based solely on funding sources that are identifiable in the service provider data. It implies that the accuracy of our findings are conditional on the data completeness.



It is also noted that additional funding streams have since become available which post-dates the data used. This includes funding to provide registrar-facilitated shuttle conferencing, legal assistance for vulnerable women, to support people with mental health conditions to access the justice system, to provide front-line support to address workplace sexual harassment, to support increased child sexual abuse prosecutions and for coronial inquiries and expensive and complex cases.<sup>67</sup>

## 2.7 Other forms of legal assistance

While some types of legal assistance have been omitted for the identification of unmet legal need, it is acknowledged that these services do address the legal need of Western Australians. These services are non-legal support, pro bono legal services and services to community.

### 2.7.1 Pro bono legal services

As defined by the Australian Pro Bono Centre, pro bono legal services are defined as:

- Giving legal assistance for free or at a substantially reduced fee to:
  - individuals who can demonstrate a need for legal assistance but cannot obtain Legal Aid or otherwise access the legal system without incurring significant financial hardship, or
  - individuals or organisations whose matter raises an issue of public interest which would not otherwise be pursued, or
  - charities, other not-for-profit organisations or social enterprises, in each case where their sole or primary purpose is to work in the interests of low income or disadvantaged members of the community, or for the public good.
- Conducting law reform and policy work on issues affecting low income or disadvantaged members of the community, or on issues of public interest.
- Participating in the provision of free community legal education on issues affecting low income or disadvantaged members of the community or on issues of public interest.
- Providing a lawyer on secondment at a community organisation (including a community legal organisation) or at a referral service provider such as a Public Interest Law Clearing House.

In FY21, Law Access, the pro bono referral service in Western Australia, placed 242 legal matters were placed with pro bono lawyers or to funded legal assistance services.<sup>8</sup> This is equivalent to approximately 6,550 hours of pro bono legal services provided.<sup>9</sup>

Pro bono legal services were primarily sought for civil law matters, which accounts for 66 per cent of incoming applications received by Law Access. This is followed by family law matters (24 per cent) and criminal law matters (10 per cent).

While these services do assist a multitude of Priority Client Groups, Law Access highlighted that three cohorts experienced significant increases to service utilisation in FY21. These Priority Client Groups are *Aboriginal and Torres Strait Islander people, people with a disability and/or mental illness and people experiencing or at risk of family violence*.

<sup>6</sup> Commonwealth Attorney-General's Department. 2021. [Western Australia: Bilateral Schedule \(NLAP\)](#)

<sup>7</sup> National Indigenous Australians Agency. 2021. [Closing the Gap Implementation Plan](#)

<sup>8</sup> Law Access. 2021. [Annual Report 2020/21](#)

<sup>9</sup> In addition to services coordinated by Law Access, pro bono legal assistance is also delivered by volunteers that support legal assistance sector. However, these services may not be represented in this analysis since it is not reported to the Australian Pro Bono Centre.

It is acknowledged that these services will address areas of need outlined in this report. However, the extent of which is currently unknown as there is no single, centralised database that follows clients as they interact with various providers across the sector.

### 2.7.2 Non-legal support

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A non-legal support is provided by an appropriately qualified or experienced person (either through an internal or external appointment) to a service user, in response to a request for assistance to resolve specific, non-legal problems.

In FY21, the sector delivered approximately 10,000 non-legal support to Western Australians.<sup>10</sup> These support services are intended to resolve specific non-legal problems, and are typically offered in addition to legal assistance. Examples of non-legal support include:

- general counselling
- financial counselling
- trauma-informed counselling
- Aboriginal and Torres Strait Islander community liaison
- mental health assessments and support.

Non-legal support can be regarded as a complementary service to legal assistance. These support services may be delivered in conjunction with legal assistance as it targets non-legal issues faced by the service user. For instance, a service user may be referred by the lawyer to receive ongoing trauma counselling, during the course of receiving legal advice in relation to family violence.

However, non-legal support may also be an early intervention measure since it can reduce the incidence of legal problems and prevent problem escalation. For instance, financial counselling is offered to an individual who has received multiple payment reminders from creditors, for an outstanding credit card debt.

#### Service providers and their focus areas

CLCs are the largest provider of non-legal support, accounting for 41 per cent of service delivered. Among the CLCs, the three largest providers are Pilbara Community Legal Service (27 per cent), Regional Alliance West (19 per cent) and Northern Suburbs Community Legal Centre (14 per cent).

In addition to these CLCs, there are 13 other CLCs that deliver non-legal support. Service proportions can vary across these service providers, ranging from a low of 0.1 per cent, to a high of 12 per cent.

FVPLS is the second largest provider, representing 24 per cent of all non-legal support. Among FVPLS, more than half of these services (approximately 65 per cent) are delivered by Southern Aboriginal Corporation. The remaining 35 per cent is split between the other three FVPLSs.

This is an integral part of FVPLS service offering as victims of domestic violence/sexual assault often face a multitude of non-legal issues. Some of the available support includes trauma counselling, assistance with housing arrangements and attending police meeting with clients.

LAWA delivered 18 per cent of all non-legal support in FY21. These services can be broadly characterised as either:

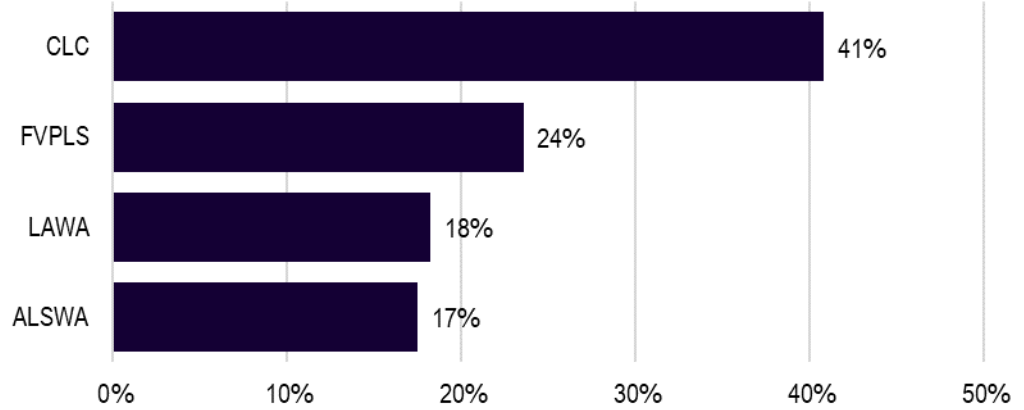
- assisting people experiencing, or at risk of family violence
- helping individuals to remain on bail, instead of in police custody
- providing general wellbeing support, especially during the COVID-19 pandemic.

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<sup>10</sup> Given the sector principally delivers legal assistance, data completeness may vary considerably across service providers.

The remaining 17 per cent of non-legal support is delivered by ALSWA. These services are mostly delivered in relation to non-legal problems stemming from civil law matters, such as family violence. The remaining non-legal support is primarily targeted towards people in custody and/or prisoners, with the intent of maintaining bail or ensuring compliance with court orders.

**Figure 2.1** Non-legal support, proportion of services delivered by provider type

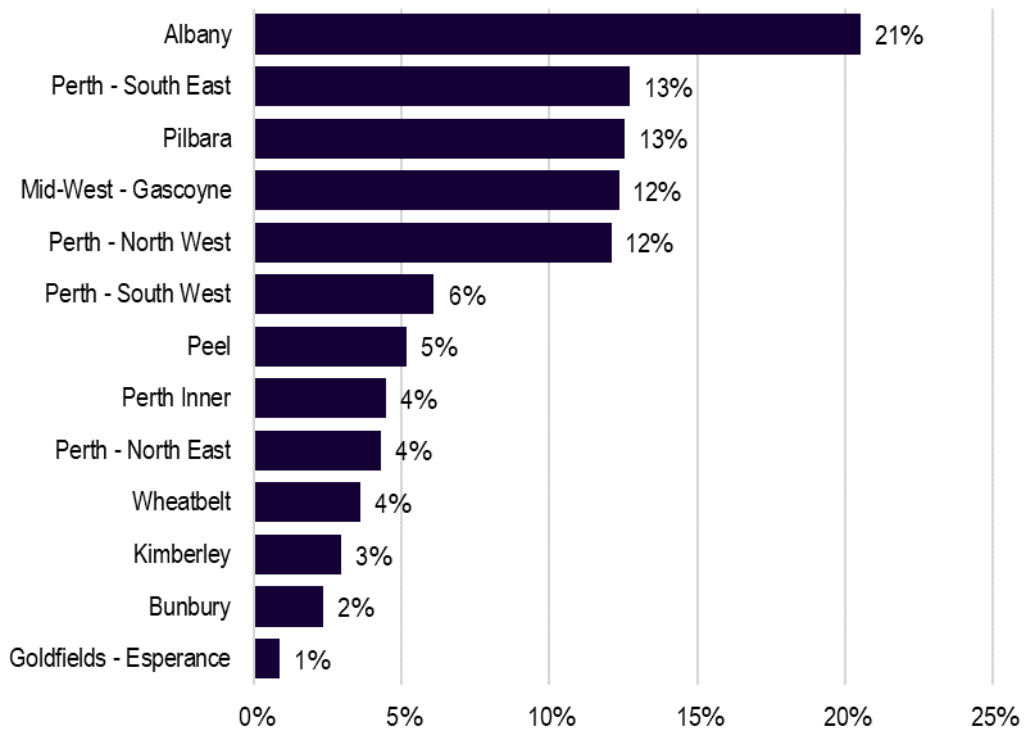


Source: ACIL Allen, from service provider data

**Justice Regions**

Most non-legal support services (55 per cent) are accessed by residents in regional WA. This compares with the Perth metropolitan and Peel regions, which accounts for the remaining 45 per cent of services. Notably, Albany (21%) and Pilbara (13%) are high service areas for non-legal supports, particularly relative to the population in these regions.

**Figure 2.2** Non-legal support, proportion of services delivered by Justice Region



Source: ACIL Allen, from service provider data

### 2.7.3 Community Legal Education

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Community Legal Education (CLE) refers to information about the law that is provided to the general community. There are two activities under CLE, namely CLE activities and CLE resources. The following description of CLE and the related activities and resources were taken from the NLA Data Standards Manual.

Collectively, these activities can be viewed as an early intervention and prevention strategy, as the goal is to educate people about the law so that they are able to avoid legal problems or seek relevant advice in a timely manner, thereby de-escalating the legal issues.

#### CLE activities

CLE activities are delivered to raise awareness and educate other service providers, community groups, organisations, schools or the general community about the law and how to recognise, prevent and deal with legal problems.

These activities may be delivered through a range of formats, including:

- workshops, presentations and meetings in person
- web-based and electronic media.

While these activities are delivered across the sector, we have presented activity data for LAWA and CLCs. Data for ALSWA and FVPLS were not available at the time of writing this report.

In FY21, CLCs delivered a total of 1,294 CLE activities. Most of these activities were in relation to civil law matters, which accounted for 71 per cent of activities delivered by CLCs. This is followed by family law matters (19 per cent) and criminal law matters (10 per cent).

Also during FY21, LAWA delivered 553 CLE activities, most of which pertained to criminal law matters (64 per cent of CLE activities). This is followed by family law matters (20 per cent) and civil law matters (16 per cent).

#### CLE resources

CLE resources involve the development of publications and resources that provide:

- information about the law and legal system
- information about legal and support services
- guidance for identifying, preventing or dealing with particular legal problems.

Some of the resources include booklets, pamphlets, self-help kits, legal information websites etc. This activity also covers any work relating to updating these resources.

While these activities are often delivered across the sector (including ALSWA and FVPLS), owing to the data limitation outlined in the previous section, we have only presented activity data for LAWA and CLCs.

In FY21, LAWA delivered 750 CLE resources. As opposed to CLE activities, these resources were evenly distributed across the law types, each accounting for a third of LAWA's CLE resources.

On the other hand, CLCs developed and/or published a total of 218 CLE resources. Most of these activities were in relation to civil law matters, which accounted for 71 per cent of activities delivered by CLCs. This is followed by family law matters (19 per cent) and criminal law matters (10 per cent).

## 2.7.4 Community Education

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Community Education (CE) is focussed on preventing the escalation of legal matters, by addressing non-legal problems that directly impact upon a persons' ability to access or participate in the justice system. There are two activities under CE, namely CE activities and CE resources. The following description of CE and the related activities and resources were taken from the NLA Data Standards Manual.

Similar to CLE, these activities are considered an early intervention and prevention strategy since they equip service users with the knowledge to resolve the issues affecting their personal lives.

### CE activities

CE activities promote learning and social development in a group format. A common feature is that these activities are developed in discussion with communities and participants. Examples of CE activities include:

- workshops on money management or budgeting
- self-esteem and healthy relationships sessions
- behavioural programmes
- empowerment/leadership programmes
- workshops about accessing housing, mental health support, or other social services/support programmes
- parenting programmes
- group therapy.

While these activities are delivered across the sector, we have presented activity data for LAWA and CLCs. Data for ALSWA and FVPLS were not available at the time of writing this report.

In FY21, CLCs delivered 20 CE activities. Most of these activities were in relation to civil law matters (90 per cent). The remaining 10 per cent was evenly split between criminal and family law matters.

Also during FY21, LAWA delivered 126 CE activities, most of which pertained to civil law matters (71 per cent of CE activities). This is followed by criminal law matters (18 per cent) and family law matters (11 per cent).

### CE resources

CE resources are materially typically developed to support the running of CE activities. Examples of CE resources include:

- modules, workshop outlines or presentations
- pamphlets or booklets
- self-help kits.

While these activities are delivered across the sector, we have presented activity data for CLCs. Data for the other providers were not available at the time of writing this report.

In FY21, CLCs delivered and/or published 19 CE resources – all of which pertains to civil law matters.

## 2.7.5 Law and Legal Service Reform

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Law and legal service reform includes activities undertaken to change the law and legal process, or to improve the provision of legal assistance services. The following description of law and legal service reform were taken from the NLA Data Standards Manual.

The goal is to improve equitable access to, and the effectiveness of, the justice system for the benefit of particular disadvantaged groups within the community, and the Australian community as a whole.

Example of law and legal service reform activities include:

- participation in research, analysis and evaluation activities
- developing papers about legal assistance and systems
- developing submissions to government, parliamentary body or other inquiry to provide factual information and/or advice
- strategic advocacy, such as law reform work.

While these activities are delivered across the sector, we have presented activity data for LAWA and CLCs. Data for ALSWA and FVPLS were not available at the time of writing this report.

In FY21, CLCs participated in 218 projects for law and legal service reforms. Most of these projects were in relation to civil law matters (81 per cent), followed by family law matters (16 per cent) and criminal law matters (three per cent).

Also during FY21, LAWA engaged in 110 law and legal service reform projects, most of which pertained to criminal law matters (44 per cent). This is followed by civil law matters (30 per cent) and family law matters (26 per cent).

### **2.7.6 Stakeholder engagement**

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According to the NLA Data Standards Manual, stakeholder engagement activities may include:

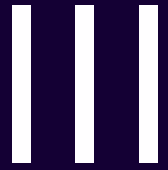
- participating in national, state and territory and local forums to improve the coordination and delivery of legal assistance
- participating in national, state, territory and local bodies to represent the interests of the legal assistance providers and service users
- making and implementing collaborative arrangements with other legal and non-legal service providers to integrate and improve coordination across the legal assistance system.

While these activities are delivered across the sector, we have presented activity data for LAWA and CLCs. Data for ALSWA and FVPLS were not available at the time of writing this report.

In FY21, CLCs performed 773 engagement activities. Most of these activities were in relation to civil law matters (81 per cent), followed by family law matters (16 per cent) and criminal law matters (three per cent).

Also during FY21, LAWA undertook 2,740 engagement activities, most of which pertained to civil law matters (42 per cent). This is followed by family law matters (32 per cent) and criminal law matters (26 per cent).

# Supply of Legal Assistance





### 3.1 Introduction

This section provides a comprehensive analysis on the provision of legal assistance across Western Australia in FY21.

The section is presented in three chapters, specifically:

- Chapter 4: presents analysis of service provision by **Law Type**. This also includes an analysis of how the services delivered within each law type vary by Justice Region and Priority Client Group, as well as by priority areas of law. This chapter also includes detailed service analysis on Priority Areas of Law under Civil Law, although this same level of analysis is not available due to data limitations for Criminal Law and Family Law.
- Chapter 5: presents analysis of service provision by **Priority Client Group**. This also includes an analysis of how the services delivered to each Priority Client Group vary by Justice Region and law type, as well as the extent to which clients also belong to other Priority Client Group categories.
- Chapter 6: presents analysis of service provision by **Justice Region**.<sup>11</sup> This also includes an analysis of how the services delivered in each Justice Region vary by provider type, law type and Priority Client Group.

This analysis draws largely from the service data tool. In essence, the data tool is comprised of a set of dashboards that rely on unit level service data as an input, to present the provision of legal assistance from different perspectives.

In addition to this, the tool identifies the relative sufficiency of legal assistance (which is presented in Part IV) and is capable of providing a more detailed view on service delivery (i.e., beyond information that is presented in this report).

It should be highlighted the analysis is based on the volume of services delivered across the State in 2021 rather than an analysis of the number of discrete individuals receiving services. This is due to data limitation regarding how client information is captured both within and across service provider data platforms.

The analysis is presented in terms of weighted and unweighted services. Unweighted services refer to the count of services delivered, as conventionally understood. Weighted services are calculated by applying service weights, to the unweighted service count. This adjustment was made in recognition of different resource intensity across services.

<sup>11</sup> While the data tool is capable of presenting analysis at the SA2 level, for the purposes of this report the analysis is presented at the justice region level



# Law Types

# 4

*This chapter presents the nature and extent of services delivered for the different Law Types and where possible, Priority Areas of Law. This analysis is broken down by the types of legal assistance, Priority Client Groups and Justice Regions.*

## 4.1 Civil law

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In FY21, the sector delivered roughly 88,000 services for civil law matters. This is equivalent to 27 per cent of all legal assistance in Western Australia.

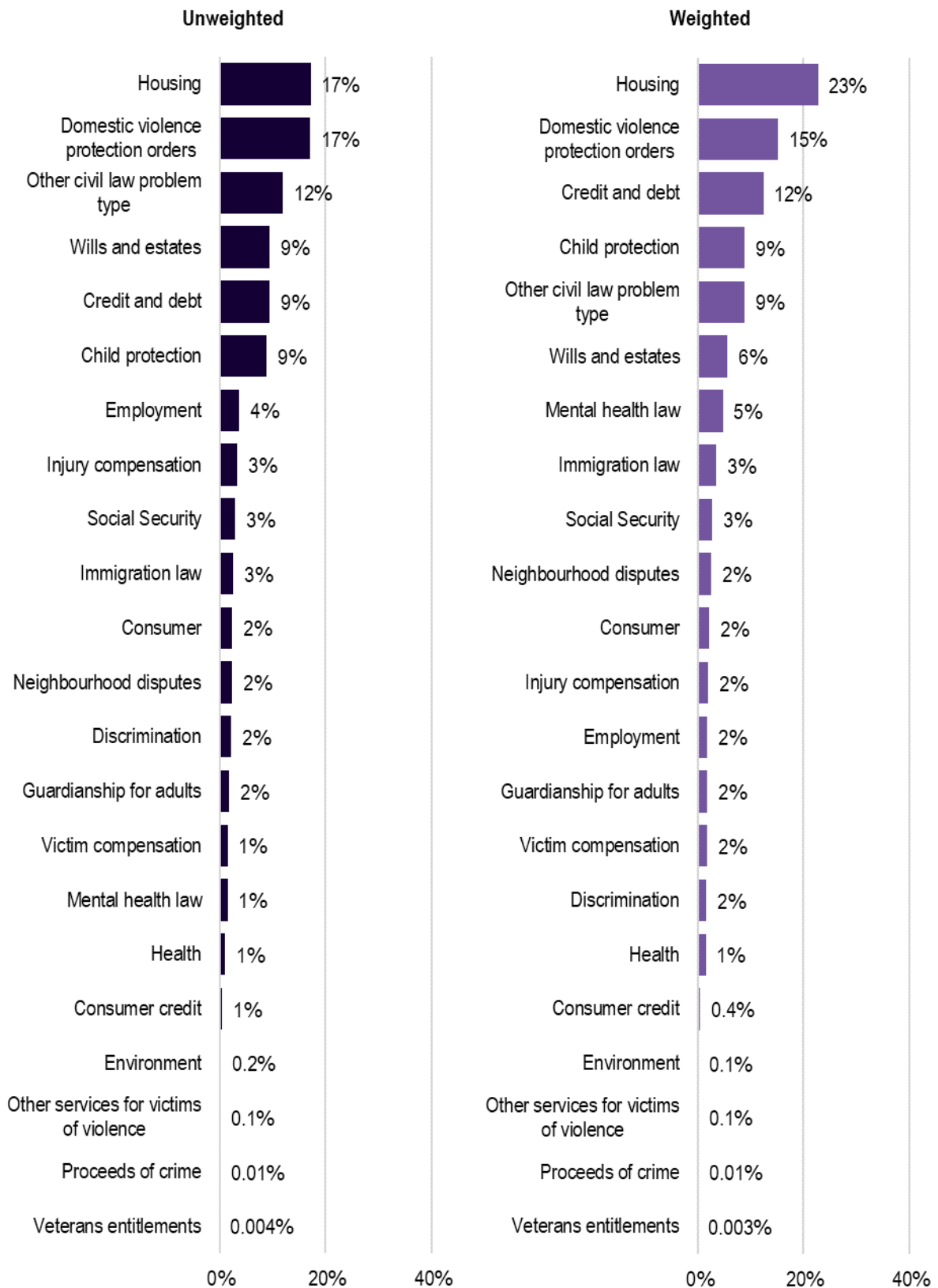
Among the identifiable civil law matters, the three most common legal problems are *domestic violence protection orders* (17 per cent), *housing* (17 per cent), and *other civil law problems* (12 per cent). Collectively, these legal problems account for 46 per cent of services delivered to address civil law matters.

The remaining 54 per cent of services delivered is split between 19 different types of civil law matters. Service proportions vary across these legal problems, as it can range from a low of 0.004 per cent, to a high of nine per cent.

On a weighted service basis, *housing* and *domestic violence protection orders* are still the two most common legal problems. However, the former now accounts for a larger share of services, indicating that this particular legal problem is relatively complex.

*Credit and debt* is now the third largest legal problem, based on its proportion of weighted services. Notably, it is three percentage points higher than its unweighted counterpart, highlighting the complexity of this legal problem.

Figure 4.1 Civil Law Problem types, proportion of services delivered



Source: ACIL Allen, from service provider data

**4.1.1 Provider types**

For civil law matters, more than half of the services (52 per cent) are delivered by LAWA.

CLCs are the second largest provider type, accounting for 39 per cent of services delivered. Among the CLCs, the three largest CLCs are Circle Green Community Legal (14 per cent), Northern Suburbs Community Legal Centre (10 per cent) and Citizens Advice Bureau (nine per cent).

In addition to these CLCs, there are 20 other CLCs that provide legal assistance in relation to civil law matters. Service proportions can vary across these service providers, ranging from a low of 0.2 per cent, to a high of six per cent.

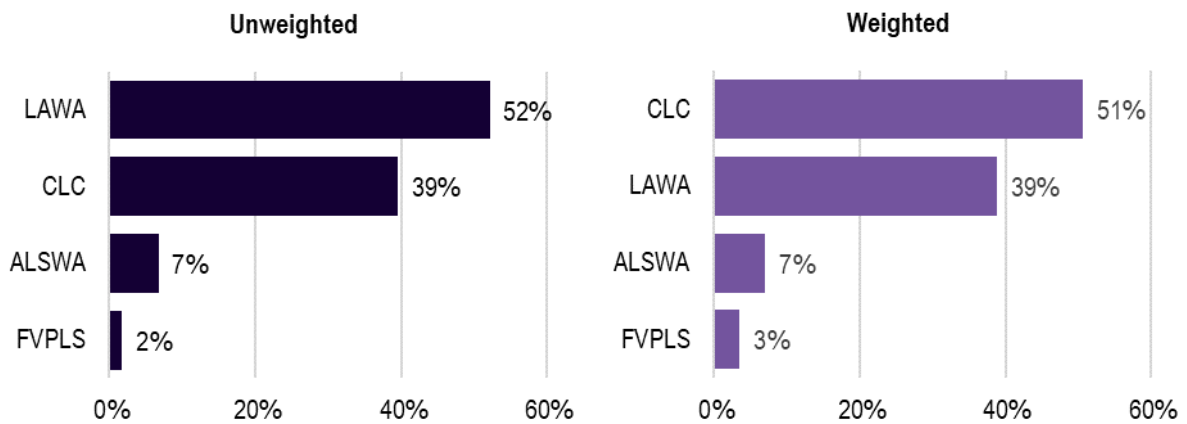
ALSWA are the third largest provider type, at seven per cent of services delivered.

FVPLSs are the smallest provider type, as they account for two per cent of services delivered. Among the FVPLSs, the two largest service providers are Aboriginal Family Legal Services (52 per cent) and Perth Metro Family Violence Prevention Legal Service (39 per cent).

This implies that for FVPLSs, 91 per cent of legal assistance is delivered by these two providers. The remaining nine per cent is delivered by Southern Aboriginal Corporation and Maminwarntikura Women’s Resource Centre.

On a weighted basis, provider types are ranked differently. CLCs are now the largest provider type, followed by LAWA. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 4.2** Provider types, proportion of services delivered



Source: ACIL Allen, from service provider data

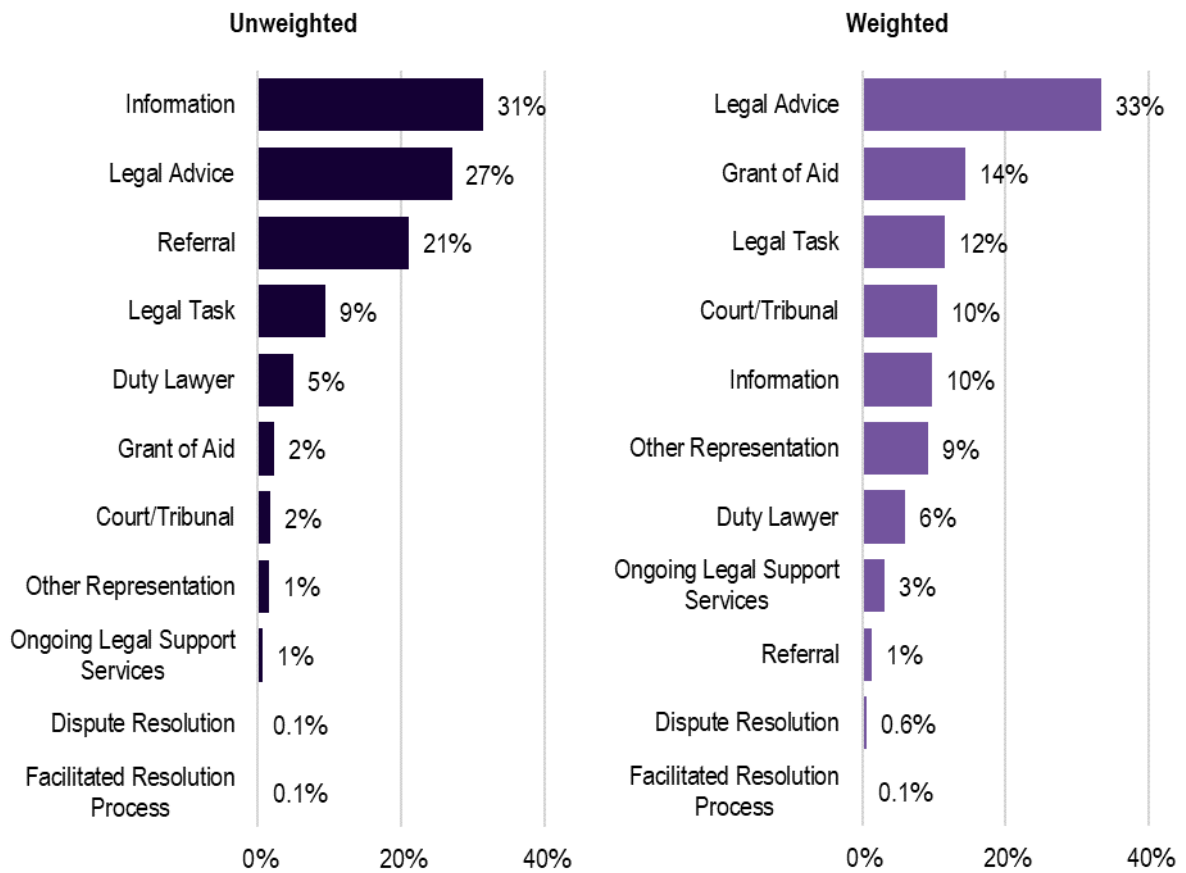
4.1.2 Service types

Information services are the most common type of legal assistance, accounting for 31 per cent of services delivered. This is followed by legal advice (27 per cent) and referrals (21 per cent).

On a weighted service basis, the top three types of legal assistance are legal advice (33 per cent), grants of aid (15 per cent) and legal task (11 per cent). Collectively, this implies that for civil law matters, the sector has directed 59 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

Figure 4.3 Service types, proportion of services delivered



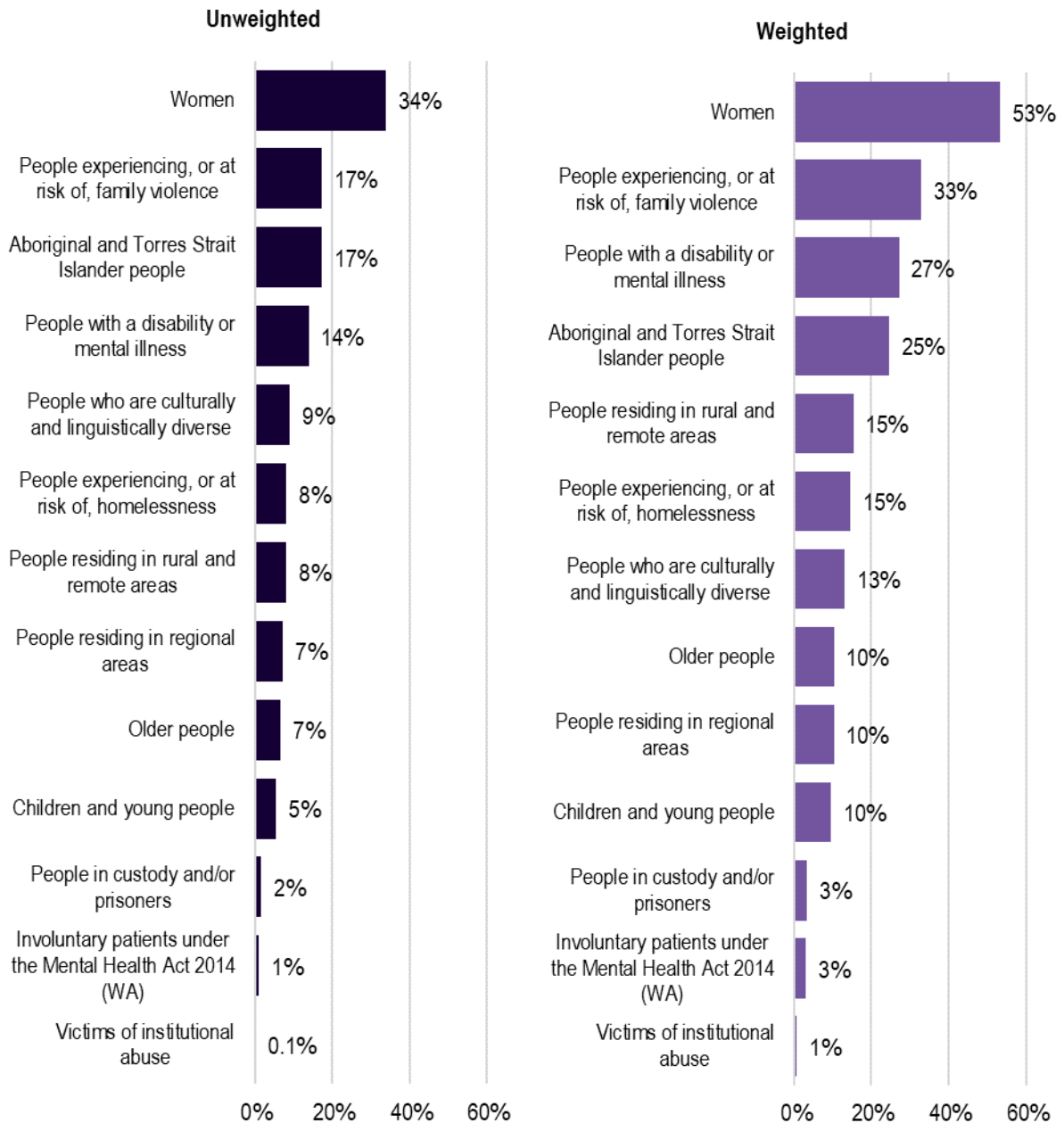
Source: ACIL Allen, from service provider data

4.1.3 Priority Client Groups

For civil law matters, *women* are the most common population vulnerability (34 per cent). This is followed by *Aboriginal and Torres Strait Islander people* (17 per cent) and *people experiencing, or at risk of, family violence* (17 per cent).

On a weighted service basis, the three most common characteristics are *women*, *people experiencing, or at risk of, family violence* and *people with a disability or mental illness*. All of these proportions are higher than their unweighted counterparts, indicating that legal problems faced by these cohorts are relatively complex.

Figure 4.4 Civil Law Priority Client Groups, proportion of services delivered



Source: ACIL Allen, from service provider data

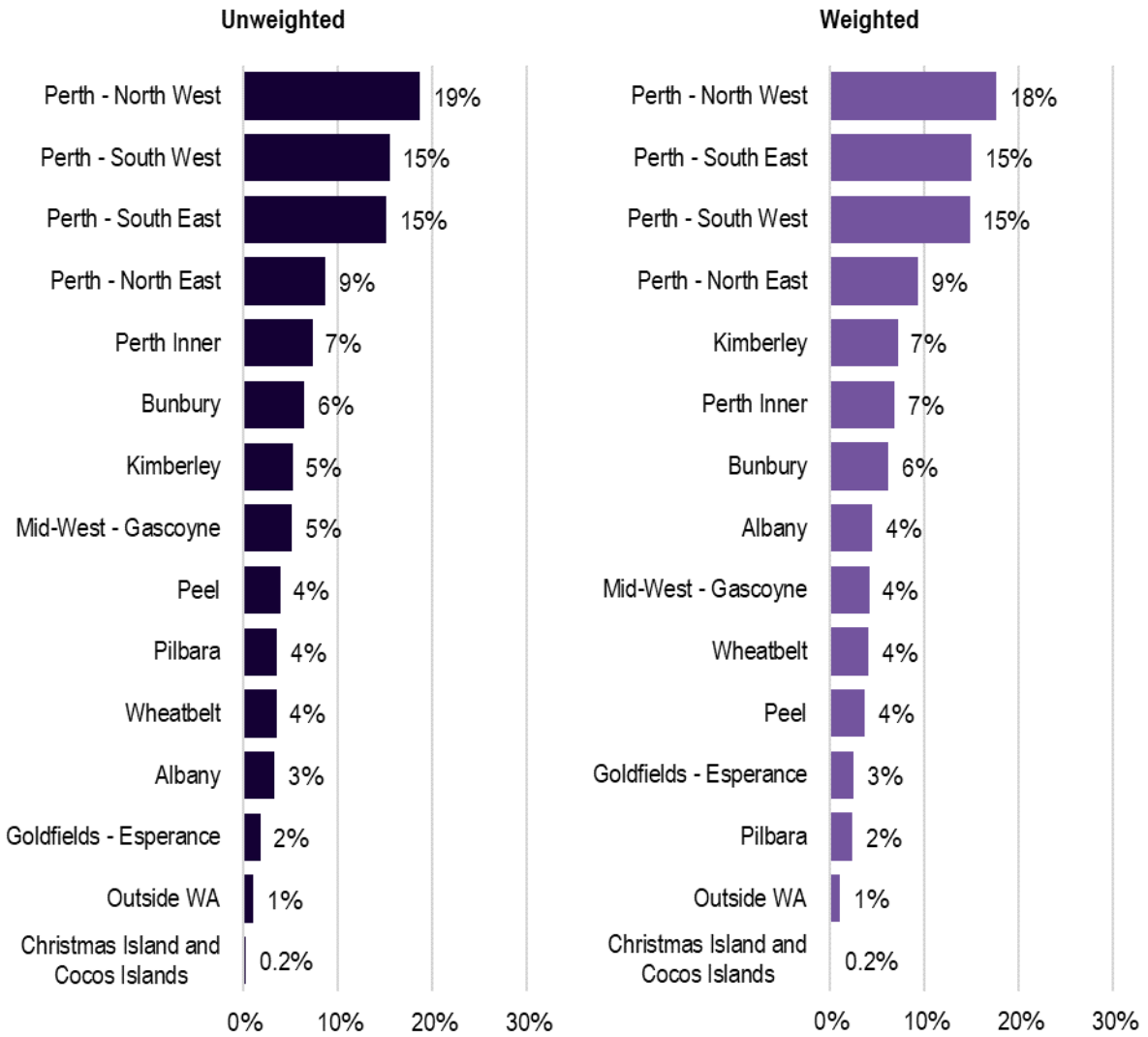
Note: These proportions indicate the number of service users with a specific vulnerability; hence, these are not mutually exclusive cohorts.

4.1.4 Justice Regions

Legal assistance on civil law matters was mostly accessed by residents in the Perth metropolitan and Peel regions (69 per cent). This compares with regional WA, which accounts for 29 per cent of services delivered.

Notably, these proportions are fairly similar irrespective of whether or not it is weighted. This suggests that resource allocation is directly proportional to service utilisation.

Figure 4.5 Civil Law Justice Regions, proportion of services delivered



Source: ACIL Allen, from service provider data

**4.1.5 Priority Area of Law**

**Child protection matters**

In FY21, the sector delivered roughly 4,600 services to address child protection matters. This is equivalent to 1.4 per cent of all legal assistance in Western Australia.

**Provider types**

Of which more than half of the services (62 per cent) were delivered by LAWA.

CLCs are the second largest provider type, accounting for 26 per cent of services delivered. Among the CLCs, the two largest CLCs are Women’s Legal Service and Wheatbelt Community Legal Centre are the two largest service providers, accounting for 44 per cent and 26 per cent of services delivered, respectively.

In addition to these CLCs, there are 16 other CLCs that provide legal assistance in relation to child protection matters. Service proportions can vary across these service providers, ranging from a low of 0.1 per cent, to a high of seven per cent.

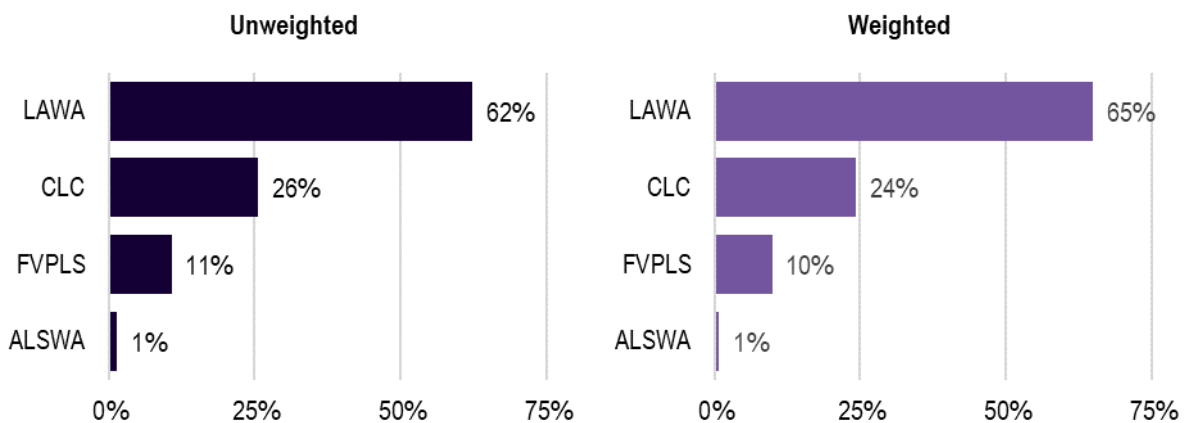
FVPLSs are the third largest provider type, as they account for 11 per cent of services delivered. Among FVPLSs, more than two thirds of services (68 per cent) were delivered by Perth Metro Family Violence Prevention Legal Service. Aboriginal Family Legal Services is the second largest at 28 per cent of services delivered.

This implies that for FVPLSs, 96 per cent of legal assistance is delivered by these two providers. The remaining four per cent is delivered by Southern Aboriginal Corporation and Maminwantikura Women’s Resource Centre.

ALSWA are the smallest provider, as they account for one per cent of services delivered.

On a weighted service basis, provider types are ranked similarly. However, there are some changes to the proportion of services. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 4.6** Provider types, proportion of services delivered



Source: ACIL Allen, from service provider data

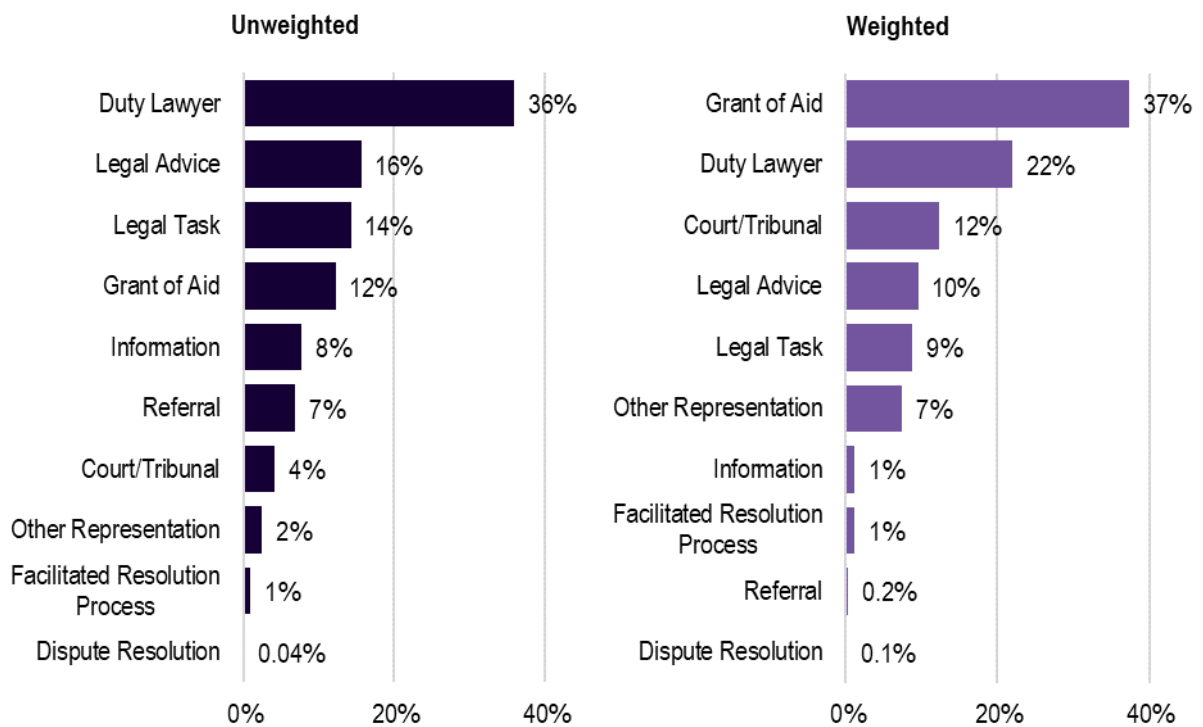
**Service types**

*Duty lawyer services* are the most common type of legal assistance, accounting for 36 per cent of services delivered. This is followed by *legal advice* (16 per cent) and *legal task* (14 per cent).

On a weighted service basis, the top three types of legal assistance are *grant of aid* (37 per cent), *duty lawyer services* (22 per cent) and *court/tribunal services* (12 per cent). Collectively, this implies that for child protection matters, the sector has directed 71 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

**Figure 4.7** Child protection matters - service types, proportion of services delivered



Source: ACIL Allen, from service provider data

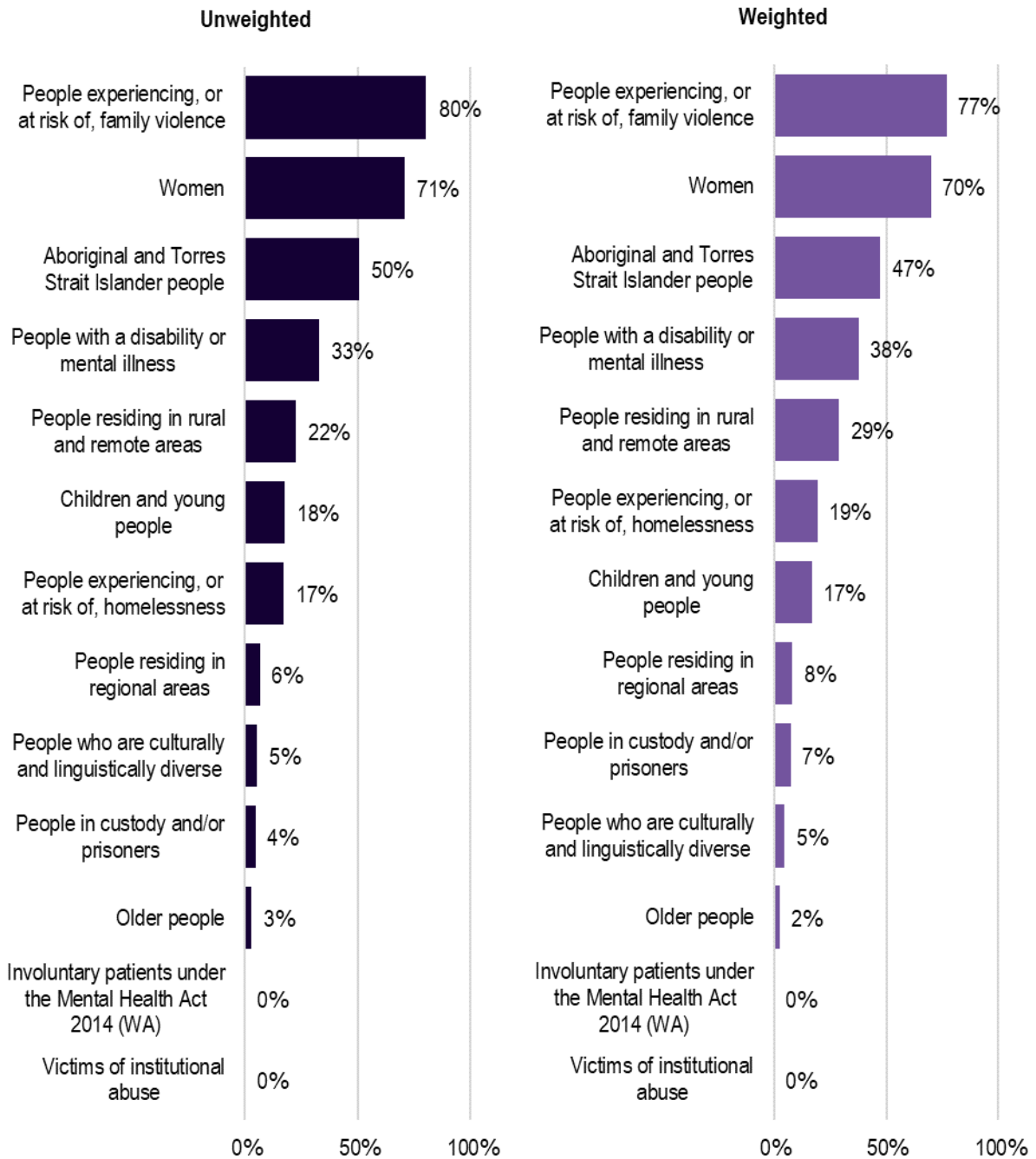


**Priority Client Groups**

For child protection matters, *people experiencing, or at risk of family violence* (80 per cent) and *women* (71 per cent) are the two most common population vulnerabilities.

Notably, these proportions are fairly similar irrespective of whether or not it is weighted. This suggests that resource allocation is directly proportional to service utilisation.

**Figure 4.8** Child protection matters - Priority Client Groups, proportion of services delivered



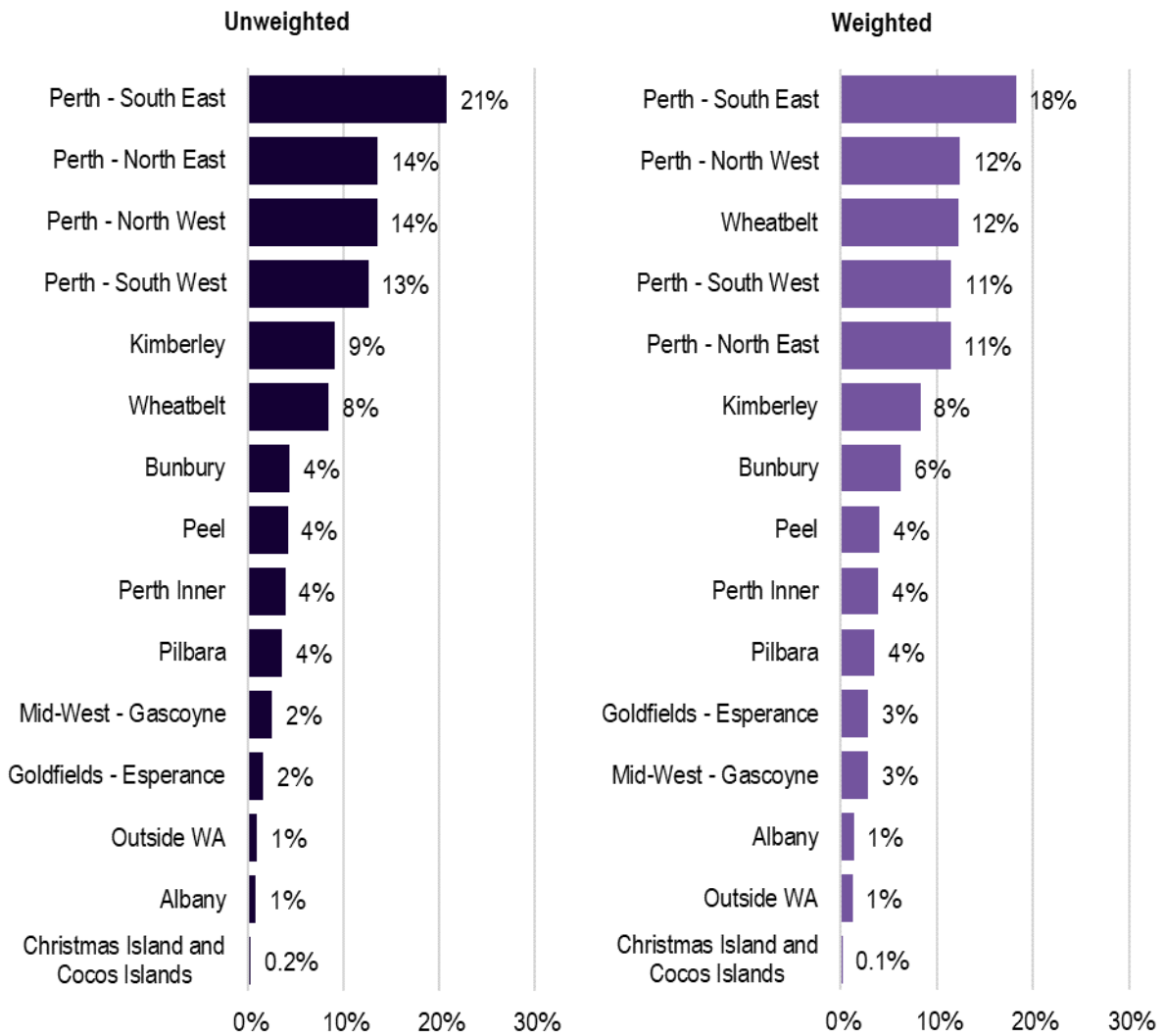
Source: ACIL Allen, from service provider data

**Justice Regions**

Legal assistance on child protection matters was mostly accessed by residents in the Perth metropolitan and Peel regions (69 per cent). This compares with regional WA, which accounts for 30 per cent of services delivered.

Notably, these proportions are fairly similar irrespective of whether or not it is weighted. This suggests that resource allocation is directly proportional to service utilisation.

**Figure 4.9** Child protection matters - Justice Regions, proportion of services delivered



Source: ACIL Allen, from service provider data

**Consumer law matters**

In FY21, the sector delivered 1,500 services to address consumer law matters. This is equivalent to 0.5 per cent of all legal assistance in Western Australia.

**Provider types**

Of which more than half of the services (59 per cent) were delivered by CLCs. Among the CLCs, the largest service provider is Consumer Credit Legal Service, accounting for 36 per cent of services delivered. This is followed by Northern Suburbs Community Legal Centre (20 per cent) and Citizens Advice Bureau (10 per cent).

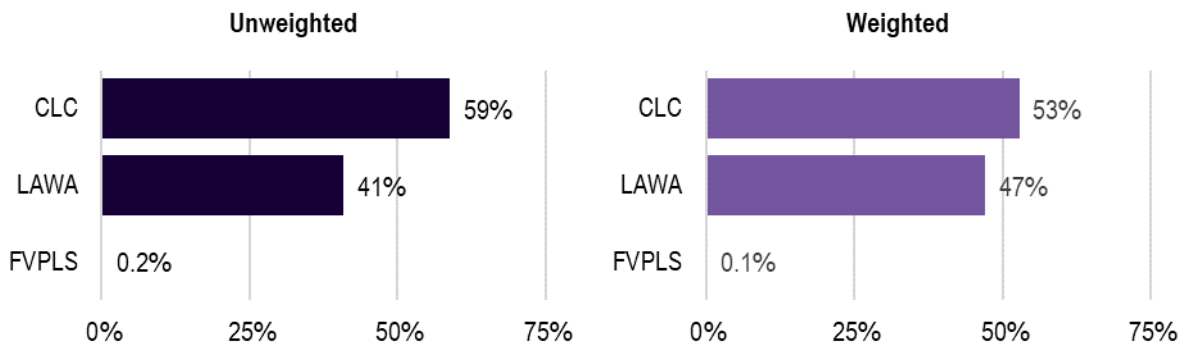
In addition to these CLCs, there are 18 other CLCs that provide legal assistance in relation to consumer law matters. Service proportions can vary across these service providers, ranging from a low of 0.1 per cent, to a high of six per cent.

LAWA is the second largest provider type, accounting for 41 per cent of services delivered.

FVPLS are the third largest provider type as they account for 0.2 per cent of services delivered. All of these services were delivered by Aboriginal Family Legal Services.

On a weighted service basis, provider types are ranked similarly. However, there are some changes to the proportion of services. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 4.10** Provider types, proportion of services delivered



Source: ACIL Allen, from service provider data

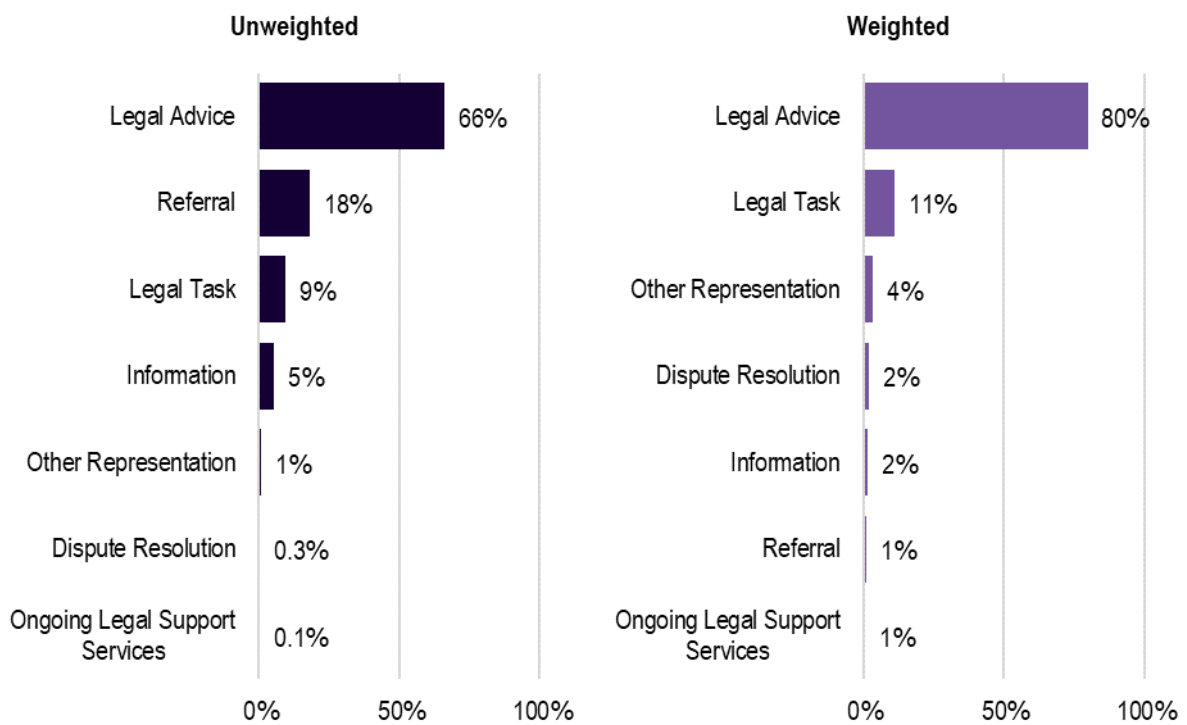
**Service types**

*Legal advice* is the most common type of legal assistance, accounting for 66 per cent of services delivered. This is followed by the *referrals* (18 per cent) and *legal task* (nine per cent).

On a weighted service basis, the top three types of legal assistance are *legal advice* (80 per cent), *legal task* (11 per cent) and *other representation services* (four per cent). Collectively, this implies that for consumer law matters, the sector has directed 95 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

**Figure 4.11** Consumer law matters - Service types, proportion of services delivered



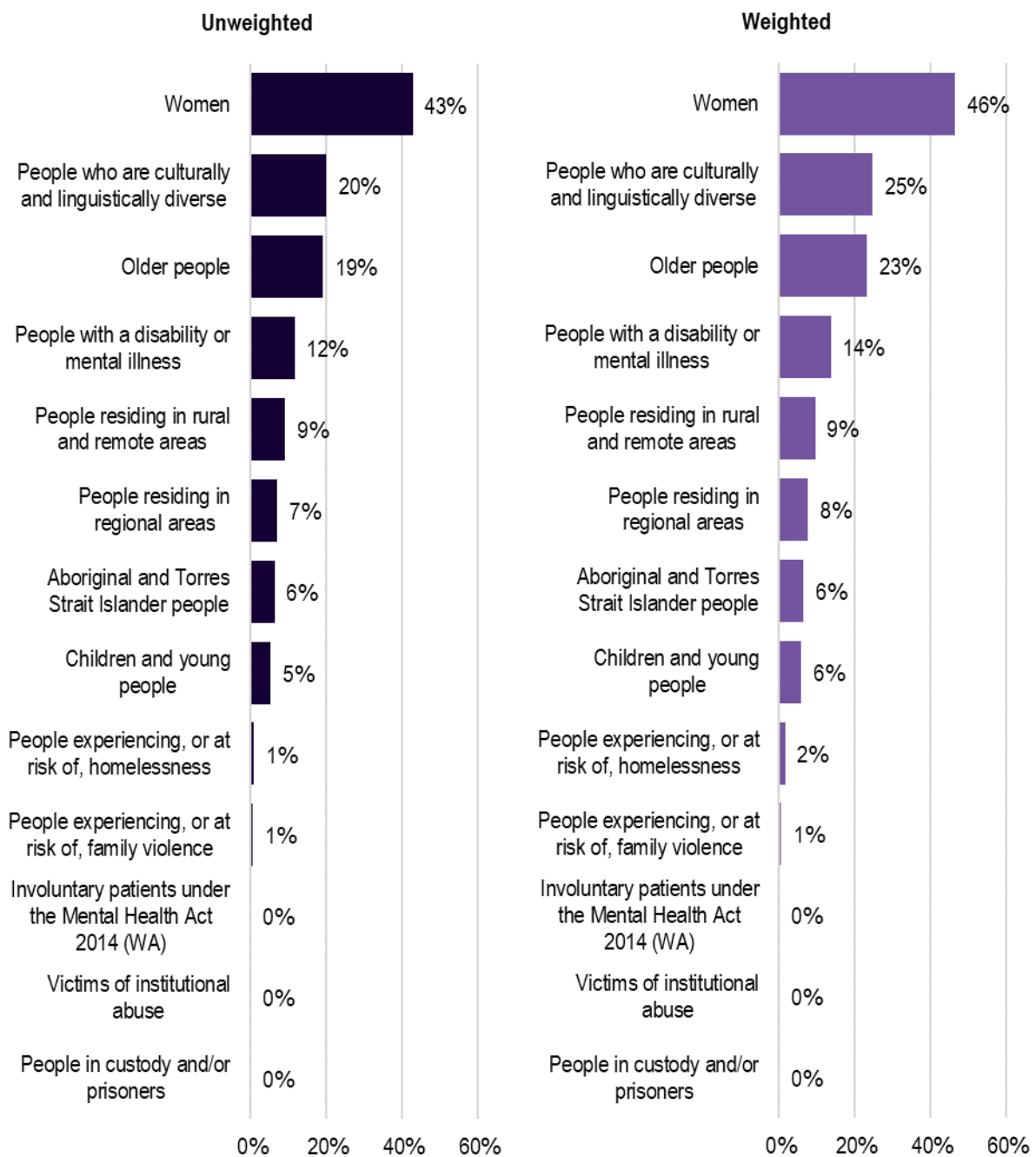
Source: ACIL Allen, from service provider data

**Priority Client Groups**

For consumer law matters, *women* are the most common population vulnerability at 43 per cent of services delivered. This is followed by *people who are culturally and linguistically diverse* and *older people*, each accounting for 20 and 19 per cent of services delivered, respectively.

Notably, these proportions are fairly similar irrespective of whether or not it is weighted. This suggests that resource allocation is directly proportional to service utilisation.

**Figure 4.12** Consumer law matters - Priority Client Groups, proportion of services delivered



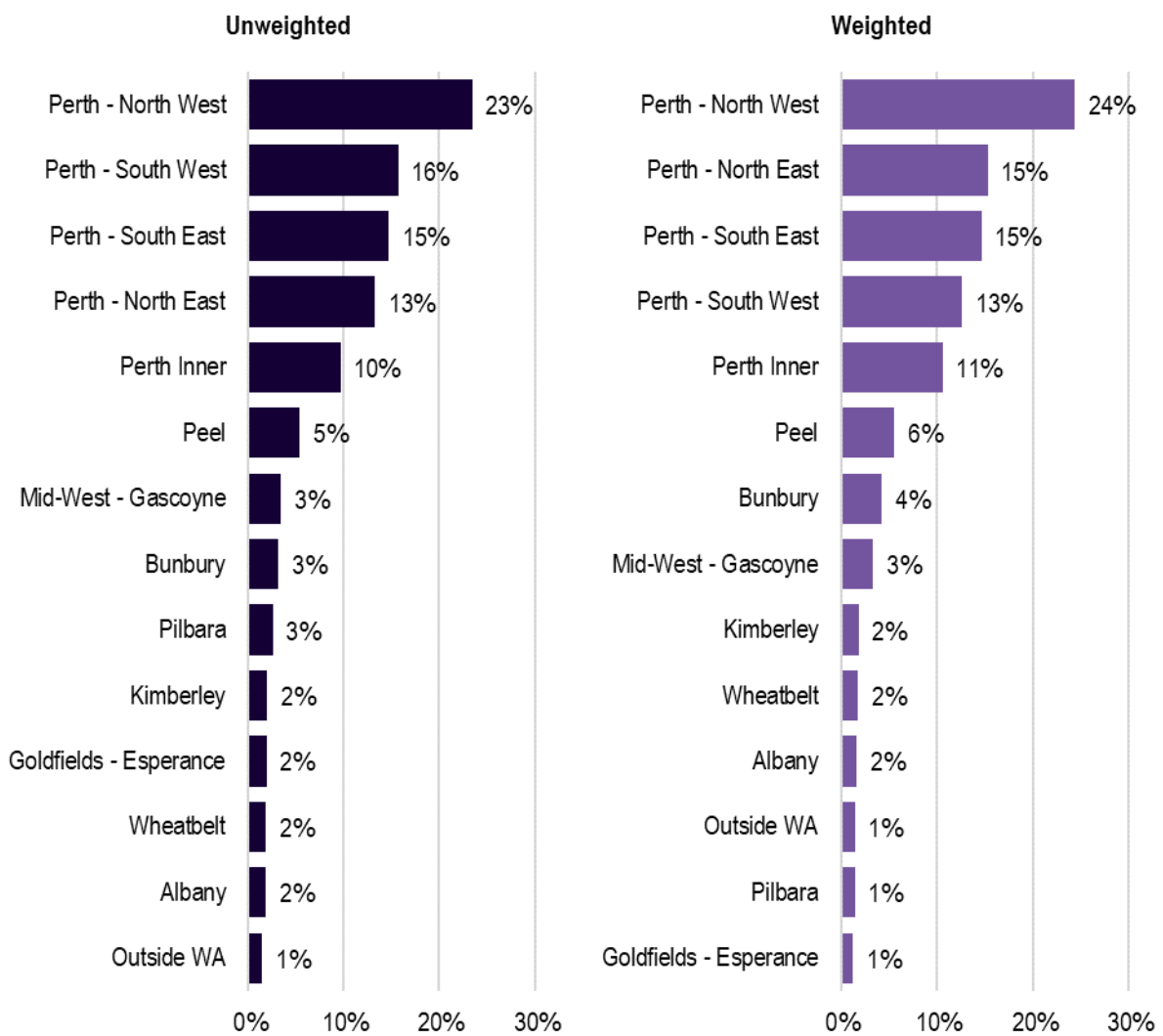
Source: ACIL Allen, from service provider data

**Justice Regions**

Legal assistance on consumer law matters were mostly accessed by residents in the Perth metropolitan and Peel regions (82 per cent). This compares with regional WA, which accounts for 17 per cent of services delivered.

Notably, these proportions are fairly similar irrespective of whether or not it is weighted. This suggests that resource allocation is directly proportional to service utilisation.

**Figure 4.13** Consumer law matters - Justice Regions, proportion of services delivered



Source: ACIL Allen, from service provider data

**Employment matters**

In FY21, the sector delivered 1,900 services to address employment matters. This is equivalent to 0.6 per cent of all legal assistance in Western Australia.

**Provider types**

Of which most services (79 per cent) were delivered by CLCs. Among CLCs, Circle Green Community Legal accounts for the largest share of services at 82 per cent. The remaining 18 per cent is split between 19 different CLCs.

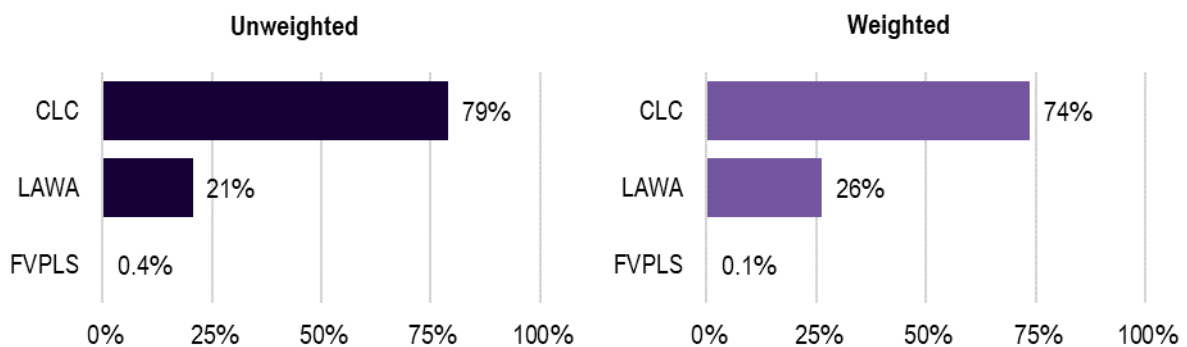
LAWA is the second largest provider type, accounting for 21 per cent of services delivered.

FVPLSs are the smallest provider type as they account for 0.04 per cent of services delivered. Among FVPLSs, the two largest service providers are Aboriginal Family Legal Services and Perth Metro Family Violence Prevention Legal Service, each accounting for 43 per cent of services delivered.

This implies that for FVPLSs, 96 per cent of legal assistance is delivered by these two providers. The remaining four per cent is delivered by Southern Aboriginal Corporation.

On a weighted service basis, provider types are ranked similarly. However, there are some changes to the proportion of services. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 4.14** Provider types, proportion of services delivered



Source: ACIL Allen, from service provider data

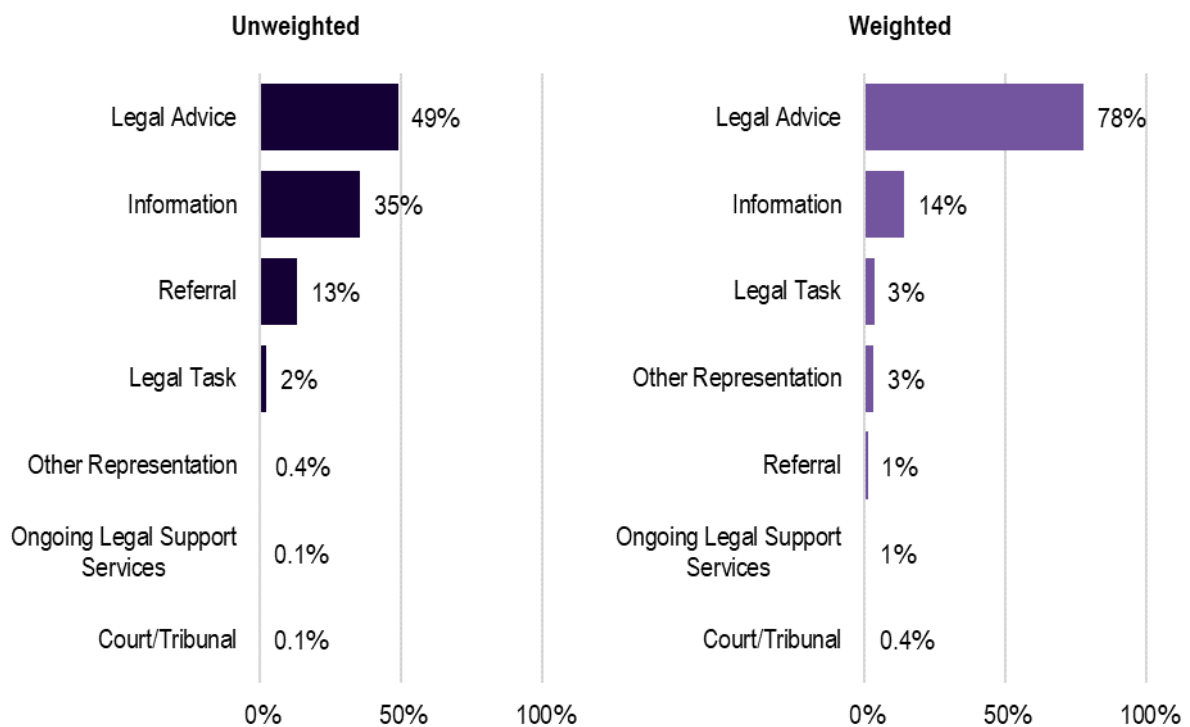
**Service types**

*Legal advice* is the most common type of legal assistance, accounting for 49 per cent of services delivered. This is followed by the *information services* (35 per cent) and *referrals* (13 per cent).

On a weighted service basis, the top three types of legal assistance are *legal advice* (78 per cent), *information* (14 per cent) and *legal tasks* (3 per cent). Collectively, this implies that for employment matters, the sector has directed 95 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

**Figure 4.15** Employment matters - Service types, proportion of services delivered



Source: ACIL Allen, from service provider data

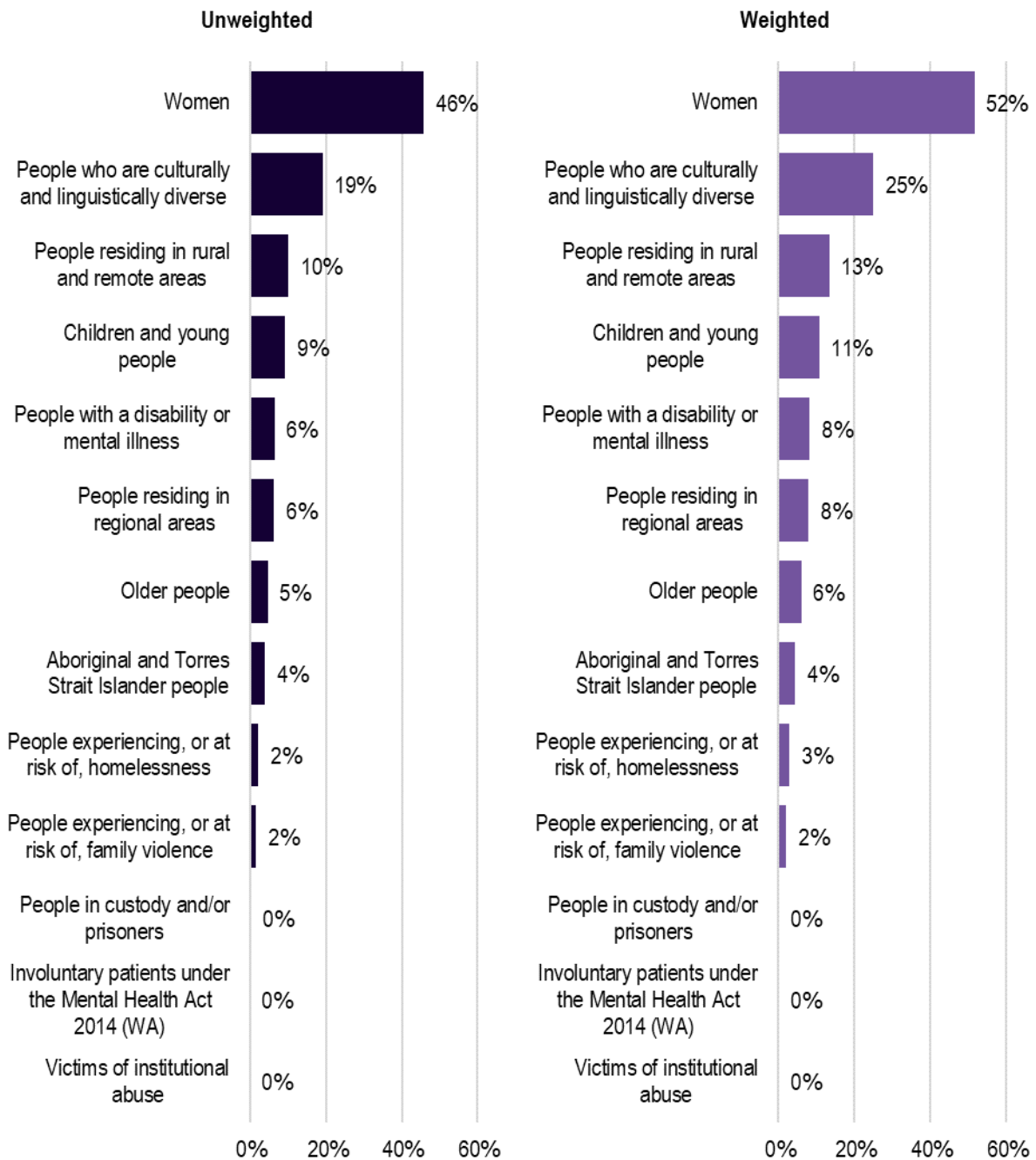


**Priority Client Groups**

For employment matters, *women* are the most common population vulnerability at 46 per cent of services delivered. This is followed by *people who are culturally and linguistically diverse* (19 per cent) and *people residing in rural and remote areas* (10 per cent).

On a weighted service basis, the three most common characteristics are the same. However, their proportions are higher than their unweighted counterparts, indicating that these cohorts access more resource-intensive services to address their legal problem.

**Figure 4.16** Employment matters - Priority Client Groups, proportion of services delivered



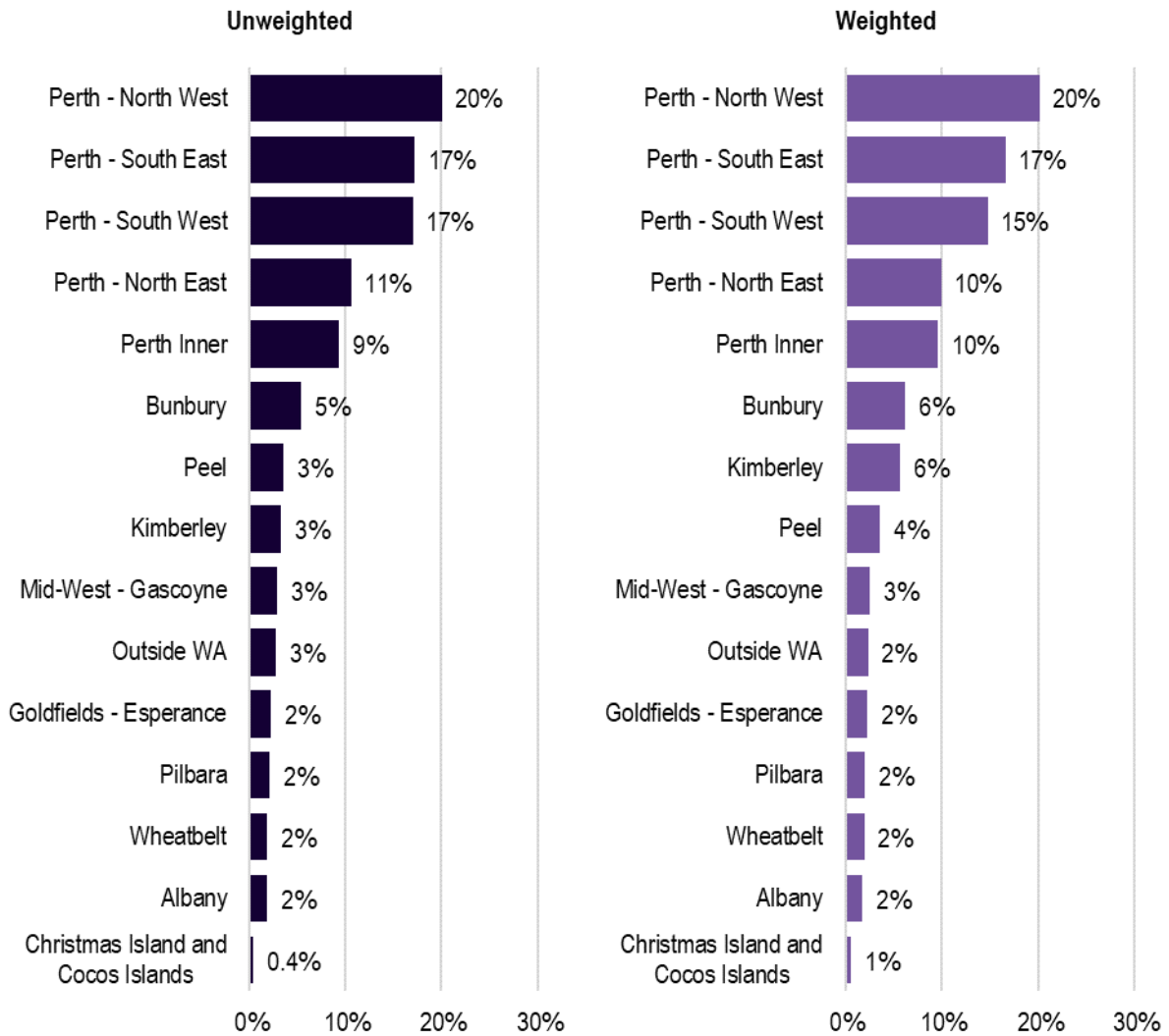
Source: ACIL Allen, from service provider data

**Justice Regions**

Legal assistance on employment matters were mostly accessed by residents in the Perth metropolitan and Peel regions (77 per cent). This compares with regional WA, which accounts for 19 per cent of services delivered.

Notably, these proportions are fairly similar irrespective of whether or not it is weighted. This suggests that resource allocation is directly proportional to service utilisation.

**Figure 4.17** Employment matters - Justice Regions, proportion of services delivered



Source: ACIL Allen, from service provider data

**Human rights and anti-discrimination matters**

In FY21, the sector delivered 1,100 services to address human rights and anti-discrimination matters. This is equivalent to 0.3 per cent of all legal assistance in Western Australia.

It is noted that providers may do more work in relation to human rights and anti-discrimination matters, but that work may not be specifically recorded as such. For example, a discrimination in the workplace matter may be recorded as an employment law matter.

**Provider types**

Almost all services (99 per cent) were delivered by CLCs. Among CLCs, the three largest service providers are Pilbara Community Legal Service (31 per cent), Sussex Street Community Law Services (31 per cent) and MIDLAS (21 per cent).

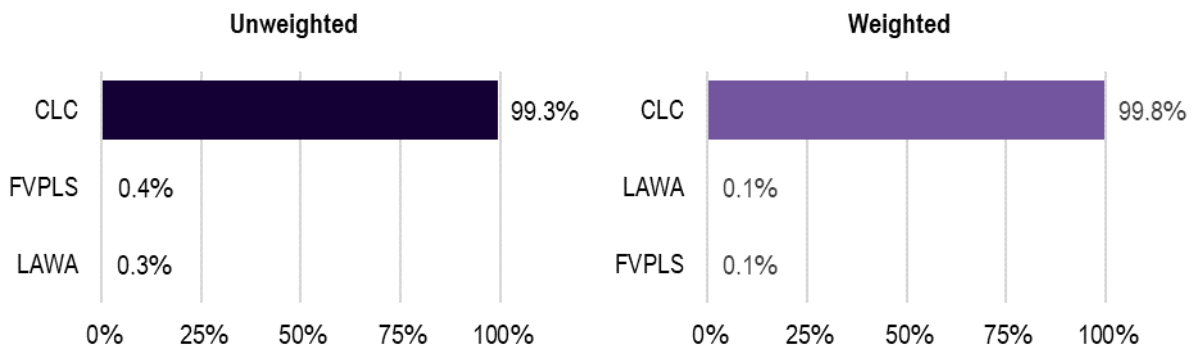
In addition to these CLCs, there are 13 other CLCs that provide legal assistance in relation to human rights and anti-discrimination matters. Service proportions can vary across these service providers, ranging from a low of 0.1 per cent, to a high of 14 per cent.

FVPLSs are the second largest provider type, accounting for 0.4 per cent of services delivered. Among FVPLSs, most services (80 per cent) are delivered by Perth Metro Family Violence Prevention Legal Service. The remaining 20 per cent is attributable to Southern Aboriginal Corporation.

LAWA are the smallest provider type as they account for 0.3 per cent of services delivered.

On a weighted service basis, provider types are ranked similarly. However, there are some changes to the proportion of services. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 4.18** Provider types, proportion of services delivered



Source: ACIL Allen, from service provider data

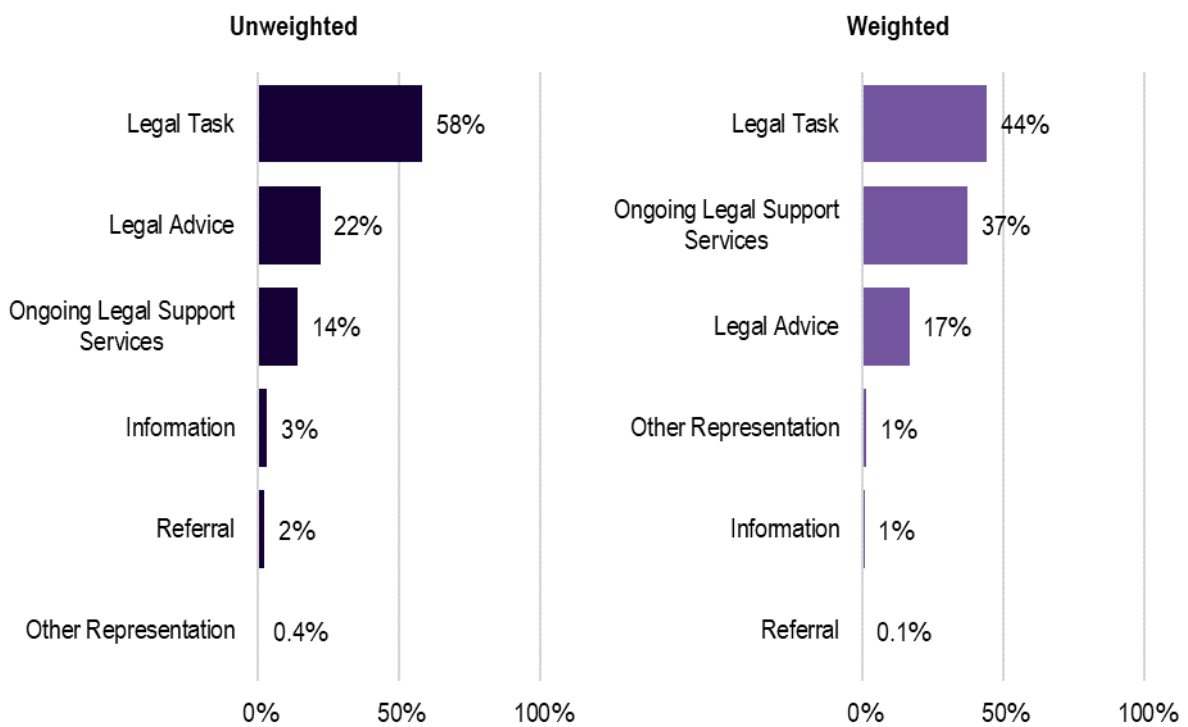
**Service types**

*Legal task* is the most common type of legal assistance, accounting for 58 per cent of services delivered. This is followed by legal advice (22 per cent) and *ongoing legal support services* (14 per cent).

On a weighted service basis, the top three types of legal assistance are *legal tasks* (44 per cent), *ongoing legal support services* (37 per cent) and *legal advice* (17 per cent). Collectively, this implies that for human rights and anti-discrimination matters, the sector has directed 98 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

**Figure 4.19** Human rights and anti-discrimination matters - Service types, proportion of services delivered



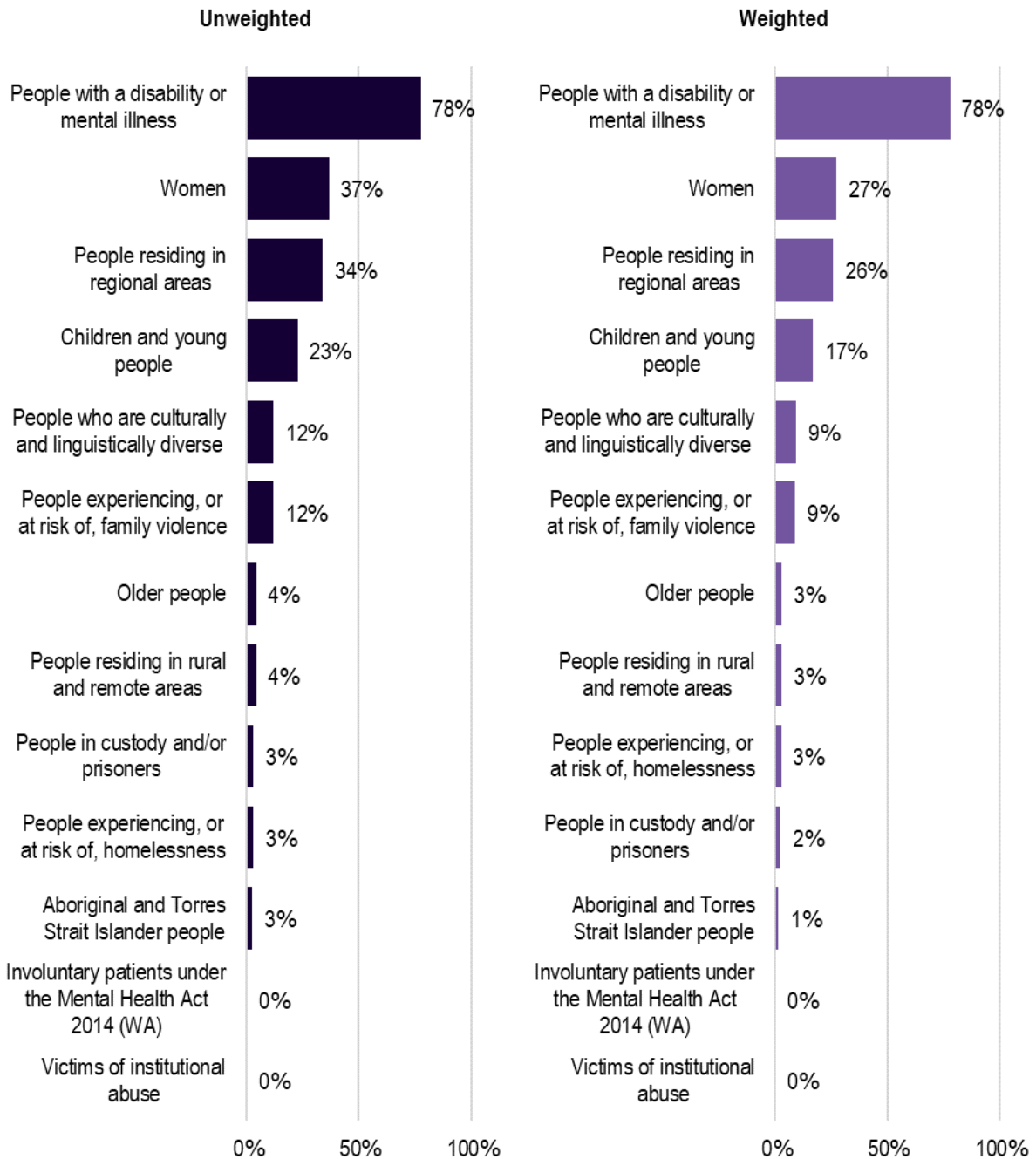
Source: ACIL Allen, from service provider data

**Priority Client Groups**

For human rights and anti-discrimination matters, *people with a disability or mental illness* are the most common population vulnerability at 78 per cent of services delivered. This is followed by *women* (37 per cent) and *people residing in regional areas* (34 per cent).

On a weighted service basis, the three most common characteristics are the same. With the exception of *people with a disability or mental illness*, these proportions are lower than their unweighted counterparts, indicating that these cohorts use less resource-intensive services to address their legal problem.

**Figure 4.20** Human rights and anti-discrimination matters - Priority Client Groups, proportion of services delivered



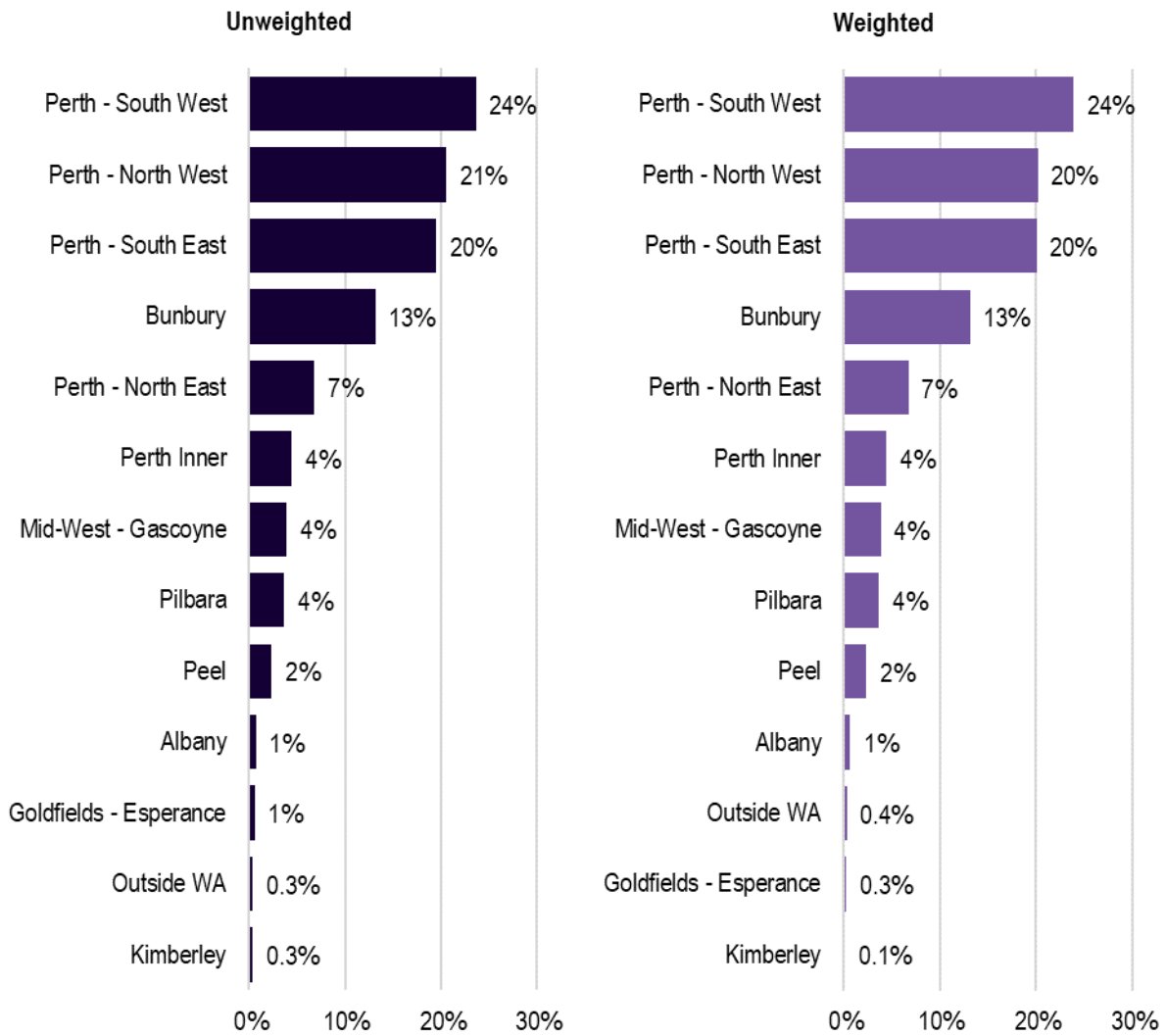
Source: ACIL Allen, from service provider data

**Justice Regions**

Legal assistance on human rights and anti-discrimination matters were mostly accessed by residents in the Perth metropolitan and Peel regions (77 per cent). This compares with regional WA, which accounts for 22 per cent of services delivered.

Notably, these proportions are fairly similar irrespective of whether or not it is weighted. This suggests that resource allocation is directly proportional to service utilisation.

**Figure 4.21** Human rights and anti-discrimination matters - Justice Regions, proportion of services delivered



Source: ACIL Allen, from service provider data

**Migration matters**

In FY21, the sector delivered 1,300 services to address migration matters. This is equivalent to 0.4 per cent of all legal assistance in Western Australia.

**Provider types**

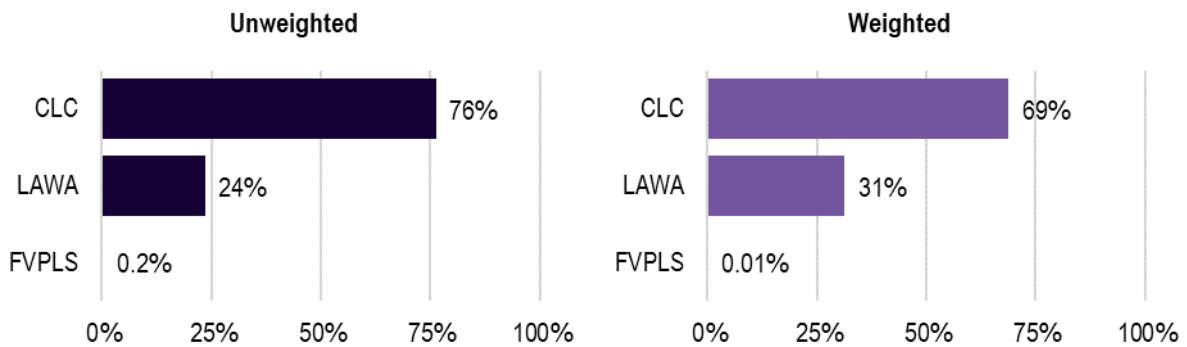
Of which more than three quarters (76 per cent) were delivered by CLCs. Among CLCs, Circle Green Community Legal accounts for the largest share of services at 71 per cent. The remaining 29 per cent were split between 15 different CLCs.

LAWA is the second largest provider type, accounting for 24 per cent of services delivered.

FVPLSs are the smallest provider type as they account for 0.2 per cent of services delivered. These services were delivered equally by Aboriginal Family Legal Services and Southern Aboriginal Corporation.

On a weighted service basis, provider types are ranked similarly. However, there are some changes to the proportion of services. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 4.22** Provider types, proportion of services delivered



Source: ACIL Allen, from service provider data

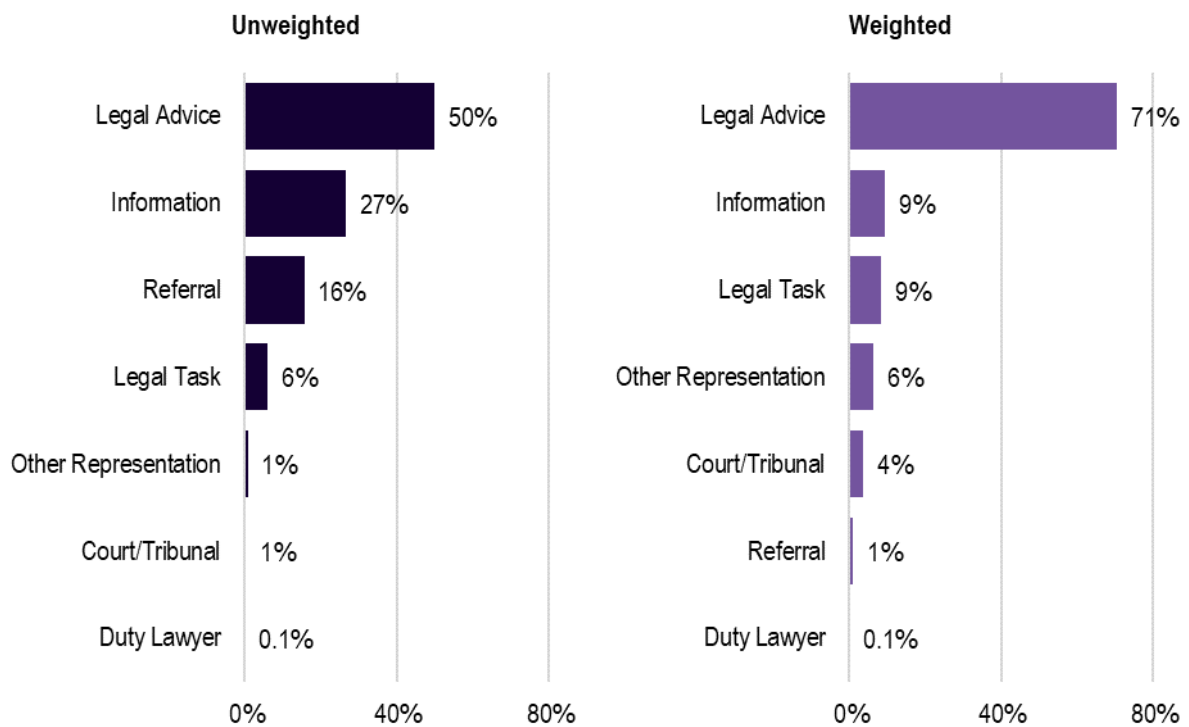
**Service types**

*Legal advice* is the most common type of legal assistance, accounting for 50 per cent of services delivered. This is followed by *information services* (27 per cent) and *referrals* (16 per cent).

On a weighted service basis, the top three types of legal assistance are *legal advice* (71 per cent), *information services* (nine per cent) and *legal task* (nine per cent). Collectively, this implies that for migration matters, the sector has directed 89 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

**Figure 4.23** Migration matters - Service types, proportion of services delivered



Source: ACIL Allen, from service provider data

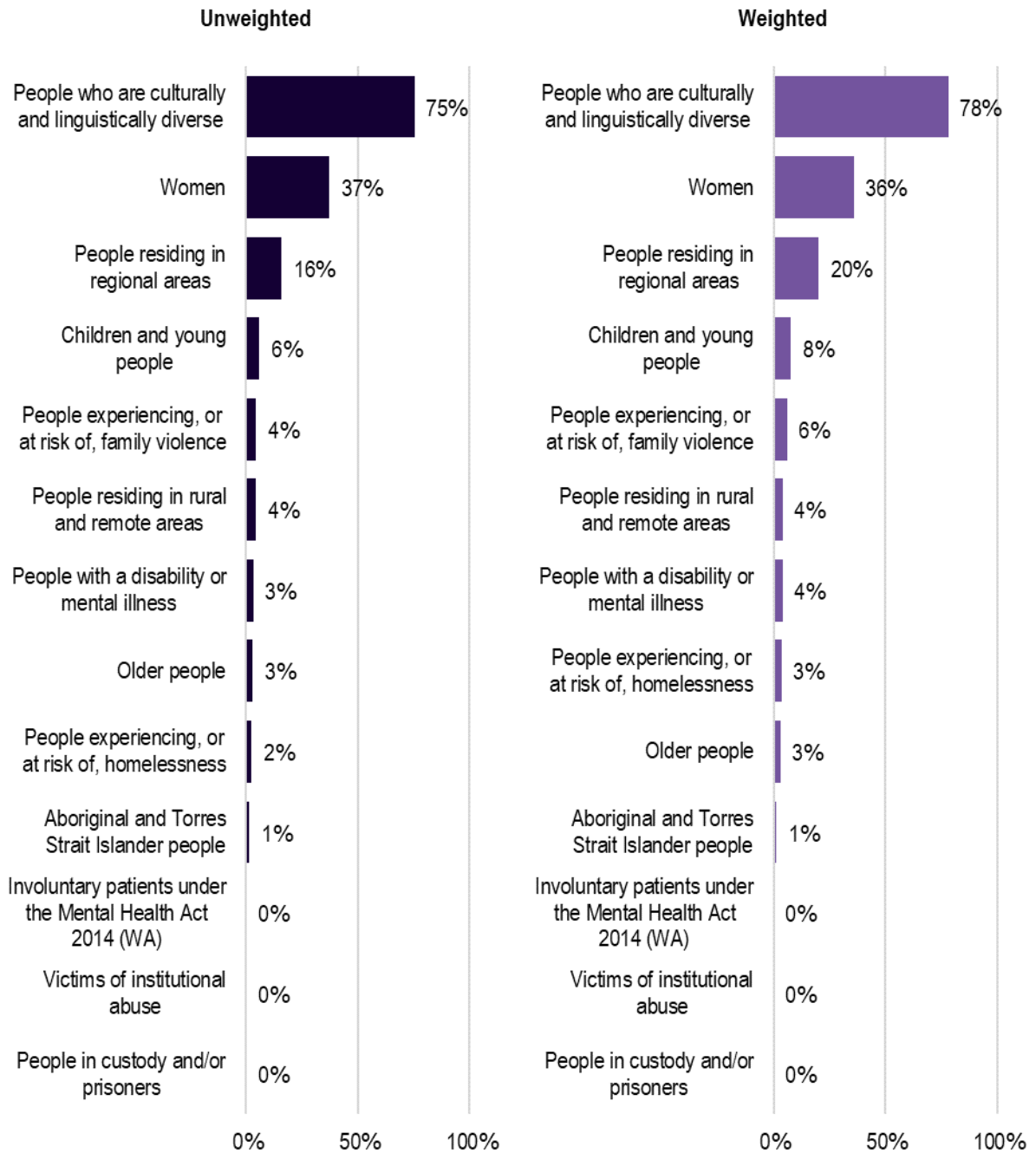


**Priority Client Groups**

For migration matters, *people who are culturally and linguistically diverse* are the most common population vulnerability at 75 per cent of services delivered. This is followed by *women* (37 per cent) and *people residing in regional areas* (16 per cent).

Notably, these proportions are fairly similar irrespective of whether or not it is weighted. This suggests that resource allocation is directly proportional to service utilisation.

**Figure 4.24** Migration matters - Priority Client Groups, proportion of services delivered



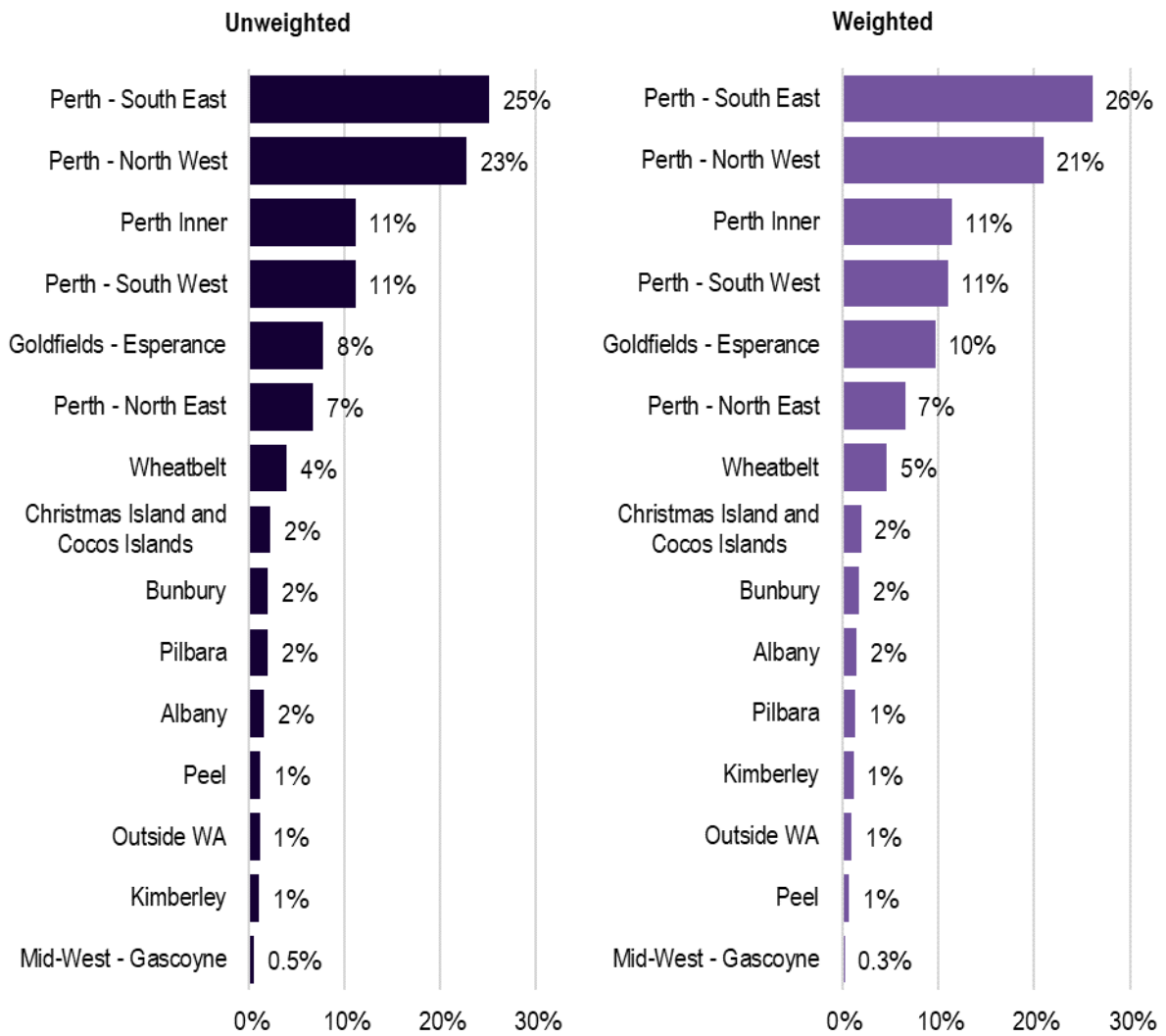
Source: ACIL Allen, from service provider data

**Justice Regions**

Legal assistance on migration matters were mostly accessed by residents in the Perth metropolitan and Peel regions (78 per cent). This compares with regional WA, which accounts for 19 per cent of services delivered.

Notably, these proportions are fairly similar irrespective of whether or not it is weighted. This suggests that resource allocation is directly proportional to service utilisation.

**Figure 4.25** Migration matters - Justice Regions, proportion of services delivered



Source: ACIL Allen, from service provider data

**Restraining order matters**

In FY21, the sector delivered 8,900 services to address restraining order matters. This is equivalent to three per cent of all legal assistance in Western Australia.

**Provider types**

Of which more than half of the services (52 per cent) were delivered by LAWA.

CLCs are the second largest provider type, accounting for 42 per cent of services delivered. Among CLCs, South West Community Legal Centre is the largest service provider, accounting for 21 per cent of services. This is followed by Fremantle Community Legal Centre and Northern Suburbs Community Legal Centre, each representing 17 per cent.

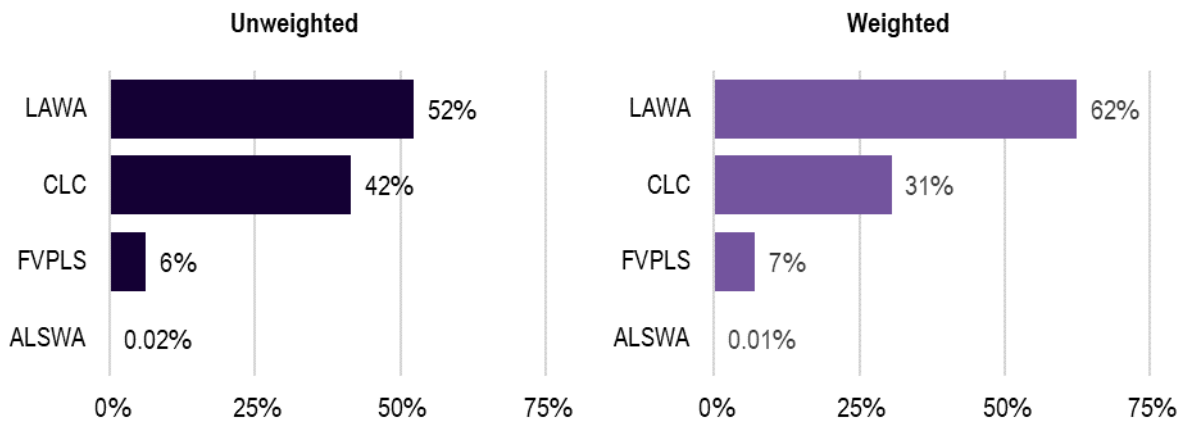
In addition to these CLCs, there are 16 other CLCs that provide legal assistance in relation to restraining order matters. Service proportions can vary across these service providers, ranging from a low of 0.1 per cent, to a high of 13 per cent.

FVPLSs are the third largest provider type, as they account for six per cent of services delivered. Among FVPLSs, Aboriginal Family Legal Services are the largest service provider, at 76 per cent of services delivered. The remaining 24 per cent is split between the other three FVPLS.

ALSWA are the smallest provider type, at 0.02 per cent of services delivered.

On a weighted service basis, provider types are ranked similarly. However, there are some changes to the proportion of services. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 4.26** Provider types, proportion of services delivered



Source: ACIL Allen, from service provider data

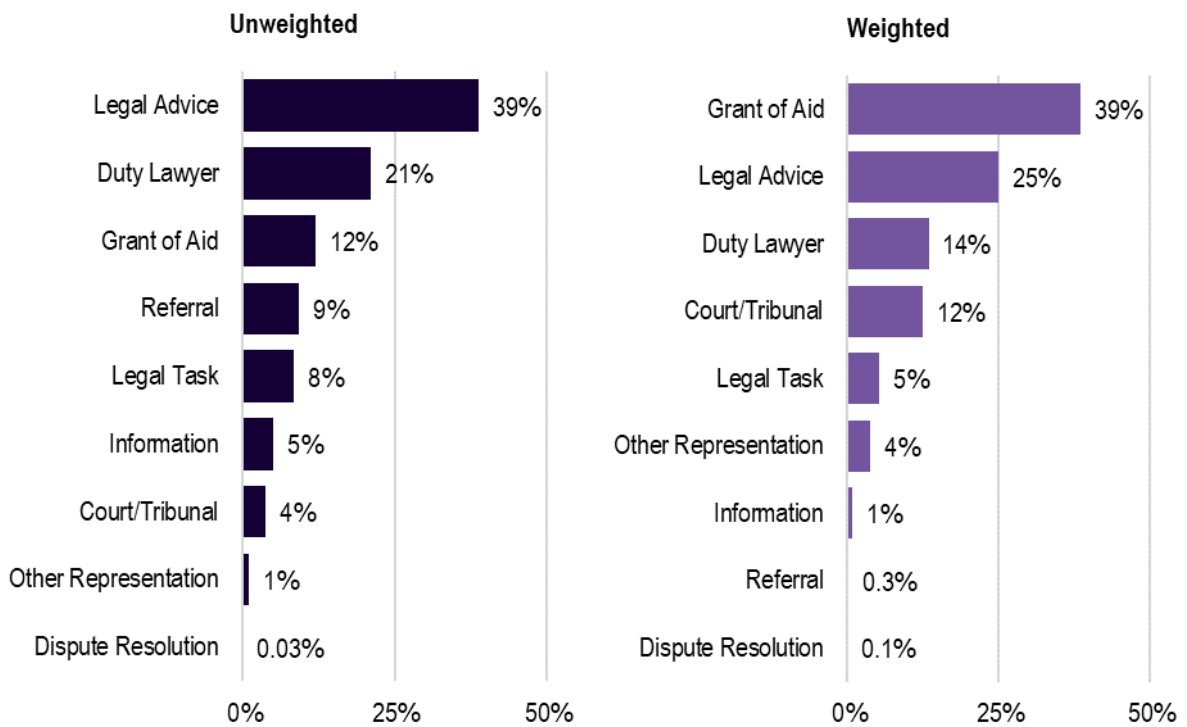
**Service types**

*Legal advice* is the most common type of legal assistance, accounting for 39 per cent of services delivered. This is followed by *duty lawyer services* (21 per cent) and *grant of aid* (12 per cent).

On a weighted service basis, the top three types of legal assistance are *grants of aid* (39 per cent), *legal advice* (25 per cent) and *duty lawyer services* (14 per cent). Collectively, this implies that for restraining order matters, the sector has directed 78 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

**Figure 4.27** Restraining order matters - Service types, proportion of services delivered



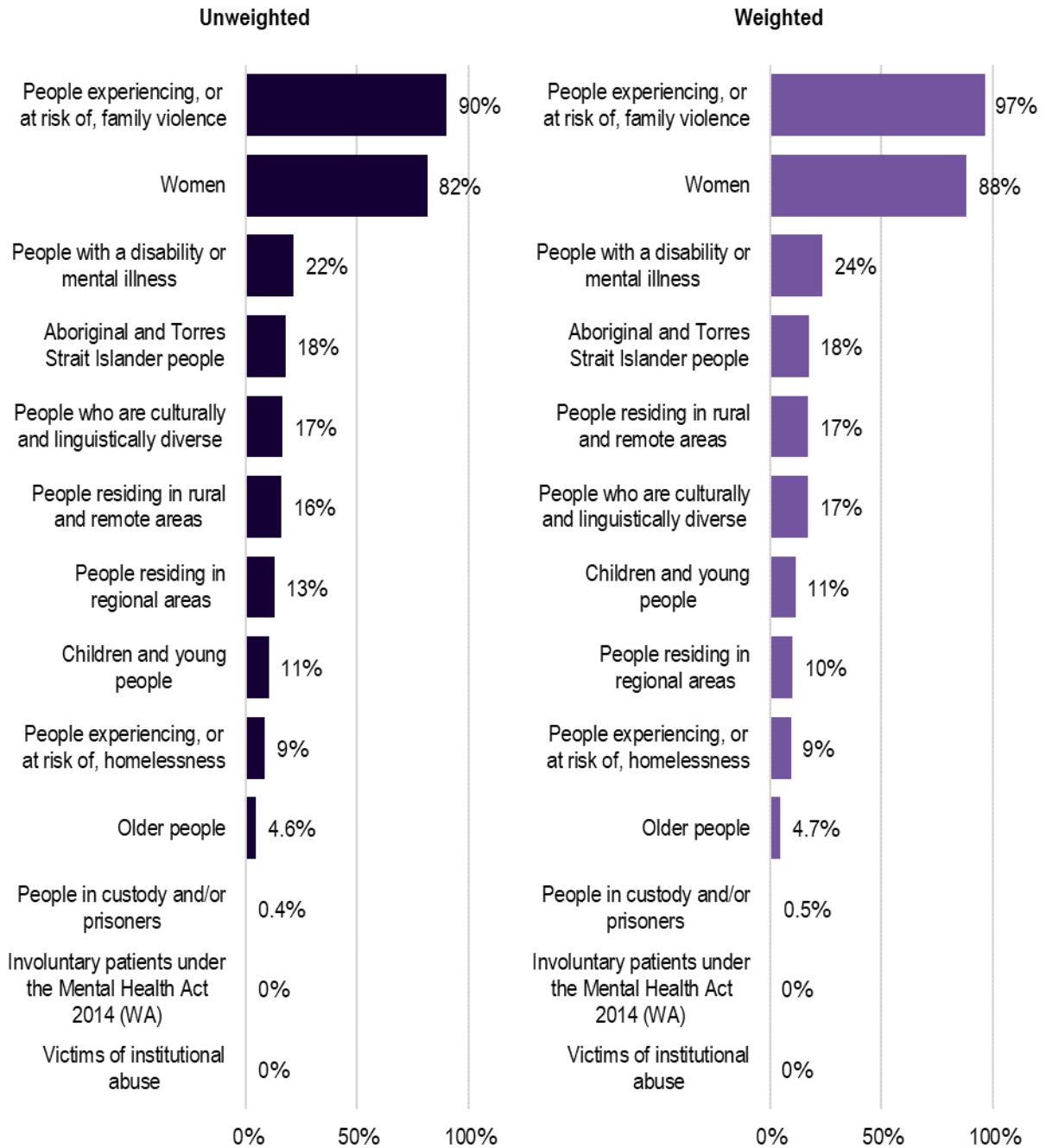
Source: ACIL Allen, from service provider data

**Priority Client Groups**

For restraining order matters, *people experiencing, or at risk of, family violence* and *women* are the two most common population vulnerability, representing 90 and 82 per cent of services delivered, respectively.

On a weighted service basis, the two most common characteristics are the same. However, these proportions are higher than their unweighted counterparts, indicating that these cohorts use more resource-intensive services to address their legal problem.

**Figure 4.28** Restraining order matters - Priority Client Groups, proportion of services delivered



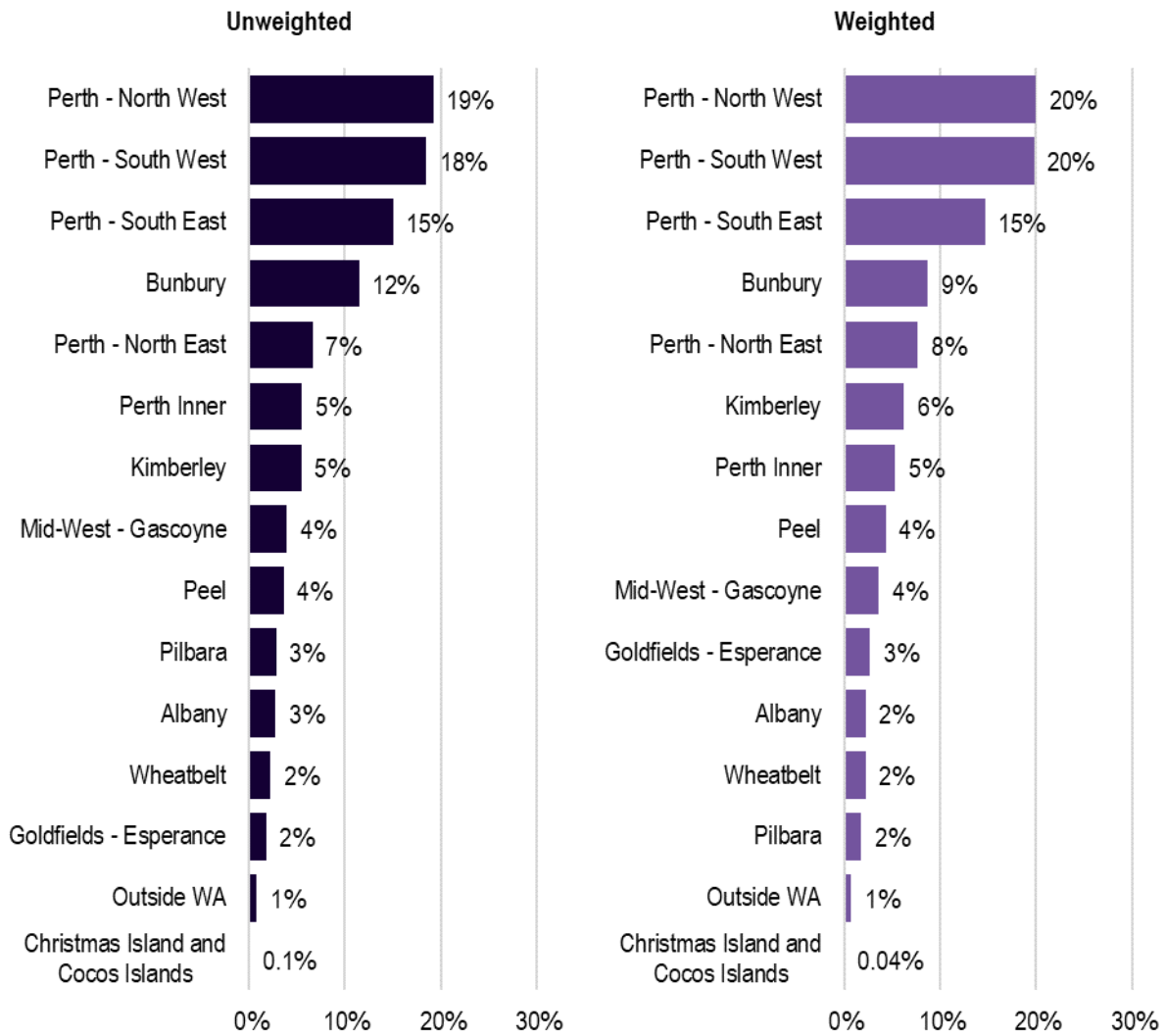
Source: ACIL Allen, from service provider data

**Justice Regions**

Legal assistance for restraining order matters was mostly accessed by residents in the Perth metropolitan and Peel regions (68 per cent). This compares with regional WA, which accounts for 31 per cent of services delivered.

Notably, these proportions are fairly similar irrespective of whether or not it is weighted. This suggests that resource allocation is directly proportional to service utilisation.

**Figure 4.29** Restraining order matters - Justice Regions, proportion of services delivered



Source: ACIL Allen, from service provider data

**Social security matters**

In FY21, the sector delivered 1,500 services to address social security matters. This is equivalent to 0.5 per cent of all legal assistance in Western Australia.

**Provider types**

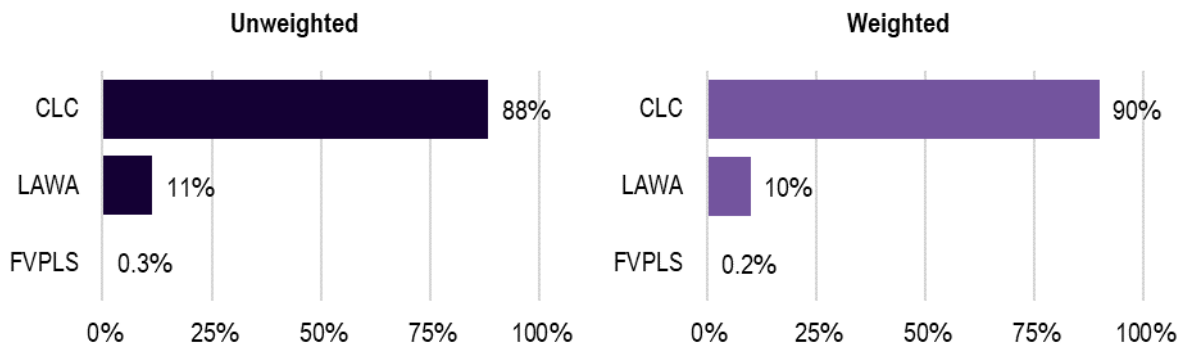
Of which almost all services (88 per cent) were delivered by CLCs. Among CLCs, more than half of the services (55 per cent) are delivered by Welfare Rights & Advocacy Services. The remaining 45 per cent is split between 15 different CLCs.

LAWA is the second largest provider type, at 11 per cent of services delivered.

FVPLSs are the smallest provider type, as they account for 0.3 per cent of services delivered. These services were equally delivered by Southern Aboriginal Corporation and Perth Metro Family Violence Prevention Legal Service.

On a weighted service basis, provider types are ranked similarly. However, there are some changes to the proportion of services. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 4.30** Provider types, proportion of services delivered



Source: ACIL Allen, from service provider data

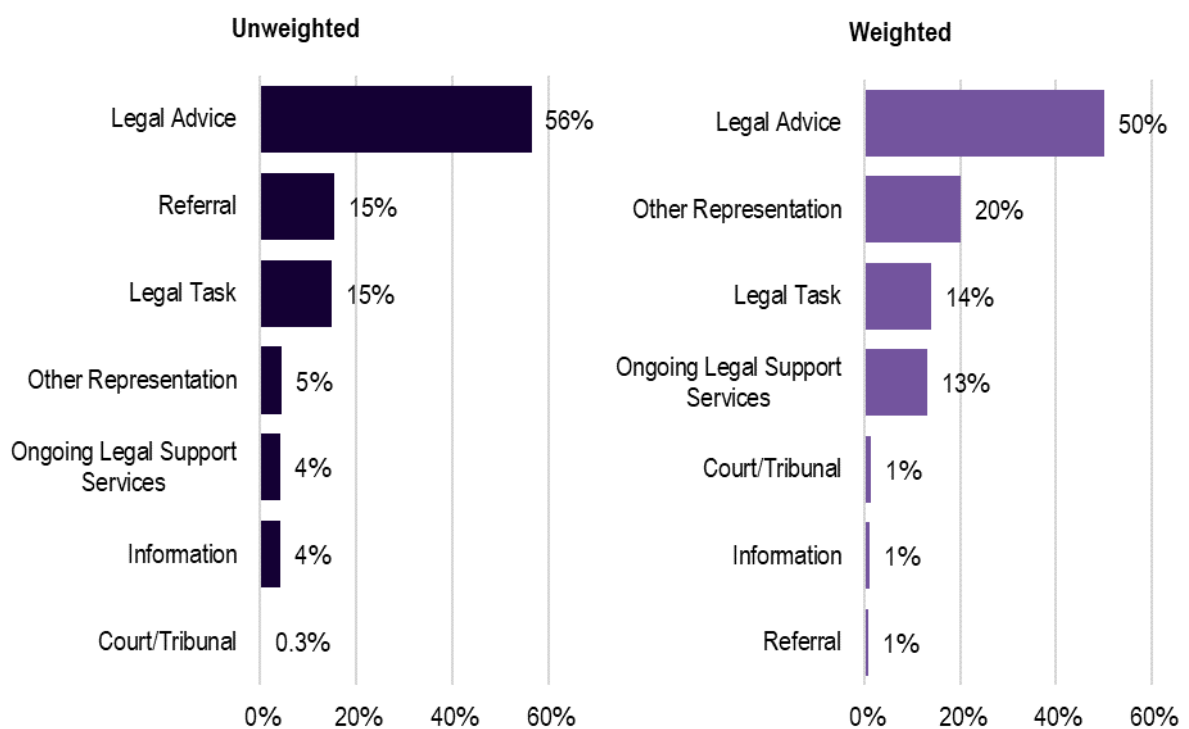
**Service types**

*Legal advice* is the most common type of legal assistance, accounting for 56 per cent of services delivered. This is followed by *referrals* and *legal task*, each representing 15 per cent of services delivered.

On a weighted service basis, the top three types of legal assistance are *legal advice* (50 per cent), *other representation services* (20 per cent) and *legal tasks* (14 per cent). Collectively, this implies that for social security matters, the sector has directed 84 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

**Figure 4.31** Social security matters - Service types, proportion of services delivered



Source: ACIL Allen, from service provider data

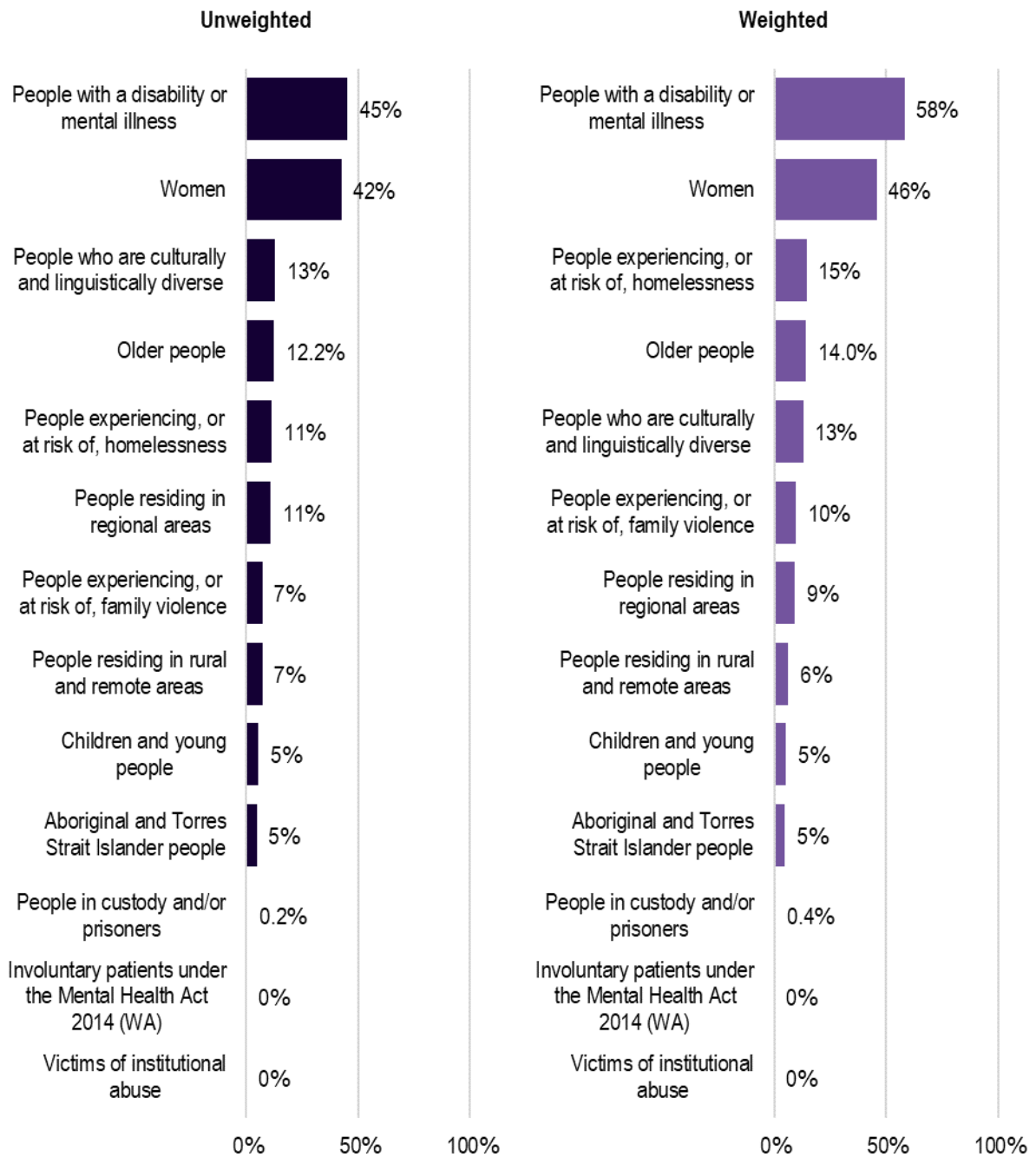


**Priority Client Groups**

For social security matters, *people with a disability or mental illness* and *women* are the most common population vulnerabilities, representing 45 per cent and 42 per cent of services delivered, respectively.

On a weighted service basis, the two most common characteristics are the same. However, these proportions are higher than their unweighted counterparts, indicating that these cohorts use more resource-intensive services to address their legal problem.

**Figure 4.32** Social security matters - Priority Client Groups, proportion of services delivered



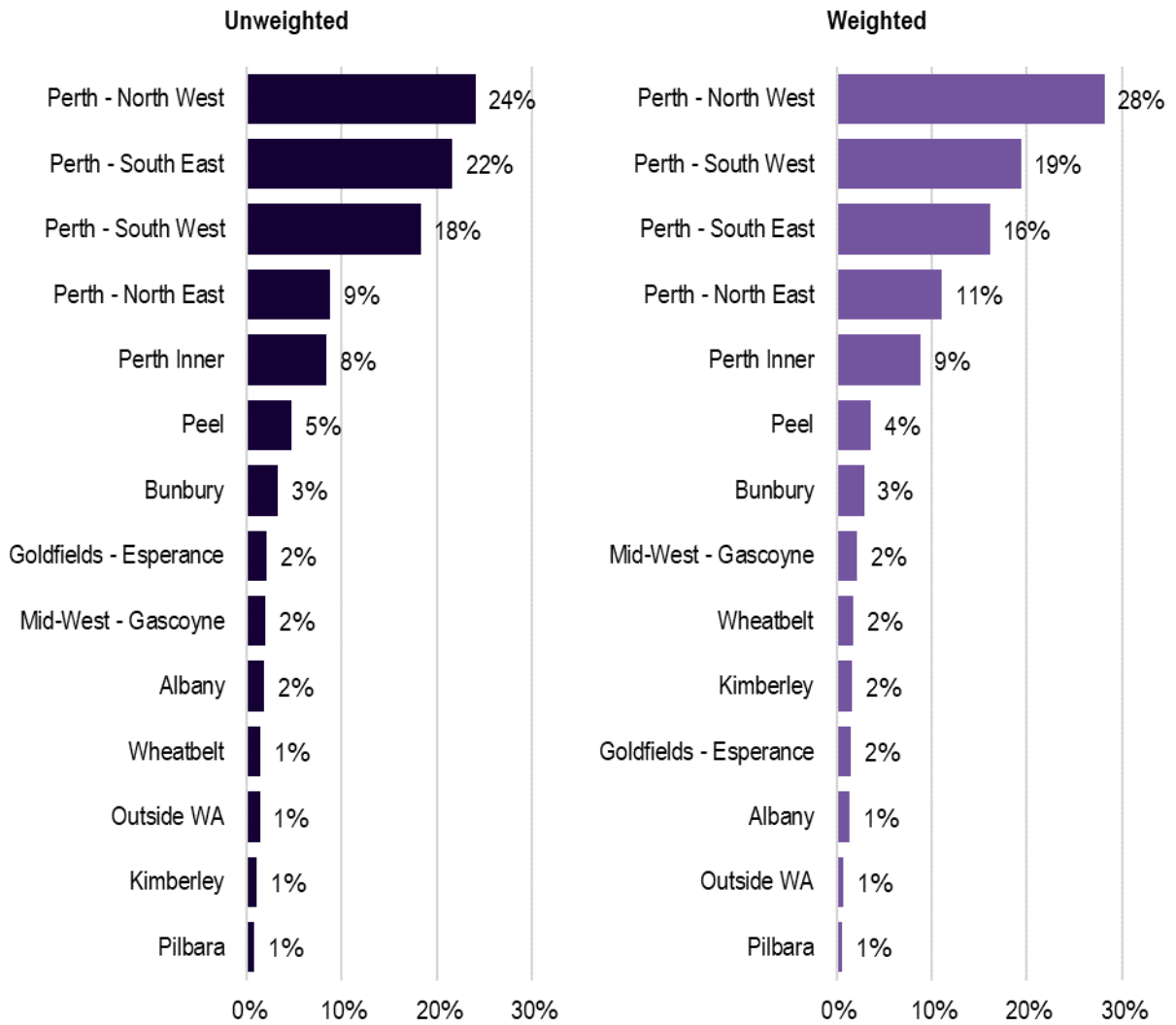
Source: ACIL Allen, from service provider data

**Justice Regions**

Legal assistance on social security matters were mostly accessed by residents in the Perth metropolitan and Peel regions (86 per cent). This compares with regional WA, which accounts for 13 per cent of services delivered.

Notably, these proportions are fairly similar irrespective of whether or not it is weighted. This suggests that resource allocation is directly proportional to service utilisation.

**Figure 4.33** Social security matters - Justice Regions, proportion of services delivered



Source: ACIL Allen, from service provider data

**Tenancy matters**

In FY21, the sector delivered 8,800 services to address tenancy matters. This is equivalent to 2.7 per cent of all legal assistance in Western Australia.

**Provider types**

Of which almost all services (99.1 per cent) were delivered by CLCs. Among CLCs, the two largest service providers are Circle Green Community Legal (31 per cent) and Northern Suburbs Community Legal Centre (13 per cent).

In addition to these CLCs, there are 19 other CLCs that provide legal assistance in relation to tenancy matters. Service proportions can vary across these service providers, ranging from a low of 0.02 per cent, to a high of seven per cent.

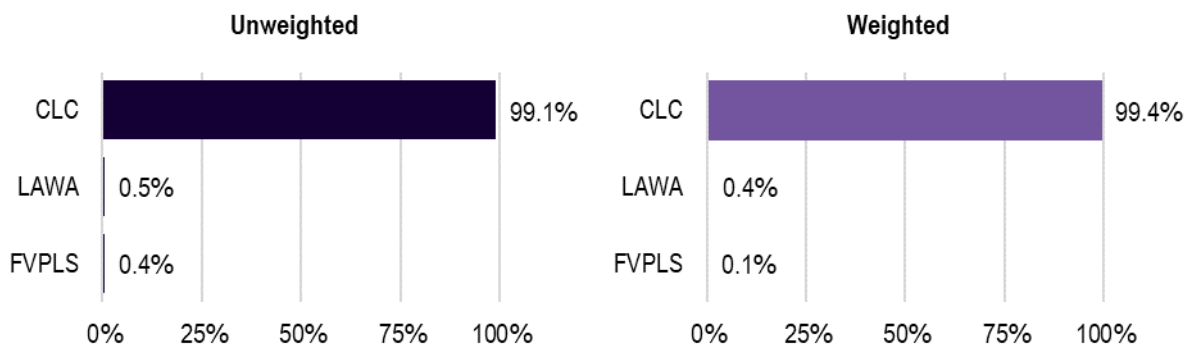
LAWA is the second largest provider type, at 0.5 per cent of services delivered.

Among FVPLSs, Southern Aboriginal Corporation and Aboriginal Family Legal Services are the two largest service providers, at 42 per cent and 36 per cent, respectively.

This implies that for FVPLSs, 78 per cent of legal assistance is delivered by these two providers. The remaining four per cent is delivered by Perth Metro Family Violence Prevention Legal Service and Marninwarntikura Women’s Resource Centre.

On a weighted service basis, provider types are ranked similarly. However, there are some changes to the proportion of services. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 4.34** Provider types, proportion of services delivered



Source: ACIL Allen, from service provider data

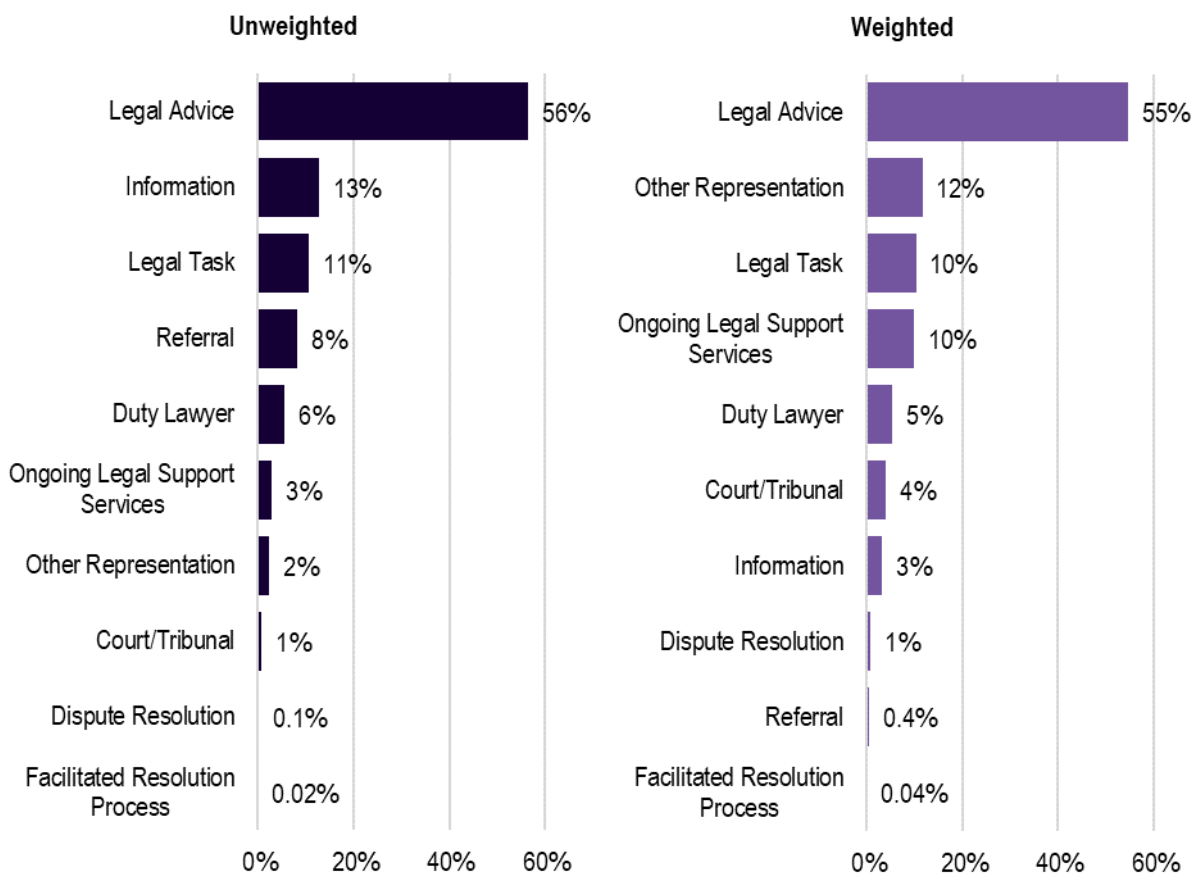
**Service types**

*Legal advice* is the most common type of legal assistance, accounting for 56 per cent of services delivered. This is followed by *information services* and *legal task*, each representing 13 per cent and 11 per cent, respectively.

On a weighted service basis, the top three types of legal assistance are *legal advice* (55 per cent), *other representation services* (12 per cent) and *legal tasks* (10 per cent). Collectively, this implies that for tenancy matters, the sector has directed 77 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

**Figure 4.35** Tenancy matters - Service types, proportion of services delivered



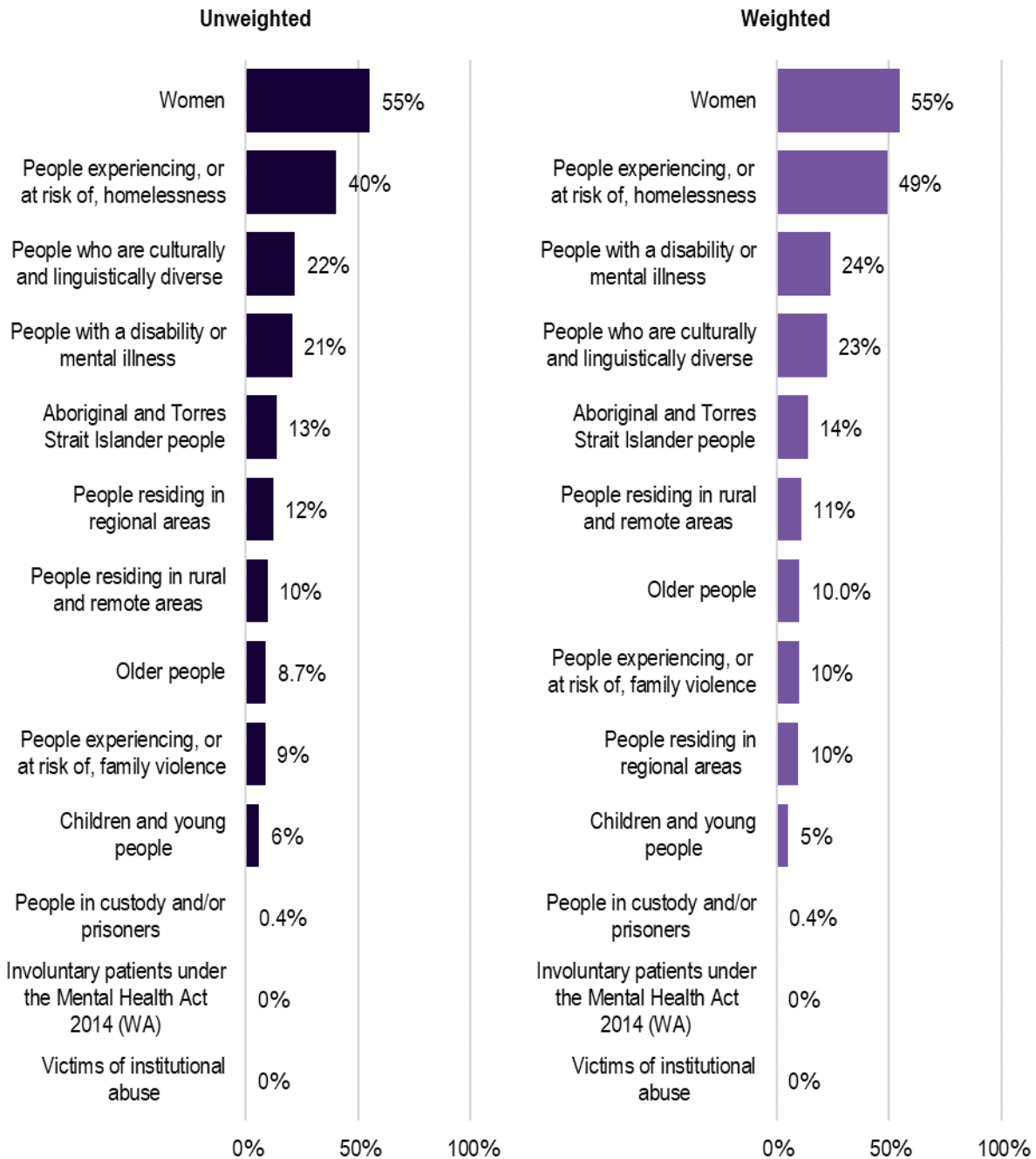
Source: ACIL Allen, from service provider data

**Priority Client Groups**

For tenancy matters, *women* and *people experiencing, or at risk of, homelessness* are the two most common population vulnerabilities, representing 55 per cent and 40 per cent of services delivered, respectively.

On a weighted service basis, the two most common characteristics are the same. However, for *people experiencing, or at risk of, homelessness*, the proportion is considerably higher than its unweighted counterpart, indicating that this cohort uses more resource-intensive services to address their legal problem.

**Figure 4.36** Tenancy matters - Priority Client Groups, proportion of services delivered



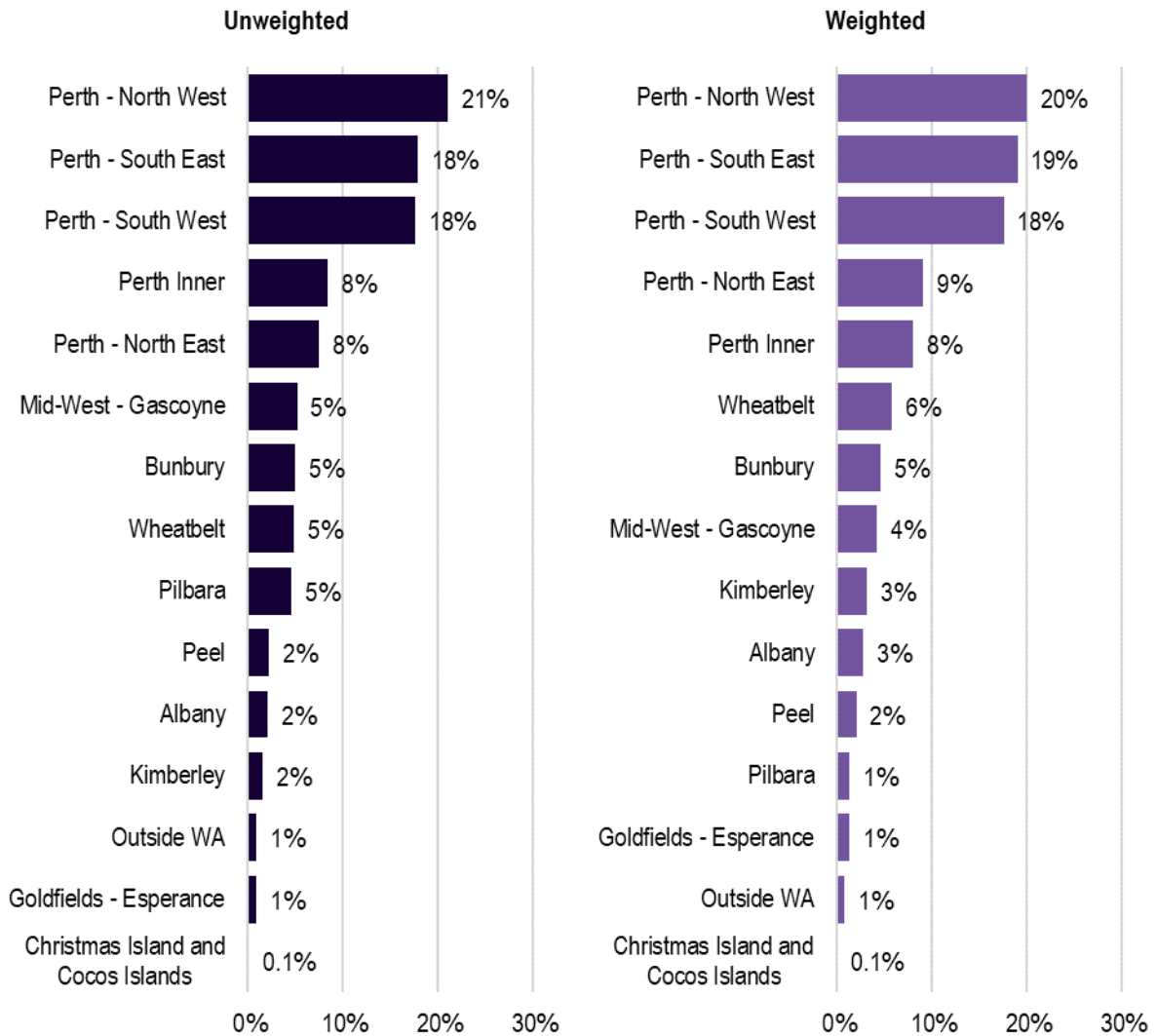
Source: ACIL Allen, from service provider data

**Justice Regions**

Legal assistance on tenancy matters were mostly accessed by residents in the Perth metropolitan and Peel regions (75 per cent). This compares with regional WA, which accounts for 24 per cent of services delivered.

Notably, these proportions are fairly similar irrespective of whether or not it is weighted. This suggests that resource allocation is directly proportional to service utilisation.

**Figure 4.37** Tenancy matters - Justice Regions, proportion of services delivered



Source: ACIL Allen, from service provider data

## 4.2 Criminal law

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In FY21, the sector delivered roughly 147,000 services for criminal law matters. This is equivalent to 45 per cent of all legal assistance in Western Australia.

Among the identifiable criminal law matters, *miscellaneous offences* are the most common legal problem, accounting for 29 per cent of services delivered. This is followed by *acts intended to cause injury* (14 per cent) and *offences against government procedures, government security and government operations* (10 per cent). Collectively, these legal problems account for 53 per cent of services delivered to address criminal law matters.

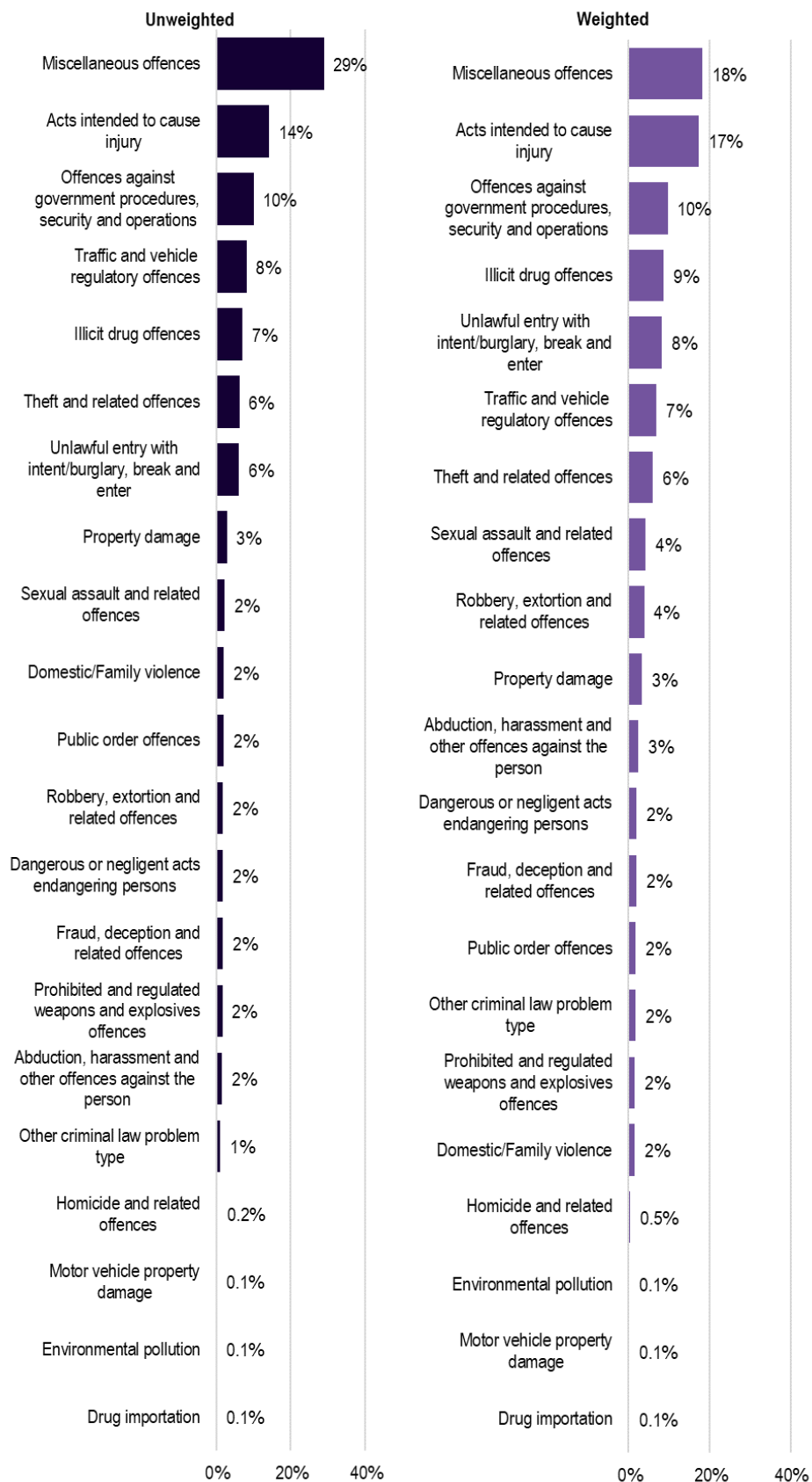
The remaining 47 per cent of services delivered is split between 18 different types of criminal law matters. Service proportions vary across these legal problems, as it can range from a low of 0.01 per cent, to a high of eight per cent.

On a weighted service basis, *miscellaneous offences* still account for the largest share of services delivered at 18 per cent. However, this proportion is smaller than its unweighted counterpart, indicating that these legal problems are less complex.

*Acts intended to cause injury* remains the second largest legal problem (17 per cent), accounting for 17 per cent of weighted services. In contrast to *miscellaneous offences*, these problems are more complex given this proportion is higher than its unweighted counterpart.

*Offences against government procedures, government security and government operations* is the third largest legal problem, based on its proportion of weighted services. Notably, this proportion is similar irrespective of whether or not it is weighted.

Figure 4.38 Criminal Law Problem types, proportion of services delivered



Source: ACIL Allen, from service provider data



**4.2.1 Provider types**

For criminal law matters, more than half of the services (62 per cent) were delivered by LAWA. ALSWA are the second largest provider type, at 35 per cent of services delivered.

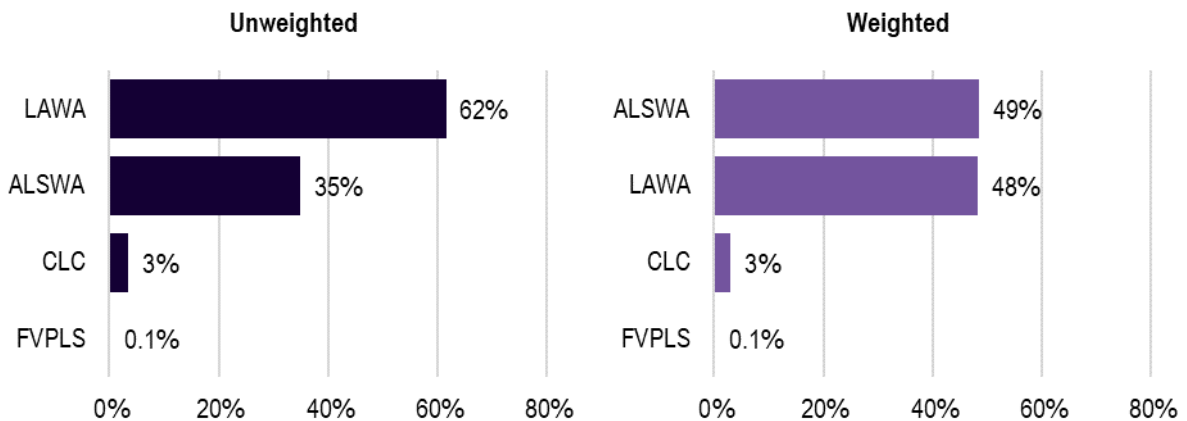
CLCs are the third largest provider type, accounting for three per cent of services delivered. Among the CLCs, Northern Suburbs Community Legal Centre accounts for the largest share of services delivered, at 32 per cent. This is followed by Youth Legal Service and Mental Health Law Centre, accounting for 14 per cent and 13 per cent of services, respectively.

In addition to these CLCs, there are 18 other CLCs that provide legal assistance in relation to criminal law matters. Service proportions can vary across these service providers, ranging from a low of 0.02 per cent, to a high of five per cent.

FVPLSs are the smallest provider type as they account for 0.1 per cent of services delivered. Perth Metro Family Violence Prevention Legal Service, Aboriginal Family Legal Services and Marninwarntikura Women’s Resource Centre account for roughly the same share of services, each at roughly 30 to 33 per cent.

On a weighted basis, provider types are ranked differently. ALSWA are now the largest provider type, followed by LAWA. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 4.39** Provider types, proportion of services delivered



Source: ACIL Allen, from service provider data

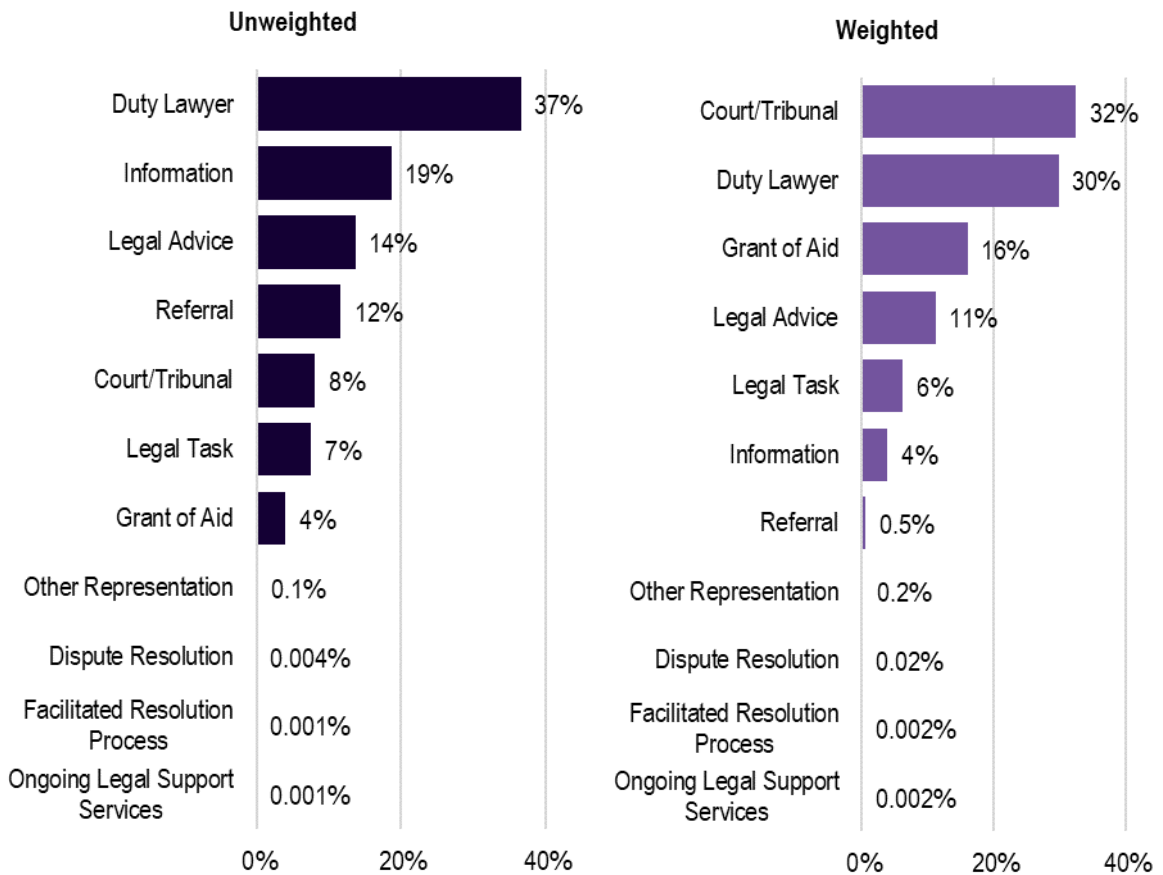
4.2.2 Service types

*Duty lawyer services* are the most common type of legal assistance, accounting for 37 per cent of services delivered. This is followed by *information services* (19 per cent) and *legal task* (14 per cent).

On a weighted service basis, the three largest services are *court / tribunal services*, *duty lawyer services* and *grants of aid*. Collectively, this implies that for criminal law matters, the sector has directed 78 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

Figure 4.40 Service types, proportion of services delivered



Source: ACIL Allen, from service provider data

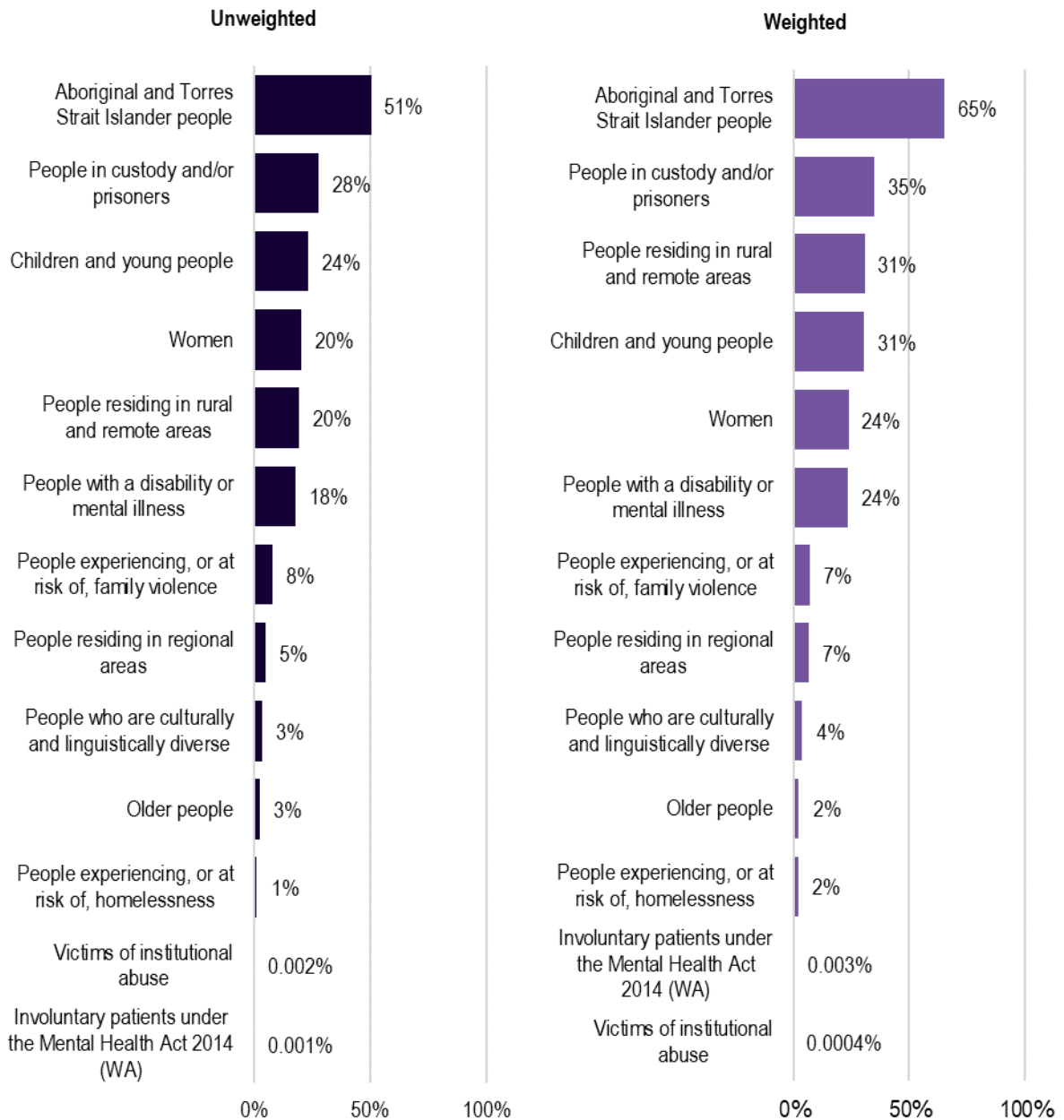
4.2.3 Priority Client Groups

For criminal law matters, *Aboriginal and Torres Strait Islander people* was the most common population vulnerability (51 per cent). This is followed by *people in custody and/or prisoners* (28 per cent) and *children and young people* (24 per cent).

On a weighted service basis, *Aboriginal and Torres Strait Islander people* and *people in custody and/or prisoners* still account for the largest share of services. However, their proportions are higher than their unweighted counterparts, suggesting that legal problems faced by these cohorts are relatively complex.

*People residing in rural and remote areas* are the third most common characteristic, based on proportion of weighted services. This proportion is also higher than its unweighted counterpart.

Figure 4.41 Criminal Law Priority Client Groups, proportion of services delivered



Source: ACIL Allen, from service provider data

Note: These proportions indicate the number of service users with a specific vulnerability; hence, these are not mutually exclusive cohorts.

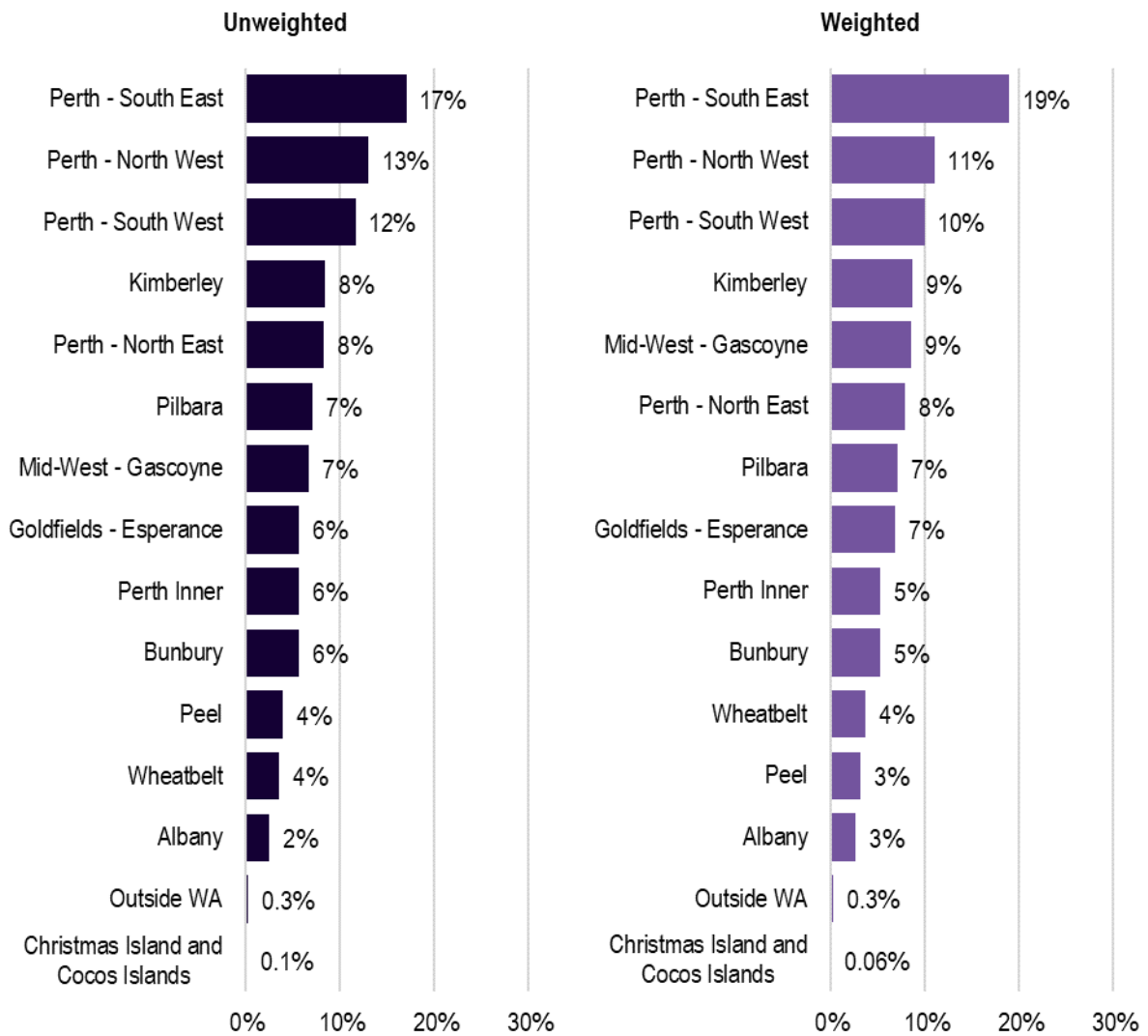
**4.2.4 Justice Regions**

Legal assistance on criminal law matters were mostly accessed by residents in the Perth metropolitan and Peel regions (60 per cent). This compares with regional WA, which accounts for 40 per cent of services delivered.

It is noted that Justice Regions where criminal law assistance is most accessed partly reflects where prisons and detention centres are located. The geographic distribution of prisons / detention centres across Justice Regions, is presented in **C-1**.

Notably, these proportions are fairly similar irrespective of whether or not it is weighted. This suggests that resource allocation is directly proportional to service utilisation.

**Figure 4.42** Criminal Law Justice Regions, proportion of services delivered



Source: ACIL Allen, from service provider data

### 4.3 Family law

In FY21, the sector delivered roughly 88,000 services for family law matters. This is equivalent to 27 per cent of all legal assistance in Western Australia.

Among the identifiable family law matters, *parenting arrangements* are the most common legal problem, accounting for 48 per cent of services delivered. This is followed by *family law property* (18 per cent) and *divorce, de-facto separations and/or annulment* (12 per cent). Collectively, these legal problems account for 78 per cent of services delivered to address family law matters.

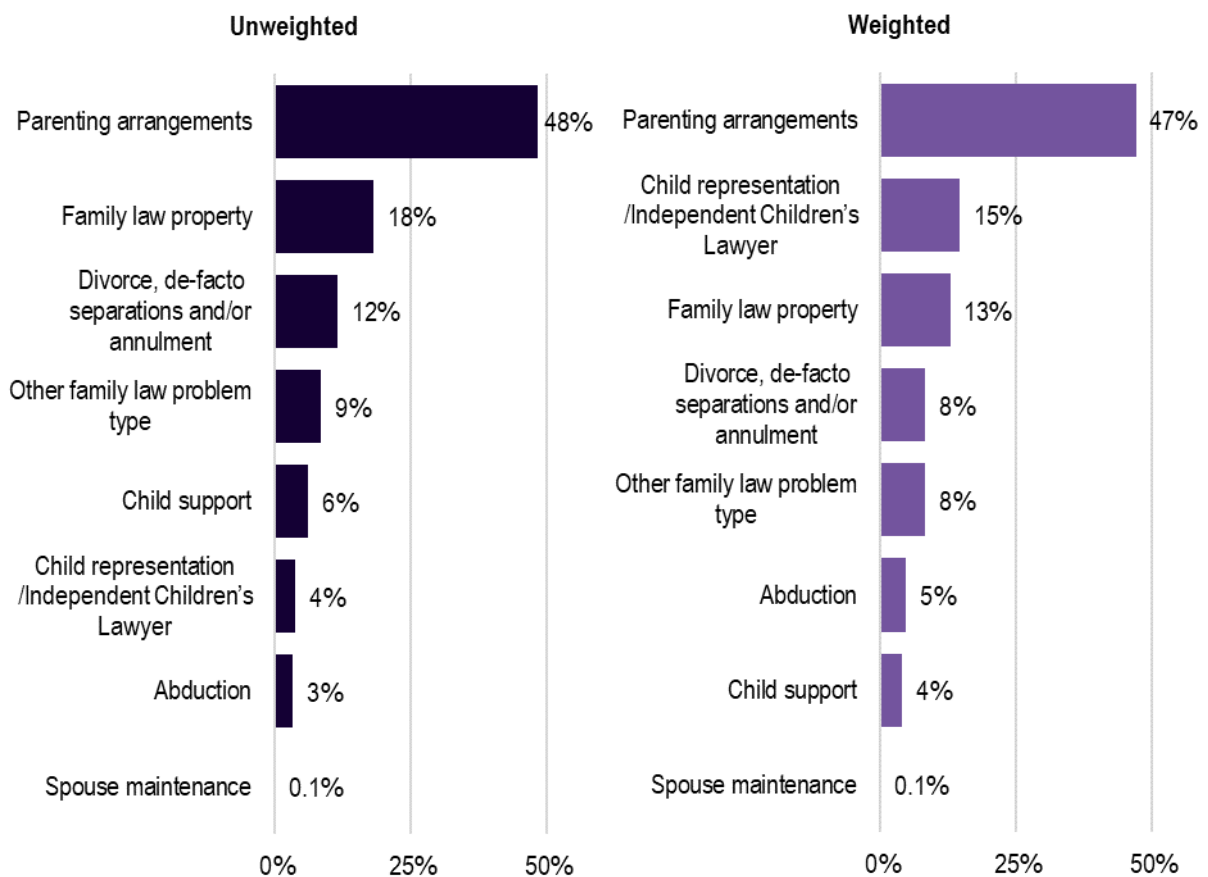
The remaining 22 per cent of services delivered is split between five different types of family law matters. Service proportions vary across these legal problems, as it can range from a low of 0.1 per cent, to a high of nine per cent.

On a weighted service basis, *parenting arrangements* still account for the largest share of services delivered at 47 per cent. Notably, this proportion is similar irrespective of whether or not it is weighted.

*Child representation / Independent Children’s Lawyer* is now the second largest legal problem (15 per cent), based on its proportion of weighted services. This is roughly four times its unweighted counterpart, indicating the complexity of these problems.

*Family law property* is the third largest legal problem, at 13 per cent of weighted services. However, this proportion is smaller than its unweighted counterpart, indicating that these legal problems are less complex.

**Figure 4.43** Family Law Problem types, proportion of services delivered



Source: ACIL Allen, from service provider data

**4.3.1 Provider types**

For family law matters, most services (80 per cent) are delivered by LAWA.

CLCs are the second largest provider type, accounting for 16 per cent of services delivered. Among the CLCs, the three largest service providers are Northern Suburbs Community Legal Centre (18 per cent), Women’s Legal Service (15 per cent) and South West Community Legal Centre (14 per cent).

In addition to these CLCs, there are 18 other CLCs that provide legal assistance in relation to family law matters. Service proportions can vary across these service providers, ranging from a low of 0.1 per cent, to a high of 10 per cent.

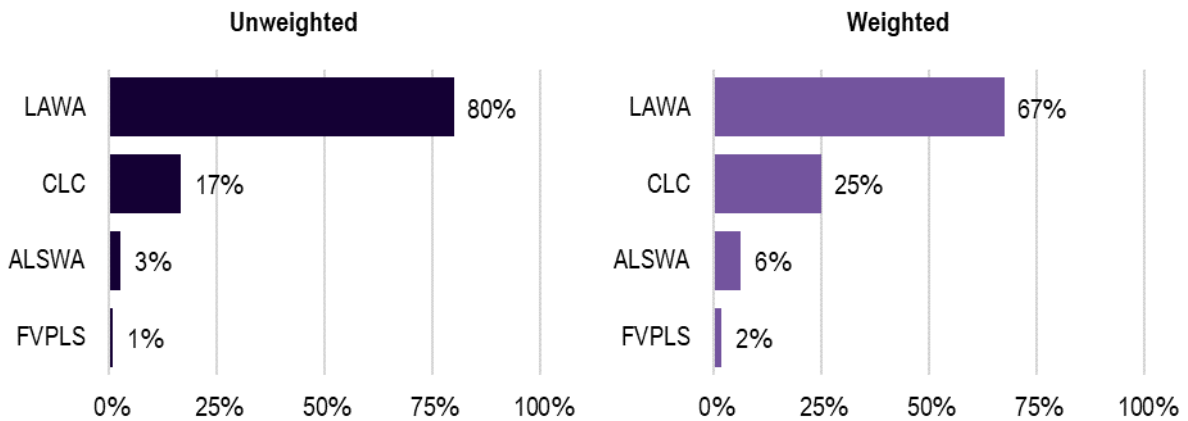
ALSWA are the third largest provider type, at three per cent of services delivered.

FVPLSs are the smallest provider type as they account for one per cent of services delivered. Aboriginal Family Legal Services and Perth Metro Family Violence Prevention Legal Service account for roughly the same share of services as each other, at 46 per cent and 45 per cent, respectively.

This implies that for FVPLSs, 91 per cent of legal assistance is delivered by these two providers. The remaining nine per cent is delivered by Southern Aboriginal Corporation and Marninwarntikura Women’s Resource Centre.

On a weighted service basis, provider types are ranked similarly. However, there are some changes to the proportion of services. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 4.44** Provider types, proportion of services delivered



Source: ACIL Allen, from service provider data

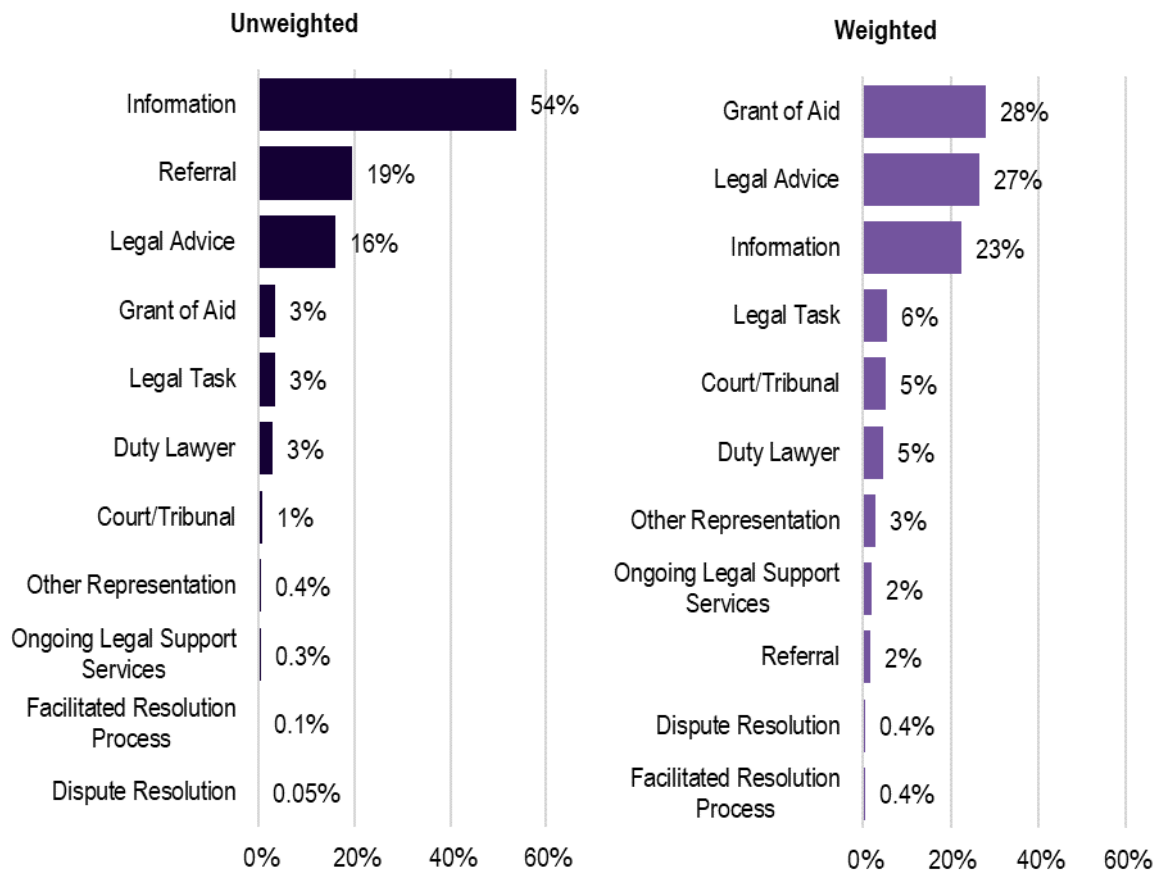
4.3.2 Service types

Information services are the most common type of legal assistance, accounting for 54 per cent of services delivered. This is followed by referrals (19 per cent) and legal advice (16 per cent).

On a weighted service basis, the three largest services are grants of aid, legal advice and information services. Collectively, this implies that for family law matters, the sector has directed 78 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

Figure 4.45 Service types, proportion of services delivered



Source: ACIL Allen, from service provider data

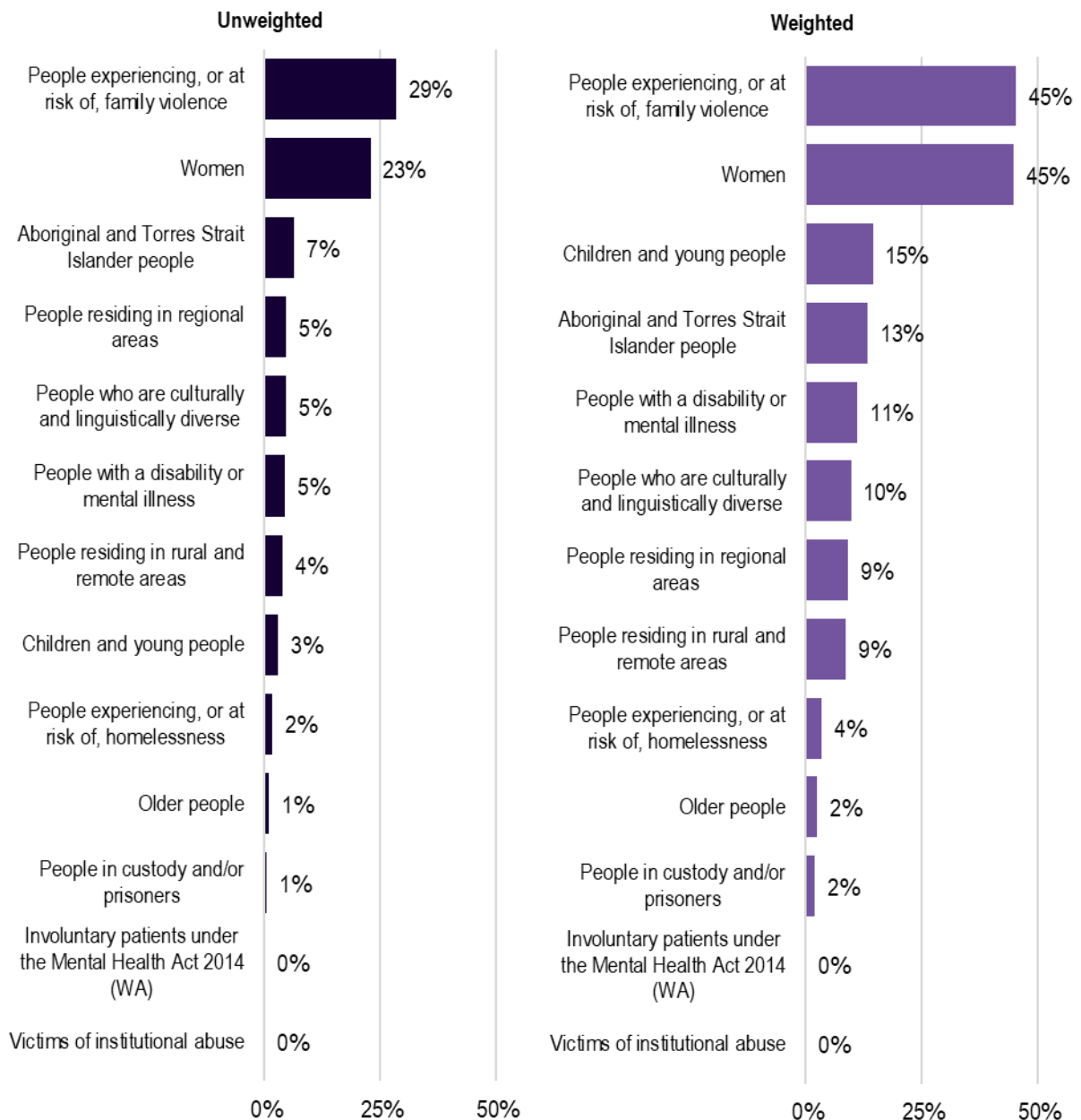
### 4.3.3 Priority Client Groups

For family law matters, *people experiencing, or at risk of family violence* (29 per cent), *women* (23 per cent) and *Aboriginal and Torres Strait Islander people* (seven per cent) are the three most common population vulnerabilities.

On a weighted service basis, *people experiencing, or at risk of family violence* and *women* still account for the largest share of services. However, their proportions almost doubled from their unweighted counterparts, indicating that legal problems faced by these cohorts are more complex.

*Children and young people* are the third most common characteristic, based on proportion of weighted services. This is roughly five times its unweighted counterpart, implying the complexity of legal problems faced by this cohort.

**Figure 4.46** Family Law Priority Client Groups, proportion of services delivered



Source: ACIL Allen, from service provider data

Note: These proportions indicate the number of service users with a specific vulnerability; hence, these are not mutually exclusive cohorts.

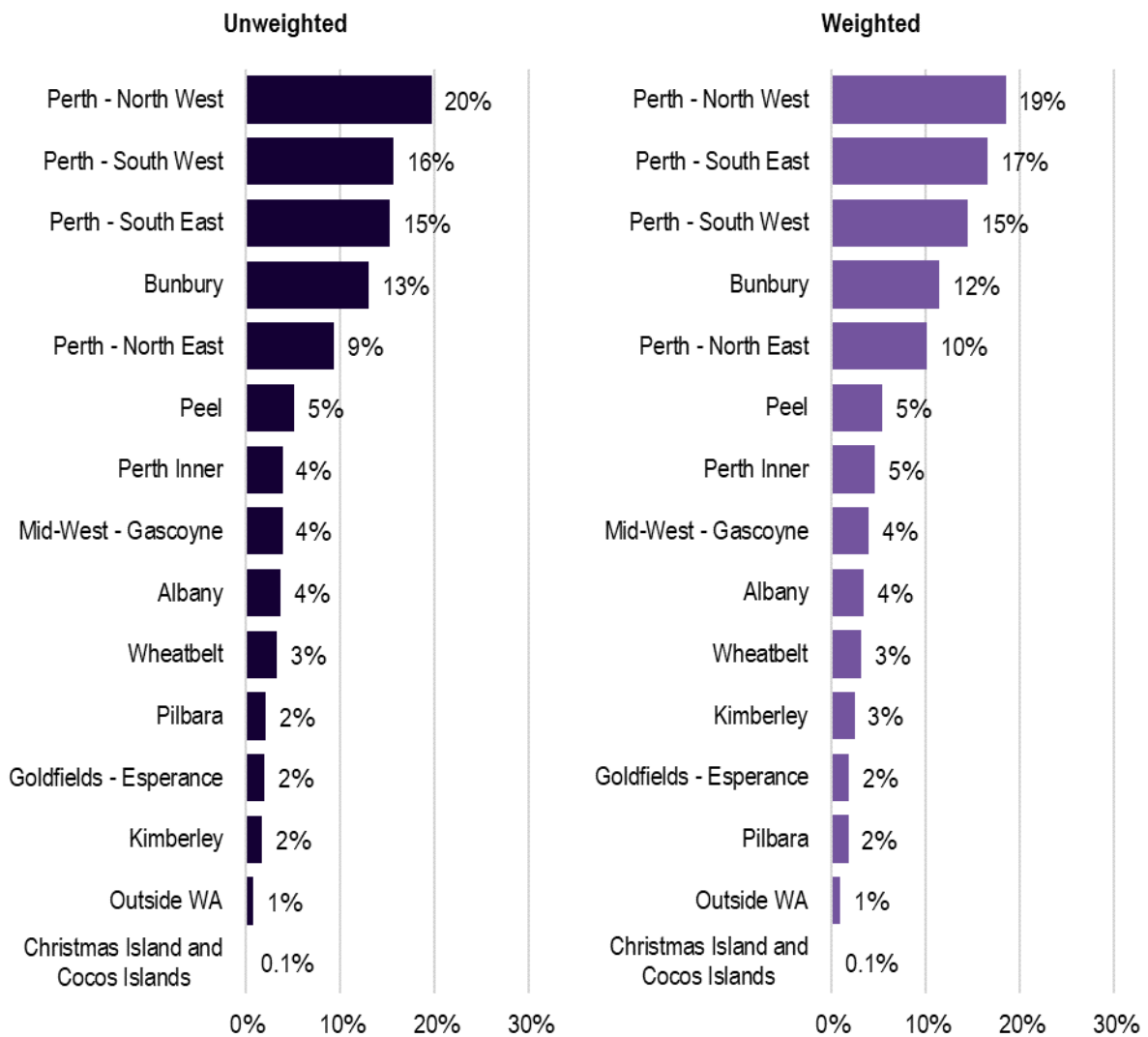


4.3.4 Justice Regions

Legal assistance on family law matters were mostly accessed by residents in the Perth metropolitan and Peel regions (69 per cent). This compares with regional WA, which accounts for 30 per cent of services delivered.

Notably, these proportions are fairly similar irrespective of whether or not it is weighted. This suggests that resource allocation is directly proportional to service utilisation.

Figure 4.47 Family Law Justice Regions, proportion of services delivered



Source: ACIL Allen, from service provider data

# 5 Priority Client Groups

This chapter presents the nature and extent of services delivered for the different Priority Client Groups. This analysis is broken down by the law types, problem types and Justice Regions.

## 5.1 Aboriginal and Torres Strait Islander people

In FY21, the sector delivered roughly 96,000 services to Aboriginal and Torres Strait Islander people. This is equivalent to 29 per cent of all legal assistance in Western Australia.

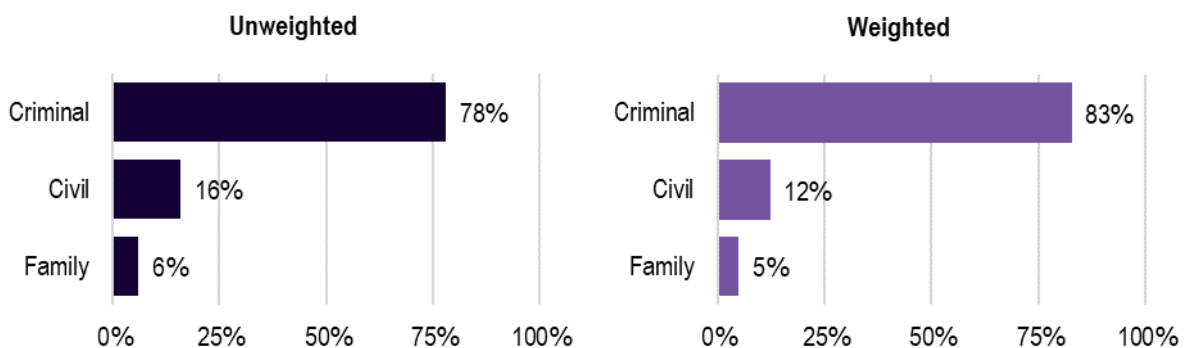
### 5.1.1 Law types

The majority of legal assistance accessed by Aboriginal and Torres Strait Islander people are for criminal law matters. Among the identifiable criminal law matters, *miscellaneous offences* are the most common legal problem, accounting for 52 per cent of services delivered. This is followed by *acts intended to cause injury* (11 per cent), and *offences against government procedures, security and operations* (seven per cent).

For civil law matters, legal assistance primarily addressed legal problems associated with *child protection* (26 per cent), *domestic violence protection orders* (18 per cent) and *other civil law problems* (17 per cent).

For family law matters, *parenting arrangements* are the most common legal problem presented to the sector, accounting for 64 per cent of services delivered. This is followed by other family law problems (10 per cent) and abduction (eight per cent).

Figure 5.1 Law types, proportion of services delivered to Aboriginal and Torres Strait Islander people



Source: ACIL Allen, from service provider data

**5.1.2 Provider types**

For Aboriginal and Torres Strait Islander people, more than half of the services (63 per cent) are delivered by ALSWA.

LAWA are the second largest provider type, accounting for 30 per cent of services delivered.

CLCs are the third largest provider type at 17 per cent. Among CLCs, the two largest service providers are Pilbara Community Legal Service and Regional Alliance West, each accounting for 18 per cent and 15 per cent, respectively.

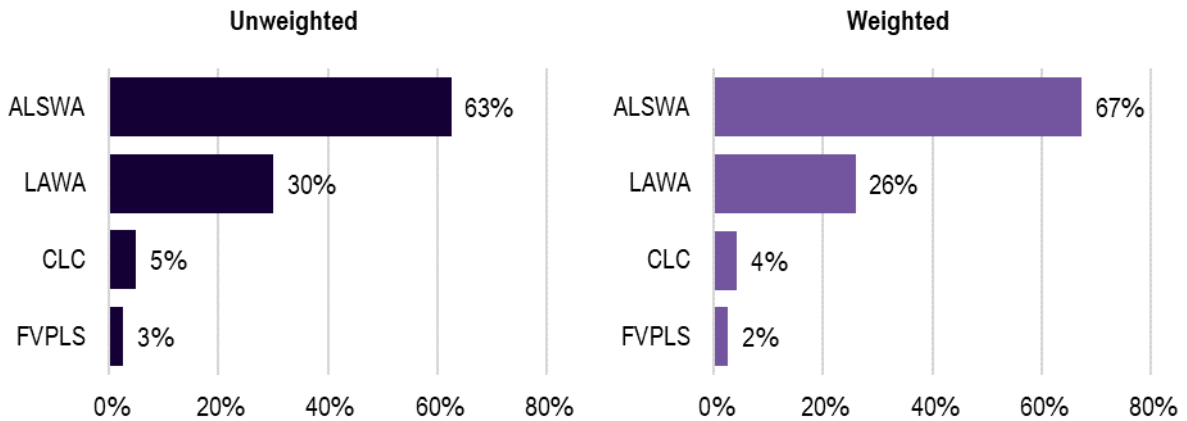
In addition to these CLCs, there are 18 other CLCs that provide legal assistance to Aboriginal and Torres Strait Islander people. Service proportions can vary across these service providers, ranging from a low of 0.1 per cent, to a high of 10 per cent.

FVPLSs are the smallest provider type as they account for three per cent of services delivered. Among FVPLSs, the two largest providers are Aboriginal Family Legal Services and Perth Metro Family Violence Prevention Legal Service, each accounting for 48 per cent and 40 per cent, respectively.

This implies that for FVPLSs, 89 per cent of legal assistance is delivered by these two providers. The remaining 11 per cent is delivered by Southern Aboriginal Corporation and Marninwarntikura Women’s Resource Centre.

On a weighted service basis, provider types are ranked similarly. However, there are some changes to the proportion of services. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 5.2** Provider types, proportion of services delivered



Source: ACIL Allen, from service provider data

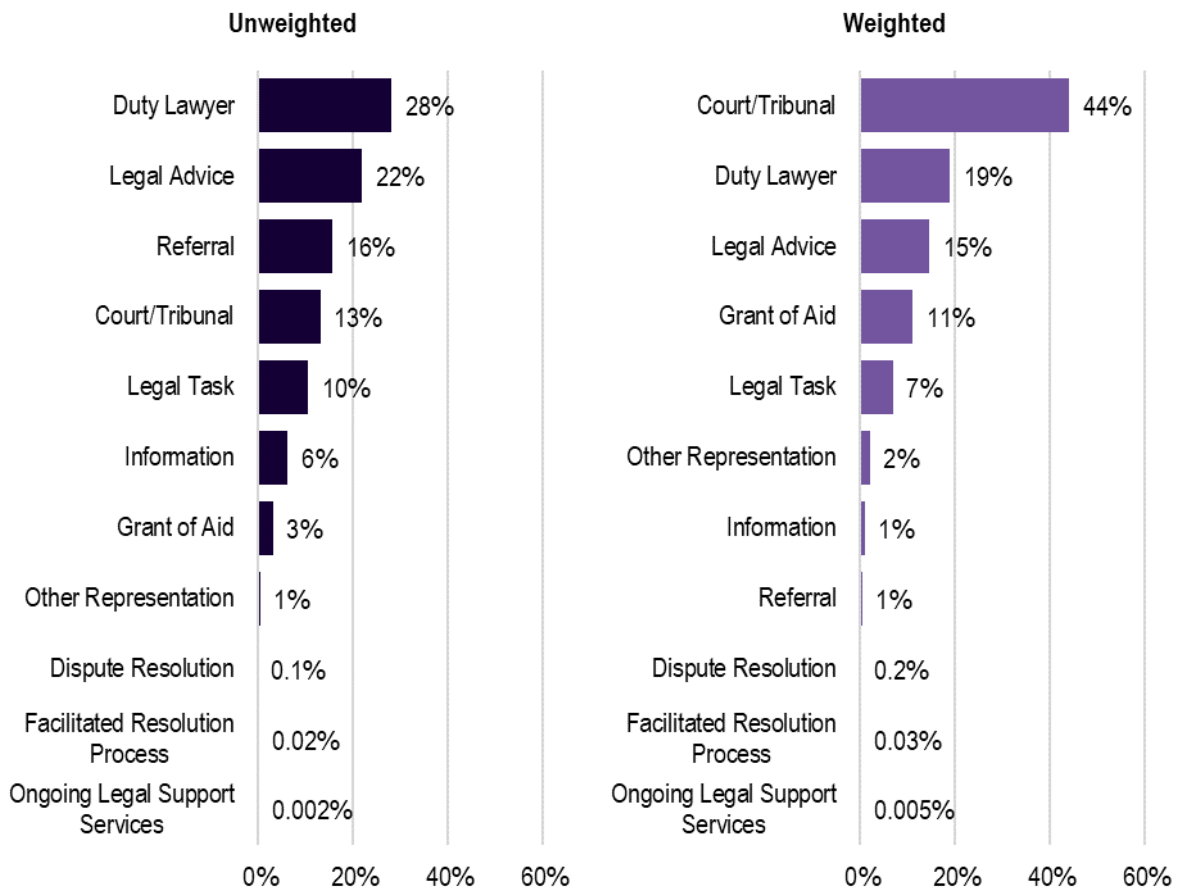
5.1.3 Service types

*Duty lawyer services* are the most common type of legal assistance, accounting for 28 per cent of services delivered. This is followed by *legal advice* (22 per cent) and *referrals* (16 per cent).

On a weighted service basis, the three largest services are *court / tribunal services*, *duty lawyer services* and *legal advice*. Collectively, this implies that for Aboriginal and Torres Strait Islander people, the sector has directed 78 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

Figure 5.3 Service types, proportion of services delivered



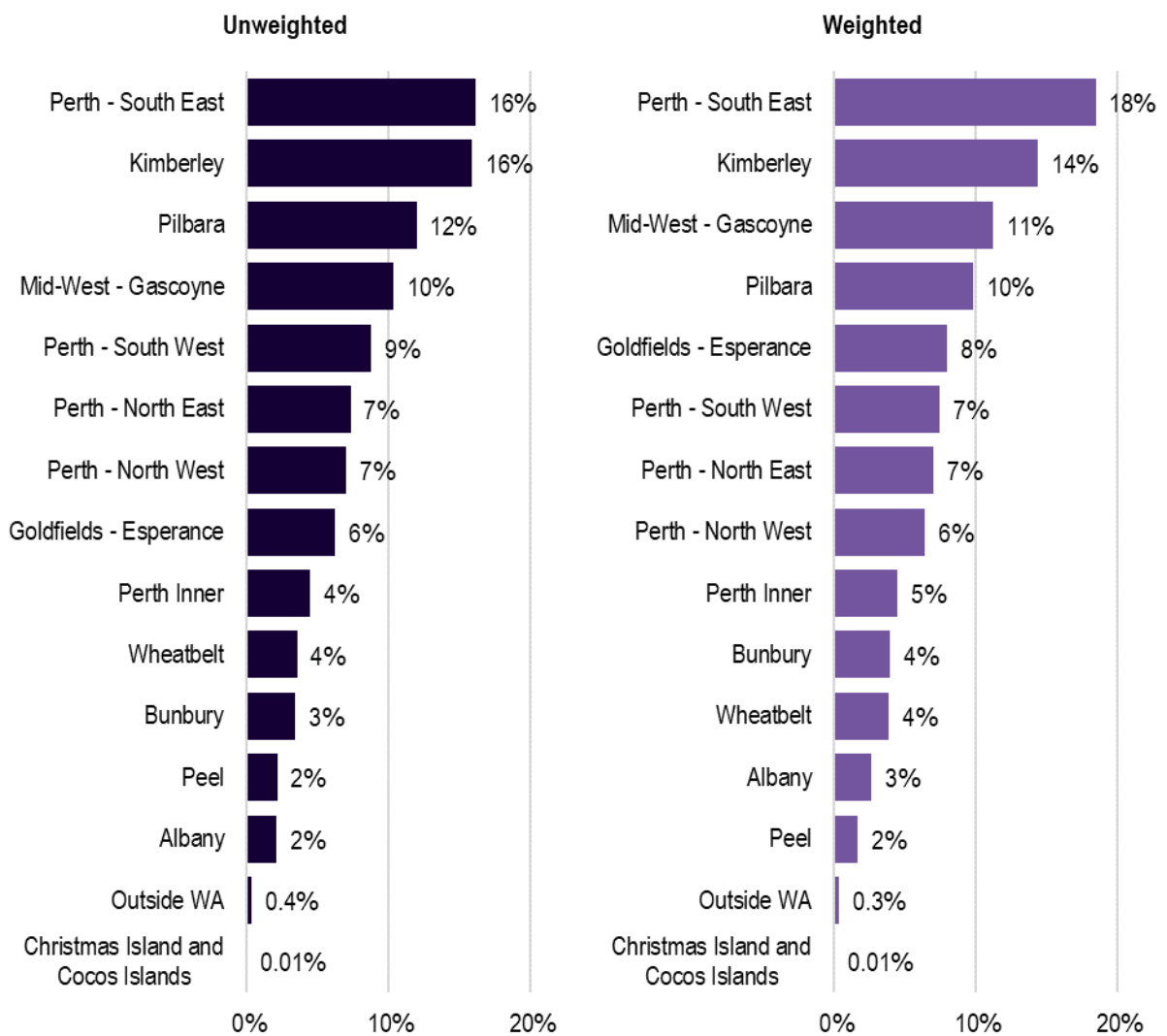
Source: ACIL Allen, from service provider data

5.1.4 Justice Regions

Legal assistance is mostly accessed by residents from regional WA, accounting for 54 per cent of services delivered. This compares with the Perth metropolitan and Peel regions, which represents 46 per cent of services delivered.

Notably, these proportions are fairly similar irrespective of whether or not it is weighted. This suggests that resource allocation is directly proportional to service utilisation.

Figure 5.4 Justice Regions, proportion of services delivered to Aboriginal and Torres Strait Islander people



Source: ACIL Allen, from service provider data

### 5.1.5 Intersection with other Priority Client Groups

In terms of priority client group intersections, 41 per cent of Aboriginal and Torres Strait Islander people who were recipient of legal assistance were also people in custody. Furthermore, 40 per cent of Aboriginal and Torres Strait Islander people receiving legal assistance were also *people residing in rural and remote areas*.

On the other hand, *victims of institutional abuse* and *involuntary patients under the Mental Health Act 2014 (WA)* are the least common priority client group intersections. However, these Priority Client Groups are inherently smaller cohorts given their vulnerabilities are highly specific.

**Table 5.1** Share of weighted services, Aboriginal and Torres Strait Islander people

#	Intersection with:	% of services
1	People in custody and/or prisoners	41%
2	People residing in rural and remote areas	40%
3	Women	32%
4	Children and young people	31%
5	People with a disability and/or mental illness	18%
6	People experiencing, or at risk of, family violence	10%
7	People residing in regional areas	5%
8	Older people	4%
9	People experiencing, or at risk of, homelessness	3%
10	Victims of institutional abuse	0.3%
11	Involuntary patients under the Mental Health Act 2014 (WA)	0.1%

*Source: ACIL Allen, from service provider data*

## 5.2 Children and young people

In FY21, the sector delivered roughly 42,000 services to children and young people. This is equivalent to 13 per cent of all legal assistance in Western Australia.

### 5.2.1 Law types

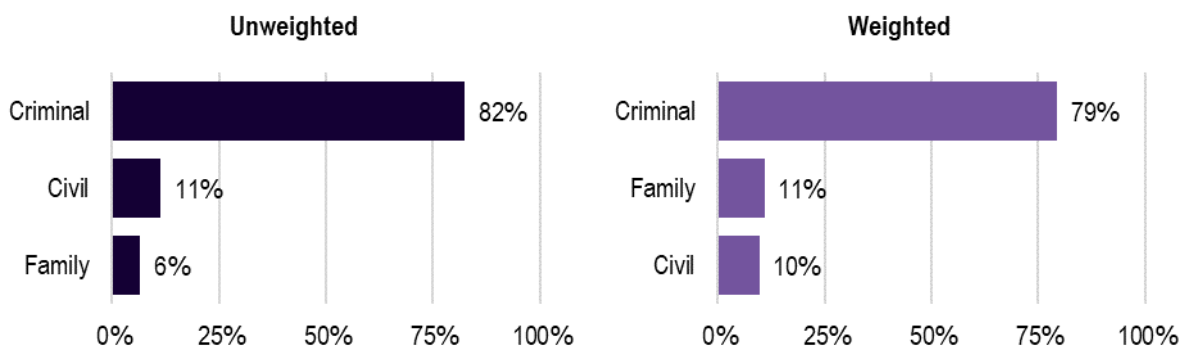
The majority of legal assistance accessed by children and young people are for criminal law matters. Among the identifiable criminal law matters, *miscellaneous offences* are the most common legal problem, accounting for 36 per cent of services delivered. This is followed by *acts intended to cause injury* (13 per cent) and *traffic and vehicle regulatory offences* (eight per cent).

For civil law matters, legal assistance primarily addressed legal problems associated with *domestic violence protection orders* (20 per cent), *child protection* (17 per cent) and *other civil law problems* (14 per cent).

For family law matters, *child representation / Independent Children’s Lawyer* is the common legal problem presented to the sector, accounting for 42 per cent of services delivered. This is followed by *parenting arrangements* (37 per cent) and *child support* (11 per cent).

On a weighted service basis, family law matters are the second largest law type, representing a five per cent increase from its unweighted counterpart. This suggests that legal problems under this matter are relatively complex.

**Figure 5.5** Law types, proportion of services delivered to children and young people



Source: ACIL Allen, from service provider data

**5.2.2 Provider types**

For children and young people, almost half of the services (48 per cent) are delivered by LAWA. ALSWA are the second largest provider type, accounting for 42 per cent of services delivered.

CLCs are the third largest provider type at 10 per cent. Among CLCs, Youth Legal Service is the largest service provider, as it represents 28 per cent of services delivered. This is followed by Northern Suburbs Community Legal Centre (10 per cent), and Circle Green Community Legal (nine per cent).

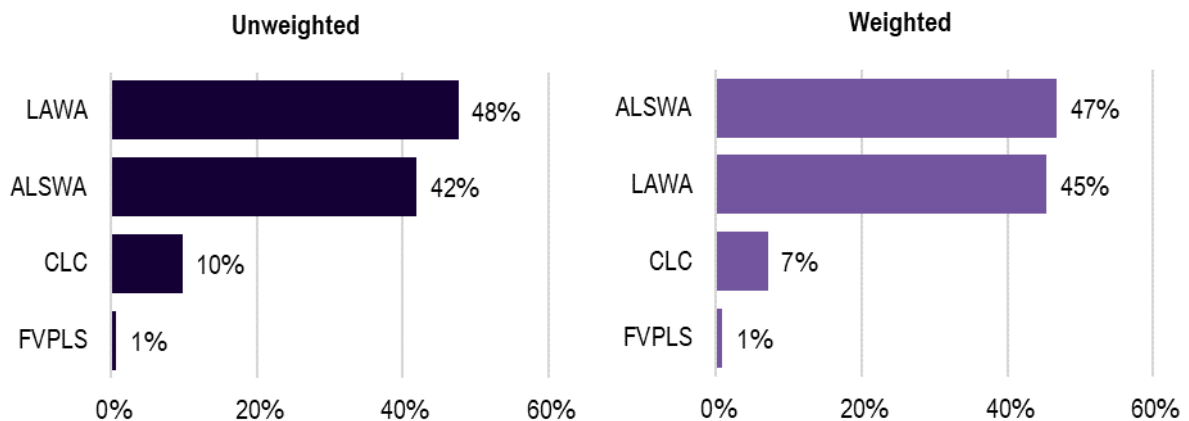
In addition to these CLCs, there are 17 other CLCs that provide legal assistance to children and young people. Service proportions can vary across these service providers, ranging from a low of 0.7 per cent, to a high of eight per cent.

FVPLSs are the smallest provider type as they account for three per cent of services delivered. Among FVPLSs, the two largest providers are Aboriginal Family Legal Services and Perth Metro Family Violence Prevention Legal Service, each accounting for 50 per cent and 39 per cent, respectively.

This implies that for FVPLSs, 89 per cent of legal assistance is delivered by these two providers. The remaining 11 per cent is delivered by Southern Aboriginal Corporation and Marninwarntikura Women’s Resource Centre.

On a weighted service basis, provider types are ranked differently. ALSWA are now the largest provider type, followed by LAWA. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 5.6** Provider types, proportion of services delivered



Source: ACIL Allen, from service provider data



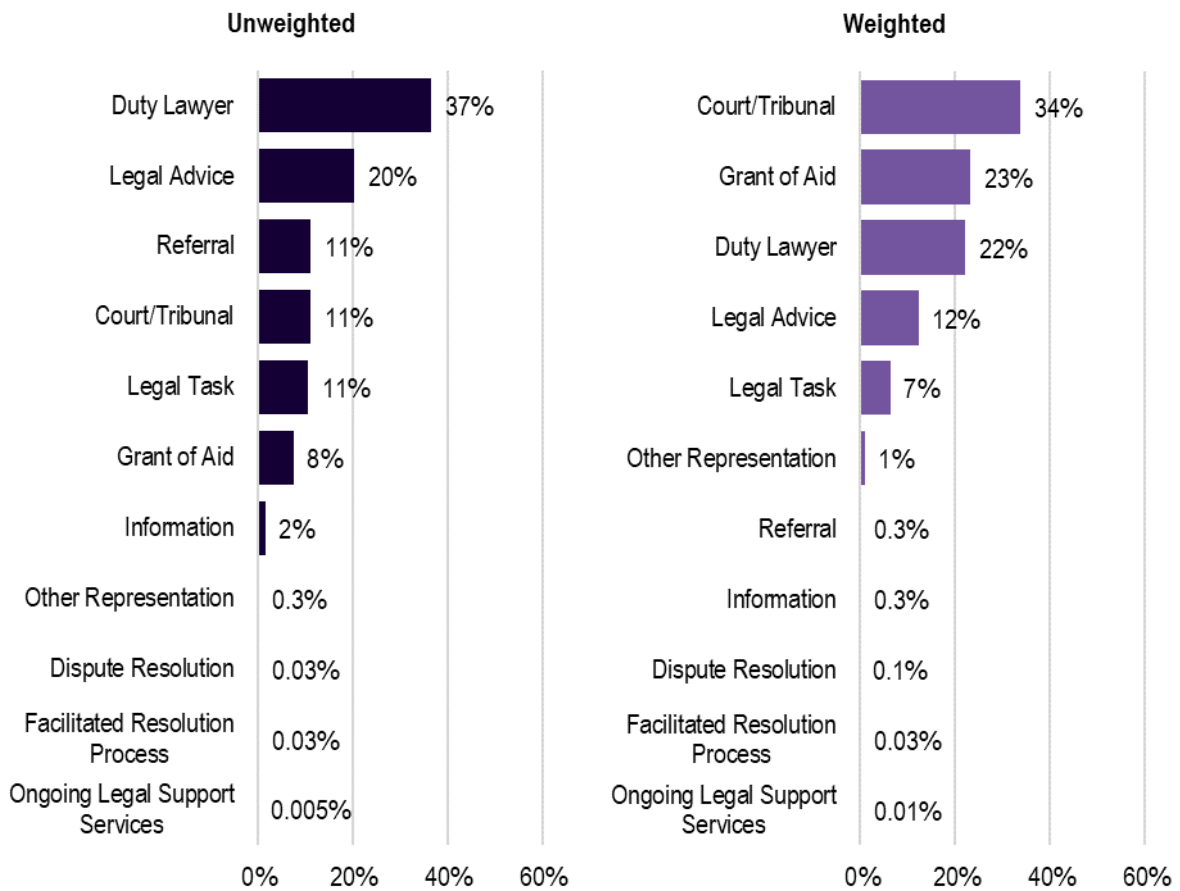
5.2.3 Service types

*Duty lawyer services* are the most common type of legal assistance, accounting for 37 per cent of services delivered. This is followed by *legal advice* (20 per cent) and *referrals* (11 per cent).

On a weighted service basis, the three largest services are *court / tribunal services*, *grants of aid*, and *duty lawyer services*. Collectively, this implies that for children and young people, the sector has directed 79 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

Figure 5.7 Service types, proportion of services delivered



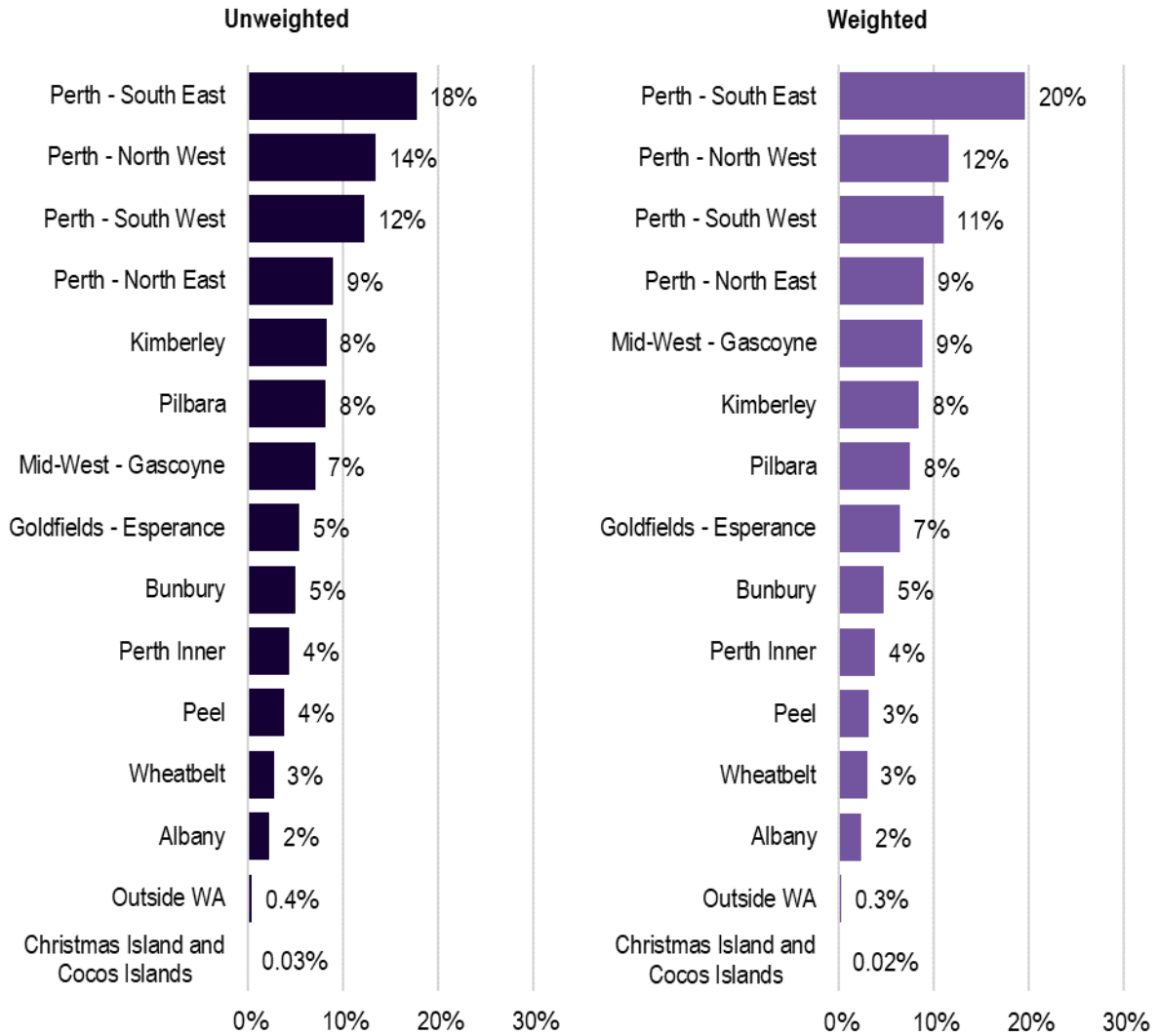
Source: ACIL Allen, from service provider data

5.2.4 Justice Regions

Legal assistance is mostly accessed by residents in the Perth metropolitan and Peel regions (61 per cent). This compares with regional WA, which accounts for 39 per cent of services delivered.

Notably, these proportions are fairly similar irrespective of whether or not it is weighted. This suggests that resource allocation is directly proportional to service utilisation.

Figure 5.8 Justice Regions, proportion of services delivered to children and young people



Source: ACIL Allen, from service provider data

### 5.2.5 Intersection with other Priority Client Groups

For children and young people, the most common Priority Client Group intersection is *Aboriginal and Torres Strait Islander people* (64 per cent).

On the other hand, *involuntary patients under the Mental Health Act 2014 (WA)* and *victims of institutional abuse* are the least common. However, these Priority Client Groups are inherently smaller cohorts given their vulnerabilities are highly specific.

**Table 5.2** Share of weighted services, children and young people

#	Intersection with:	% of services
1	Aboriginal and Torres Strait Islander people	64%
2	People in custody and/or prisoners	29%
3	People residing in rural and remote areas	29%
4	Women	28%
5	People with a disability and/or mental illness	20%
6	People experiencing, or at risk of, family violence	13%
7	People residing in regional areas	6%
8	People who are culturally and linguistically diverse	4%
9	People experiencing, or at risk of, homelessness	3%
10	Involuntary patients under the Mental Health Act 2014 (WA)	0.3%
11	Victims of institutional abuse	0.01%

Source: ACIL Allen, from service provider data

### 5.3 Older people

In FY21, the sector delivered roughly 10,000 services to older people. This is equivalent to three per cent of all legal assistance in Western Australia.

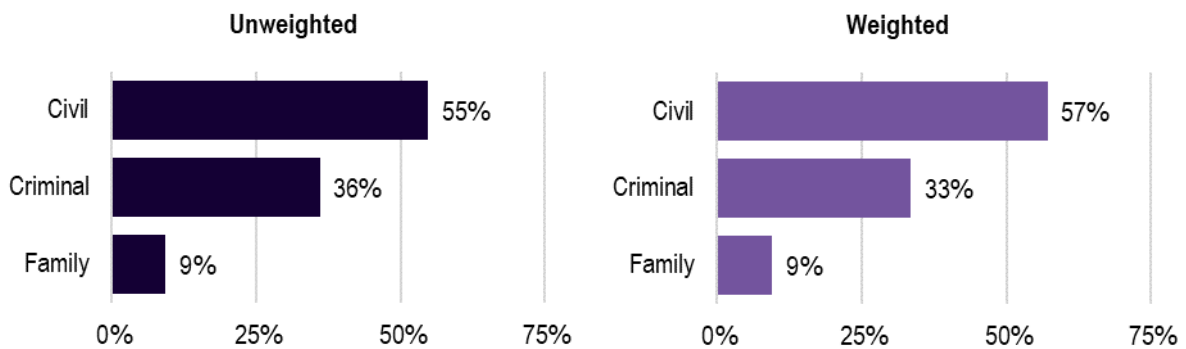
#### 5.3.1 Law types

The majority of legal assistance accessed by older people are for civil law matters. Among the identifiable civil law matters, *other civil law problems* are the most common legal problem, accounting for 19 per cent of services delivered. This is followed by *housing* (14 per cent) and *credit and debt* (13 per cent).

For criminal law matters, legal assistance primarily addressed legal problems associated with *miscellaneous offences* (38 per cent), *offences against government procedures, security and operations* (10 per cent) and *acts intended to cause injury* (10 per cent).

For family law matters, *parenting arrangements* are the common legal problem presented to the sector, accounting for 38 per cent of services delivered. This is followed by *family law property* (33 per cent) and *divorce, de-facto separations and/or annulment* (15 per cent).

**Figure 5.9** Law types, proportion of services delivered to older people



Source: ACIL Allen, from service provider data

**5.3.2 Provider types**

For older people, almost half of the services (45 per cent) are delivered by LAWA.

CLCs are the second largest provider type at 39 per cent. Among CLCs, Northern Suburbs Community Legal Centre is the largest service provider, as it represents 19 per cent of services delivered. This is followed by Albany Community Legal Centre (13 per cent), and South West Community Legal Centre (seven per cent).

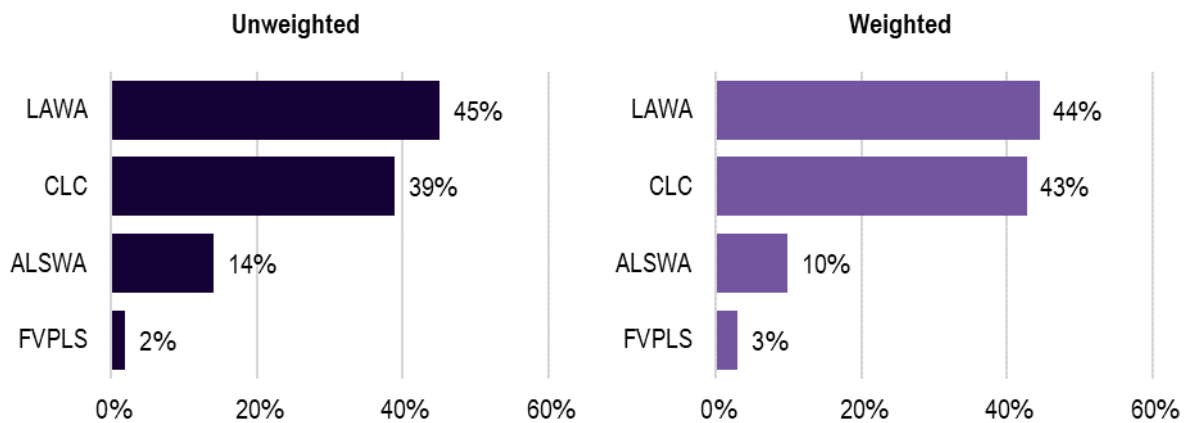
In addition to these CLCs, there are 17 other CLCs that provide legal assistance to older people. Service proportions can vary across these service providers, ranging from a low of 0.1 per cent, to a high of seven per cent.

ALSWA are the third largest provider type, accounting for 14 per cent of services delivered.

FVPLSs are the smallest provider type as they account for two per cent of services delivered. Among FVPLSs, more than half of the services (61 per cent) are delivered by Aboriginal Family Legal Services. The remaining 39 per cent is split between three FVPLSs.

On a weighted service basis, provider types are ranked similarly. However, there are some changes to the proportion of services. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 5.10** Provider types, proportion of services delivered



Source: ACIL Allen, from service provider data

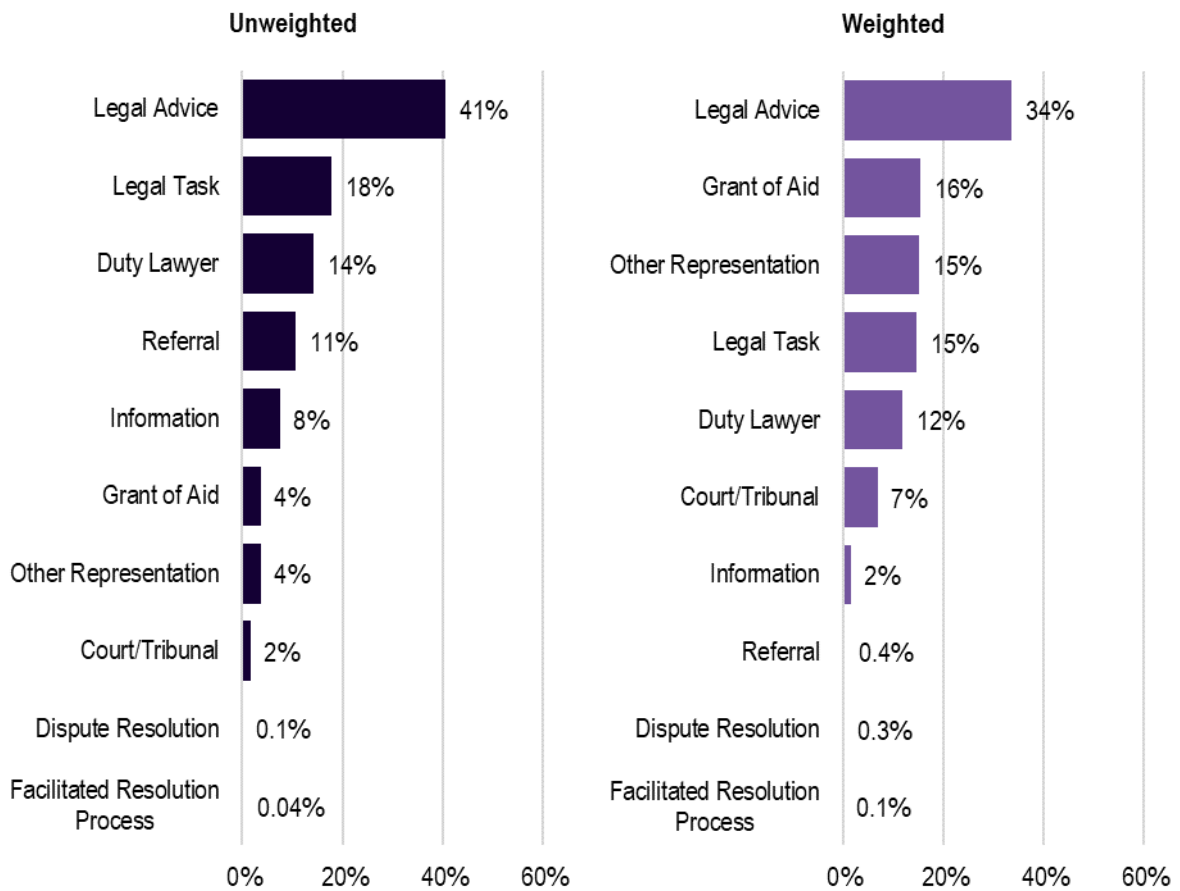
5.3.3 Service types

Legal advice is the most common type of legal assistance, accounting for 41 per cent of services delivered. This is followed by legal task (18 per cent) and duty lawyer services (14 per cent).

On a weighted service basis, the three largest services are legal advice, grants of aid, and other representation services. Collectively, this implies that for older people, the sector has directed 64 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

Figure 5.11 Service types, proportion of services delivered



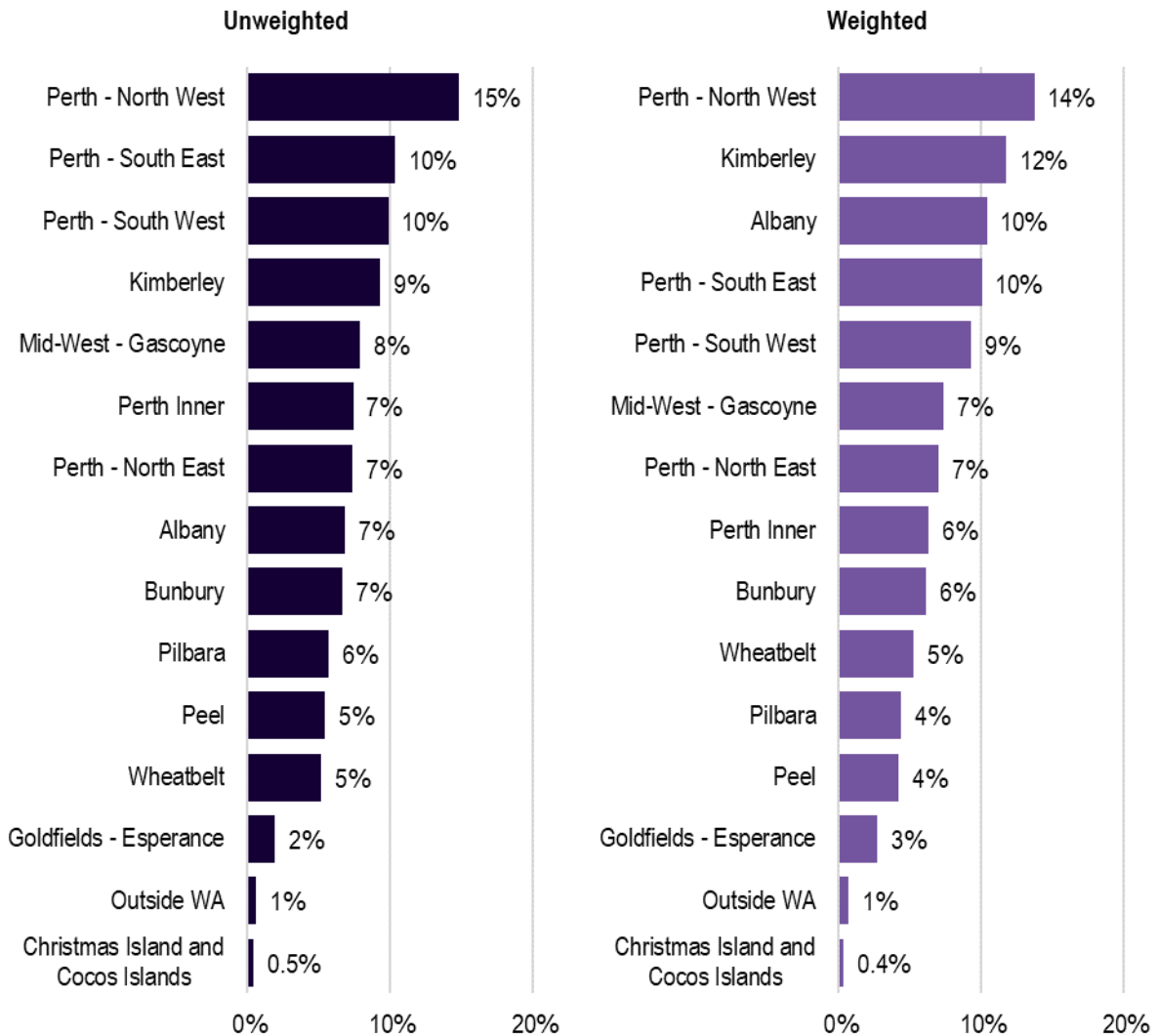
Source: ACIL Allen, from service provider data

5.3.4 Justice Regions

Legal assistance is mostly accessed by residents in the Perth metropolitan and Peel regions (55 per cent). This compares with regional WA, which accounts for 44 per cent of services delivered.

Notably, these proportions are fairly similar irrespective of whether or not it is weighted. This suggests that resource allocation is directly proportional to service utilisation.

Figure 5.12 Justice Regions, proportion of services delivered to older people



Source: ACIL Allen, from service provider data

### 5.3.5 Intersection with other Priority Client Groups

For older people, the two most common Priority Client Group intersections are *Aboriginal and Torres Strait Islander people* and *women*, each accounting for 49 per cent and 47 per cent of services, respectively.

On the other hand, *involuntary patients under the Mental Health Act 2014 (WA)* and *victims of institutional abuse* are the least common. However, these Priority Client Groups are inherently smaller cohorts given their vulnerabilities are highly specific.

**Table 5.3** Share of weighted services, older people

#	Intersection with:	% of services
1	Aboriginal and Torres Strait Islander people	49%
2	Women	47%
3	People with a disability and/or mental illness	35%
4	People residing in rural and remote areas	28%
5	People experiencing, or at risk of, family violence	18%
6	People residing in regional areas	18%
7	People who are culturally and linguistically diverse	13%
8	People in custody and/or prisoners	12%
9	People experiencing, or at risk of, homelessness	9%
10	Involuntary patients under the Mental Health Act 2014 (WA)	2%
11	Victims of institutional abuse	2%

Source: ACIL Allen, from service provider data



## 5.4 People experiencing, or at risk of, family violence

In FY21, the sector delivered roughly 52,000 services to people experiencing, or at risk of, family violence. This is equivalent to 16 per cent of all legal assistance in Western Australia.

### 5.4.1 Law types

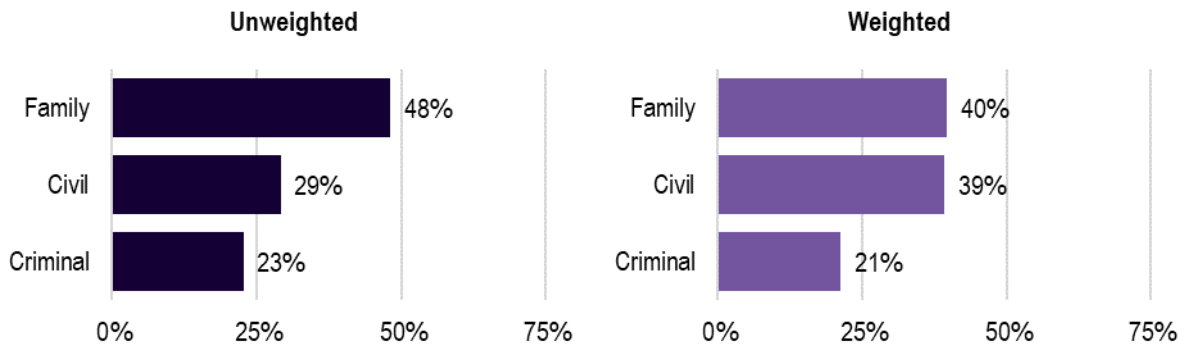
The majority of legal assistance accessed by *people experiencing, or at risk of, family violence* is for family law matters. Among the identifiable family law matters, *parenting arrangements* are the most common legal problem, accounting for 60 per cent of services delivered. This is followed by *family law property* (16 per cent) and *abduction* (six per cent).

For civil law matters, legal assistance primarily addressed legal problems associated with *domestic violence protection orders* (54 per cent), *child protection* (25 per cent) and *injury compensation* (five per cent).

For criminal law matters, *offences against government procedures, security and operations* are the common legal problem presented to the sector, accounting for 42 per cent of services delivered. This is followed by *acts intended to cause injury* (25 per cent) and *domestic / family violence* (14 per cent).

On a weighted service basis, the rankings remain the same. However, Civil law increases substantially to the extent that there is only a marginal 1% difference between Family and Civil when weighted.

**Figure 5.13** Law types, proportion of services delivered to people experiencing, or at risk of, family violence



Source: ACIL Allen, from service provider data

**5.4.2 Provider types**

For people experiencing or at risk of family violence, almost three quarters of services (72 per cent) are delivered by LAWA.

CLCs are the second largest provider type at 23 per cent. Among CLCs, Northern Suburbs Community Legal Centre is the largest service provider, as it represents 20 per cent of services delivered. This is followed by South West Community Legal Centre (17 per cent), and Fremantle Community Legal Centre (12 per cent).

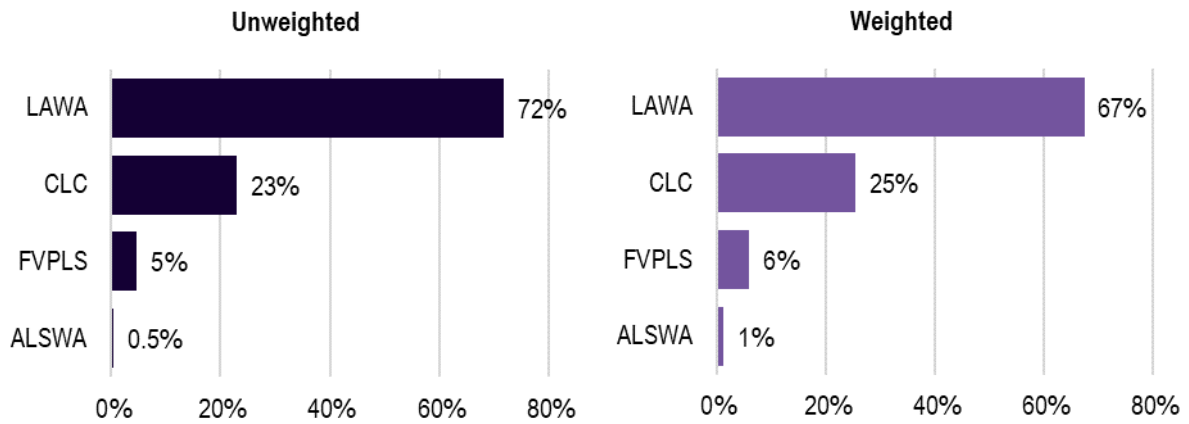
In addition to these CLCs, there are 18 other CLCs that provide legal assistance to people experiencing or at risk of family violence. Service proportions can vary across these service providers, ranging from a low of 0.01 per cent, to a high of eight per cent.

FVPLSs are the third largest provider type as they account for five per cent of services delivered. Among FVPLSs, the two largest providers are Aboriginal Family Legal Services and Perth Metro Family Violence Prevention Legal Service, each accounting for 48 per cent and 40 per cent, respectively.

This implies that for FVPLSs, 89 per cent of legal assistance is delivered by these two providers. The remaining 11 per cent is delivered by Southern Aboriginal Corporation and Marninwarntikura Women’s Resource Centre.

On a weighted service basis, provider types are ranked similarly. However, there are some changes to the proportion of services. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 5.14** Provider types, proportion of services delivered



Source: ACIL Allen, from service provider data

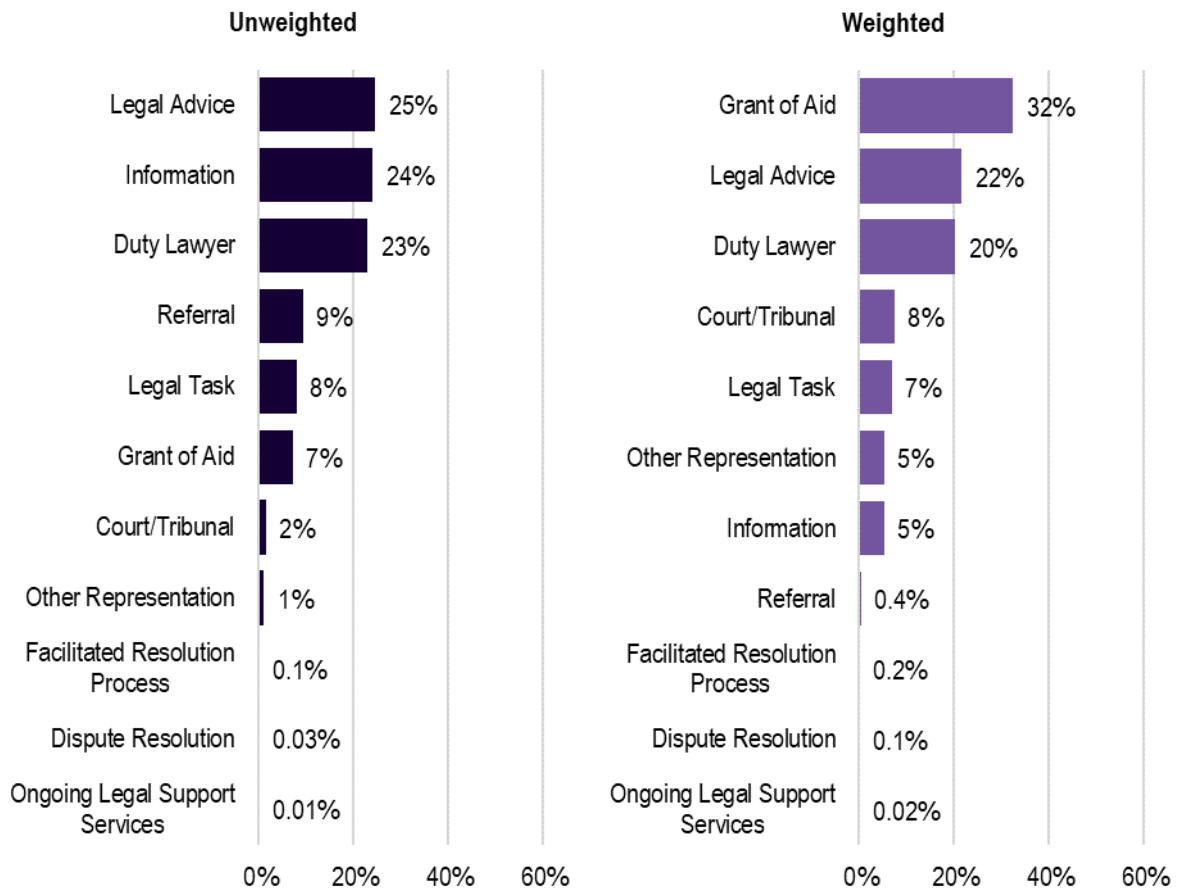
**5.4.3 Service types**

*Legal advice* is the most common type of legal assistance, accounting for 25 per cent of services delivered. This is followed by *information services* (24 per cent) and *duty lawyer services* (23 per cent).

On a weighted service basis, the three largest services are *grants of aid*, *legal advice* and *duty lawyer services*. Collectively, this implies that *for people experiencing or at risk of family violence*, the sector has directed 74 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa. Grant of Aid increase from 6<sup>th</sup> ranked (7% of services delivered) on an unweighted basis and raises to 1<sup>st</sup> ranked (32% of services delivered) on a weighted basis.

**Figure 5.15** Service types, proportion of services delivered



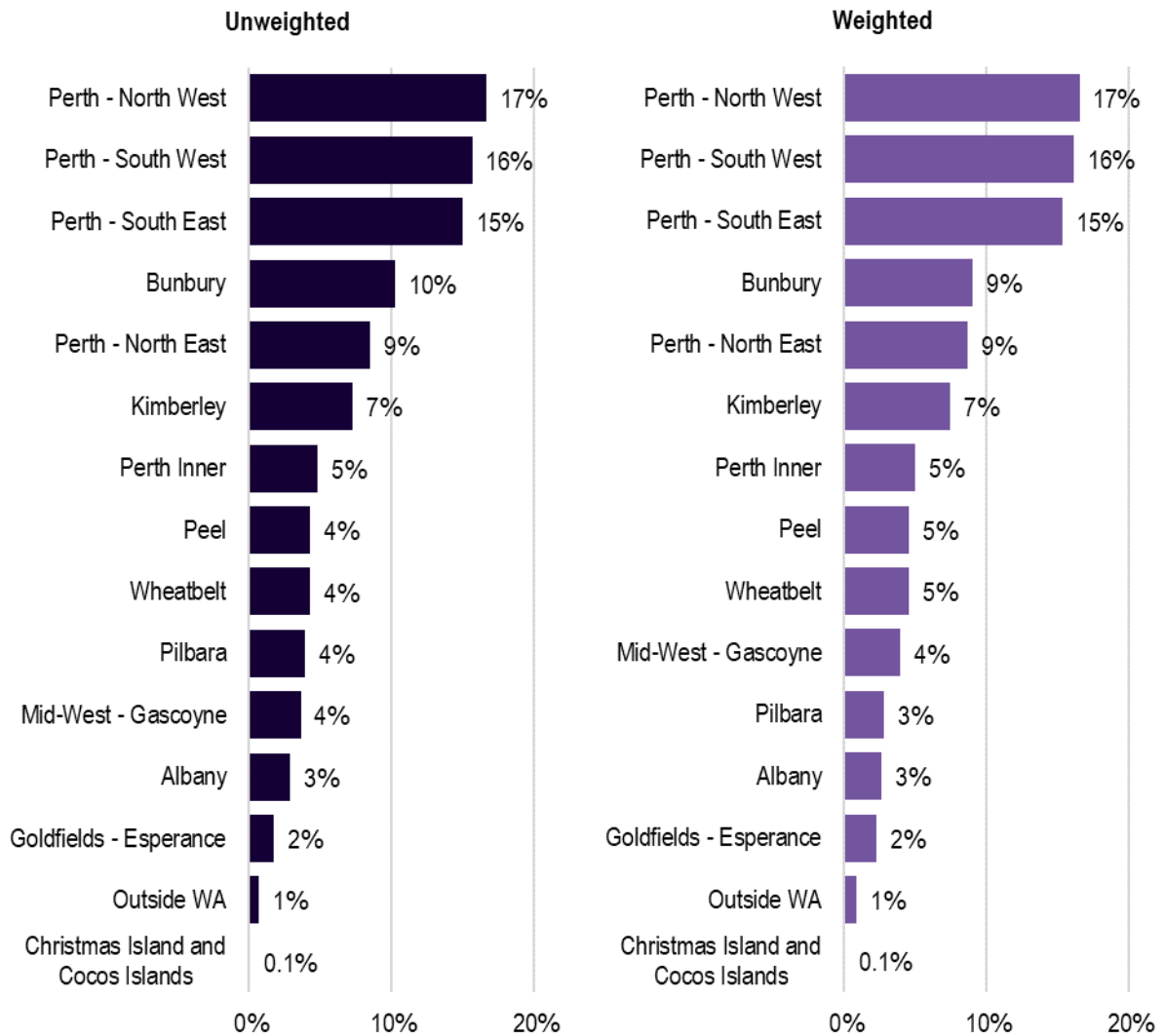
Source: ACIL Allen, from service provider data

5.4.4 Justice Regions

Legal assistance is mostly accessed by residents in the Perth metropolitan and Peel regions (65 per cent). This compares with regional WA, which accounts for 34 per cent of services delivered.

Notably, these proportions are fairly similar irrespective of whether or not it is weighted. This suggests that resource allocation is directly proportional to service utilisation.

Figure 5.16 Justice Regions, proportion of services delivered to people experiencing, or at risk of, family violence



Source: ACIL Allen, from service provider data

### 5.4.5 Intersection with other Priority Client Groups

For people experiencing or at risk of family violence, the most common Priority Client Group intersection is *women* (62 per cent). On the other hand, *involuntary patients under the Mental Health Act 2014 (WA)* are the least common. However, this Priority Client Group is inherently a smaller cohort given their vulnerabilities are highly specific.

**Table 5.4** Share of weighted services, people experiencing, or at risk of, family violence

#	Intersection with:	% of services
1	Women	62%
2	People with a disability and/or mental illness	26%
3	Aboriginal and Torres Strait Islander people	25%
4	People residing in rural and remote areas	19%
5	Children and young people	15%
6	People who are culturally and linguistically diverse	13%
7	People experiencing, or at risk of, homelessness	11%
8	People residing in regional areas	11%
9	People in custody and/or prisoners	4%
10	Older people	4%
11	Involuntary patients under the Mental Health Act 2014 (WA)	1%

Source: ACIL Allen, from service provider data

## 5.5 People experiencing, or at risk of, homelessness

In FY21, the sector delivered roughly 11,000 services to people experiencing, or at risk of, homelessness. This is equivalent to three per cent of all legal assistance in Western Australia.

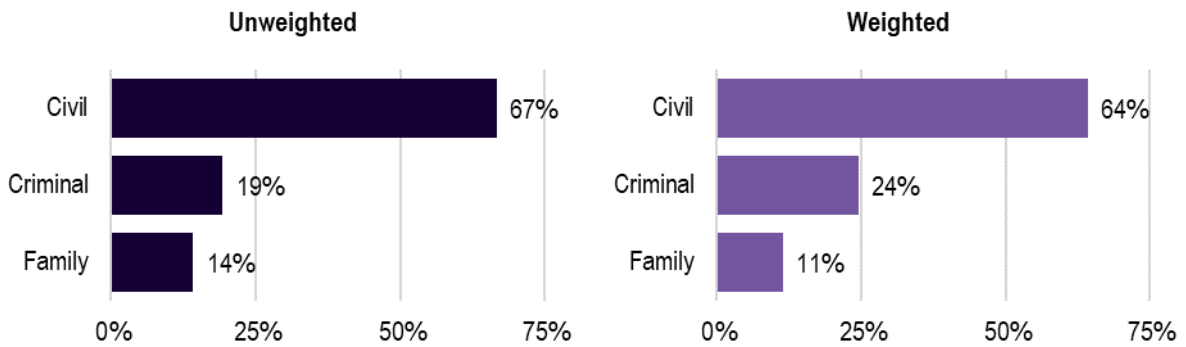
### 5.5.1 Law types

The majority of legal assistance accessed by *people experiencing, or at risk of, homelessness* is for civil law matters. Among the identifiable civil law matters, *housing* is the most common legal problem, accounting for 50 per cent of services delivered. This is followed by *other civil law problems* (12 per cent) and *child protection* (11 per cent).

For criminal law matters, legal assistance primarily addressed legal problems associated with *domestic / family violence* (21 per cent), *acts intended to cause injury* (16 per cent) and *other criminal law problems* (12 per cent).

For family law matters, *family law property* is the common legal problem presented to the sector, accounting for 41 per cent of services delivered. This is followed by *parenting arrangements* (38 per cent) and *divorce, de-facto separations and/or annulment* (11 per cent).

**Figure 5.17** Law types, proportion of services delivered to people experiencing, or at risk of, homelessness



Source: ACIL Allen, from service provider data

**5.5.2 Provider types**

For people experiencing or at risk of homelessness, most services (81 per cent) are delivered by CLCs. Among CLCs, Street Law Centre is the largest service provider, as it represents 14 per cent of services delivered. This is followed by Northern Suburbs Community Legal Centre (12 per cent), and Wheatbelt Community Legal Centre (10 per cent).

In addition to these CLCs, there are 18 other CLCs that provide legal assistance to people experiencing or at risk of homelessness. Service proportions can vary across these service providers, ranging from a low of 0.5 per cent, to a high of 10 per cent.

LAWA is the second largest provider type at 13 per cent of services delivered.

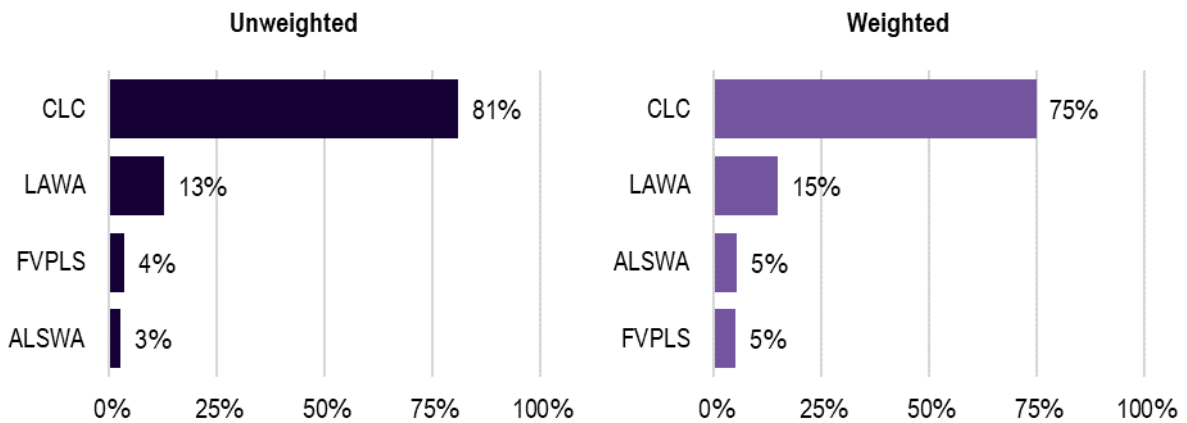
FVPLSs are the third largest provider type as they account for four per cent of services delivered. Among FVPLSs, the two largest providers are Aboriginal Family Legal Services and Perth Metro Family Violence Prevention Legal Service, each accounting for 48 per cent and 41 per cent, respectively.

This implies that for FVPLSs, 88 per cent of legal assistance is delivered by these two providers. The remaining 12 per cent is delivered by Southern Aboriginal Corporation and Marninwarntikura Women’s Resource Centre.

ALSWA are the smallest provider type as it represents three per cent of services delivered.

On a weighted service basis, provider types are ranked differently. ALSWA are now the third largest provider type, followed by FVPLS. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 5.18** Provider types, proportion of services delivered



Source: ACIL Allen, from service provider data

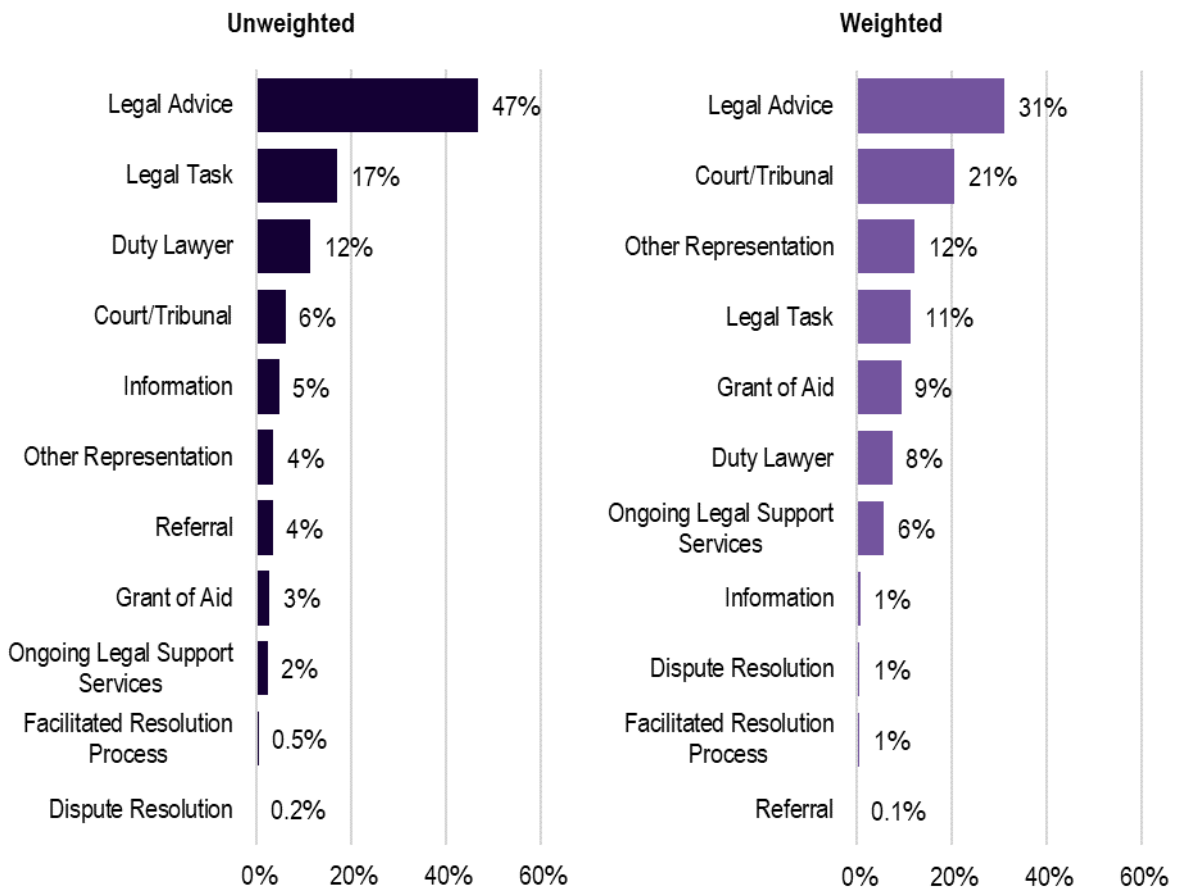
5.5.3 Service types

Legal advice is the most common type of legal assistance, accounting for 47 per cent of services delivered. This is followed by legal tasks (17 per cent) and duty lawyer services (12 per cent).

On a weighted service basis, the three largest services are legal advice, court / tribunal services, and other representation services. Collectively, this implies that for people experiencing or at risk of homelessness, the sector has directed 64 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

Figure 5.19 Service types, proportion of services delivered



Source: ACIL Allen, from service provider data

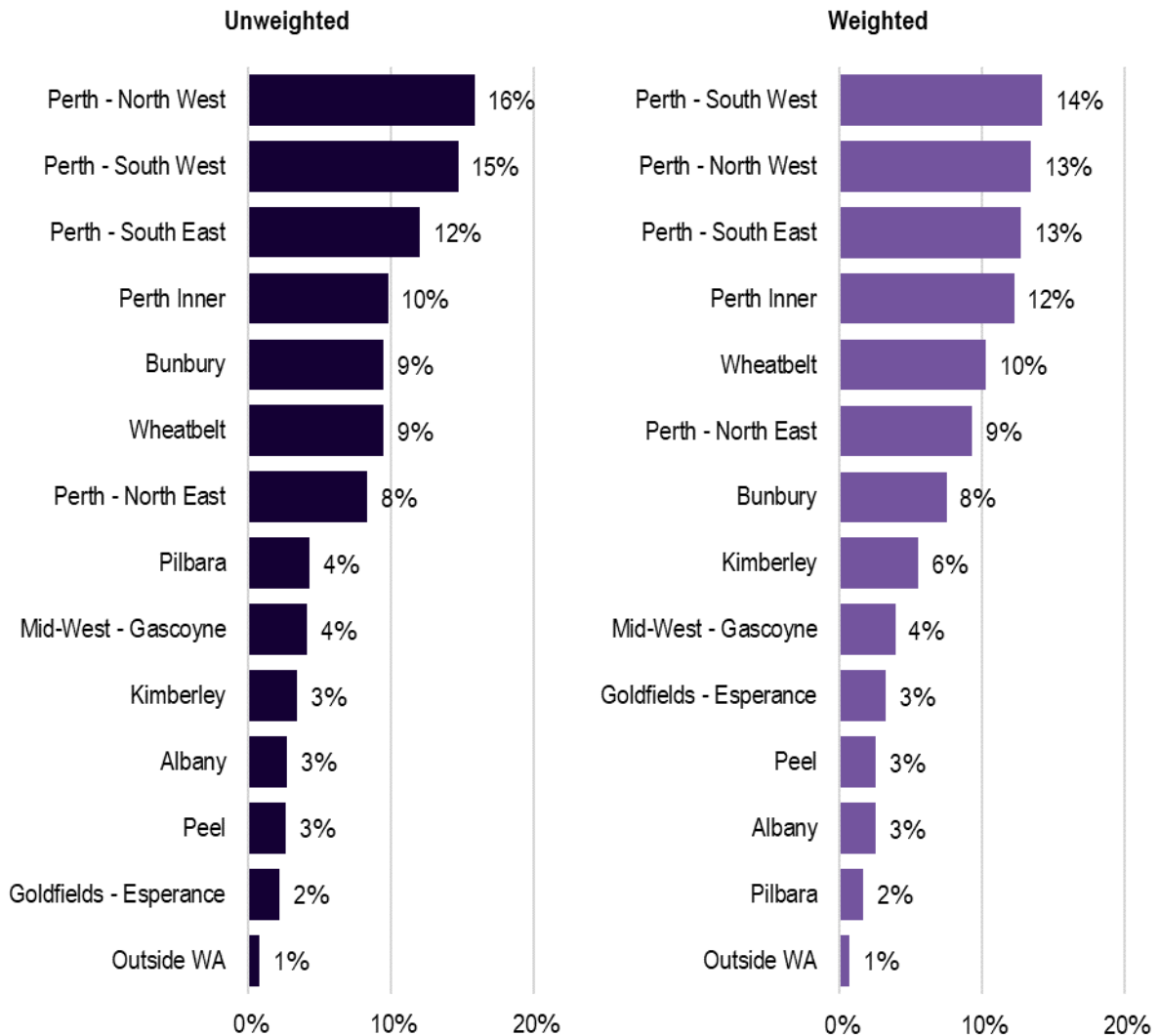


**5.5.4 Justice Regions**

Legal assistance is mostly accessed by residents in the Perth metropolitan and Peel regions (63 per cent). This compares with regional WA, which accounts for 36 per cent of services delivered.

Notably, these proportions are fairly similar irrespective of whether or not it is weighted. This suggests that resource allocation is directly proportional to service utilisation.

**Figure 5.20** Justice Regions, proportion of services delivered to people experiencing, or at risk of, homelessness



Source: ACIL Allen, from service provider data

### 5.5.5 Intersection with other Priority Client Groups

For people experiencing or at risk of homelessness, the most common Priority Client Group intersection is women (57 per cent). On the other hand, *involuntary patients under the Mental Health Act 2014 (WA)* are the least common. However, this Priority Client Group is inherently a smaller cohort given their vulnerabilities are highly specific.

**Table 5.5** Share of weighted services, people experiencing, or at risk of, homelessness

#	Intersection with:	% of services
1	Women	57%
2	People with a disability and/or mental illness	43%
3	People experiencing, or at risk of, family violence	42%
4	Aboriginal and Torres Strait Islander people	30%
5	People residing in rural and remote areas	20%
6	People who are culturally and linguistically diverse	16%
7	Children and young people	12%
8	People residing in regional areas	11%
9	People in custody and/or prisoners	7%
10	Older people	7%
11	Involuntary patients under the Mental Health Act 2014 (WA)	4%

Source: ACIL Allen, from service provider data

## 5.6 People in custody and/or prisoners

In FY21, the sector delivered roughly 43,000 services to people in custody and/or prisoners. This is equivalent to 13 per cent of all legal assistance in Western Australia.

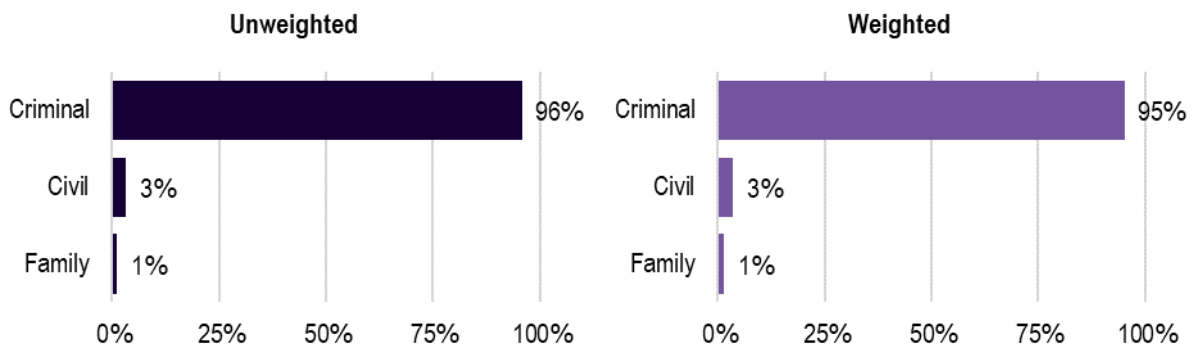
### 5.6.1 Law types

The majority of legal assistance accessed by people in custody and/or prisoners are for criminal law matters. Among the criminal law matters, *miscellaneous offences* are the most common legal problem, accounting for 82 per cent of services delivered. This is followed by *acts intended to cause injury* (four per cent) and *traffic and vehicle regulatory offences* (three per cent).

For civil law matters, legal assistance primarily addressed legal problems associated with *child protection* (41 per cent), *other civil law problems* (21 per cent) and *domestic violence protection orders* (seven per cent).

For family law matters, *parenting arrangements* are the common legal problem presented to the sector, accounting for 84 per cent of services delivered. This is followed by *other family law problems* and *family law property*, each representing five per cent of services delivered.

**Figure 5.21** Law types, proportion of services delivered to people in custody and/or prisoners



Source: ACIL Allen, from service provider data

**5.6.2 Provider types**

For people in custody and/or prisoners, most services (88 per cent) are delivered by ALSWA. It is noted that ALSWA’s Custody Notification Service and Prison In-Reach Program are dedicated to assisting people in custody and prisoners, which likely contributes to such a high proportion of the services delivered.

LAWA is the second largest provider type, at 11 per cent of services delivered.

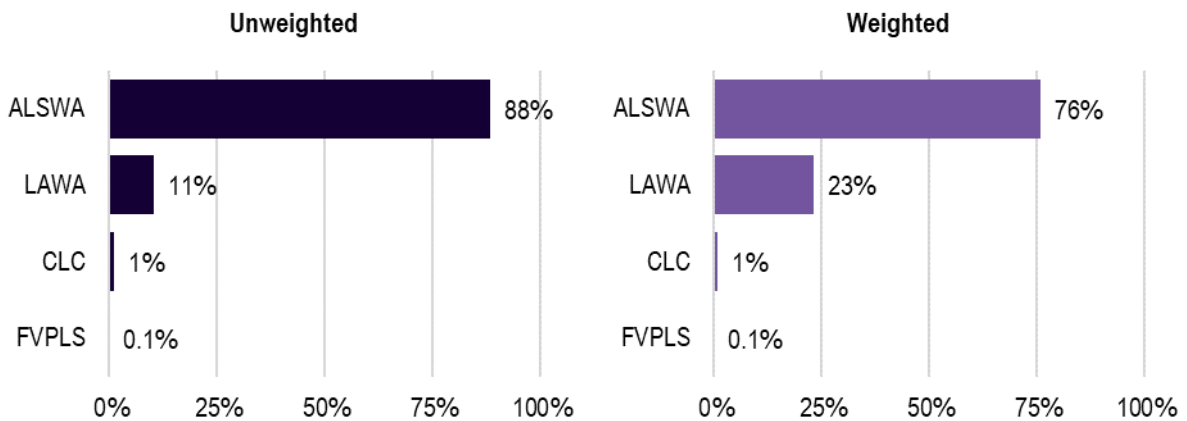
CLCs are the third largest provider type as it represents 0.1 per cent of services delivered. Among CLCs, South West Community Legal Centre is the largest service provider, as it represents 23 per cent of services delivered. This is followed by Gosnells Community Legal Centre (21 per cent), and Women’s Legal Service (19 per cent).

In addition to these CLCs, there are 15 other CLCs that provide legal assistance to people in custody and/or prisoners. Service proportions can vary across these service providers, ranging from a low of 0.2 per cent, to a high of 13 per cent.

FVPLSs are the smallest provider type as they account for 0.1 per cent of services delivered. Among FVPLSs, almost all services (98 per cent) are delivered by Perth Metro Family Violence Prevention Legal Service. The remaining two per cent is delivered by Aboriginal Family Legal Services.

On a weighted service basis, provider types are ranked similarly. However, there are some changes to the proportion of services. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 5.22** Provider types, proportion of services delivered



Source: ACIL Allen, from service provider data

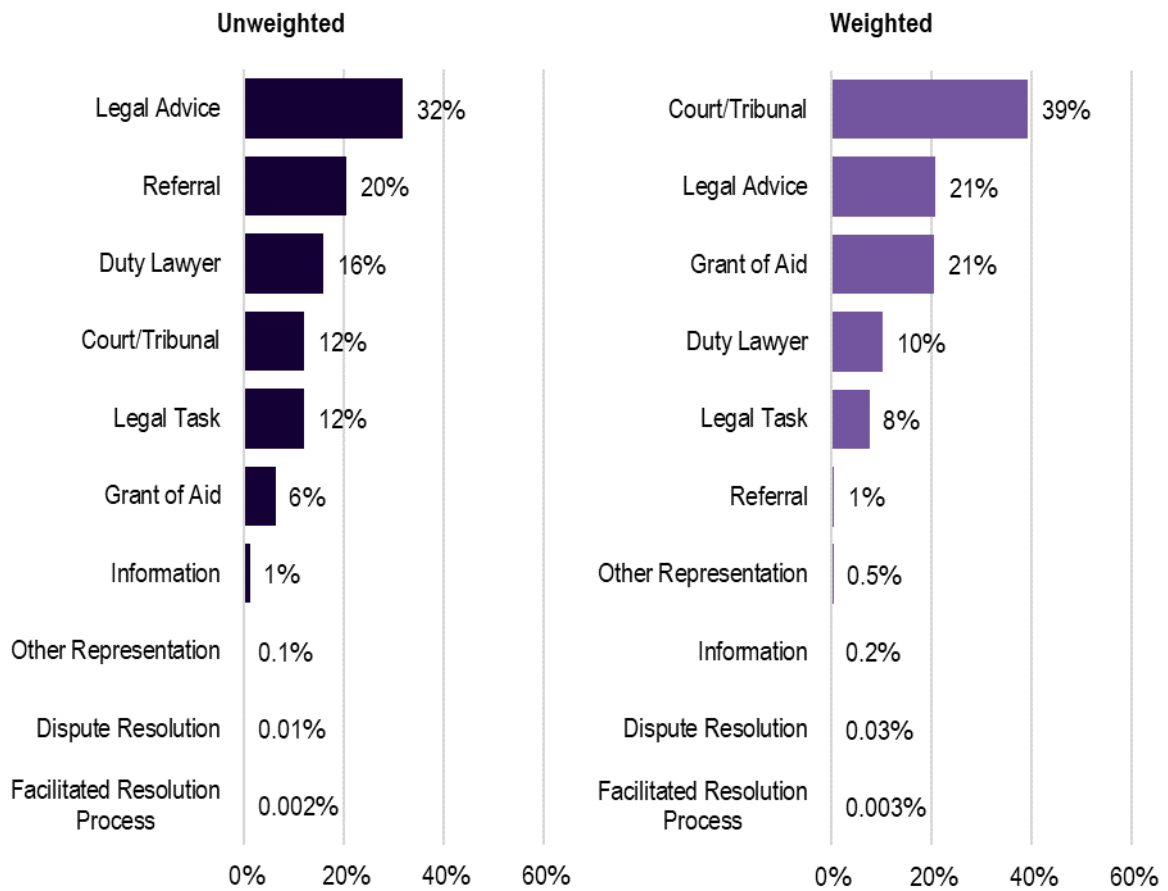
**5.6.3 Service types**

*Legal advice* is the most common type of legal assistance, accounting for 32 per cent of services delivered. This is followed by *referrals* (20 per cent) and *duty lawyer services* (16 per cent).

On a weighted service basis, the three largest services are *court / tribunal services*, *legal advice* and *grants of aid*. Collectively, this implies that for people in custody and/or prisoners, the sector has directed 80 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

**Figure 5.23** Service types, proportion of services delivered



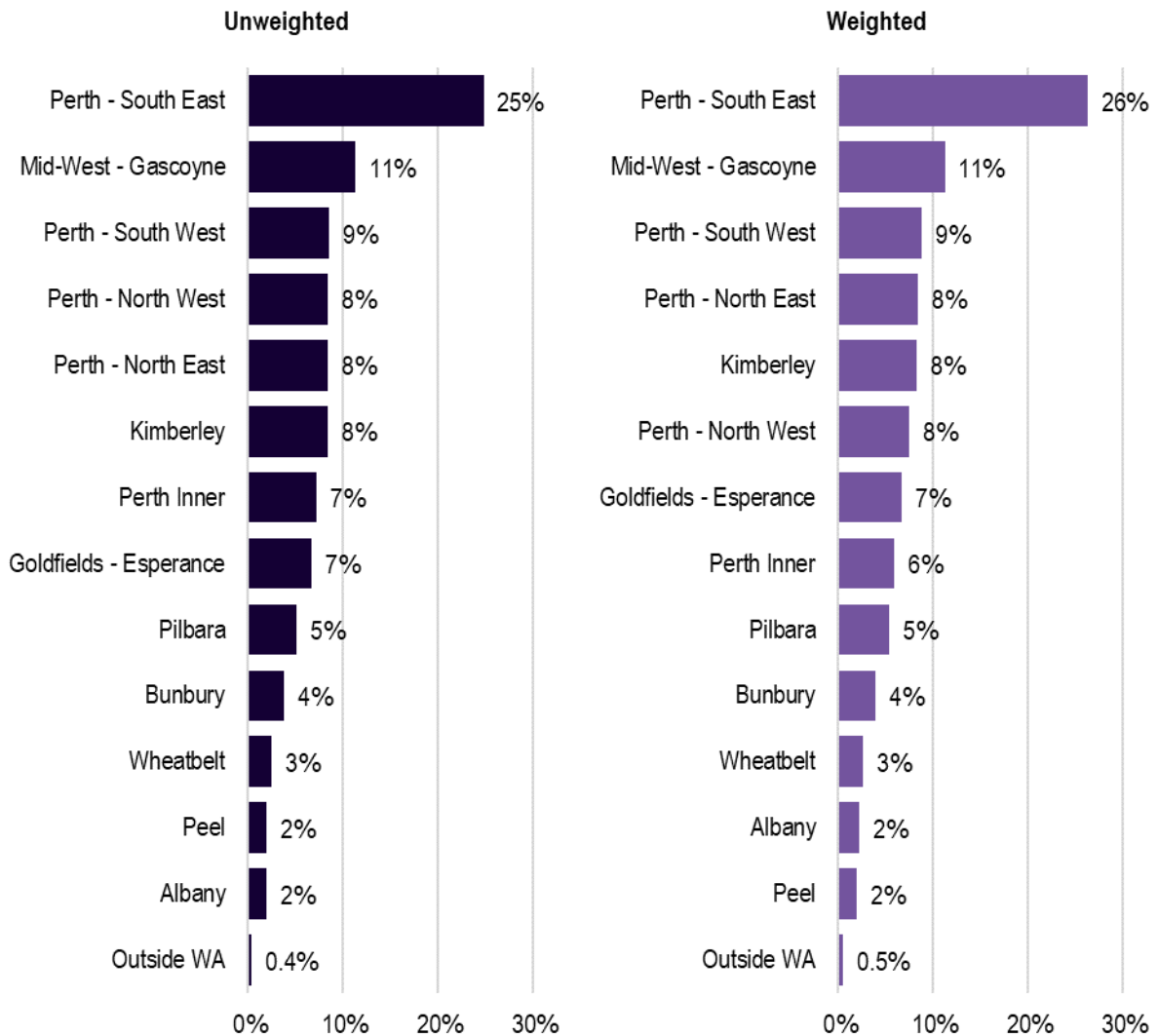
Source: ACIL Allen, from service provider data

**5.6.4 Justice Regions**

Legal assistance is mostly accessed by residents in the Perth metropolitan and Peel regions (60 per cent). This compares with regional WA, which accounts for 40 per cent of services delivered.

Notably, these proportions are fairly similar irrespective of whether or not it is weighted. This suggests that resource allocation is directly proportional to service utilisation.

**Figure 5.24** Justice Regions, proportion of services delivered to people in custody and/or prisoners



Source: ACIL Allen, from service provider data

### 5.6.5 Intersection with other Priority Client Groups

For people in custody and/or prisoners, the most common Priority Client Group intersection is *Aboriginal and Torres Strait Islander people* (87 per cent). On the other hand, *involuntary patients under the Mental Health Act 2014 (WA)* are the least common. However, this Priority Client Group is inherently a smaller cohort given their vulnerabilities are highly specific.

**Table 5.6** Share of weighted services, people in custody and/or prisoners

#	Intersection with:	% of services
1	Aboriginal and Torres Strait Islander people	87%
2	Children and young people	31%
3	People residing in rural and remote areas	25%
4	Women	21%
5	People with a disability and/or mental illness	18%
6	People residing in regional areas	5%
7	People experiencing, or at risk of, family violence	4%
8	Older people	2%
9	People who are culturally and linguistically diverse	2%
10	People experiencing, or at risk of, homelessness	2%
11	Involuntary patients under the Mental Health Act 2014 (WA)	0.004%

Source: ACIL Allen, from service provider data

## 5.7 People residing in rural and remote areas

In FY21, the sector delivered roughly 39,000 services to people residing in rural and remote areas. This is equivalent to 12 per cent of all legal assistance in Western Australia.

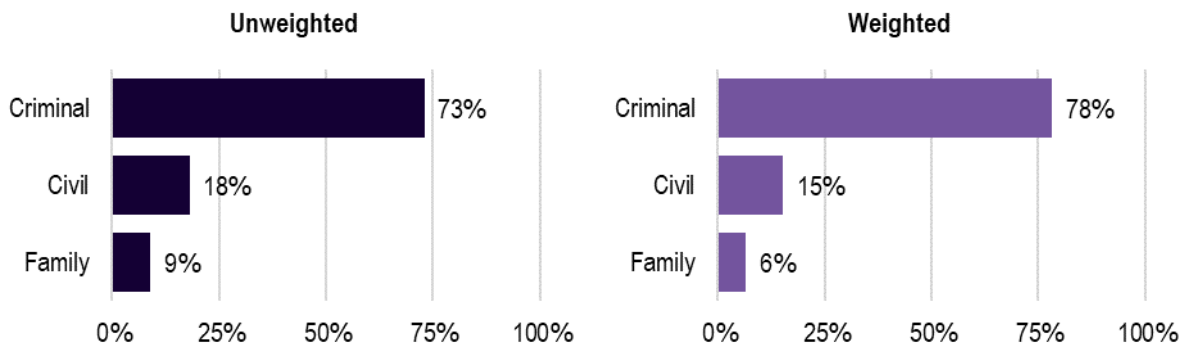
### 5.7.1 Law types

The majority of legal assistance accessed by people residing in rural and remote areas are for criminal law matters. Among the identifiable criminal law matters, *acts intended to cause injury* are the most common legal problem, accounting for 23 per cent of services delivered. This is followed by *offences against government procedures, security and operations* (15 per cent) and *traffic and vehicle regulatory offences* (13 per cent).

For civil law matters, legal assistance primarily addressed legal problems associated with *domestic violence protection orders* (21 per cent), *other civil law problems* (19 per cent) and *child protection* (15 per cent).

For family law matters, *parenting arrangements* are the common legal problem presented to the sector, accounting for 55 per cent of services delivered. This is followed by *family law property* (16 per cent) and *other family law problems* (nine per cent).

**Figure 5.25** Law types, proportion of services delivered to people residing in rural and remote areas



Source: ACIL Allen, from service provider data



**5.7.2 Provider types**

For people residing in rural and remote areas, more than half of the services (55 per cent) are delivered by LAWA.

ALSWA are the second largest provider type, accounting for 31 per cent of services delivered.

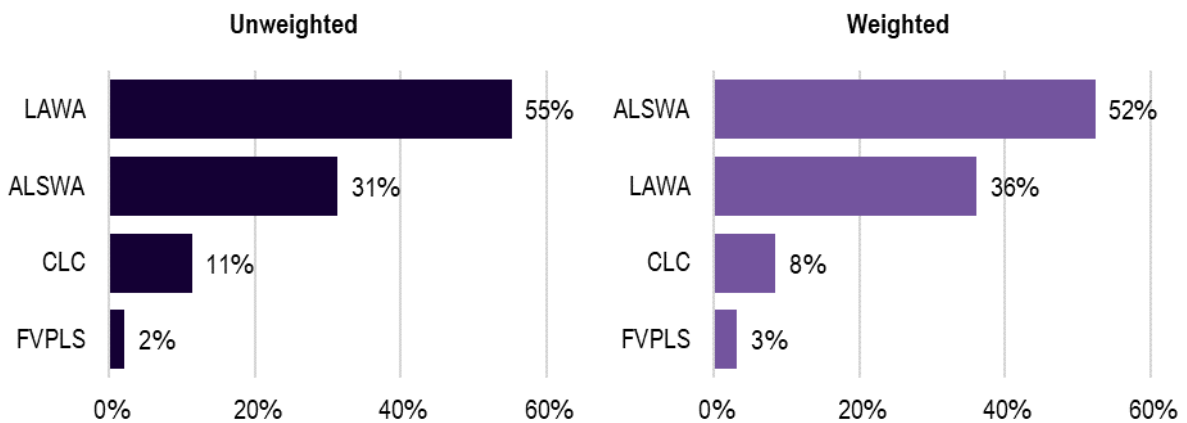
CLCs are the third largest provider type at 11 per cent. Among CLCs, the two largest service providers are Wheatbelt Community Legal Centre and Regional Alliance West, each accounting for 22 per cent of services delivered.

In addition to these CLCs, there are 18 other CLCs that provide legal assistance to people in residing in rural and remote areas. Service proportions can vary across these service providers, ranging from a low of 0.04 per cent, to a high of 15 per cent.

FVPLSs are the smallest provider type as they account for three per cent of services delivered. Among FVPLSs, more than two thirds of services (78 per cent) are delivered by Aboriginal Family Legal Services. The remaining 22 per cent is split between three different FVPLSs.

On a weighted service basis, provider types are ranked differently. ALSWA are now the largest provider type, followed by LAWA. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 5.26** Provider types, proportion of services delivered



Source: ACIL Allen, from service provider data

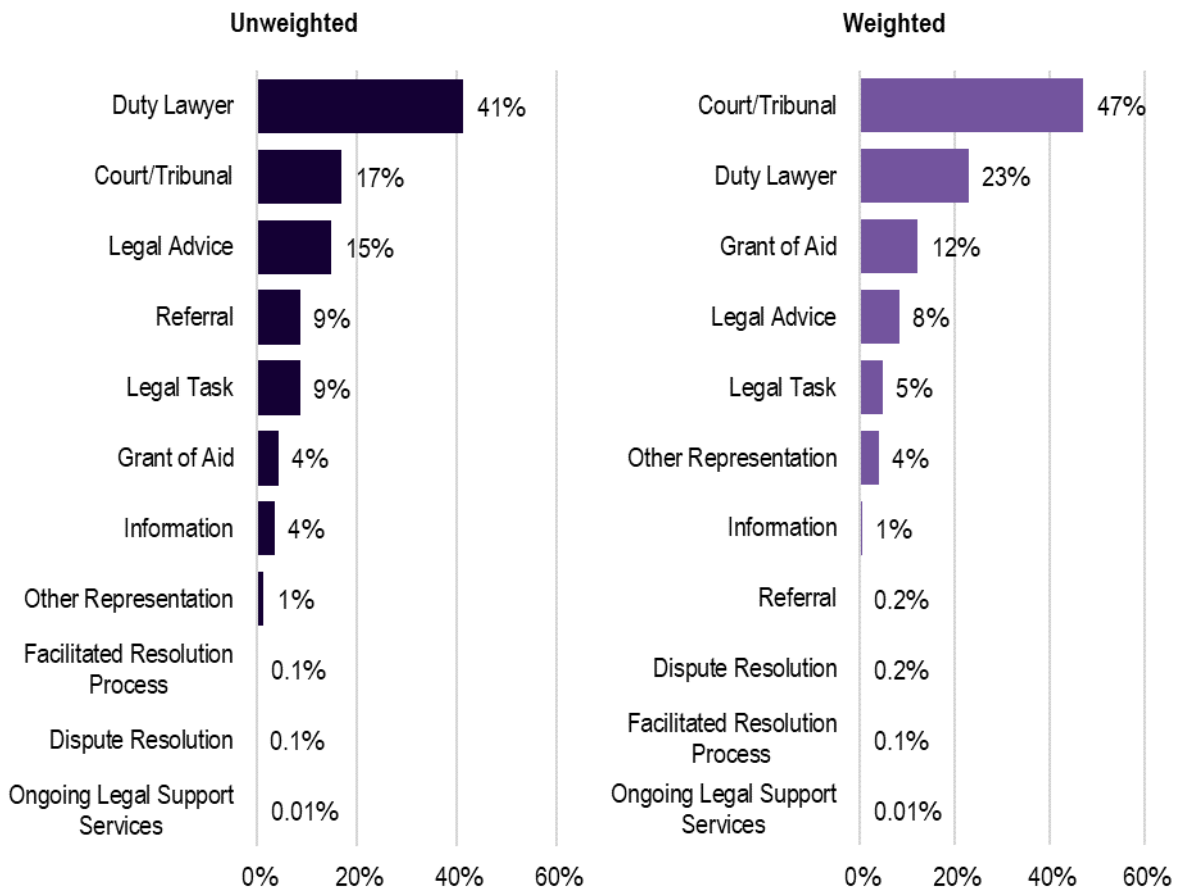
5.7.3 Service types

*Duty lawyer services* are the most common type of legal assistance, accounting for 41 per cent of services delivered. This is followed by *court / tribunal services* (17 per cent) and *legal advice* (15 per cent).

On a weighted service basis, the three largest services are *court / tribunal services*, *duty lawyer services* and *grants of aid*. Collectively, this implies that for *people residing in rural and remote areas*, the sector has directed 82 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

Figure 5.27 Service types, proportion of services delivered



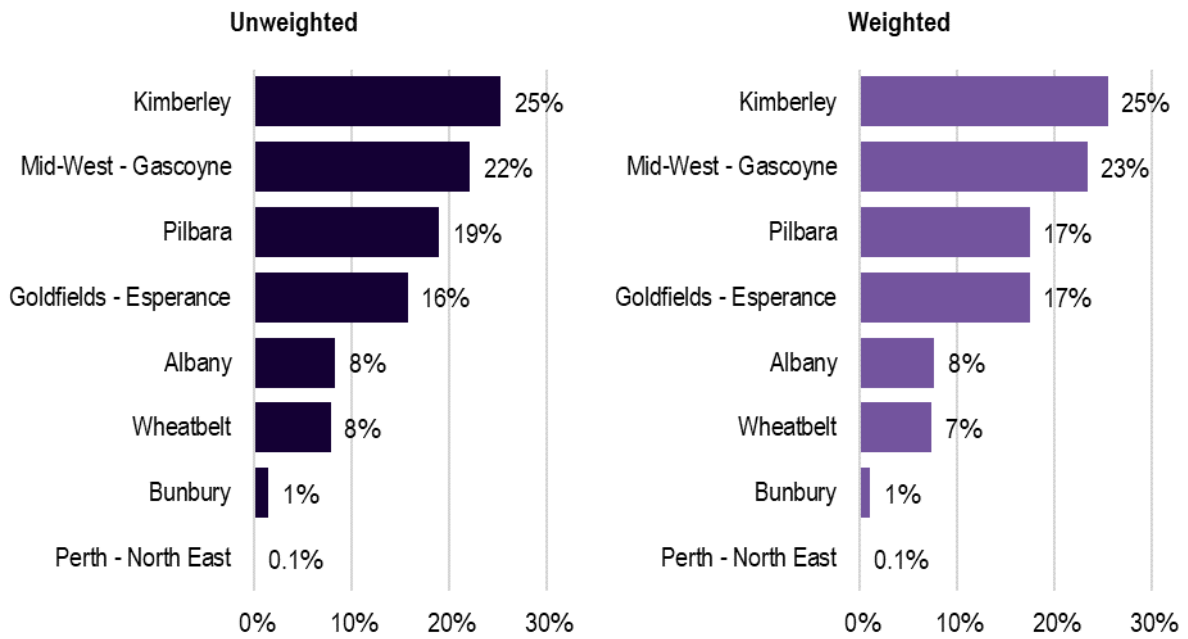
Source: ACIL Allen, from service provider data

**5.7.4 Justice Regions**

Legal assistance is mostly accessed by residents from the Kimberley, Mid-West – Gascoyne and Pilbara regions. There are some services delivered to the Perth – North East region, albeit it is relatively small since it is limited to a few rural and remote communities.

Notably, these proportions are fairly similar irrespective of whether or not it is weighted. This suggests that resource allocation is directly proportional to service utilisation.

**Figure 5.28** Justice Regions, proportion of services delivered to people residing in rural and remote areas



Source: ACIL Allen, from service provider data

### 5.7.5 Intersection with other Priority Client Groups

For people residing in rural and remote areas, the most common Priority Client Group intersection is *Aboriginal and Torres Strait Islander people* (80 per cent). On the other hand, *victims of institutional abuse* and *involuntary patients under the Mental Health Act 2014 (WA)* are the least common. However, these Priority Client Groups are inherently a smaller cohorts given their vulnerabilities are highly specific.

**Table 5.7** Share of weighted services, people residing in rural and remote areas

#	Intersection with:	% of services
1	Aboriginal and Torres Strait Islander people	80%
2	Women	32%
3	Children and young people	28%
4	People in custody and/or prisoners	24%
5	People with a disability and/or mental illness	18%
6	People experiencing, or at risk of, family violence	16%
7	Older people	5%
8	People experiencing, or at risk of, homelessness	5%
9	People who are culturally and linguistically diverse	2%
10	Victims of institutional abuse	0.6%
11	Involuntary patients under the Mental Health Act 2014 (WA)	0.2%

Source: ACIL Allen, from service provider data

## 5.8 People who are culturally and linguistically diverse

In FY21, the sector delivered roughly 17,000 services to *people who are culturally and linguistically diverse*. This is equivalent to five per cent of all legal assistance in Western Australia.

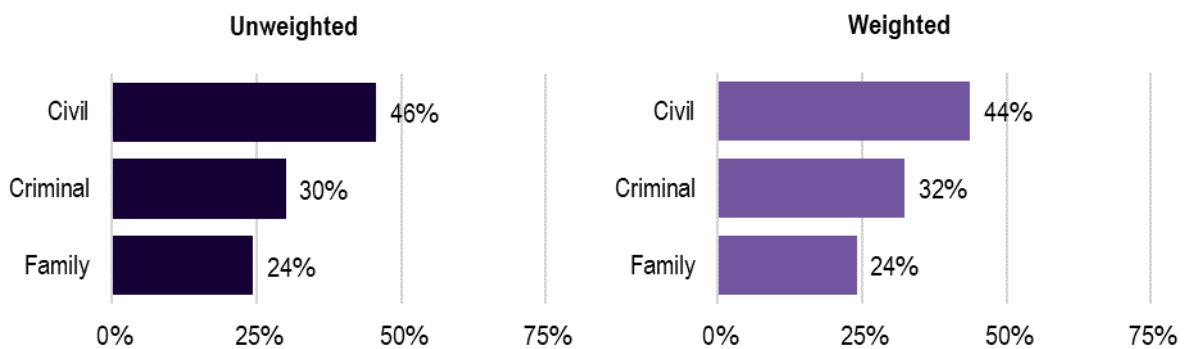
### 5.8.1 Law types

The majority of legal assistance accessed by *people who are culturally and linguistically diverse* are for civil law matters. Among the identifiable civil law matters, *housing* is the most common legal problem, accounting for 25 per cent of services delivered. This is followed by *domestic violence protection orders* (19 per cent) and *immigration law* (13 per cent).

For criminal law matters, legal assistance primarily addressed legal problems associated with *acts intended to cause injury* (17 per cent), *offences against government procedures, security and operations* (12 per cent) and *illicit drug offences* (11 per cent).

For family law matters, *parenting arrangements* are the common legal problem presented to the sector, accounting for 42 per cent of services delivered. This is followed by *family law property* (29 per cent) and *divorce, de-facto separations and/or annulment* (15 per cent).

**Figure 5.29** Law types, proportion of services delivered to people who are culturally and linguistically diverse



Source: ACIL Allen, from service provider data

**5.8.2 Provider types**

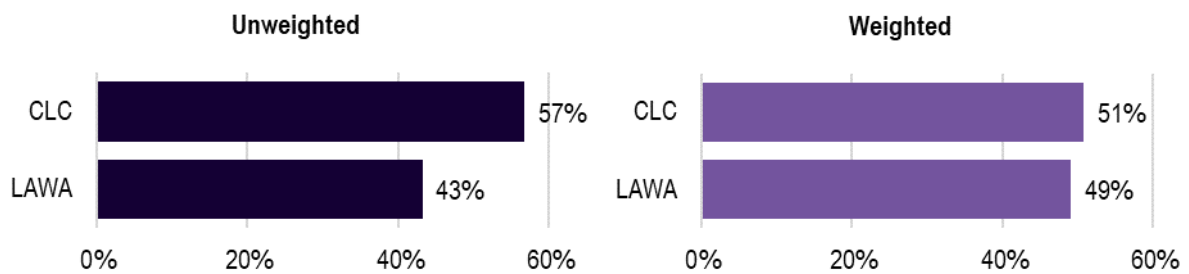
For people who are culturally and linguistically diverse, more than half of the services (57 per cent) are delivered by CLCs. Among CLCs, the two largest service providers are Northern Suburbs Community Legal Centre and Circle Green Community Legal, each representing 25 per cent and 21 per cent, respectively.

In addition to these CLCs, there are 18 other CLCs that provide legal assistance to *people who are culturally and linguistically diverse*. Service proportions can vary across these service providers, ranging from a low of 0.3 per cent, to a high of seven per cent.

The remaining 43 per cent of services are delivered by LAWA.

On a weighted service basis, provider types are ranked similarly. However, there are some changes to the proportion of services. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 5.30** Provider types, proportion of services delivered



Source: ACIL Allen, from service provider data

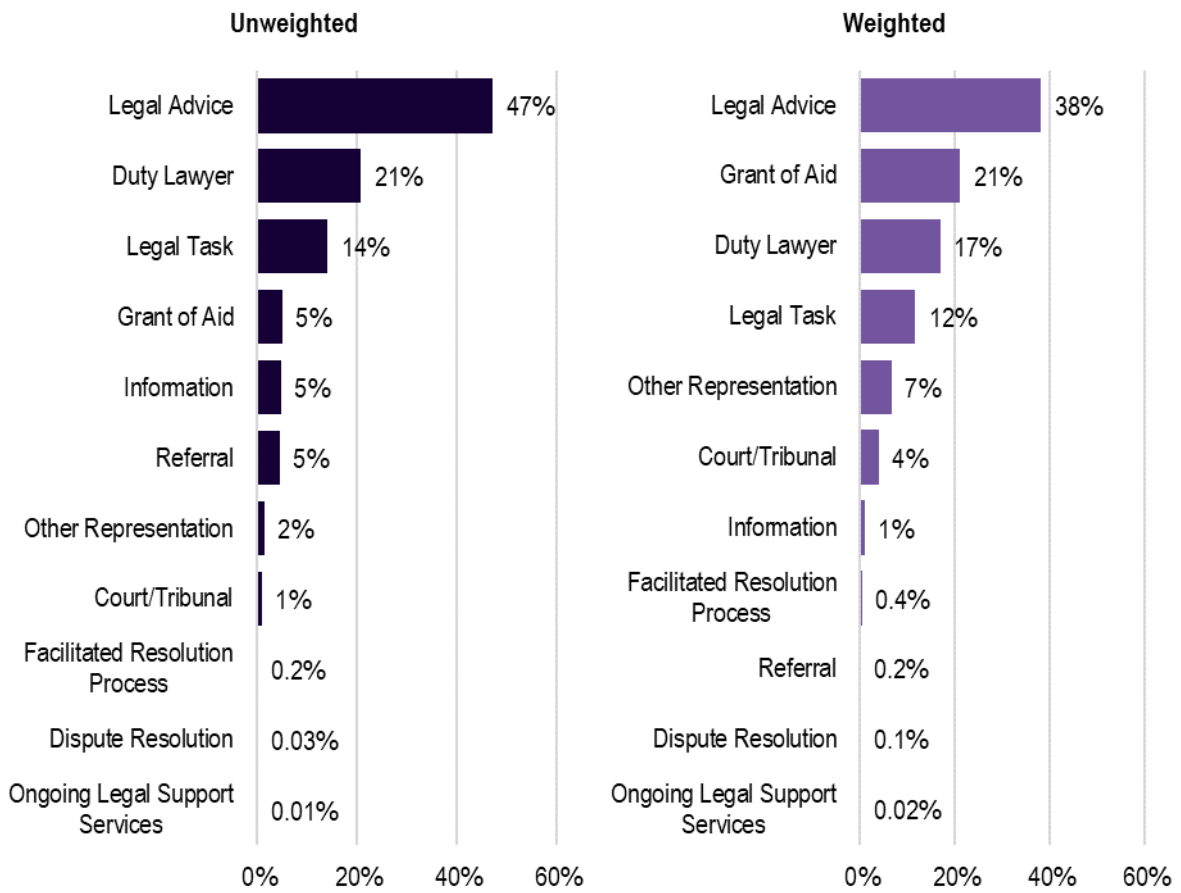
5.8.3 Service types

Legal advice is the most common type of legal assistance, accounting for 47 per cent of services delivered. This is followed by duty lawyer services (21 per cent) and legal tasks (14 per cent).

On a weighted service basis, the three largest services are legal advice, grants of aid and duty lawyer services. Collectively, this implies that for people who are culturally and linguistically diverse, the sector has directed 76 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

Figure 5.31 Service types, proportion of services delivered



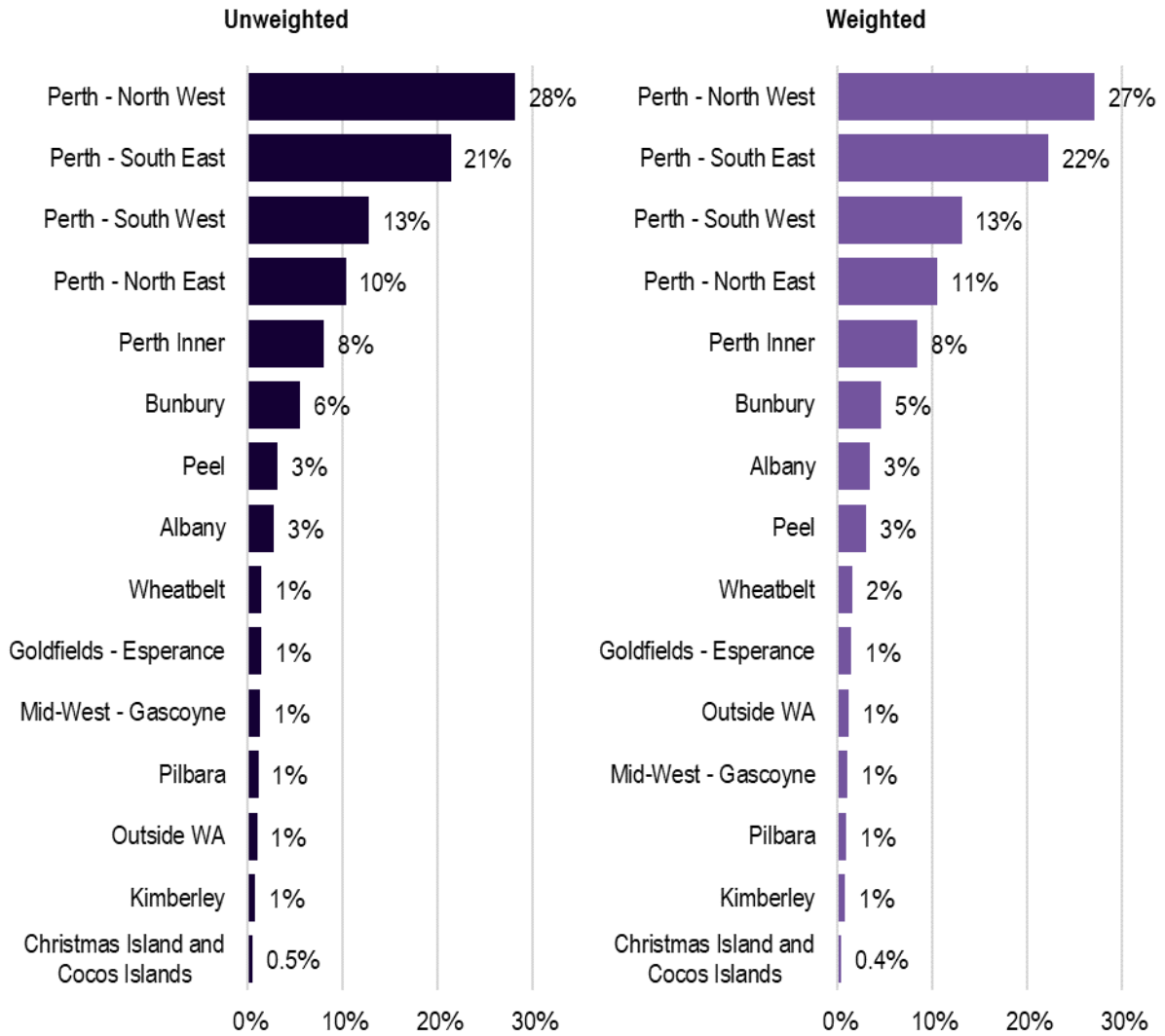
Source: ACIL Allen, from service provider data

5.8.4 Justice Regions

Legal assistance is mostly accessed by residents in the Perth metropolitan and Peel regions (84 per cent). This compares with regional WA, which accounts for 15 per cent of services delivered.

Notably, these proportions are fairly similar irrespective of whether or not it is weighted. This suggests that resource allocation is directly proportional to service utilisation.

Figure 5.32 Justice Regions, proportion of services delivered to people who are culturally and linguistically diverse



Source: ACIL Allen, from service provider data



### 5.8.5 Intersection with other Priority Client Groups

For people who are culturally and linguistically diverse, the most common Priority Client Group intersection is *women* (54 per cent). On the other hand, *involuntary patients under the Mental Health Act 2014 (WA)* are the least common. However, this Priority Client Group is inherently a smaller cohort given their vulnerabilities are highly specific.

**Table 5.8** Share of weighted services, people who are culturally and linguistically diverse

#	Intersection with:	% of services
1	Women	54%
2	People experiencing, or at risk of, family violence	36%
3	People with a disability and/or mental illness	25%
4	People experiencing, or at risk of, homelessness	12%
5	Children and young people	12%
6	People residing in regional areas	10%
7	Older people	8%
8	People in custody and/or prisoners	6%
9	People residing in rural and remote areas	6%
10	Involuntary patients under the Mental Health Act 2014 (WA)	1%

Source: ACIL Allen, from service provider data

## 5.9 People with a disability or mental illness

In FY21, the sector delivered roughly 43,000 services to *people with a disability or mental illness*. This is equivalent to 13 per cent of all legal assistance in Western Australia.

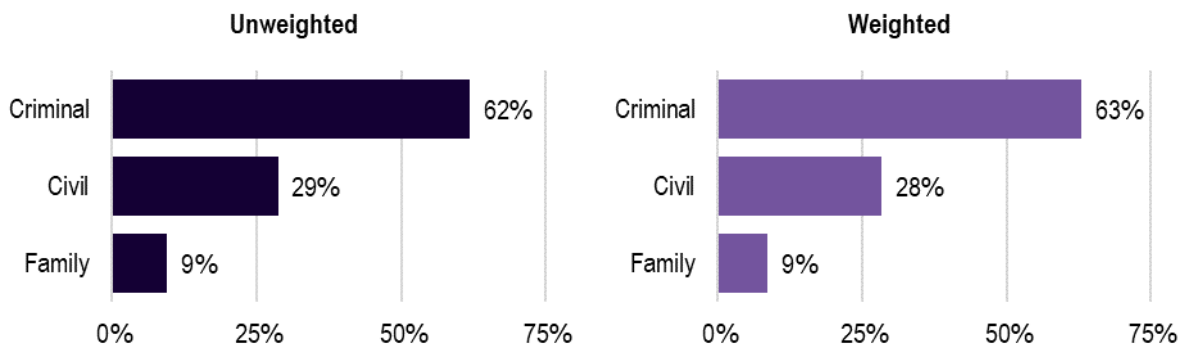
### 5.9.1 Law types

The majority of legal assistance accessed by *people with a disability or mental illness* are for criminal law matters. Among the identifiable criminal law matters, *acts intended to cause injury* are the most common legal problem, accounting for 23 per cent of services delivered. This is followed by *offences against government procedures, security and operations* (15 per cent) and *unlawful entry with intent / burglary, break and enter* (10 per cent).

For civil law matters, legal assistance primarily addressed legal problems associated with *domestic violence protection orders* (16 per cent), *housing* (15 per cent) and *child protection* (12 per cent).

For family law matters, *parenting arrangements* are the common legal problem presented to the sector, accounting for 57 per cent of services delivered. This is followed by *family law property* (22 per cent) and *divorce, de-facto separations and/or annulment* (six per cent).

**Figure 5.33** Law types, proportion of services delivered to people with a disability or mental illness



Source: ACIL Allen, from service provider data

**5.9.2 Provider types**

For people with a disability or mental illness, almost two thirds of services (65 per cent) are delivered by LAWA.

CLCs are the second largest provider type as it represents 28 per cent of services delivered. Among CLCs, the two largest service providers are Mental Health Law Centre and Fremantle Community Legal Centre, each representing 22 per cent and 18 per cent, respectively.

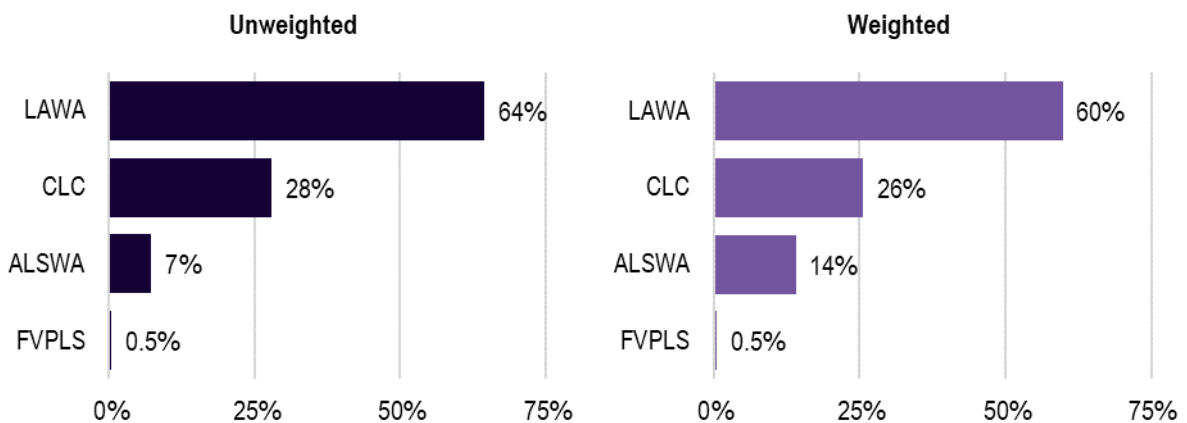
In addition to these CLCs, there are 18 other CLCs that provide legal assistance to people with a disability or mental illness. Service proportions can vary across these service providers, ranging from a low of 0.3 per cent, to a high of eight per cent.

ALSWA are the third largest provider type, at seven per cent of services delivered.

FVPLSs are the smallest provider type as they account for 0.5 per cent of services delivered. Among FVPLSs, almost all services (92 per cent) are delivered by Perth Metro Family Violence Prevention Legal Service. The remaining eight per cent is split between Aboriginal Family Legal Services and Southern Aboriginal Corporation.

On a weighted service basis, provider types are ranked similarly. However, there are some changes to the proportion of services. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 5.34** Provider types, proportion of services delivered



Source: ACIL Allen, from service provider data

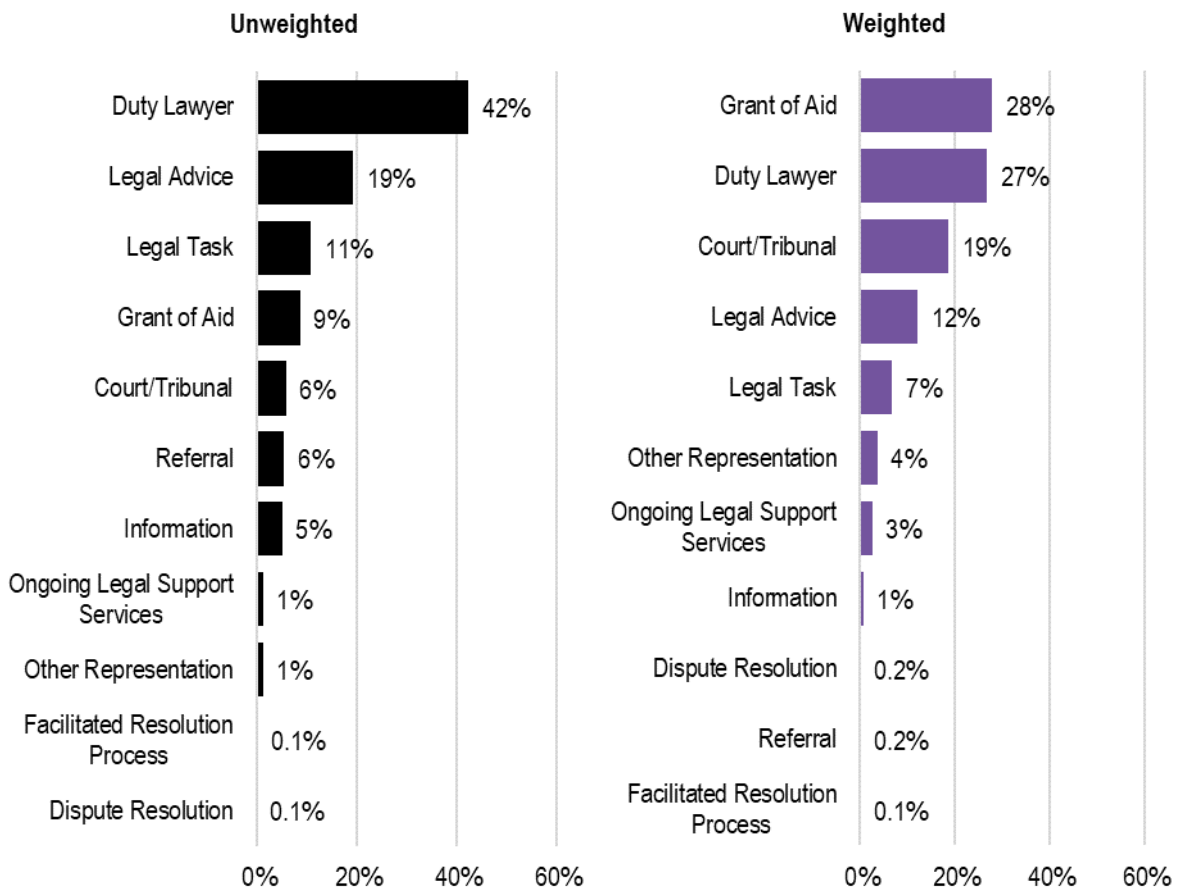
5.9.3 Service types

*Duty lawyer services* are the most common type of legal assistance, accounting for 42 per cent of services delivered. This is followed by *legal advice* (19 per cent) and *legal tasks* (11 per cent).

On a weighted service basis, the three largest services are *grants of aid*, *duty lawyer services*, and *court / tribunal services*. Collectively, this implies that for people with a disability or mental illness, the sector has directed 73 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

Figure 5.35 Service types, proportion of services delivered



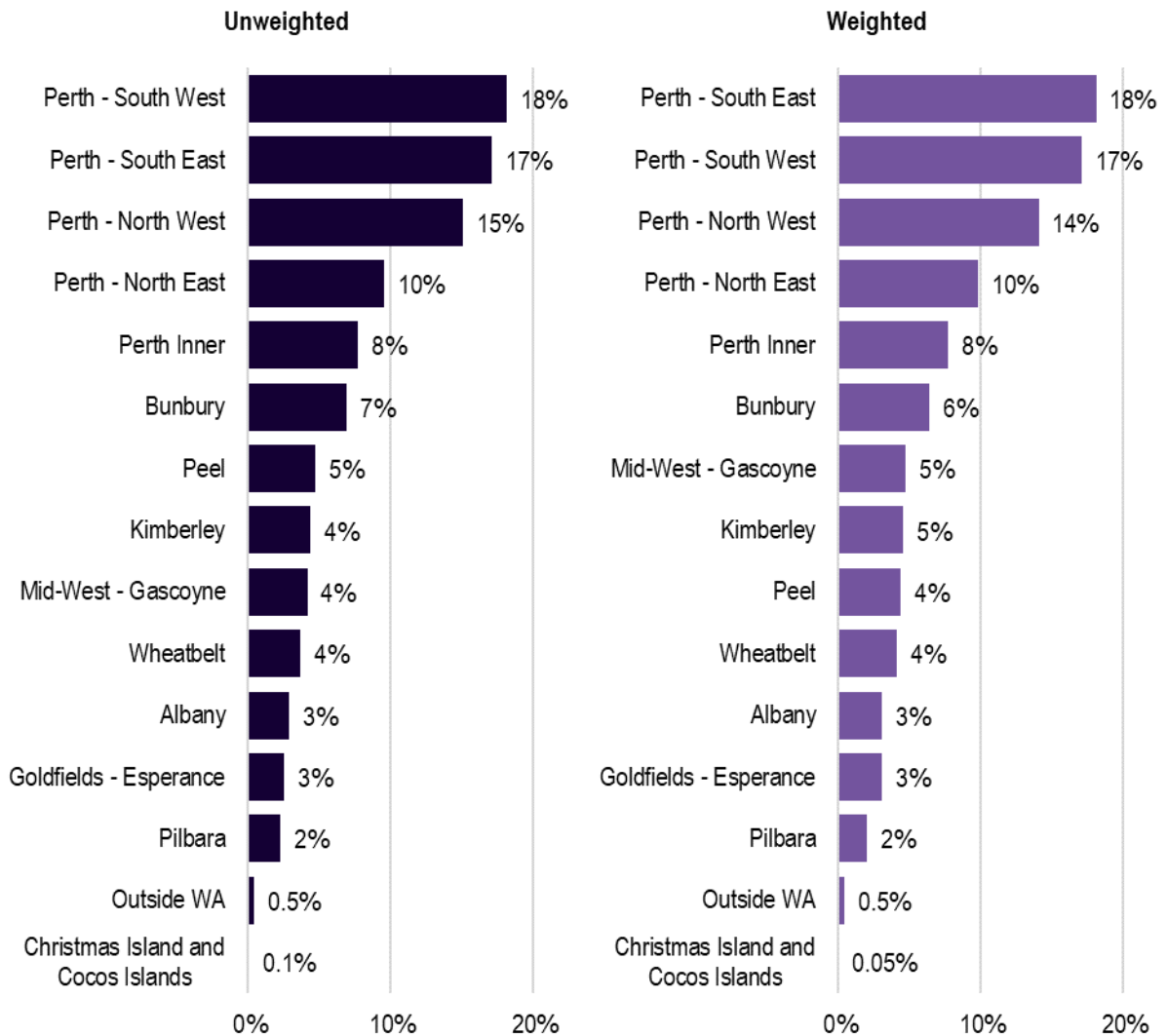
Source: ACIL Allen, from service provider data

5.9.4 Justice Regions

Legal assistance is mostly accessed by residents in the Perth metropolitan and Peel regions (72 per cent). This compares with regional WA, which accounts for 27 per cent of services delivered.

Notably, these proportions are fairly similar irrespective of whether or not it is weighted. This suggests that resource allocation is directly proportional to service utilisation.

Figure 5.36 Justice Regions, proportion of services delivered to people with a disability or mental illness



Source: ACIL Allen, from service provider data

### 5.9.5 Intersection with other Priority Client Groups

For people with a disability and/or mental illness, the two most common Priority Client Group intersections are *Aboriginal and Torres Strait Islander people* and *women*, each accounting for 37 per cent and 36 per cent of services, respectively.

On the other hand, *involuntary patients under the Mental Health Act 2014 (WA)* are the least common. However, this Priority Client Group is inherently a smaller cohort given their vulnerabilities are highly specific.

**Table 5.9** Share of weighted services, people with a disability or mental illness

#	Intersection with:	% of services
1	Aboriginal and Torres Strait Islander people	37%
2	Women	36%
3	People experiencing, or at risk of, family violence	23%
4	Children and young people	21%
5	People residing in rural and remote areas	18%
6	People in custody and/or prisoners	18%
7	People experiencing, or at risk of, homelessness	10%
8	People residing in regional areas	10%
9	People who are culturally and linguistically diverse	8%
10	Older people	7%
11	Involuntary patients under the Mental Health Act 2014 (WA)	3%
12	Victims of institutional abuse	0.01%

Source: ACIL Allen, from service provider data

## 5.10 People residing in regional areas

In FY21, the sector delivered roughly 18,000 services to people residing in regional areas. This is equivalent to six per cent of all legal assistance in Western Australia.

### 5.10.1 Law types

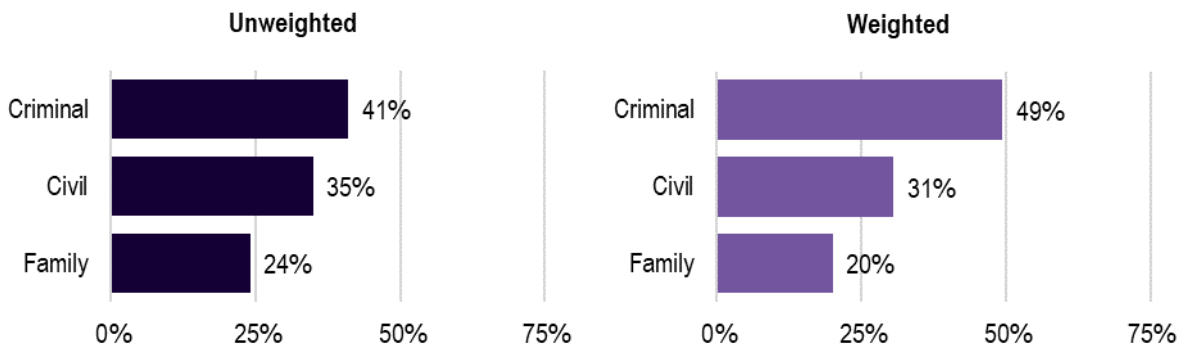
The majority of legal assistance accessed by *people residing in regional areas* are for criminal law matters. Among the identifiable criminal law matters, *acts intended to cause injury* are the most common legal problem, accounting for 17 per cent of services delivered. This is followed by *traffic and vehicle regulatory offences* (15 per cent) and *offences against government procedures, security and operations* (13 per cent).

For civil law matters, legal assistance primarily addressed legal problems associated with *domestic violence protection orders* (19 per cent), *housing* (17 per cent) and *wills and estates* (15 per cent).

For family law matters, *parenting arrangements* are the common legal problem presented to the sector, accounting for 48 per cent of services delivered. This is followed by *family law property* (35 per cent) and *divorce, de-facto separations and/or annulment* (six per cent).

On a weighted service basis, criminal law matters now account for a larger proportion of services. This suggests that legal problems under this matter are relatively complex.

**Figure 5.37** Law types, proportion of services delivered to people residing in regional areas



Source: ACIL Allen, from service provider data

**5.10.2 Provider types**

For people residing in regional areas, almost half of the services (47 per cent) are delivered by LAWA.

CLCs are the second largest provider type at 46 per cent. Among CLCs, South West Community Legal Centre is the largest service provider, as it represents 36 per cent of services delivered. This is followed by Albany Community Legal Centre (22 per cent), and Pilbara Community Legal Centre (18 per cent).

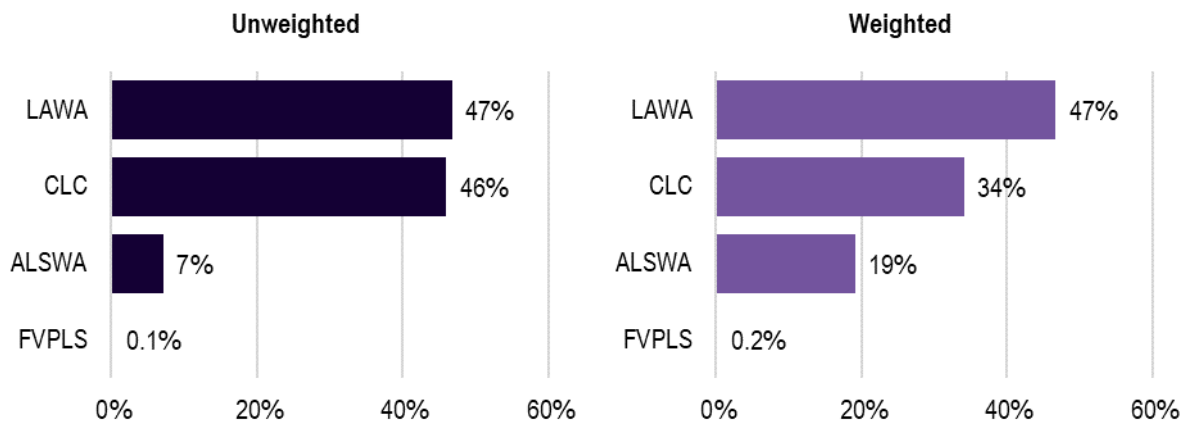
In addition to these CLCs, there are 16 other CLCs that provide legal assistance to people residing in regional areas. Service proportions can vary across these service providers, ranging from a low of 0.1 per cent, to a high of six per cent.

ALSWA are the third largest provider type, accounting for seven per cent of services delivered.

FVPLSs are the smallest provider type as they account for 0.1 per cent of services delivered. Among FVPLSs, more than two thirds of the services (68 per cent) are delivered by Southern Aboriginal Corporation. The remaining 32 per cent is delivered by Perth Metro Family Violence Prevention Legal Service.

On a weighted service basis, provider types are ranked similarly. However, there are some changes to the proportion of services. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 5.38** Provider types, proportion of services delivered



Source: ACIL Allen, from service provider data



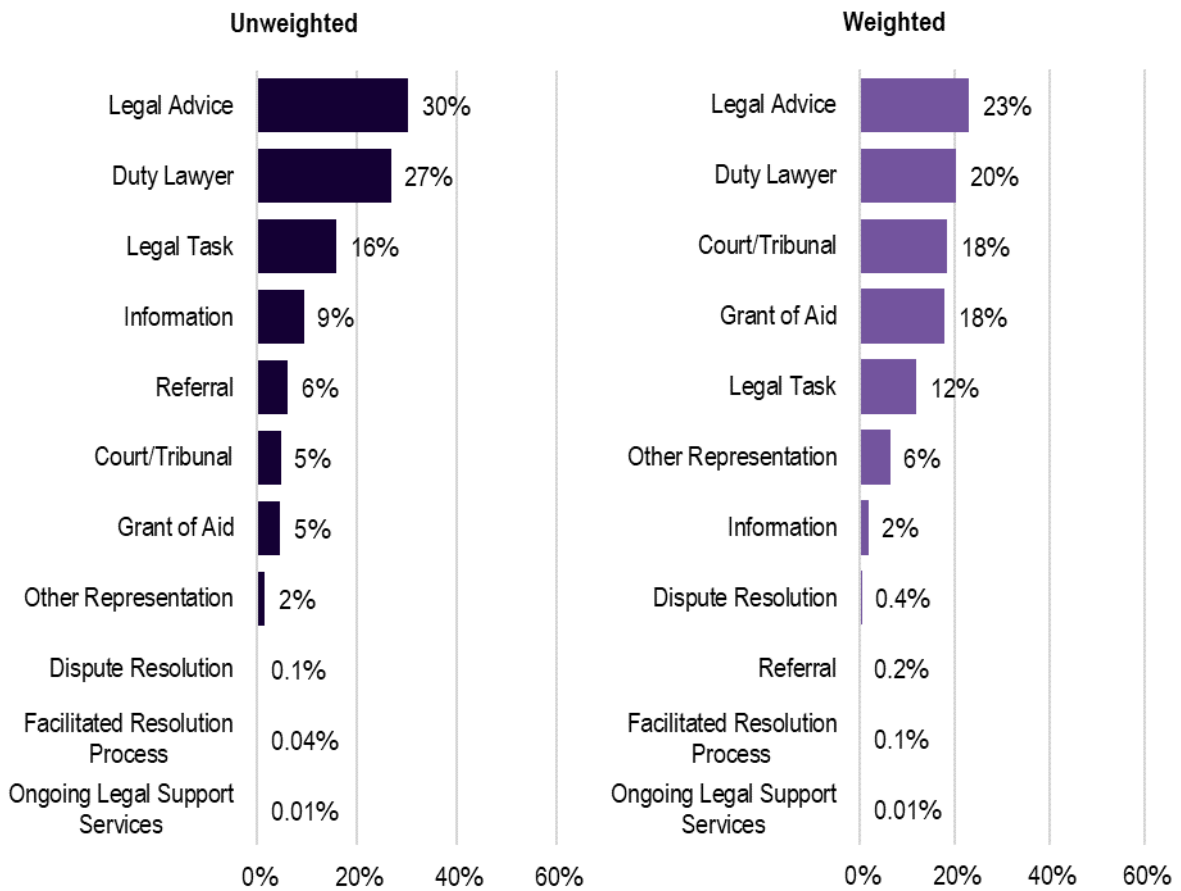
5.10.3 Service types

Legal advice is the most common type of legal assistance, accounting for 30 per cent of services delivered. This is followed by duty lawyer services (27 per cent) and legal tasks (16 per cent).

On a weighted service basis, the three largest services are legal advice, duty lawyer services and court / tribunal services. Collectively, this implies that for people residing in regional areas, the sector has directed 61 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

Figure 5.39 Service types, proportion of services delivered



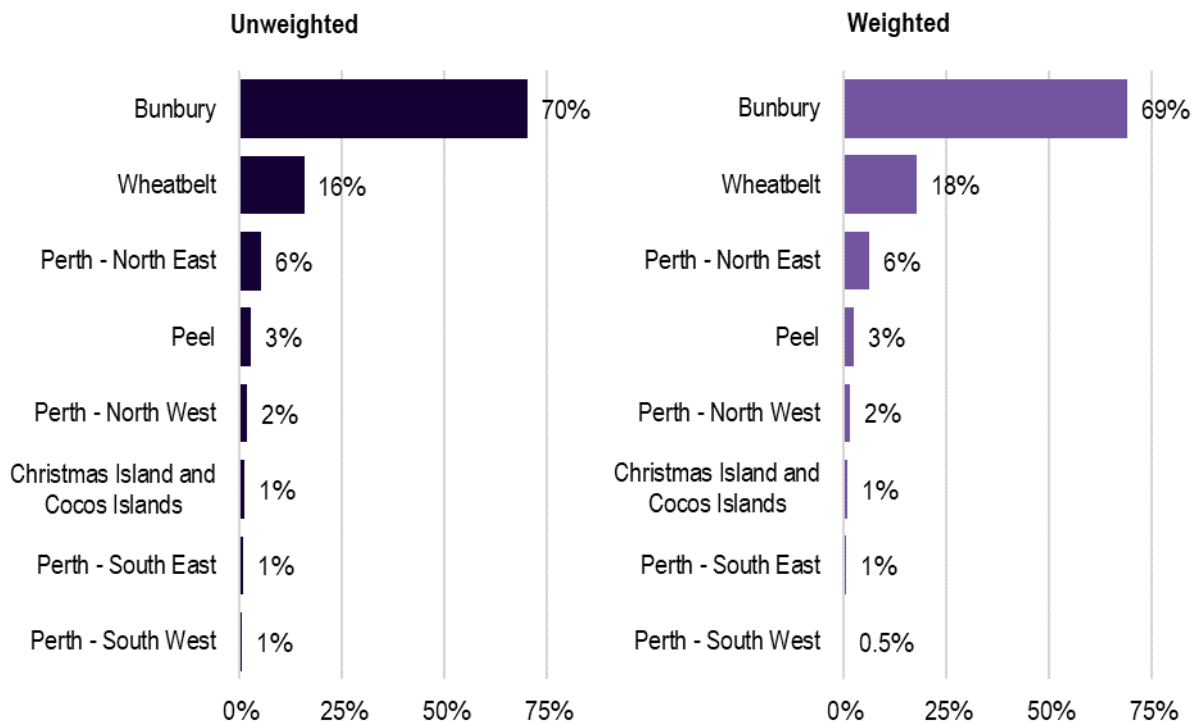
Source: ACIL Allen, from service provider data

**5.10.4 Justice Regions**

Legal assistance is mostly accessed by residents from the Bunbury region. There are some services delivered to the Perth metropolitan and Peel regions, albeit it is relatively small since it is limited to a few regional towns.<sup>12</sup>

Notably, these proportions are fairly similar irrespective of whether or not it is weighted. This suggests that resource allocation is directly proportional to service utilisation.

**Figure 5.40** Justice Regions, proportion of services delivered to people residing in regional areas



Source: ACIL Allen, from service provider data

<sup>12</sup> At the Justice Region level, regions like the Perth – North East are typically classified under metropolitan areas. However, since our approach encodes remoteness at the SA2-level (i.e., more granular), there are some SA2s within these Justice Regions that more closely resemble regional areas.

### 5.10.5 Intersection with other Priority Client Groups

For people residing in regional areas, the most common Priority Client Group intersection is *women* (45 per cent of services). On the other hand, *involuntary patients under the Mental Health Act 2014 (WA)* and *victims of institutional abuse* are the least common. However, these Priority Client Groups are inherently smaller cohorts given their vulnerabilities are highly specific.

**Table 5.10** Share of weighted services, people residing in regional areas

#	Intersection with:	% of services
1	Women	45%
2	Aboriginal and Torres Strait Islander people	31%
3	People with a disability and/or mental illness	29%
4	People experiencing, or at risk of, family violence	27%
5	Children and young people	17%
6	People in custody and/or prisoners	13%
7	Older people	9%
8	People who are culturally and linguistically diverse	9%
9	People experiencing, or at risk of, homelessness	7%
10	Involuntary patients under the Mental Health Act 2014 (WA)	0.4%
11	Victims of institutional abuse	0.01%

*Source: ACIL Allen, from service provider data*

## 5.11 Women

In FY21, the sector delivered roughly 80,000 services to women. This is equivalent to 25 per cent of all legal assistance in Western Australia.

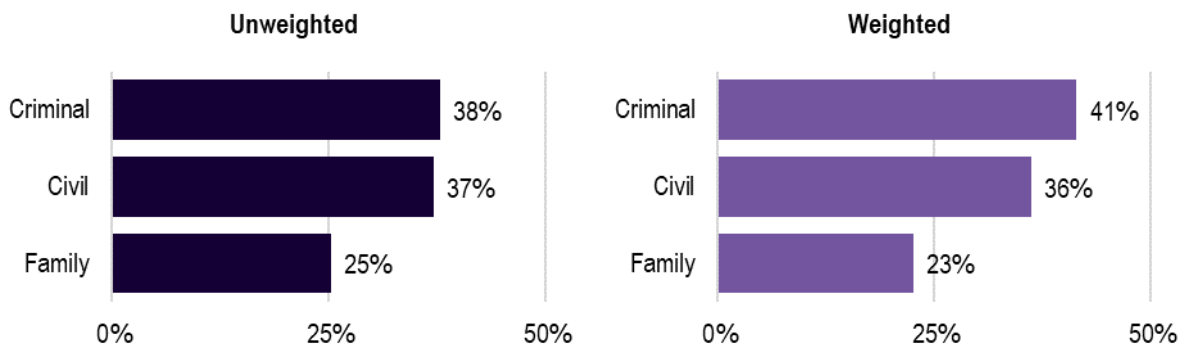
### 5.11.1 Law types

The majority of legal assistance accessed by women are for criminal law matters. Among the identifiable criminal law matters, *miscellaneous offences* are the most common legal problem, accounting for 30 per cent of services delivered. This is followed by *acts intended to cause injury* (13 per cent) and *offences against government procedures, security and operations* (eight per cent).

For civil law matters, legal assistance primarily addressed legal problems associated with *domestic violence protection orders* (27 per cent), *housing* (18 per cent) and *child protection* (12 per cent).

For family law matters, *parenting arrangements* are the common legal problem presented to the sector, accounting for 52 per cent of services delivered. This is followed by *family law property* (22 per cent) and *child support* (eight per cent).

**Figure 5.41** Law types, proportion of services delivered to women



Source: ACIL Allen, from service provider data

**5.11.2 Provider types**

For women, 41 per cent of services are delivered by LAWA.

CLCs are the second largest provider type at 35 per cent. Among CLCs, Northern Suburbs Community Legal Centre is the largest service provider, as it represents 18 per cent of services delivered. This is followed by Women’s Legal Service (13 per cent), and Circle Green Community Legal (10 per cent).

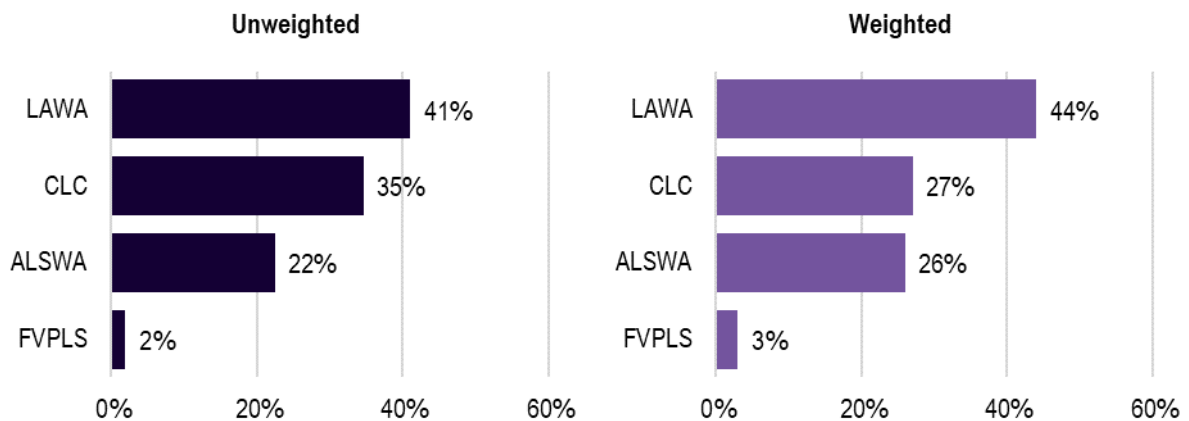
In addition to these CLCs, there are 17 other CLCs that provide legal assistance to women. Service proportions can vary across these service providers, ranging from a low of 0.03 per cent, to a high of nine per cent.

ALSWA are the third largest provider type, accounting for 22 per cent of services delivered.

FVPLSs are the smallest provider type as they account for two per cent of services delivered. Among FVPLSs, the two largest providers are Aboriginal Family Legal Services and Perth Metro Family Violence Prevention Legal Service, each accounting for 50 per cent and 35 per cent, respectively.

On a weighted service basis, provider types are ranked similarly. However, there are some changes to the proportion of services. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 5.42** Provider types, proportion of services delivered



Source: ACIL Allen, from service provider data

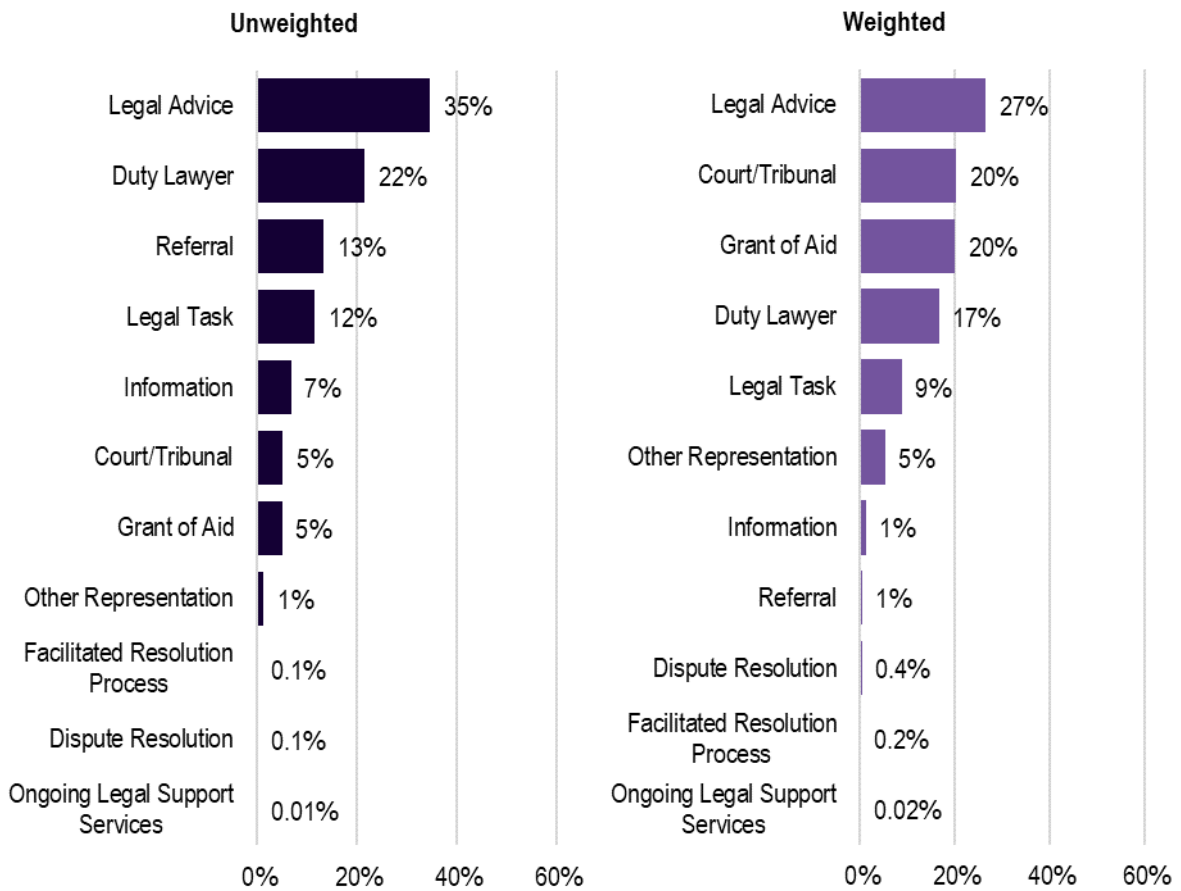
**5.11.3 Service types**

*Legal advice* is the most common type of legal assistance, accounting for 35 per cent of services delivered. This is followed by *duty lawyer services* (22 per cent) and *referrals* (13 per cent).

On a weighted service basis, the three largest services are *legal advice*, *court / tribunal services* and *grants of aid*. Collectively, this implies that for women, the sector has directed 67 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

**Figure 5.43** Service types, proportion of services delivered



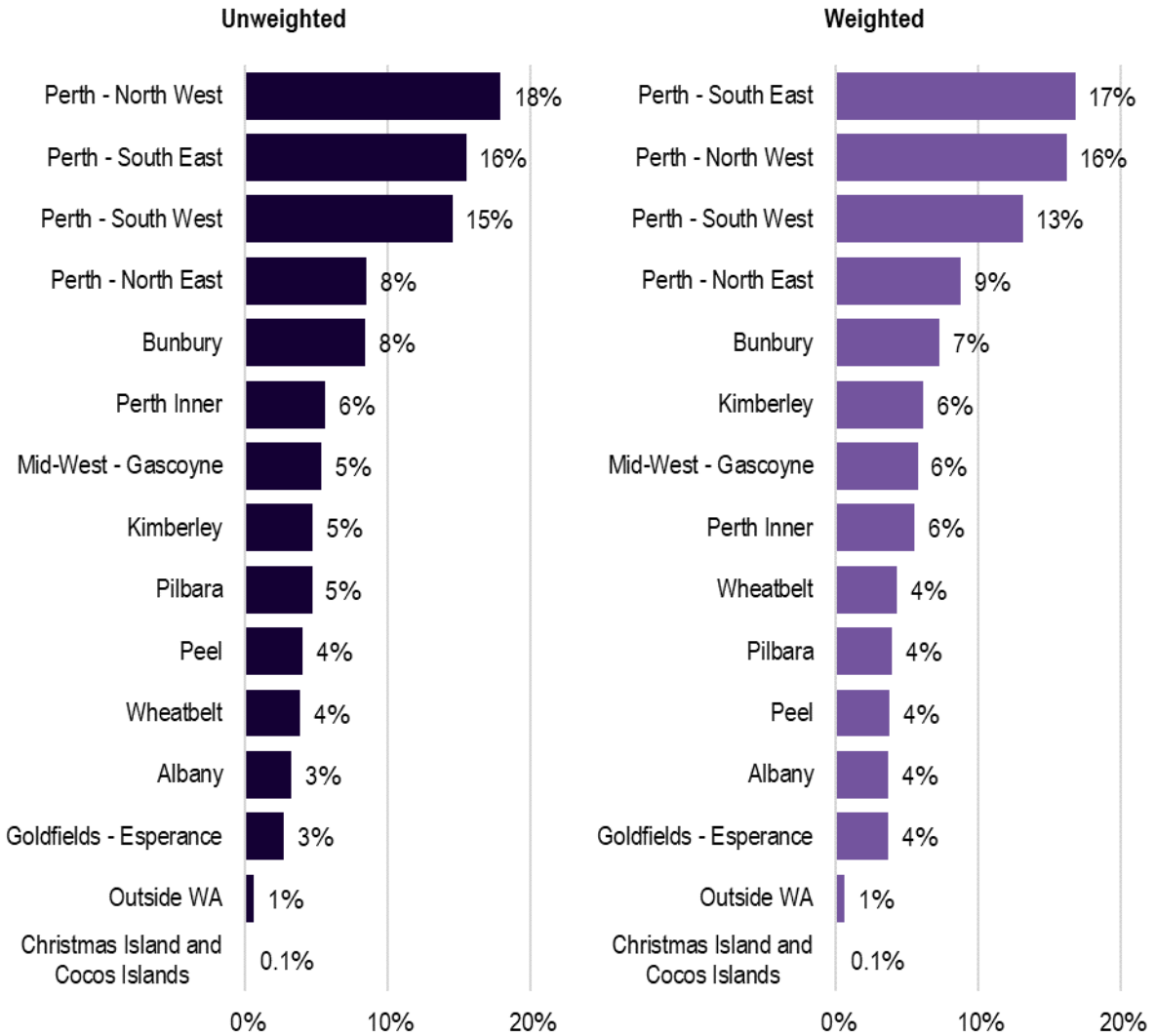
Source: ACIL Allen, from service provider data

5.11.4 Justice Regions

Legal assistance is mostly accessed by residents in the Perth metropolitan and Peel regions (66 per cent). This compares with regional WA, which accounts for 33 per cent of services delivered.

Notably, these proportions are fairly similar irrespective of whether or not it is weighted. This suggests that resource allocation is directly proportional to service utilisation.

Figure 5.44 Justice Regions, proportion of services delivered to women



Source: ACIL Allen, from service provider data

### 5.11.5 Intersection with other Priority Client Groups

For women, the most common Priority Client Group intersection is *Aboriginal and Torres Strait Islander people* (44 per cent of services). On the other hand, *victims of institutional abuse* and *involuntary patients under the Mental Health Act 2014 (WA)* are the least common. However, these Priority Client Groups are inherently smaller cohorts given their vulnerabilities are highly specific.

**Table 5.11** Share of weighted services, women

#	Intersection with:	% of services
1	Aboriginal and Torres Strait Islander people	44%
2	People experiencing, or at risk of, family violence	36%
3	People with a disability and/or mental illness	24%
4	People residing in rural and remote areas	22%
5	Children and young people	19%
6	People in custody and/or prisoners	13%
7	People who are culturally and linguistically diverse	11%
8	People residing in regional areas	10%
9	People experiencing, or at risk of, homelessness	9%
10	Older people	6%
11	Involuntary patients under the Mental Health Act 2014 (WA)	1%
12	Victims of institutional abuse	0.2%

Source: ACIL Allen, from service provider data



## 5.12 Victims of institutional abuse

In FY21, the sector delivered roughly 90 services to *victims of institutional abuse*. This is equivalent to 0.03 per cent of all legal assistance in Western Australia.

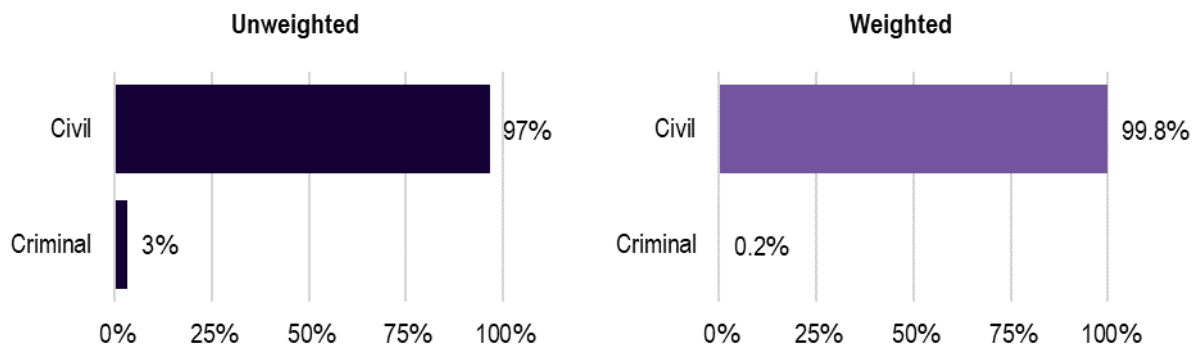
### 5.12.1 Law types

The majority of legal assistance accessed by *victims of institutional abuse* are for civil law matters. Among the identifiable civil law matters, *other civil law problems* are the most common legal problem, accounting for 96 per cent of services delivered. This is followed by *injury compensation* (two per cent) and *proceeds of crime* (one per cent).

For criminal law matters, legal assistance addressed legal problems associated with *sexual assault and related offences* only.

There were no recorded services in relation to family law matters.

**Figure 5.45** Law types, proportion of services delivered to victims of institutional abuse



Source: ACIL Allen, from service provider data

### 5.12.2 Provider types

For victims of institutional abuse, all services were delivered by CLCs. Among CLCs, almost all services (92 per cent) were delivered by Kimberley Community Legal Services. The remaining eight per cent is delivered by Pilbara Community Legal Service.

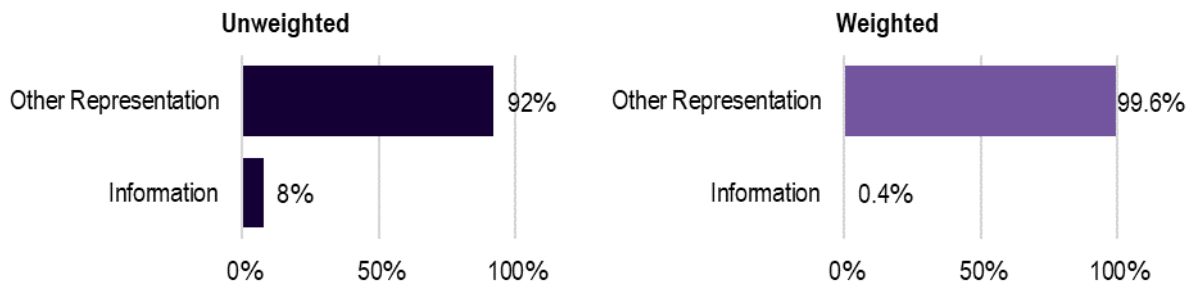
**5.12.3 Service types**

*Other representation services* are the most common type of legal assistance, accounting for 92 per cent of services delivered. The remaining eight per cent is attributable to *information services*.

On a weighted service basis, *other representation services* increased its share of total legal assistance. The converse is true for *information services*.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

**Figure 5.46** Service types, proportion of services delivered



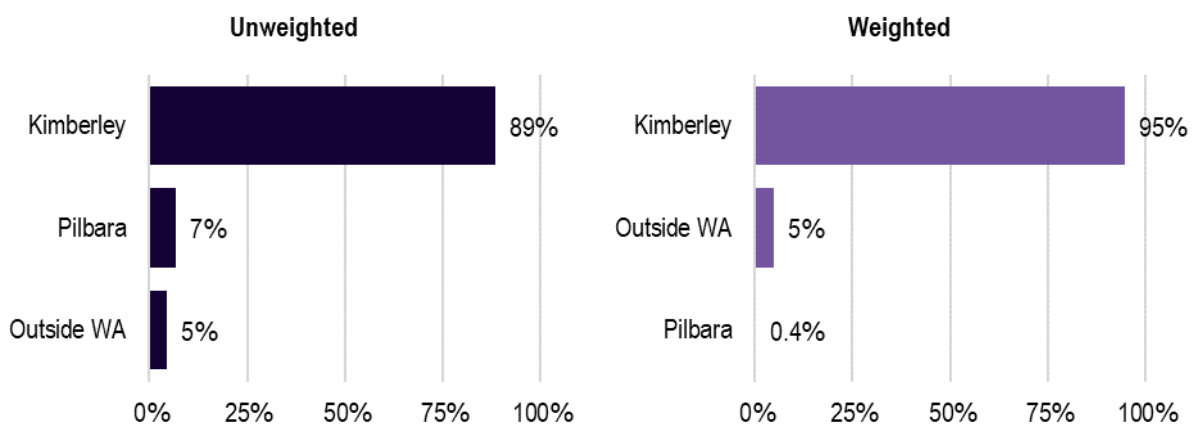
Source: ACIL Allen, from service provider data

**5.12.4 Justice Regions**

Legal assistance is mostly accessed by residents from the Kimberley region. There are some services delivered to the Pilbara region and outside Western Australia, albeit it is relatively small.

On a weighted service basis, the Kimberley region still accounts for the largest proportion of services. However, its proportion is six percentage points higher than its unweighted counterparts, indicating that the legal problems faced by Kimberley residents are relatively complex.

**Figure 5.47** Justice Regions, proportion of services delivered to victims of institutional abuse



Source: ACIL Allen, from service provider data

**5.12.5 Intersection with other Priority Client Groups**

For victims of institutional abuse, the two most common Priority Client Group intersections are people residing in rural and remote areas and Aboriginal and Torres Strait Islander people, each accounting for at least 97 per cent of services.

On the other hand, the least common intersections are children and young people, people with a disability and/or mental illness and people residing in regional areas. These intersections account for less than one per cent of services.

**Table 5.12** Share of weighted services, victims of institutional abuse

#	Intersection with:	% of services
1	People residing in rural and remote areas	100%
2	Aboriginal and Torres Strait Islander people	97%
3	Women	63%
4	Older people	51%
5	Children and young people	1%
6	People with a disability and/or mental illness	1%
7	People residing in regional areas	0.4%

*Source: ACIL Allen, from service provider data*

**5.13 Involuntary patients under the Mental Health Act 2014 (WA)**

In FY21, the sector delivered roughly 780 services to involuntary patients under the Mental Health Act 2014 (WA). This is equivalent to 0.2 per cent of all legal assistance in Western Australia.

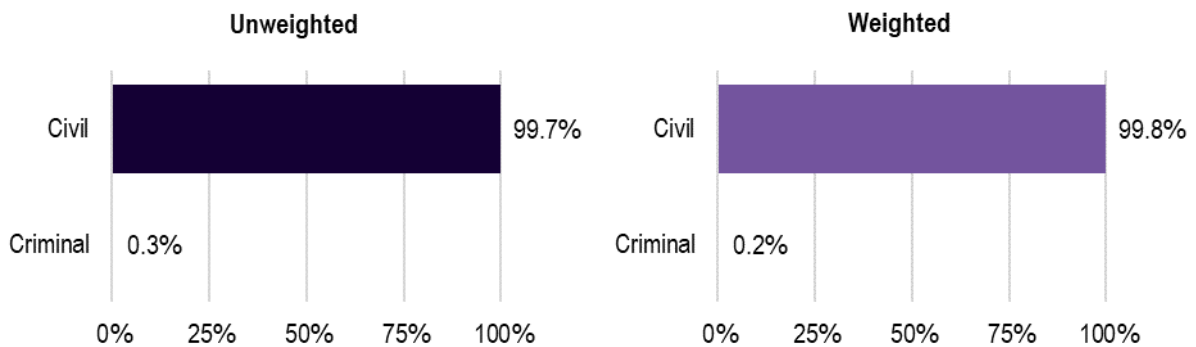
**5.13.1 Law types**

The majority of legal assistance accessed by involuntary patients under the Mental Health Act 2014 (WA) are for civil law matters. Among the identifiable civil law matters, mental health law is the most common legal problem, accounting for 99 per cent of services delivered. The remaining one per cent is attributable to guardianship for adults and consumer problems.

For criminal law matters, legal assistance addressed legal problems associated with acts intended to cause injury only.

There were no recorded services in relation to family law matters.

**Figure 5.48** Law types, proportion of services delivered to involuntary patients under the Mental Health Act 2014 (WA)



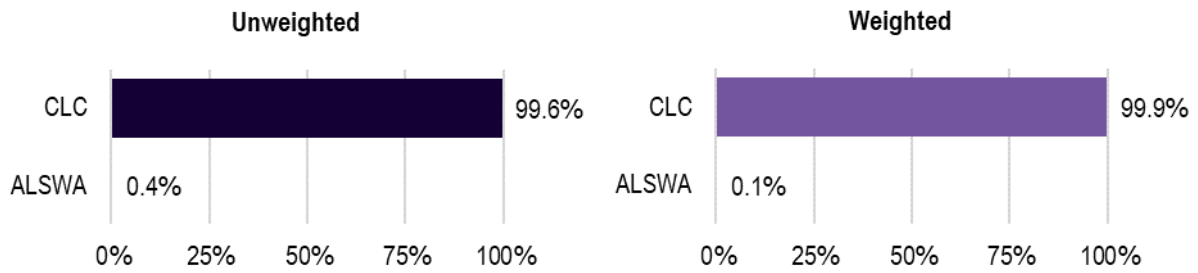
*Source: ACIL Allen, from service provider data*

**5.13.2 Provider types**

For *involuntary patients under the Mental Health Act 2014 (WA)*, almost all services (99.6 per cent) are delivered by CLCs. Among CLCs, Mental Health Law Centre is the main service provider as it accounts for 97 per cent of services delivered. The remaining three per cent is split between nine different CLCs.

The remaining 0.4 per cent of services are delivered by ALSWA.

**Figure 5.49** Provider types, proportion of services delivered



Source: ACIL Allen, from service provider data

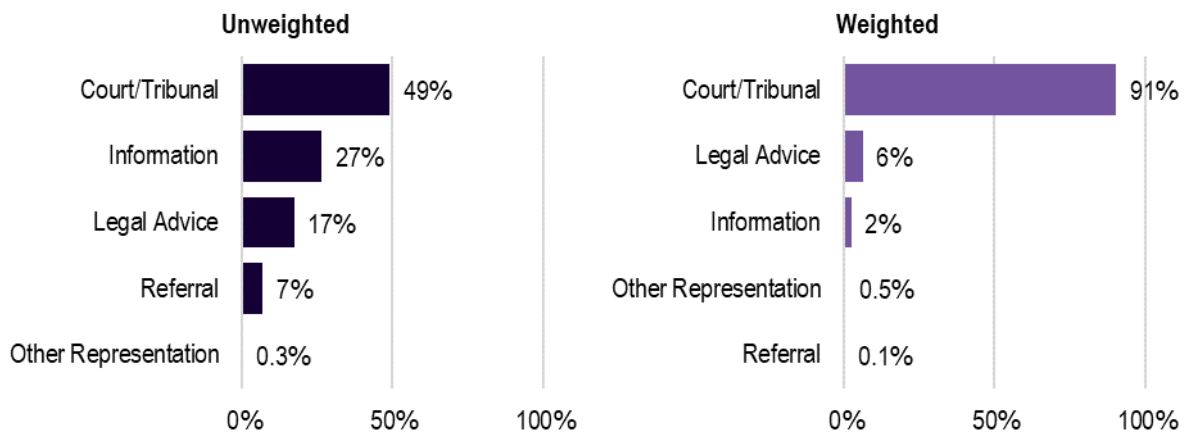
**5.13.3 Service types**

*Court / tribunal services* are the most common type of legal assistance, accounting for 49 per cent of services delivered. The remaining 51 per cent is comprised of four different service types.

On a weighted service basis, *court / tribunal services* remains the largest service type, while also increasing its share of total legal assistance.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

**Figure 5.50** Service types, proportion of services delivered



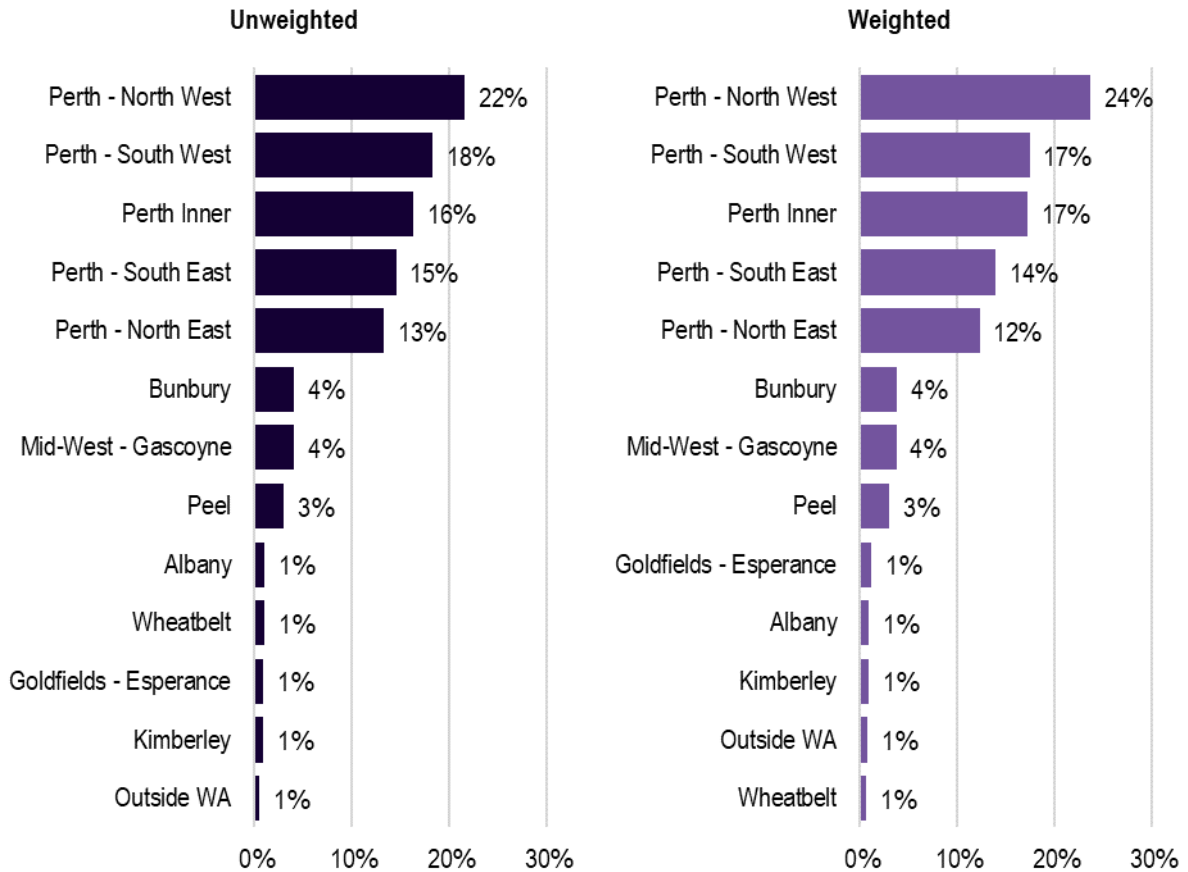
Source: ACIL Allen, from service provider data

5.13.4 Justice Regions

Legal assistance is mostly accessed by residents in the Perth metropolitan and Peel regions (87 per cent). This compares with regional WA, which accounts for 12 per cent of services delivered.

Notably, these proportions are fairly similar irrespective of whether or not it is weighted. This suggests that resource allocation is directly proportional to service utilisation.

Figure 5.51 Justice Regions, proportion of services delivered to involuntary patients under *Mental Health Act 2014 (WA)*



Source: ACIL Allen, from service provider data

### 5.13.5 Intersection with other Priority Client Groups

For involuntary patients under *Mental Health Act 2014 (WA)*, the most common Priority Client Group intersection is *people with a disability and/or mental illness* – a vulnerability observed in all service users. This is because involuntary patients are a subset of people with a disability and/or mental illness. On the other hand, *people in custody and/or prisoners* are the least common.

**Table 5.13** Share of weighted services, involuntary patients under the *Mental Health Act 2014 (WA)*

#	Intersection with:	% of services
1	People with a disability and/or mental illness	100%
2	Women	42%
3	People experiencing, or at risk of, homelessness	28%
4	People experiencing, or at risk of, family violence	15%
5	Older people	12%
6	People who are culturally and linguistically diverse	8%
7	Children and young people	8%
8	Aboriginal and Torres Strait Islander people	7%
9	People residing in rural and remote areas	6%
10	People residing in regional areas	5%
11	People in custody and/or prisoners	0.1%

Source: ACIL Allen, from service provider data

# Justice Regions 6

This chapter presents the nature and extent of services delivered for the different Justice Regions. This analysis is broken down by the provider types, law types, and Priority Client Groups.

## 6.1 Albany

In FY21, the sector delivered roughly 4,500 services to Albany residents. This is equivalent to 1.4 per cent of all legal assistance by the sector.

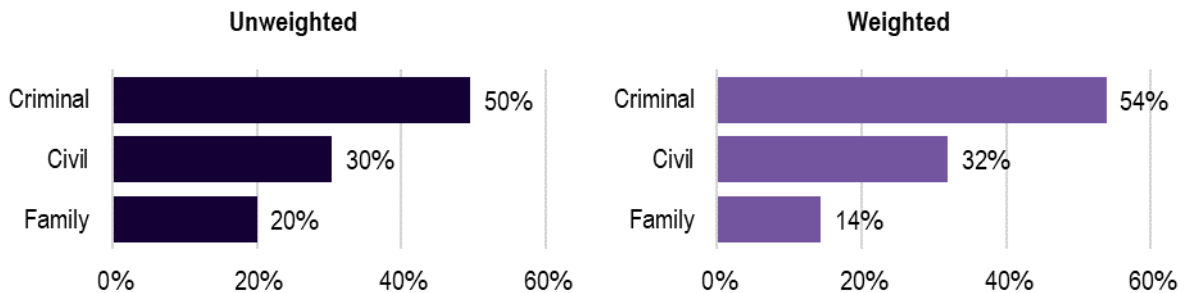
### 6.1.1 Law types

Half of the legal assistance accessed by Albany residents are for criminal law matters. Among the identifiable criminal law matters, the three most common legal problems are *traffic and vehicle regulatory offences* (18 per cent), *acts intended to cause injury* (17 per cent) and *offences against government procedures, security and operations* (14 per cent).

For civil law matters, legal assistance primarily addressed legal problems associated with *wills and estates* (38 per cent), *domestic violence protection orders* (17 per cent) and *housing* (12 per cent).

For family law matters, *parenting arrangements* are the common legal problem presented to the sector, accounting for 46 per cent of services delivered. This is followed by *family law property* (33 per cent) and *divorce, de-facto separations and/or annulment* (10 per cent).

**Figure 6.1** Law types, proportion of services delivered within Albany



Source: ACIL Allen, from service provider data

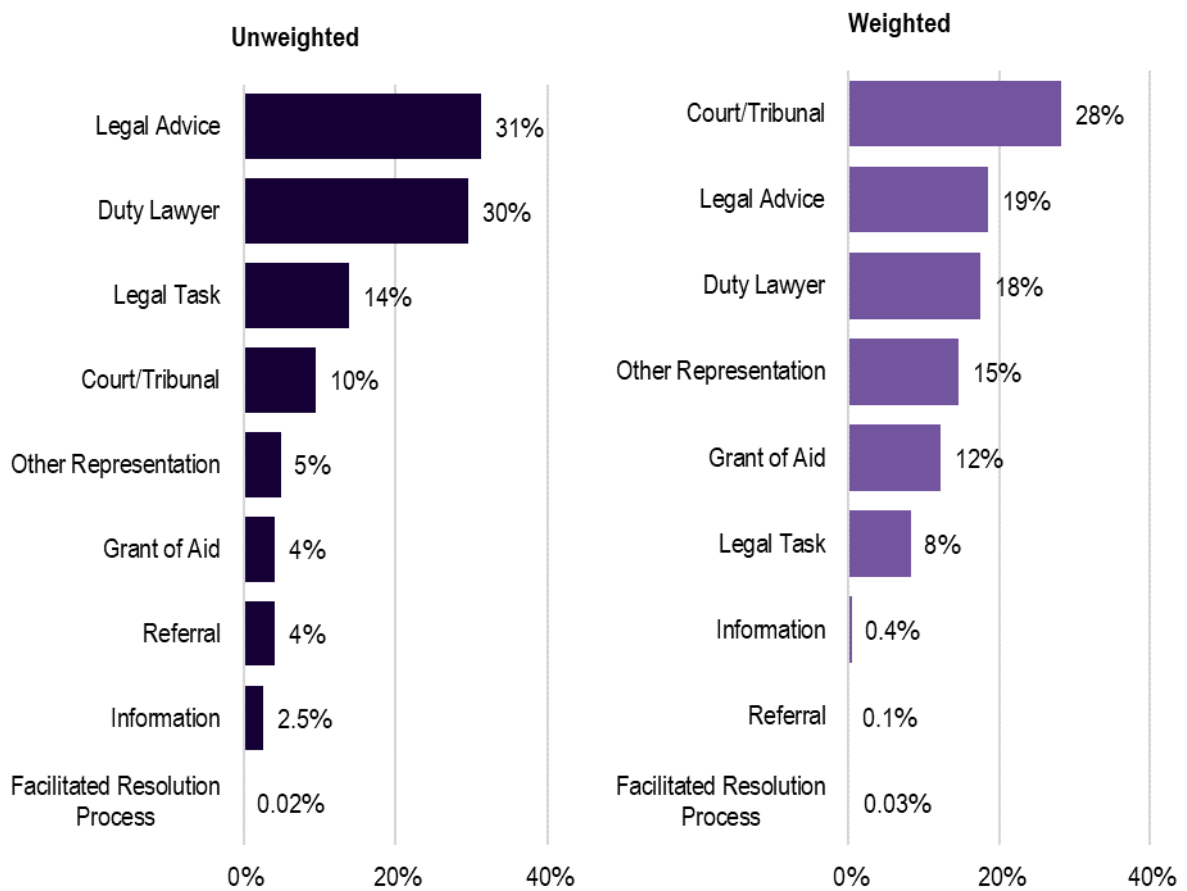
**6.1.2 Service types**

*Legal advice* is the most common type of legal assistance, accounting for 31 per cent of services delivered. This is followed by *duty lawyer services* (30 per cent) and *legal tasks* (14 per cent).

On a weighted service basis, the three largest services are *court / tribunal services*, *legal advice* and *duty lawyer services*. Collectively, this implies that for Albany residents, the sector has directed 65 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

**Figure 6.2** Service types, proportion of services delivered



Source: ACIL Allen, from service provider data



**6.1.3 Provider types**

Within the Albany region, more than half of the services (51 per cent) were delivered by LAWA.

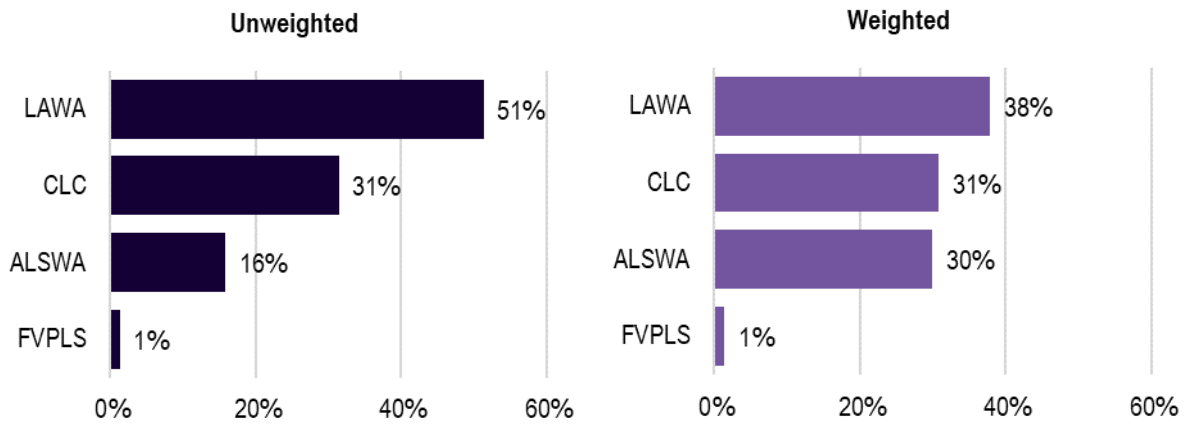
CLCs are the second largest provider type, accounting for 31 per cent of services delivered. Among the CLCs, most services were delivered by Albany Community Legal Centre (83 per cent). The remaining 17 per cent are split between 17 different CLCs.

ALSWA are the third largest provider type, at 16 per cent of services delivered.

FVPLSs are the smallest provider type as they account for one per cent of services delivered. Among the FVPLS, almost all services (98 per cent) were delivered by Southern Aboriginal Corporation. The remaining two per cent is delivered by Aboriginal Family Legal Services.

On a weighted service basis, provider types are ranked similarly. However, there are some changes to the proportion of services. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 6.3** Provider types, proportion of services delivered within Albany



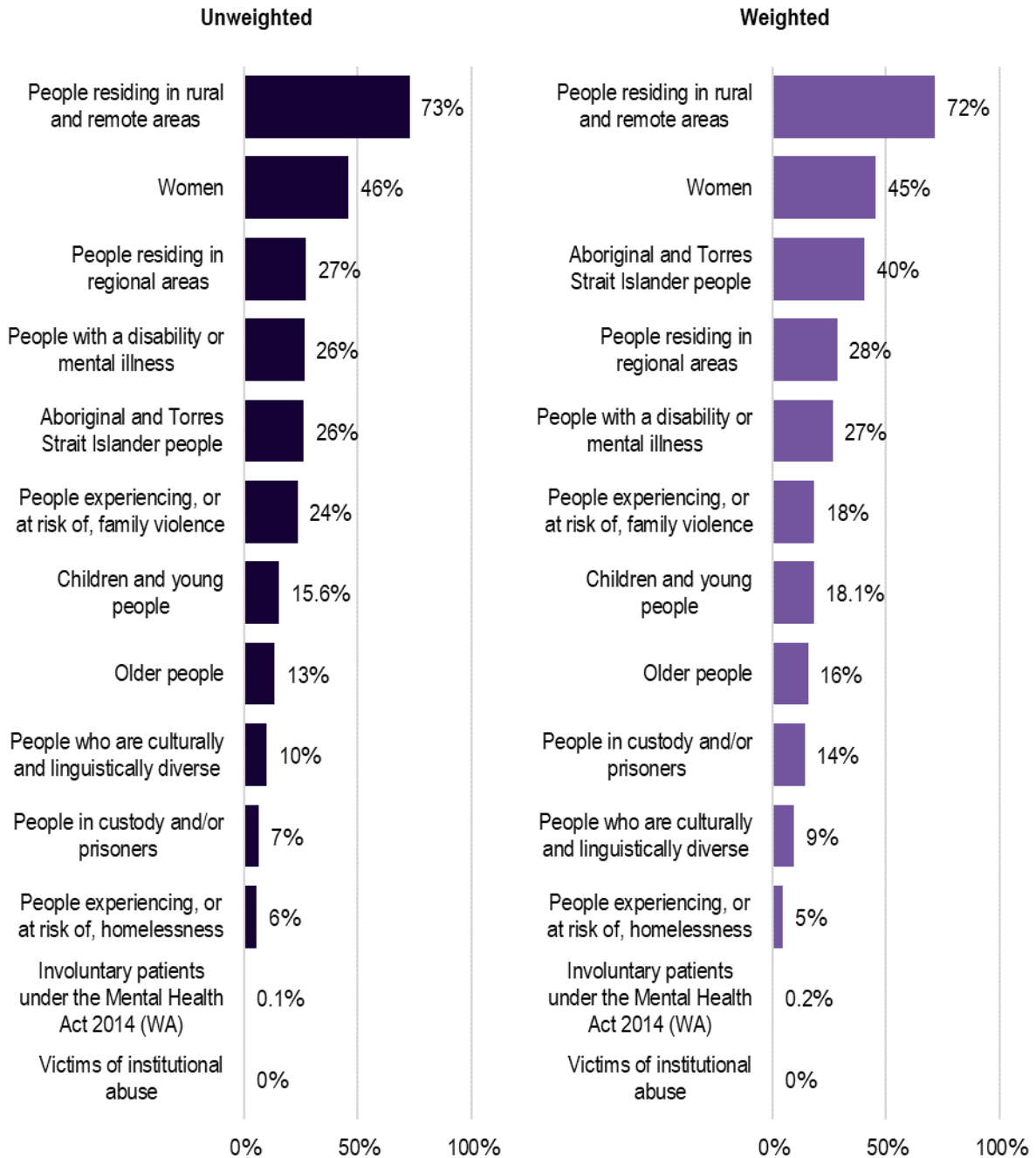
Source: ACIL Allen, from service provider data

6.1.4 Priority Client Groups

For service users residing in the Albany region, *people residing in rural and remote areas* (73 per cent) is the most common characteristic. This is followed by *women* (46 per cent) and *people residing in regional areas* (27 per cent).

On a weighted service basis, these proportions are fairly similar. The only exception is *Aboriginal and Torres Strait Islander people*, whose proportions are 1.5 times larger than its unweighted counterpart. This suggests that legal problems encountered by this cohort are relatively complex.

Figure 6.4 Priority Client Groups, proportion of services delivered within Albany



Source: ACIL Allen, from service provider data

## 6.2 Bunbury

In FY21, the sector delivered roughly 10,800 services to Bunbury residents. This is equivalent to 3.3 per cent of all legal assistance by the sector.

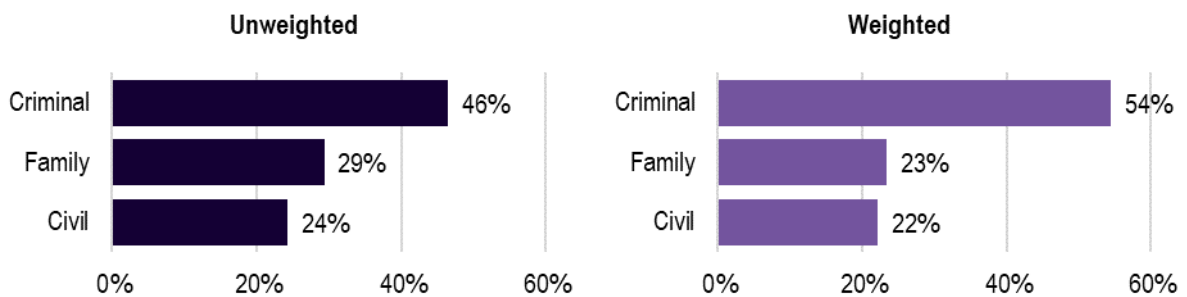
### 6.2.1 Law types

Almost half of the legal assistance accessed by Bunbury residents are for criminal law matters. Among the identifiable criminal law matters, the three most common legal problems are *traffic and vehicle regulatory offences* (17 per cent), *acts intended to cause injury* (16 per cent) and *offences against government procedures, security and operations* (15 per cent).

For civil law matters, legal assistance primarily addressed legal problems associated with *domestic violence protection orders* (36 per cent), *housing* (15 per cent) and *injury compensation* (nine per cent).

For family law matters, *parenting arrangements* are the common legal problem presented to the sector, accounting for 49 per cent of services delivered. This is followed by *family law property* (37 per cent) and *child support* (five per cent).

**Figure 6.5** Law types, proportion of services delivered within Bunbury



Source: ACIL Allen, from service provider data

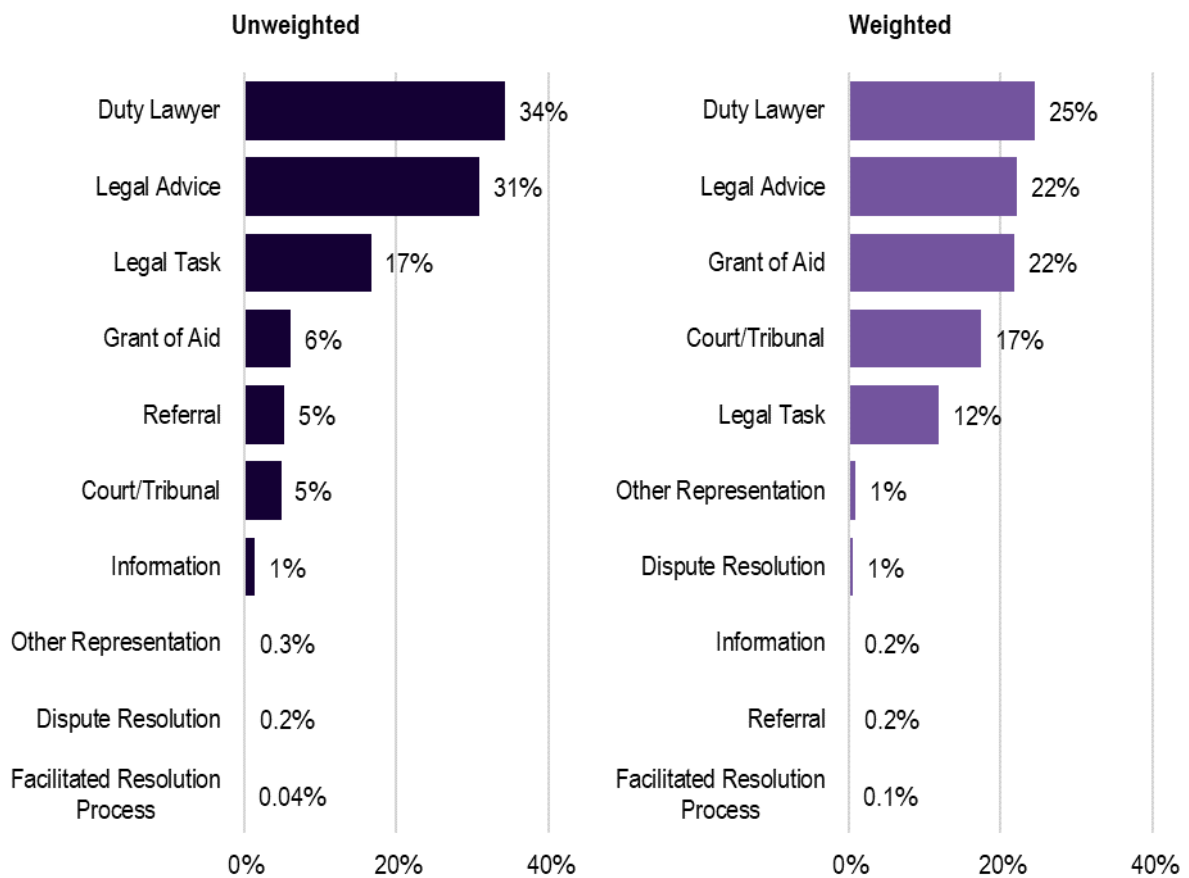
**6.2.2 Service types**

*Duty lawyer services* are the most common type of legal assistance, accounting for 34 per cent of services delivered. This is followed by *legal advice* (31 per cent) and *legal tasks* (17 per cent).

On a weighted service basis, the three largest services are *duty lawyer services*, *legal advice* and *grants of aid*. Collectively, this implies that for Bunbury residents, the sector has directed 69 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

**Figure 6.6** Service types, proportion of services delivered



Source: ACIL Allen, from service provider data

**6.2.3 Provider types**

Within the Bunbury region, more than half of the services (59 per cent) were delivered by LAWA.

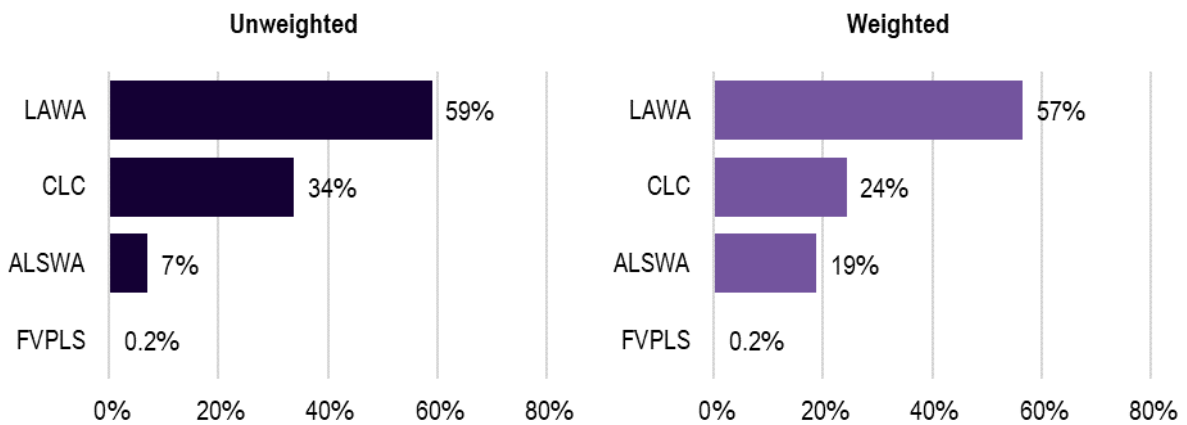
CLCs are the second largest provider type, accounting for 34 per cent of services delivered. Among the CLCs, most services were delivered by South West Community Legal Centre (81 per cent). The remaining 19 per cent are split between 18 different CLCs.

ALSWA are the third largest provider type, at seven per cent of services delivered.

FVPLSs are the smallest provider type as they account for 0.2 per cent of services delivered. Among the FVPLS, more than three quarter of services (77 per cent) were delivered by Southern Aboriginal Corporation. The remaining 23 per cent is delivered by Aboriginal Family Legal Services.

On a weighted service basis, provider types are ranked similarly. However, there are some changes to the proportion of total services. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 6.7** Provider types, proportion of services delivered within Bunbury



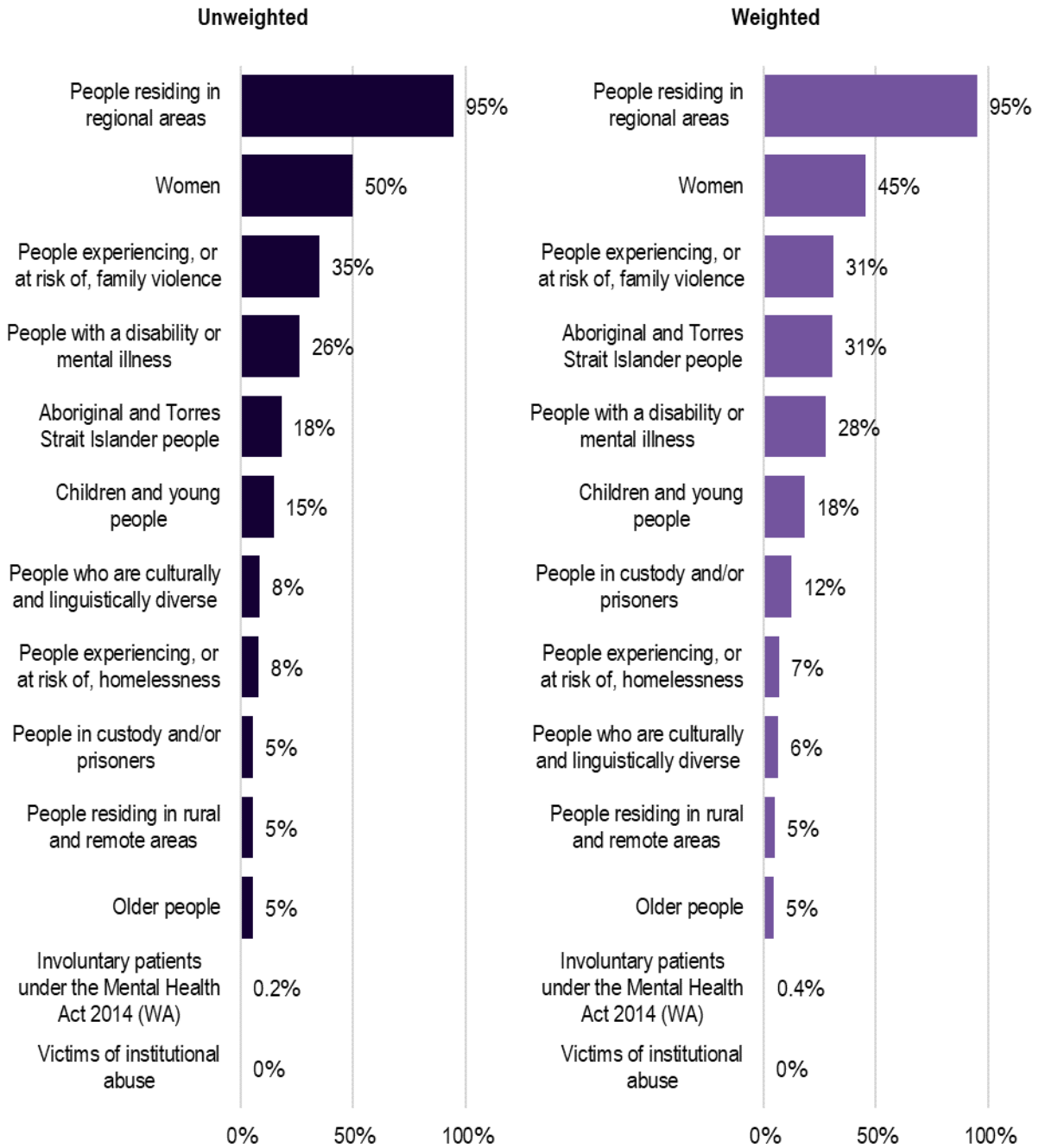
Source: ACIL Allen, from service provider data

6.2.4 Priority Client Groups

For service users residing in the Bunbury region, *people residing in rural and remote areas* (95 per cent) are the most common characteristic. This is followed by *women* (50 per cent) and *people experiencing, or at risk of, family violence* (35 per cent).

On a weighted service basis, these proportions are fairly similar. A notable exception is *Aboriginal and Torres Strait Islander people*, whose proportions are 1.7 times larger than its unweighted counterpart. This suggests that legal problems encountered by this cohort are relatively complex.

Figure 6.8 Priority Client Groups, proportion of services delivered within Bunbury



Source: ACIL Allen, from service provider data

### 6.3 Goldfields – Esperance

In FY21, the sector delivered roughly 6,300 services to Goldfields – Esperance residents. This is equivalent to 1.9 per cent of all legal assistance by the sector.

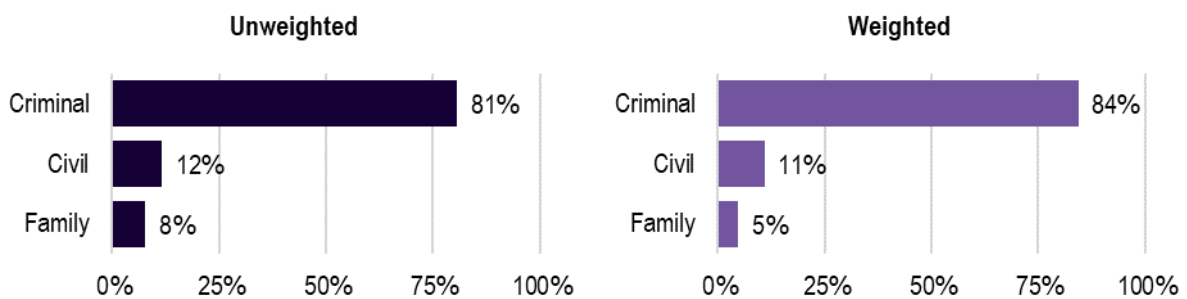
#### 6.3.1 Law types

Most of the legal assistance accessed by Goldfields – Esperance residents are for criminal law matters. Among the identifiable criminal law matters, the three most common legal problems are *acts intended to cause injury* (20 per cent), *traffic and vehicle regulatory offences* (15 per cent) and *offences against government procedures, security and operations* (14 per cent).

For civil law matters, legal assistance primarily addressed legal problems associated with *domestic violence protection orders* (21 per cent), *other civil law problems* (16 per cent) and *immigration law* (11 per cent).

For family law matters, *parenting arrangements* are the common legal problem presented to the sector, accounting for 54 per cent of services delivered. This is followed by *family law property* (15 per cent) and *child support* (10 per cent).

**Figure 6.9** Law types, proportion of services delivered within Goldfields - Esperance



Source: ACIL Allen, from service provider data

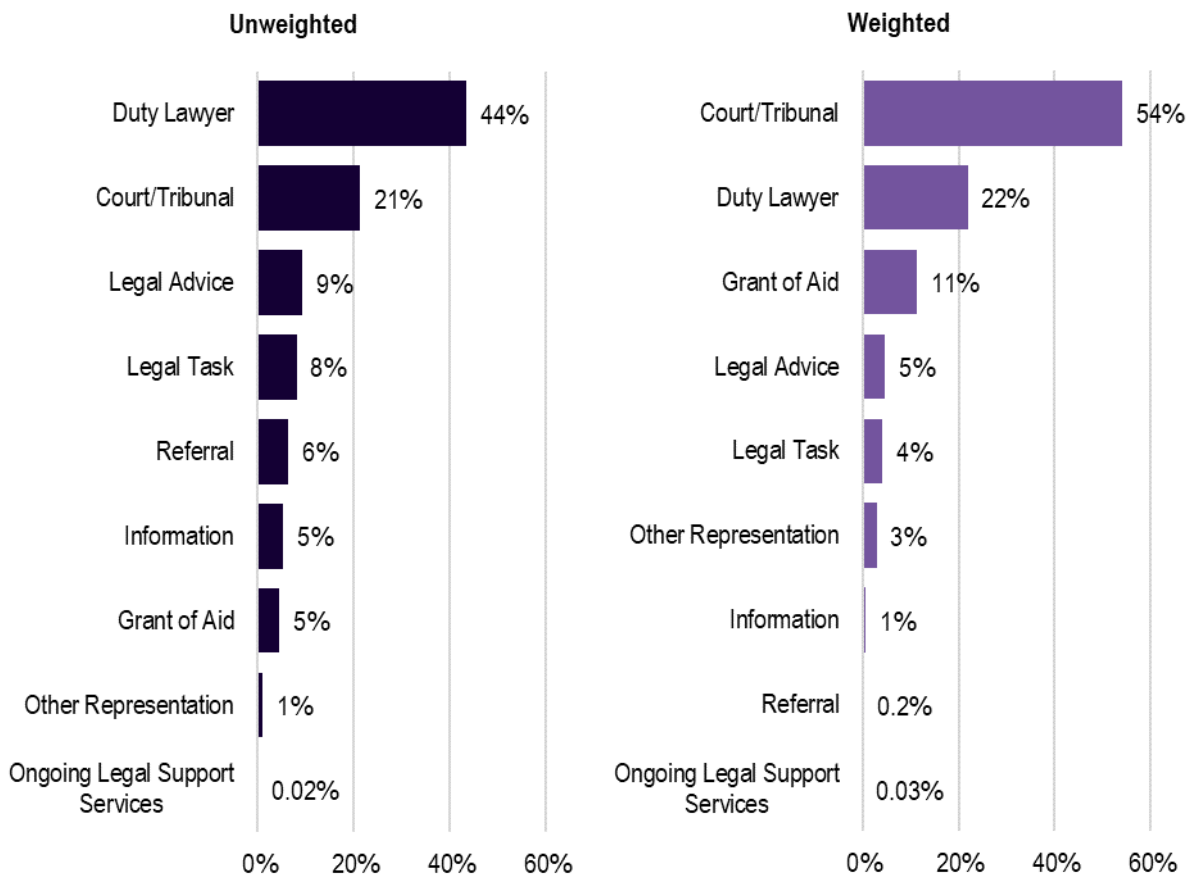
6.3.2 Service types

*Duty lawyer services* are the most common type of legal assistance, accounting for 44 per cent of services delivered. This is followed by *court / tribunal services* (21 per cent) and *legal advice* (nine per cent).

On a weighted service basis, the three largest services are *court / tribunal services*, *duty lawyer services* and *grants of aid*. Collectively, this implies that for Goldfields – Esperance residents, the sector has directed 87 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa. Court /Tribunal increases from 21% on an unweighted basis to 54% of all services delivered on a weighted basis

Figure 6.10 Service types, proportion of services delivered



Source: ACIL Allen, from service provider data



**6.3.3 Provider types**

Within the Goldfields - Esperance region, almost half of the services (48 per cent) were delivered by LAWA.

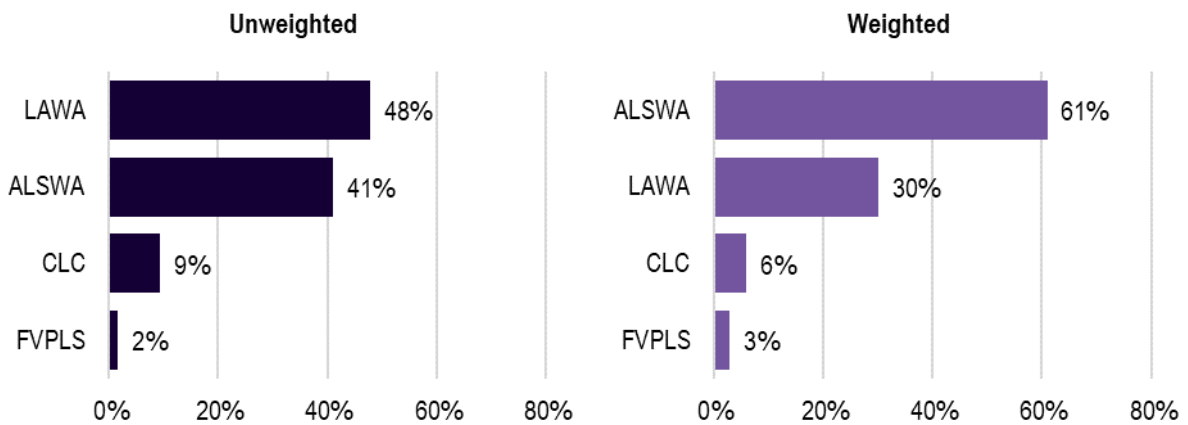
ALSWA are the second largest provider type, at 41 per cent of services delivered.

CLCs are the third largest provider type, accounting for nine per cent of services delivered. Among the CLCs, almost three quarters of services (74 per cent) were delivered by Goldfields Community Legal Centre. The remaining 26 per cent were split between 15 different CLCs.

FVPLSs are the smallest provider type as they account for two per cent of services delivered – all of which were delivered by Aboriginal Family Legal Services.

On a weighted service basis, provider types are ranked differently. ALSWA are now the largest provider type, followed by LAWA. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 6.11** Provider types, proportion of services delivered within Goldfields – Esperance



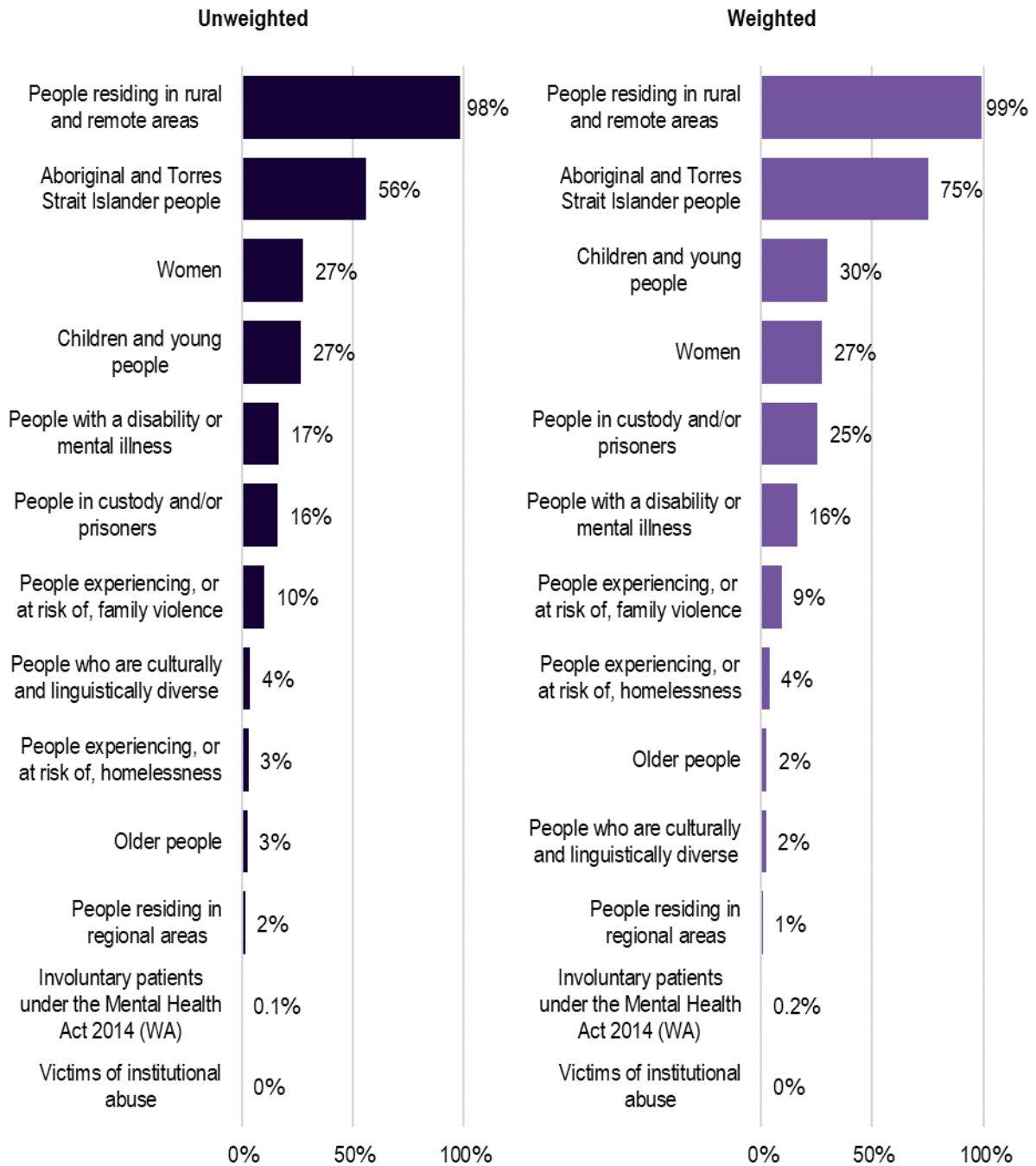
Source: ACIL Allen, from service provider data

6.3.4 Priority Client Groups

For service users residing in the Goldfield – Esperance region, *people residing in rural and remote areas* (98 per cent) are the most common characteristic. This is followed by *Aboriginal and Torres Strait Islander people* (56 per cent) and *women* (27 per cent).

On a weighted service basis, while the proportions are broadly similar, exceptions exist for *Aboriginal and Torres Strait Islander people* (1.3 times larger than its unweighted counterpart) and *people in custody and / or prisoners* (1.6 times). This suggests that legal problems encountered by these cohorts are relatively complex.

Figure 6.12 Priority Client Groups, proportion of services delivered within Goldfields – Esperance



Source: ACIL Allen, from service provider data

## 6.4 Kimberley

In FY21, the sector delivered roughly 10,000 services to Kimberley residents. This is equivalent to 3.1 per cent of all legal assistance by the sector.

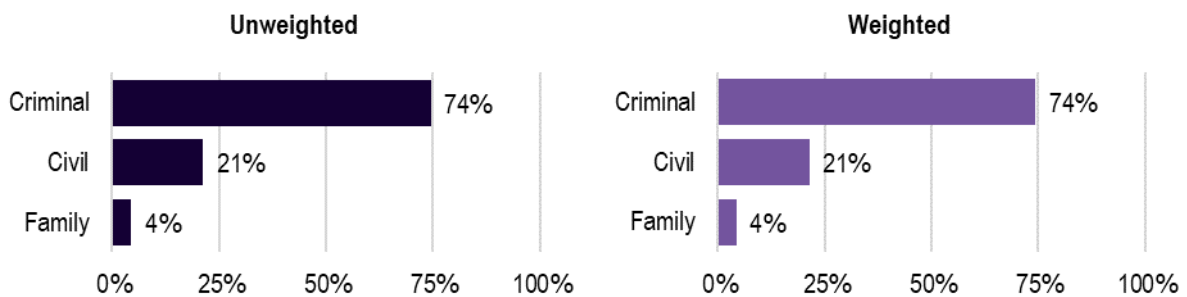
### 6.4.1 Law types

Almost three quarters of legal assistance accessed by Kimberley residents are for criminal law matters. Among the identifiable criminal law matters, the three most common legal problems are *acts intended to cause injury* (26 per cent), *offences against government procedures, security and operations* (19 per cent) and *traffic and vehicle regulatory offences* (11 per cent).

For civil law matters, legal assistance primarily addressed legal problems associated with *other civil law problems* (34 per cent), *domestic violence protection orders* (21 per cent) and *child protection* (19 per cent).

For family law matters, *parenting arrangements* are the common legal problem presented to the sector, accounting for 60 per cent of services delivered. This is followed by *family law property* (12 per cent) and *other family law problems* (nine per cent).

**Figure 6.13** Law types, proportion of services delivered within Kimberley



Source: ACIL Allen, from service provider data

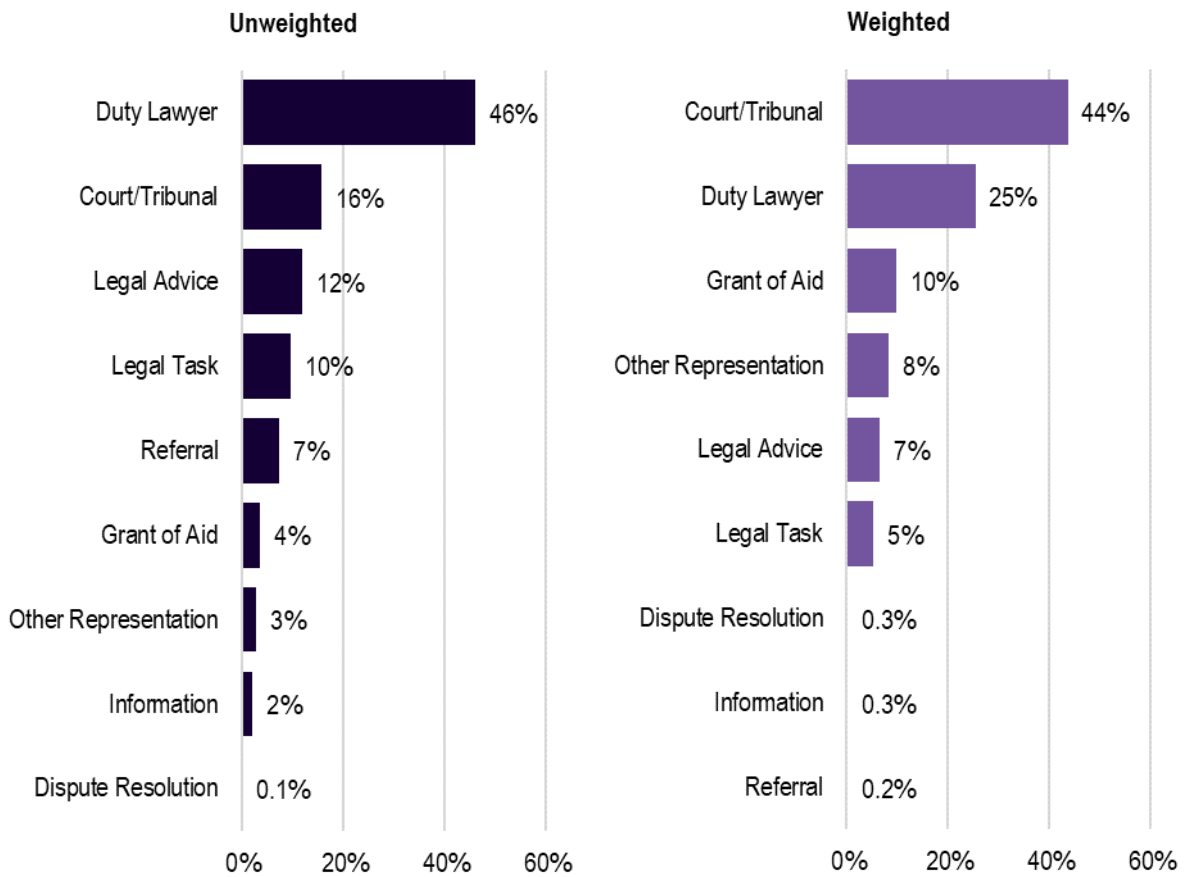
6.4.2 Service types

*Duty lawyer services* are the most common type of legal assistance, accounting for 46 per cent of services delivered. This is followed by *court / tribunal services* (16 per cent) and *legal advice* (12 per cent).

On a weighted service basis, the three largest services are *court / tribunal services*, *duty lawyer services* and *grants of aid*. Collectively, this implies that for Kimberley residents, the sector has directed 79 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

Figure 6.14 Service types, proportion of services delivered



Source: ACIL Allen, from service provider data

**6.4.3 Provider types**

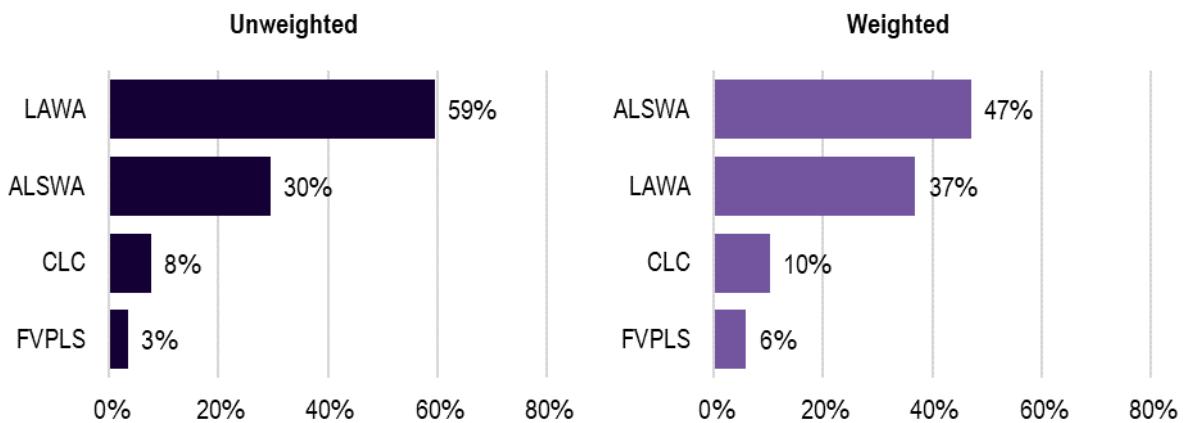
Within the Kimberley region, more than half of the services (59 per cent) were delivered by LAWA. ALSWA are the second largest provider type, at 30 per cent of services delivered.

CLCs are the third largest provider type, accounting for eight per cent of services delivered. Among the CLCs, 85 per cent of services were delivered by Kimberley Community Legal Services. The remaining 15 per cent is split between 13 different CLCs.

FVPLSs are the smallest provider type as they account for three per cent of services delivered. Among the FVPLS, more than three quarter of services (76 per cent) were delivered by Aboriginal Family Legal Services. Maminwarantikura Women’s Resource Centre is the next largest FVPLS, accounting for 23 per cent of services delivered. The remaining one per cent is attributable to Perth Metro Family Violence Prevention Legal Service and Southern Aboriginal Corporation.

On a weighted service basis, provider types are ranked differently. ALSWA are now the largest provider type, followed by LAWA. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 6.15** Provider types, proportion of services delivered within Kimberley



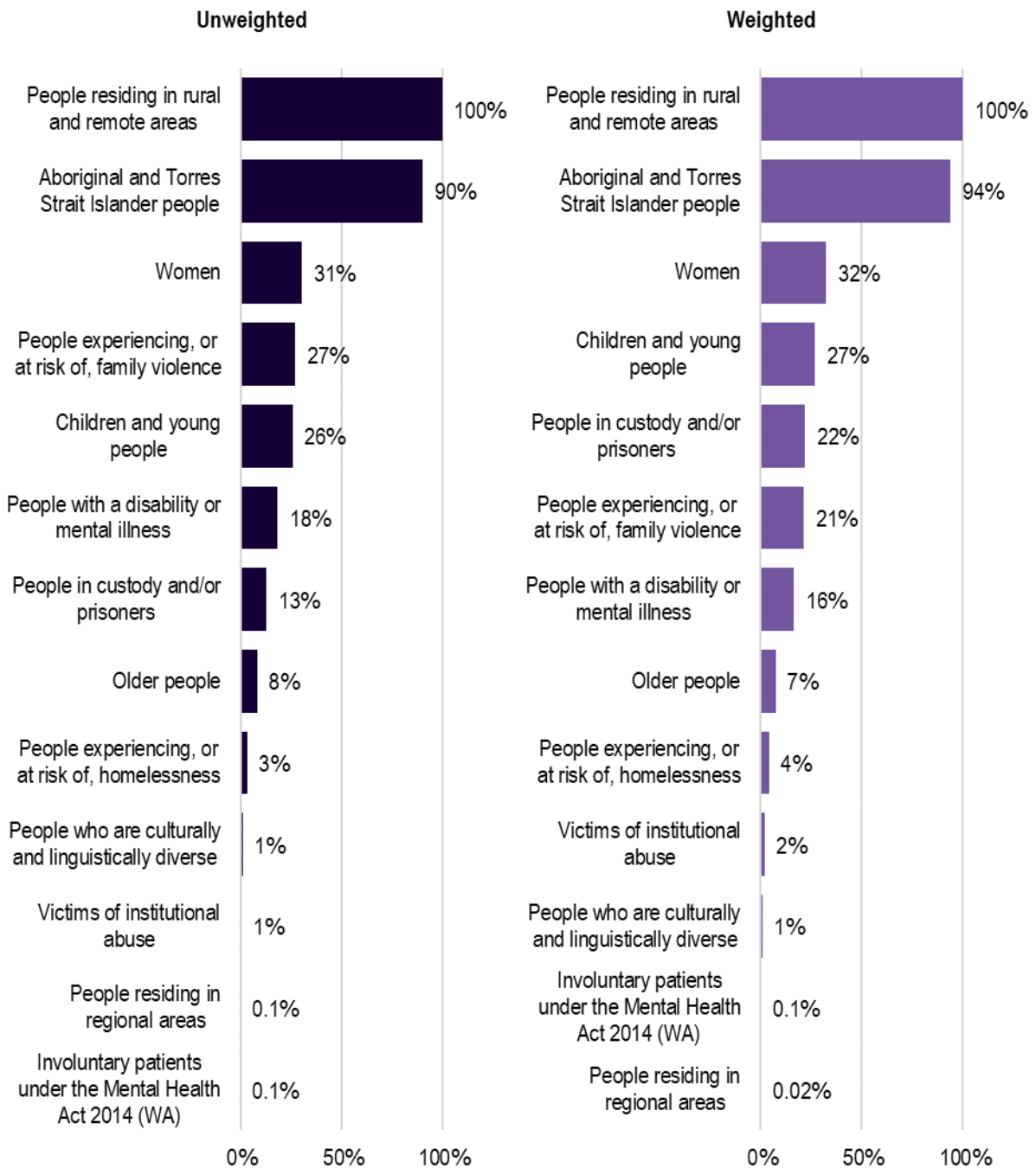
Source: ACIL Allen, from service provider data

6.4.4 Priority Client Groups

For service users residing in the Kimberley region, *people residing in rural and remote areas* (100 per cent) are the most common characteristic. This is followed by *Aboriginal and Torres Strait Islander people* (90 per cent) and *women* (31 per cent).

On a weighted service basis, while the proportions are broadly similar across each priority client group, suggesting a proportional complexity of legal problems.

Figure 6.16 Priority Client Groups, proportion of services delivered within Kimberley



Source: ACIL Allen, from service provider data

## 6.5 Mid-West – Gascoyne

In FY21, the sector delivered roughly 9,000 services to Mid-West – Gascoyne residents. This is equivalent to 2.8 per cent of all legal assistance by the sector.

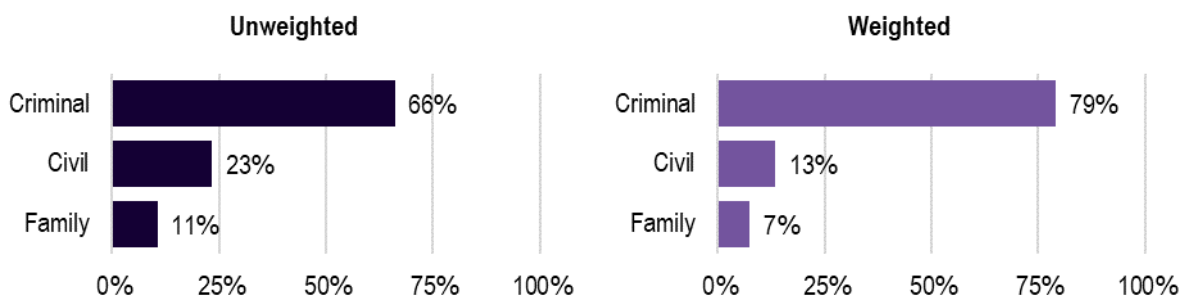
### 6.5.1 Law types

Almost two thirds of the legal assistance accessed by Mid-West – Gascoyne residents are for criminal law matters. Among the identifiable criminal law matters, the three most common legal problems are *acts intended to cause injury* (24 per cent), *illicit drug offences* (13 per cent), and *offences against government procedures, security and operations* (13 per cent).

For civil law matters, legal assistance primarily addressed legal problems associated with *credit and debt* (24 per cent), *housing* (19 per cent) and *domestic violence protection orders* (16 per cent).

For family law matters, *parenting arrangements* are the common legal problem presented to the sector, accounting for 53 per cent of services delivered. This is followed by *family law property* (20 per cent) and *other family law problems* (nine per cent).

**Figure 6.17** Law types, proportion of services delivered within Mid-West – Gascoyne



Source: ACIL Allen, from service provider data

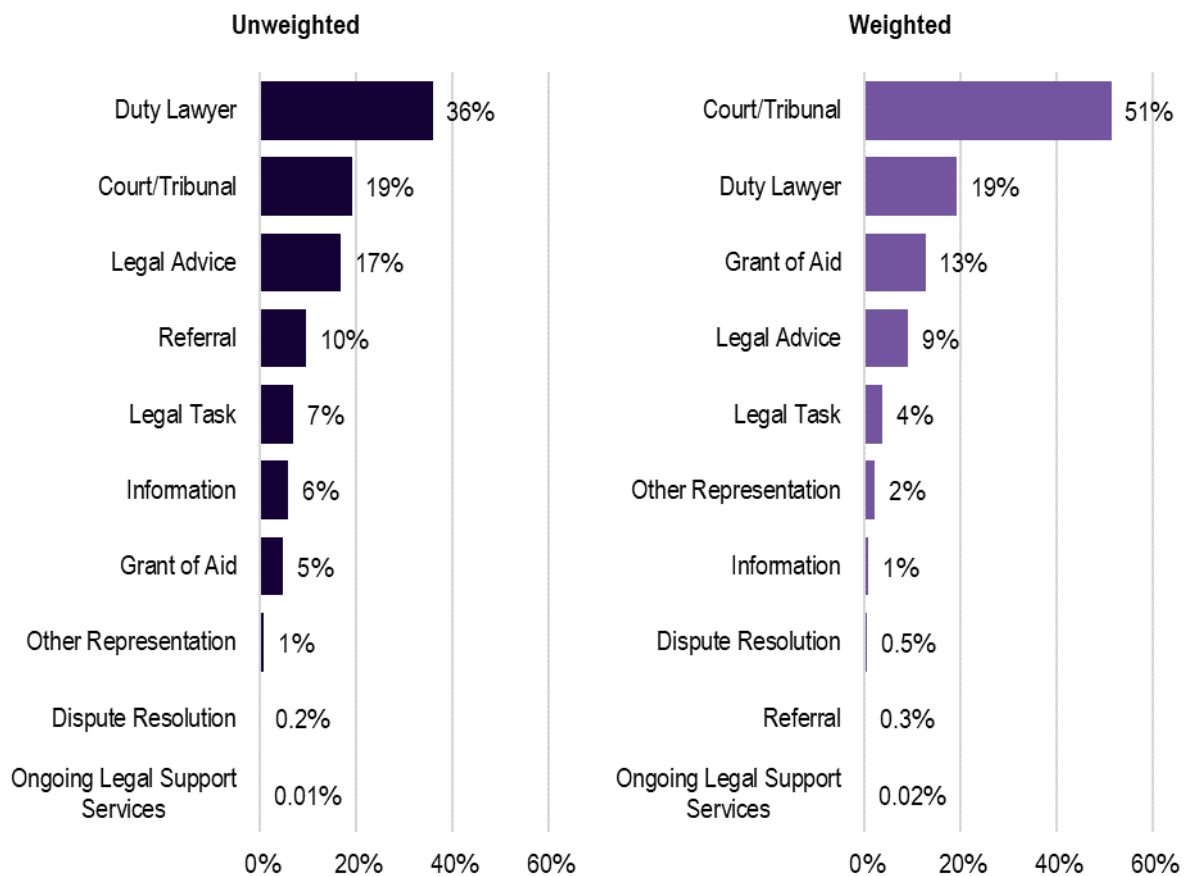
**6.5.2 Service types**

*Duty lawyer services* are the most common type of legal assistance, accounting for 36 per cent of services delivered. This is followed by *court / tribunal services* (19 per cent) and *legal advice* (17 per cent).

On a weighted service basis, the three largest services are *court / tribunal services*, *duty lawyer services* and *grants of aid*. Collectively, this implies that for Mid-West – Gascoyne residents, the sector has directed 84 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

**Figure 6.18** Service types, proportion of services delivered



Source: ACIL Allen, from service provider data



**6.5.3 Provider types**

Within the Mid-West – Gascoyne region, almost half of the services (47 per cent) were delivered by LAWA.

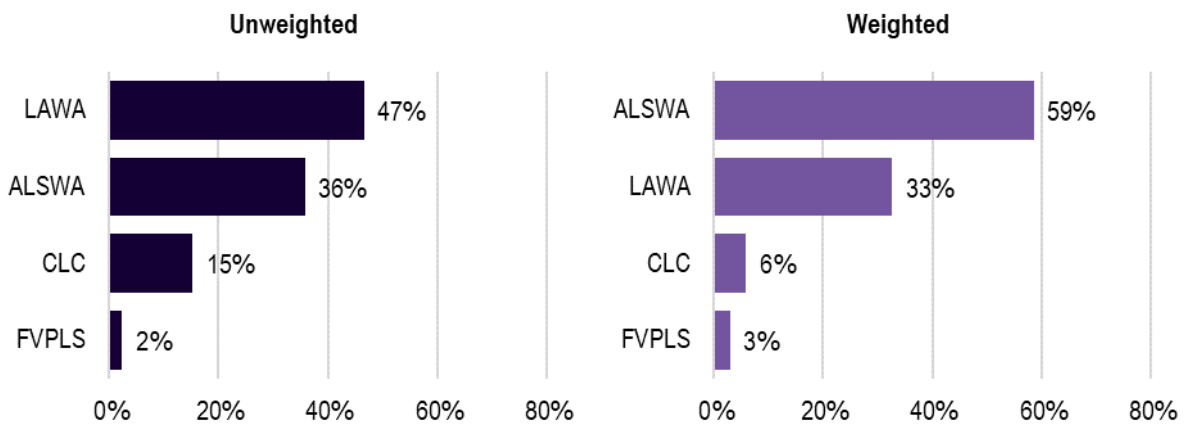
ALSWA are the second largest provider type, at 36 per cent of services delivered.

CLCs are the third largest provider type, accounting for 15 per cent of services delivered. Among the CLCs, 86 per cent of services were delivered by Regional Alliance West. The remaining 14 per cent of services is split between 13 different CLCs.

FVPLSs are the smallest provider type as they account for two per cent of services delivered. Among the FVPLS, almost all services (97 per cent) were delivered by Aboriginal Family Legal Services. The remaining three per cent was delivered by Perth Metro Family Violence Prevention Legal Service.

On a weighted service basis, provider types are ranked differently. ALSWA are now the largest provider type, followed by LAWA. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 6.19** Provider types, proportion of services delivered within Mid-West – Gascoyne



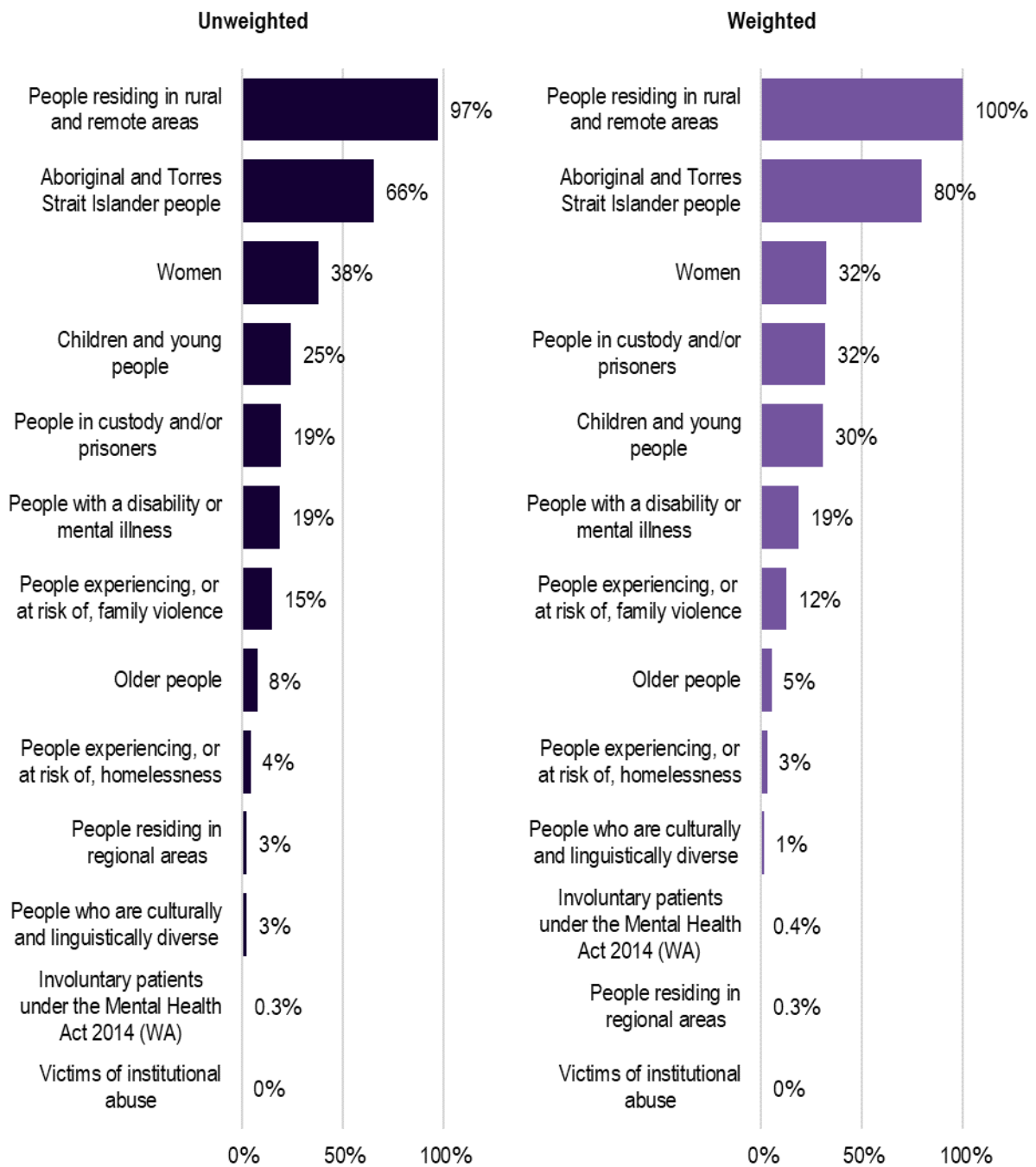
Source: ACIL Allen, from service provider data

6.5.4 Priority Client Groups

For service users residing in the Mid-West – Gascoyne region, *people residing in rural and remote areas* (97 per cent) are the most common characteristic. This is followed by *Aboriginal and Torres Strait Islander people* (66 per cent) and *women* (38 per cent).

On a weighted service basis, a number of cohorts exhibit higher proportions including *Aboriginal and Torres Strait Islander people* (1.2 times larger than its unweighted counterpart), *women* (1.2 times), *children and young people* (1.2 times), *people in custody and / or prisoners* (1.7 times) and *older people* (1.6 times). This suggests that legal problems encountered by these cohorts are relatively complex.

Figure 6.20 Priority Client Groups, proportion of services delivered within Mid-West – Gascoyne



Source: ACIL Allen, from service provider data

## 6.6 Peel

In FY21, the sector delivered roughly 6,400 services to Peel residents. This is equivalent to 2.1 per cent of all legal assistance by the sector.

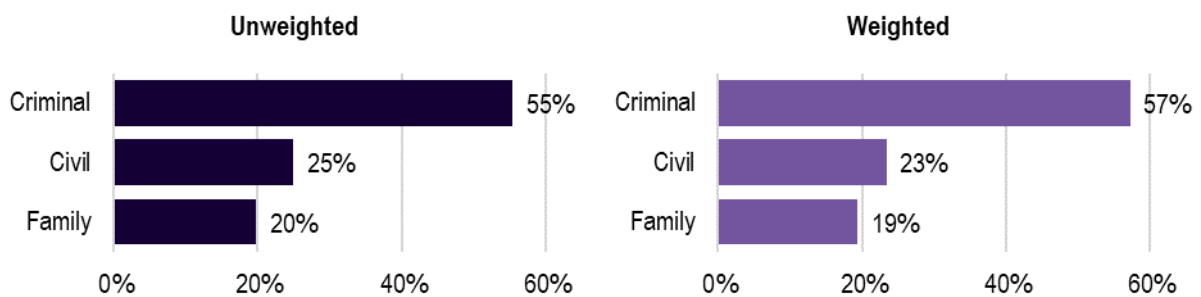
### 6.6.1 Law types

More than half of the legal assistance accessed by Peel residents are for criminal law matters. Among the identifiable criminal law matters, the three most common legal problems are *acts intended to cause injury* (16 per cent), *offences against government procedures, security and operations* (15 per cent), and *traffic and vehicle regulatory offences* (11 per cent).

For civil law matters, legal assistance primarily addressed legal problems associated with *domestic violence protection orders* (19 per cent), *housing* (15 per cent) and *other civil law problems* (12 per cent).

For family law matters, *parenting arrangements* are the common legal problem presented to the sector, accounting for 65 per cent of services delivered. This is followed by *family law property* (18 per cent) and *divorce, de-facto separations and/or annulment* (five per cent).

**Figure 6.21** Law types, proportion of services delivered within Peel



Source: ACIL Allen, from service provider data

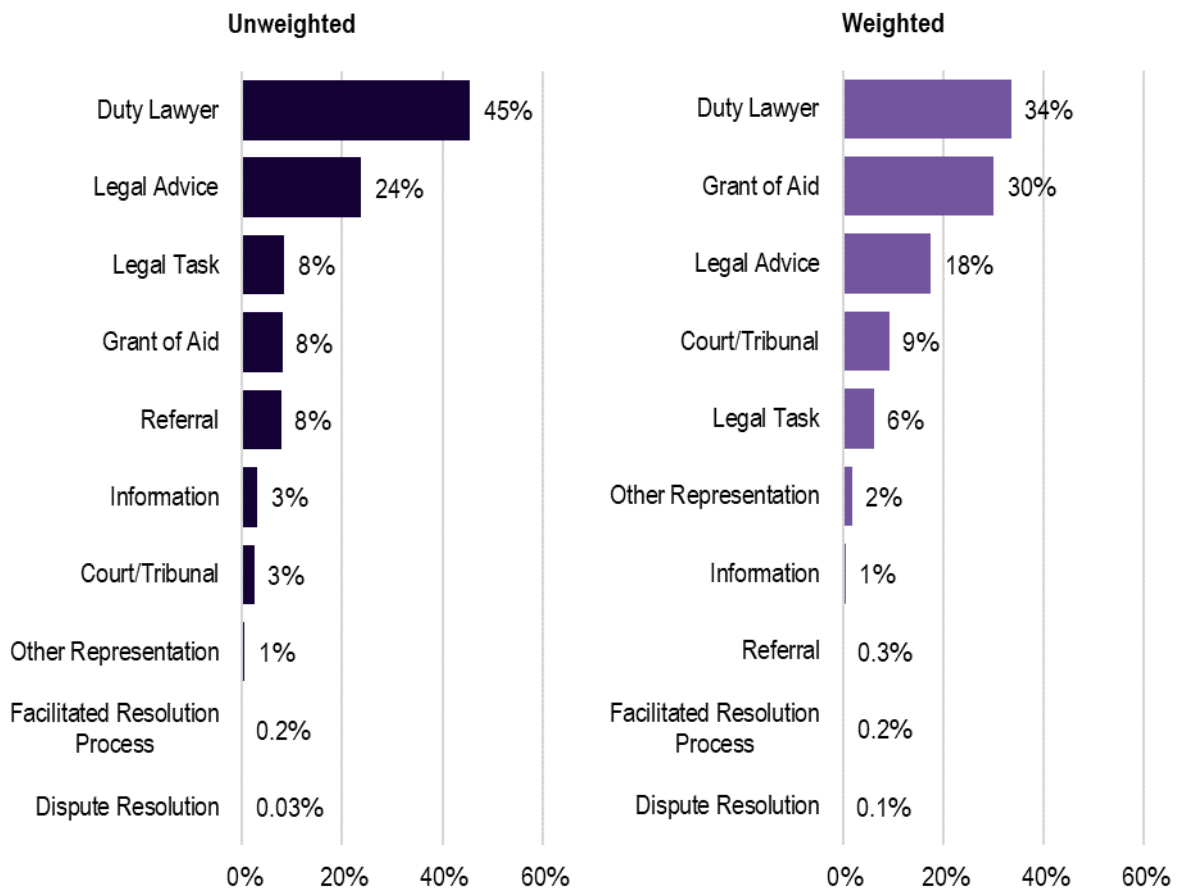
**6.6.2 Service types**

*Duty lawyer services* are the most common type of legal assistance, accounting for 45 per cent of services delivered. This is followed by *legal advice* (24 per cent) and *legal tasks* (eight per cent).

On a weighted service basis, the three largest services are *duty lawyer services*, *grants of aid* and *legal advice*. Collectively, this implies that for Peel residents, the sector has directed 82 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

**Figure 6.22** Service types, proportion of services delivered



Source: ACIL Allen, from service provider data

**6.6.3 Provider types**

Within the Peel region, almost three quarters of services (74 per cent) were delivered by LAWA.

CLCs are the second largest provider type, at 22 per cent of services delivered. Among the CLCs, the three largest service providers are Peel Community Legal Services (41 per cent), Circle Green Community Legal (12 per cent) and SCALES (11 per cent).

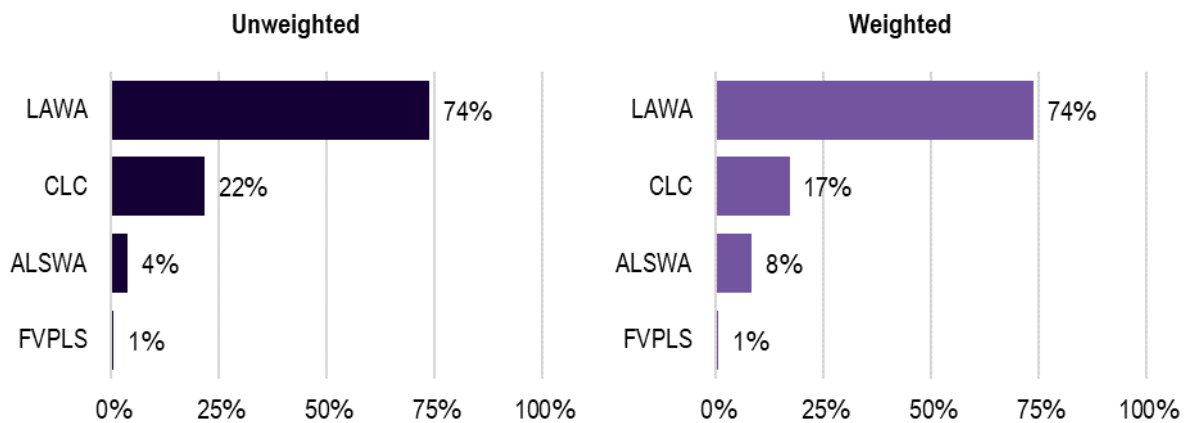
In addition to these CLCs, there are 14 other CLCs that provide legal assistance to Peel residents. Service proportions can vary across these service providers, ranging from a low of 0.1 per cent, to a high of nine per cent.

ALSWA are the third largest provider type, at four per cent of services delivered.

FVPLSs are the smallest provider type as they account for one per cent of services delivered. Among the FVPLS, almost three quarters of services (73 per cent) were delivered by Perth Metro Family Violence Prevention Legal Services. The remaining 27 per cent is attributable to Southern Aboriginal Corporation and Aboriginal Family Legal Services.

On a weighted service basis, provider types are ranked similarly. However, there are some changes to the proportion of services. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 6.23** Provider types, proportion of services delivered within Peel



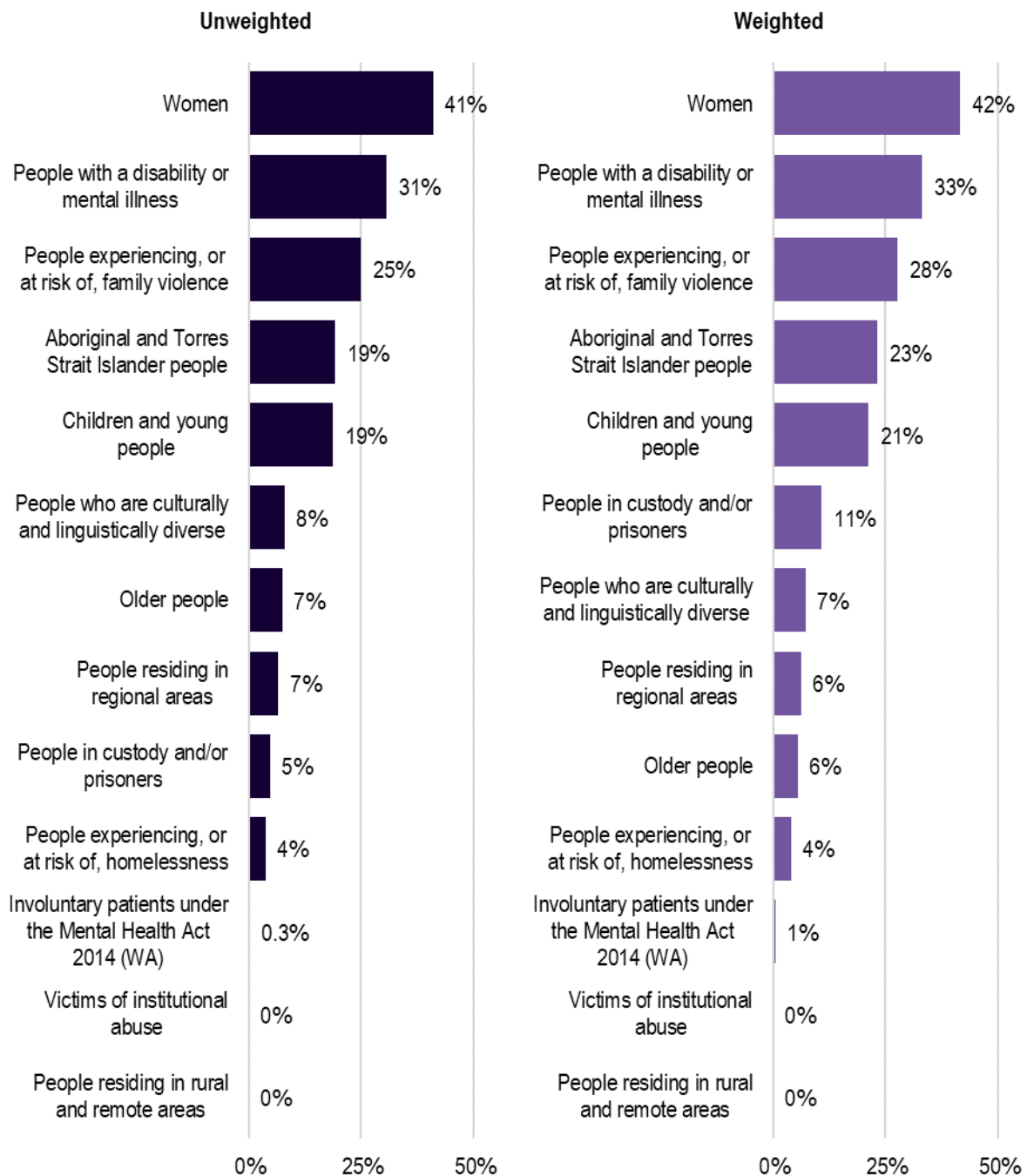
Source: ACIL Allen, from service provider data

**6.6.4 Priority Client Groups**

For service users residing in the Peel region, *women* (41 per cent) were the most common characteristic. This is followed by *people with a disability or mental illness* (31 per cent) and *people experiencing, or at risk of, family violence* (25 per cent).

On a weighted service basis, while the proportions are broadly similar, exceptions exist for *people in custody and/or prisoners* (2.2 times larger than its unweighted counterpart).

**Figure 6.24** Priority Client Groups, proportion of services delivered within Peel



Source: ACIL Allen, from service provider data

## 6.7 Perth – North East

In FY21, the sector delivered roughly 13,200 services to Perth – North East residents. This is equivalent to 4.1 per cent of all legal assistance by the sector.

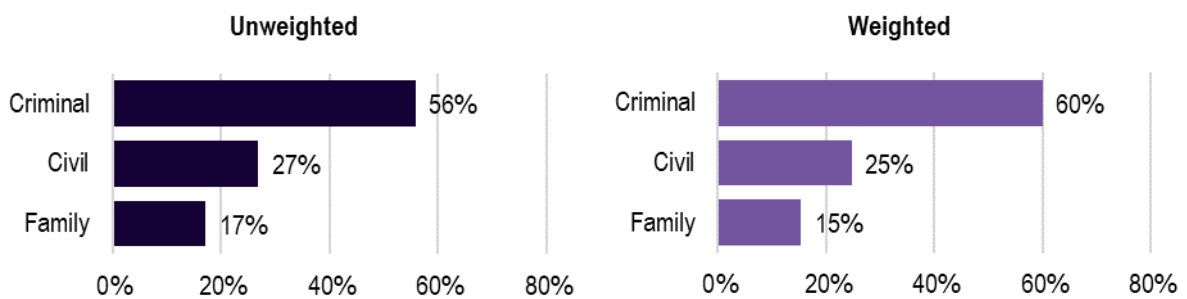
### 6.7.1 Law types

More than half of the legal assistance accessed by Perth – North East residents are for criminal law matters. Among the identifiable criminal law matters, the three most common legal problems are *acts intended to cause injury* (22 per cent), *offences against government procedures, security and operations* (14 per cent), and *theft and related offences* (nine per cent).

For civil law matters, legal assistance primarily addressed legal problems associated with *child protection* (16 per cent), *housing* (16 per cent) and *domestic violence protection orders* (15 per cent).

For family law matters, *parenting arrangements* are the common legal problem presented to the sector, accounting for 62 per cent of services delivered. This is followed by *family law property* (13 per cent) and *child support* (eight per cent).

**Figure 6.25** Law types, proportion of services delivered within Perth – North East



Source: ACIL Allen, from service provider data

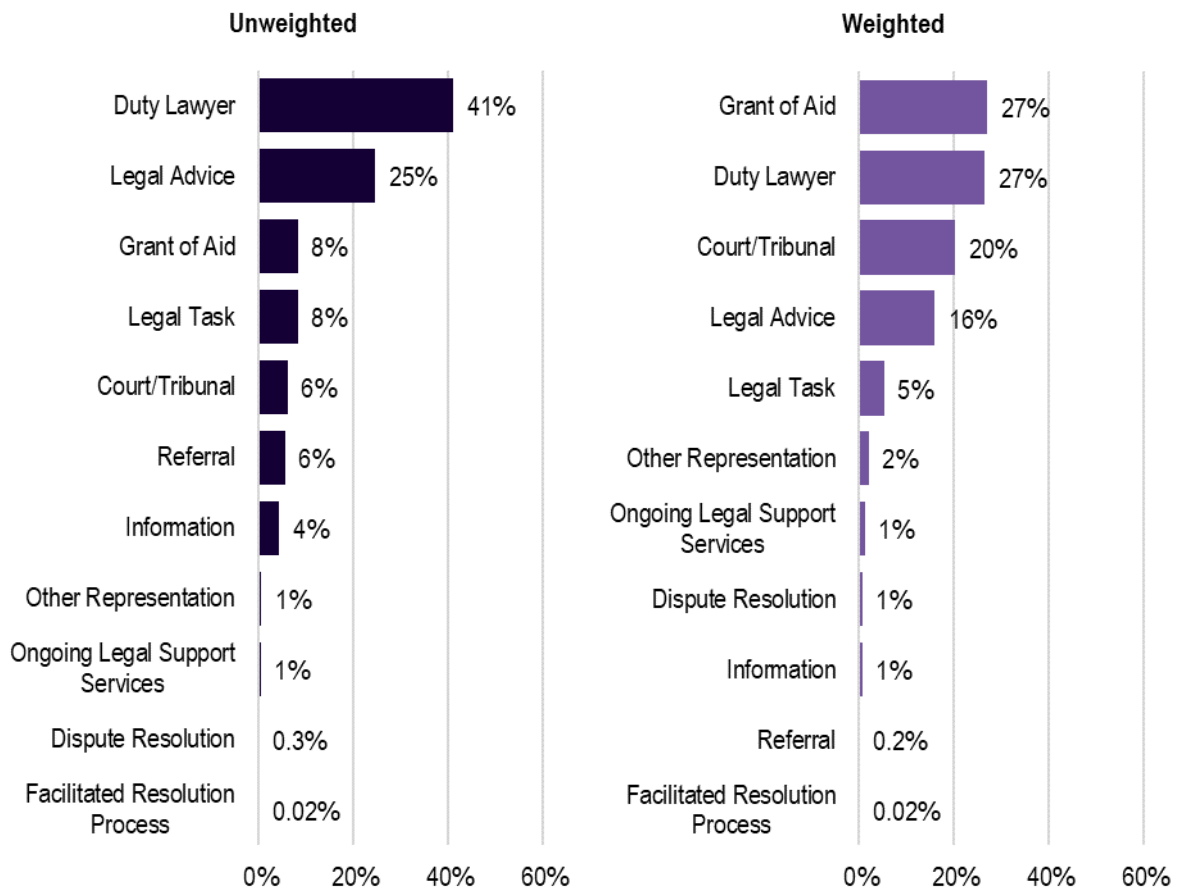
6.7.2 Service types

*Duty lawyer services* are the most common type of legal assistance, accounting for 41 per cent of services delivered. This is followed by *legal advice* (25 per cent) and *grants of aid* (eight per cent).

On a weighted service basis, the three largest services are *grants of aid*, *duty lawyer services*, and *court / tribunal services*. Collectively, this implies that for Perth – North East residents, the sector has directed 74 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

Figure 6.26 Service types, proportion of services delivered



Source: ACIL Allen, from service provider data



**6.7.3 Provider types**

Within the Perth – North East region, almost two thirds of services (66 per cent) were delivered by LAWA.

CLCs are the second largest provider type, at 22 per cent of services delivered. Among the CLCs, Northern Suburbs Community Legal Centre is the largest at 38 per cent of services delivered. This is followed by Circle Green Community Legal (15 per cent) and Women’s Legal Service (eight per cent).

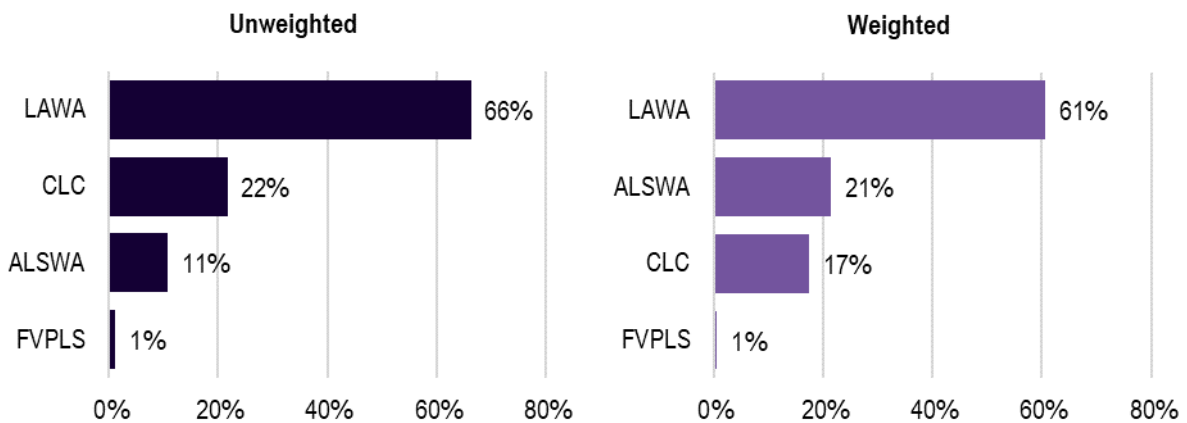
In addition to these CLCs, there are 16 other CLCs that provide legal assistance to Perth – North East residents. Service proportions can vary across these service providers, ranging from a low of 0.03 per cent, to a high of six per cent.

ALSWA are the third largest provider type, at 11 per cent of services delivered.

FVPLSs are the smallest provider type as they account for one per cent of services delivered. Among the FVPLS, almost all services (99 per cent) were delivered by Perth Metro Family Violence Prevention Legal Services. The remaining one per cent is delivered by Aboriginal Family Legal Services.

On a weighted service basis, provider types are ranked similarly. However, there are some changes to the proportion of services. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 6.27** Provider types, proportion of services delivered within Perth – North East



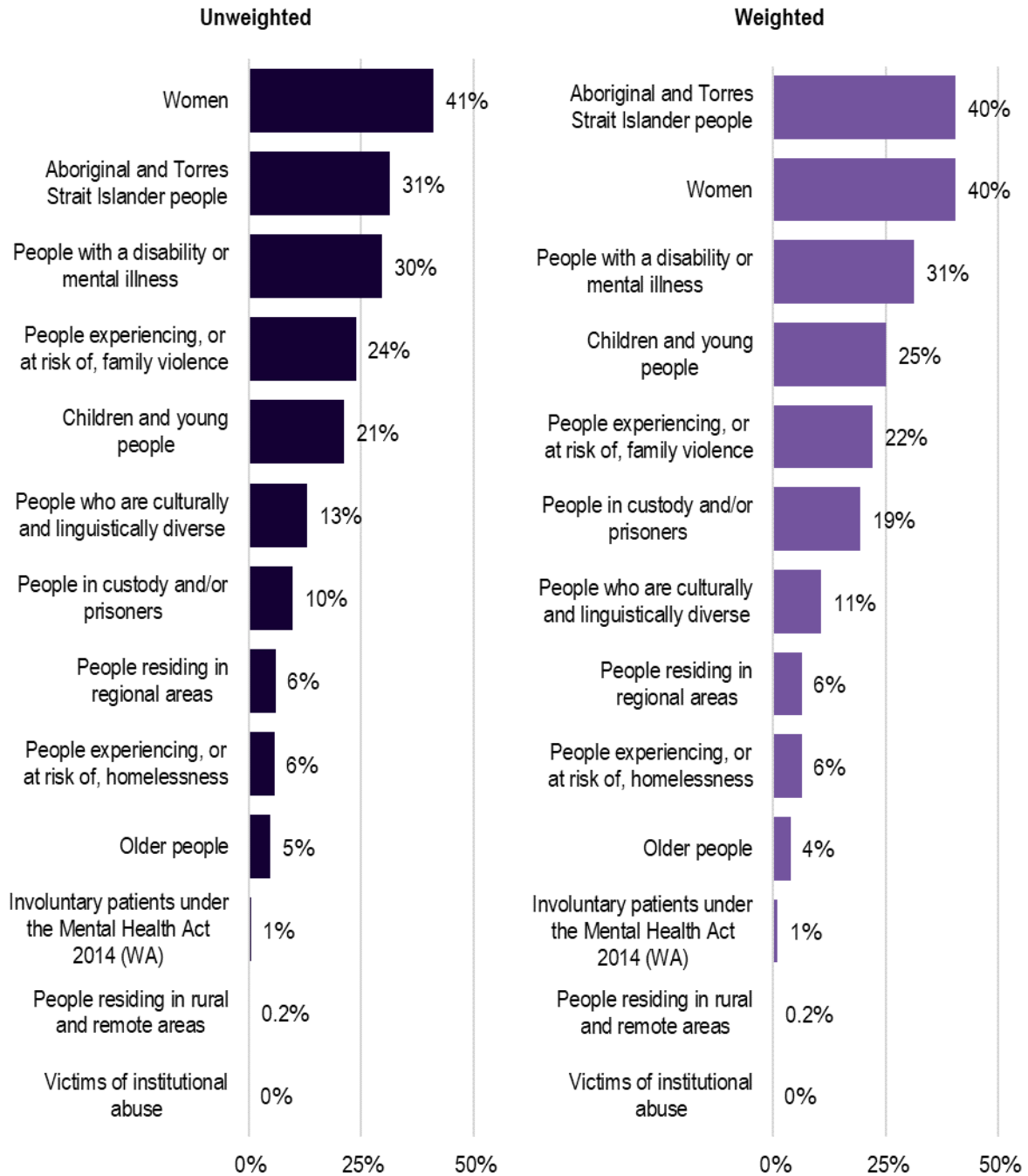
Source: ACIL Allen, from service provider data

6.7.4 Priority Client Groups

For service users residing in the Perth – North East region, *women* (41 per cent) are the most common characteristic. This is followed by *Aboriginal and Torres Strait Islander people* (31 per cent) and *people with a disability or mental illness* (30 per cent).

On a weighted service basis, groups with a higher service proportion include *Aboriginal and Torres Strait Islander people* (1.3 times larger than its unweighted counterpart), *people in custody and/or prisoners* (1.9 times), reflecting the relatively more complex legal problems encountered by these cohorts.

Figure 6.28 Priority Client Groups, proportion of services delivered within Perth – North East



Source: ACIL Allen, from service provider data

## 6.8 Perth – North West

In FY21, the sector delivered roughly 24,100 services to Perth – North West residents. This is equivalent to 7.4 per cent of all legal assistance by the sector.

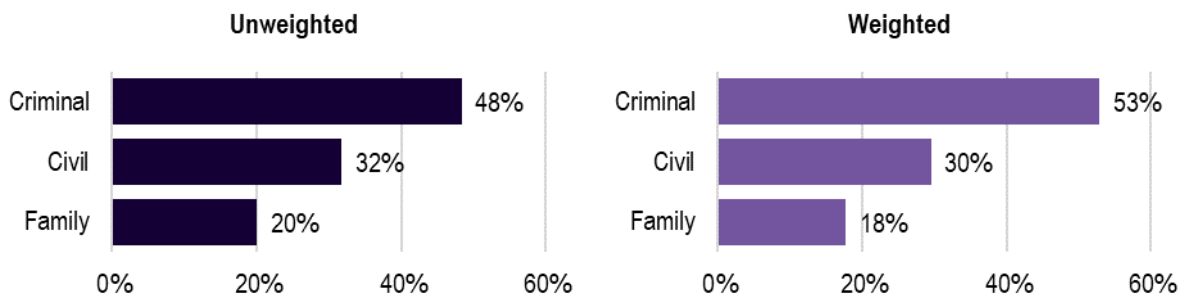
### 6.8.1 Law types

Almost half of the legal assistance accessed by Perth – North West residents are for criminal law matters. Among the identifiable criminal law matters, the three most common legal problems are *acts intended to cause injury* (18 per cent), *offences against government procedures, security and operations* (13 per cent), and *illicit drug offences* (12 per cent).

For civil law matters, legal assistance primarily addressed legal problems associated with *housing* (21 per cent), *domestic violence protection orders* (21 per cent) and *credit and debt* (11 per cent).

For family law matters, *parenting arrangements* are the common legal problem presented to the sector, accounting for 53 per cent of services delivered. This is followed by *family law property* (23 per cent) and *child support* (nine per cent).

**Figure 6.29** Law types, proportion of services delivered within Perth – North West



Source: ACIL Allen, from service provider data

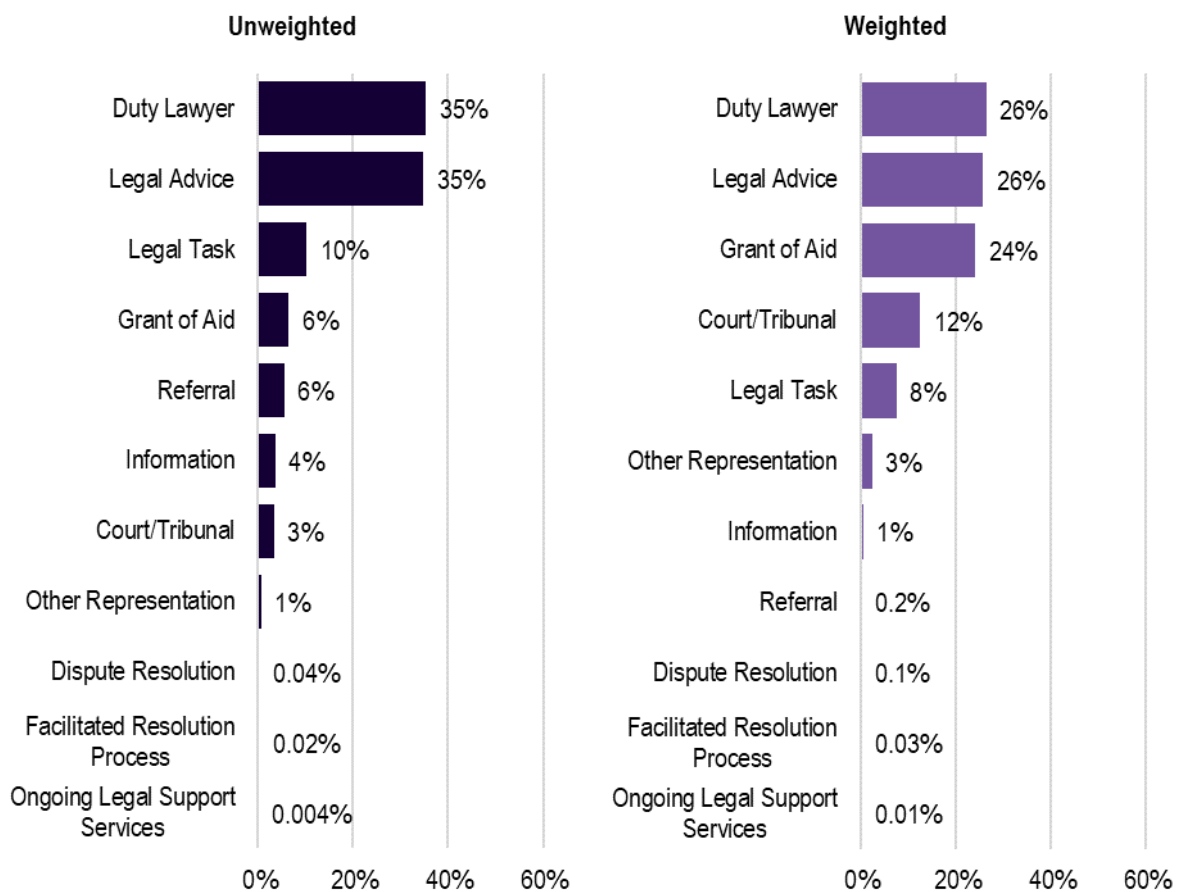
6.8.2 Service types

*Duty lawyer services* and *legal advice* are the two most common type of legal assistance, each accounting for 35 per cent of services delivered. This is followed by *legal task*, at eight per cent of services delivered.

On a weighted service basis, the three largest services are *duty lawyer services*, *legal advice*, and *grants of aid*. Collectively, this implies that for Perth – North West residents, the sector has directed 76 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

Figure 6.30 Service types, proportion of services delivered



Source: ACIL Allen, from service provider data

**6.8.3 Provider types**

Within the Perth – North West region, more than half of the services (59 per cent) were delivered by LAWA.

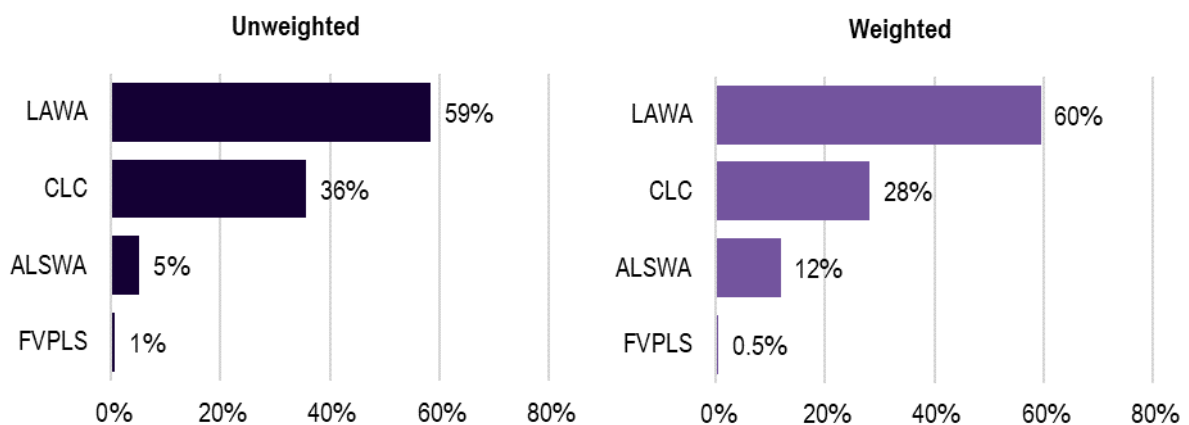
CLCs are the second largest provider type, at 36 per cent of services delivered. Among the CLCs, more than two thirds of services (67 per cent) were delivered by Northern Suburbs Community Legal Centre. The remaining 33 per cent of services are split between 19 different CLCs.

ALSWA are the third largest provider type, at five per cent of services delivered.

FVPLSs are the smallest provider type as they account for one per cent of services delivered. Among the FVPLS, almost all services (99 per cent) were delivered by Perth Metro Family Violence Prevention Legal Services. The remaining one per cent is delivered by Aboriginal Family Legal Services.

On a weighted service basis, provider types are ranked similarly. However, there are some changes to the proportion of services. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 6.31** Provider types, proportion of services delivered within Perth – North West



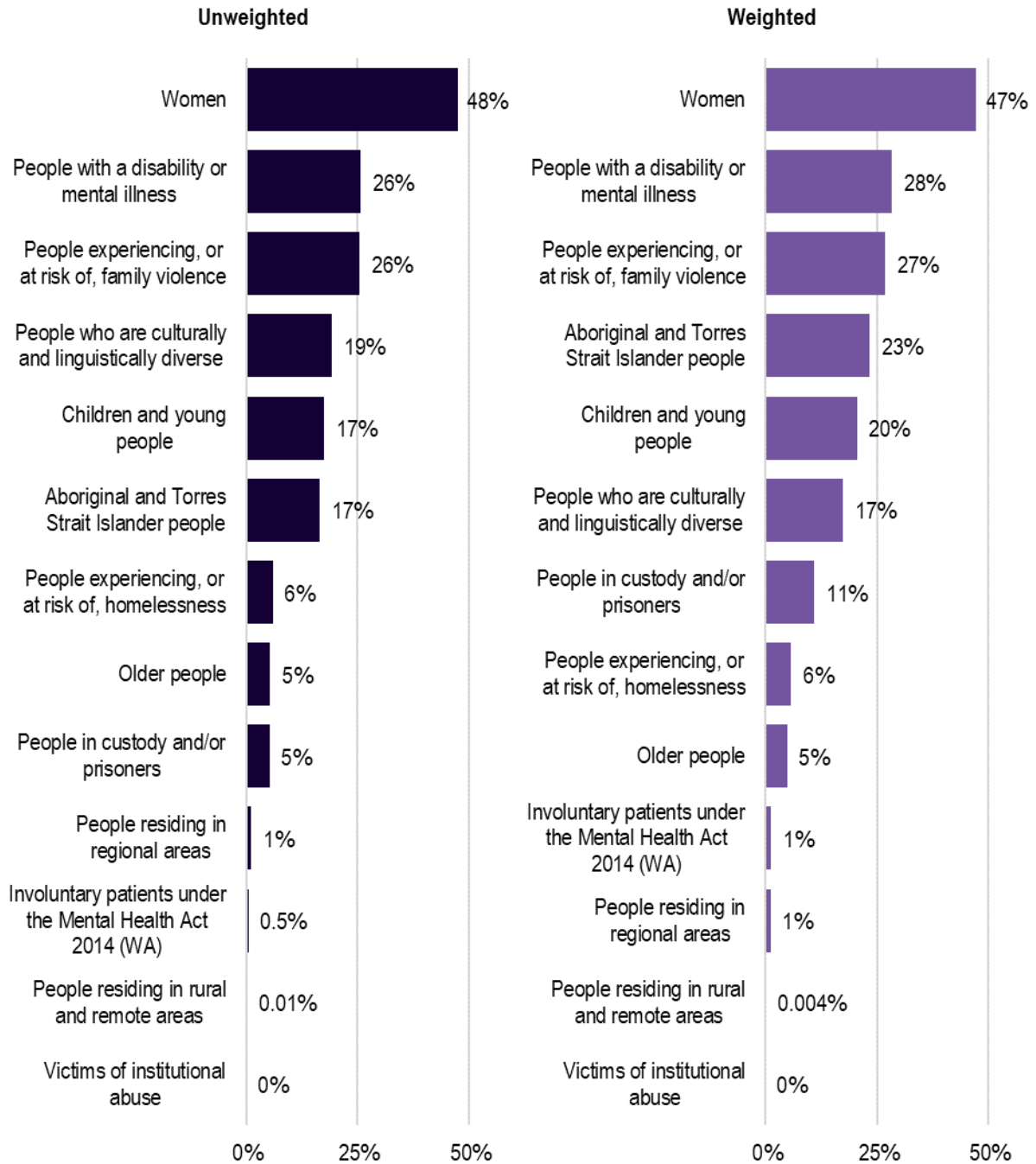
Source: ACIL Allen, from service provider data

6.8.4 Priority Client Groups

For service users residing in the Perth – North West region, *women* (48 per cent) are the most common characteristic. This is followed by *people with a disability or mental illness* (26 per cent) and *people experiencing, or at risk of, family violence* (26 per cent).

On a weighted service basis, groups with a higher service proportion include *Aboriginal and Torres Strait Islander people* (1.4 times larger than its unweighted counterpart) and *people in custody and/or prisoners* (2.2 times), reflecting the relatively more complex legal problems encountered by these cohorts.

Figure 6.32 Priority Client Groups, proportion of services delivered within Perth – North West



Source: ACIL Allen, from service provider data

## 6.9 Perth – South East

In FY21, the sector delivered roughly 25,000 services to Perth – South East residents. This is equivalent to 7.7 per cent of all legal assistance by the sector.

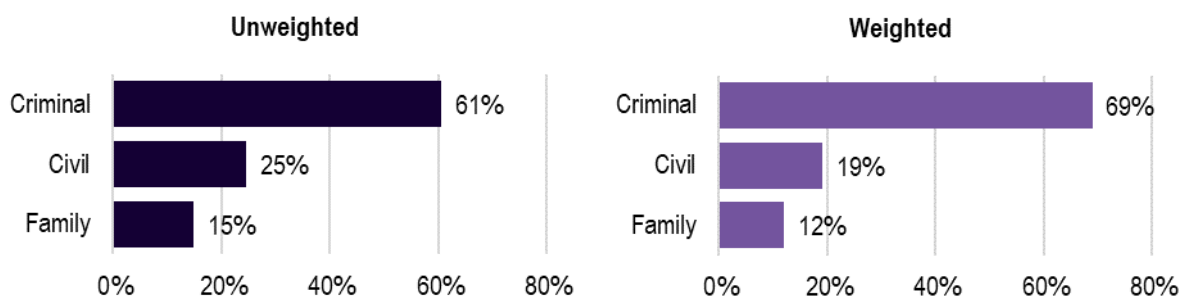
### 6.9.1 Law types

More than half of the legal assistance accessed by Perth – South East residents are for criminal law matters. Among the identifiable criminal law matters, Among the identifiable criminal law matters, the three most common legal problems are *acts intended to cause injury* (20 per cent), *offences against government procedures, security and operations* (12 per cent), and *illicit drug offences* (11 per cent).

For civil law matters, legal assistance primarily addressed legal problems associated with *housing* (22 per cent), *domestic violence protection orders* (20 per cent) and *child protection* (14 per cent).

For family law matters, *parenting arrangements* are the common legal problem presented to the sector, accounting for 58 per cent of services delivered. This is followed by *family law property* (10 per cent) and *child support* (nine per cent).

**Figure 6.33** Law types, proportion of services delivered within Perth – South East



Source: ACIL Allen, from service provider data

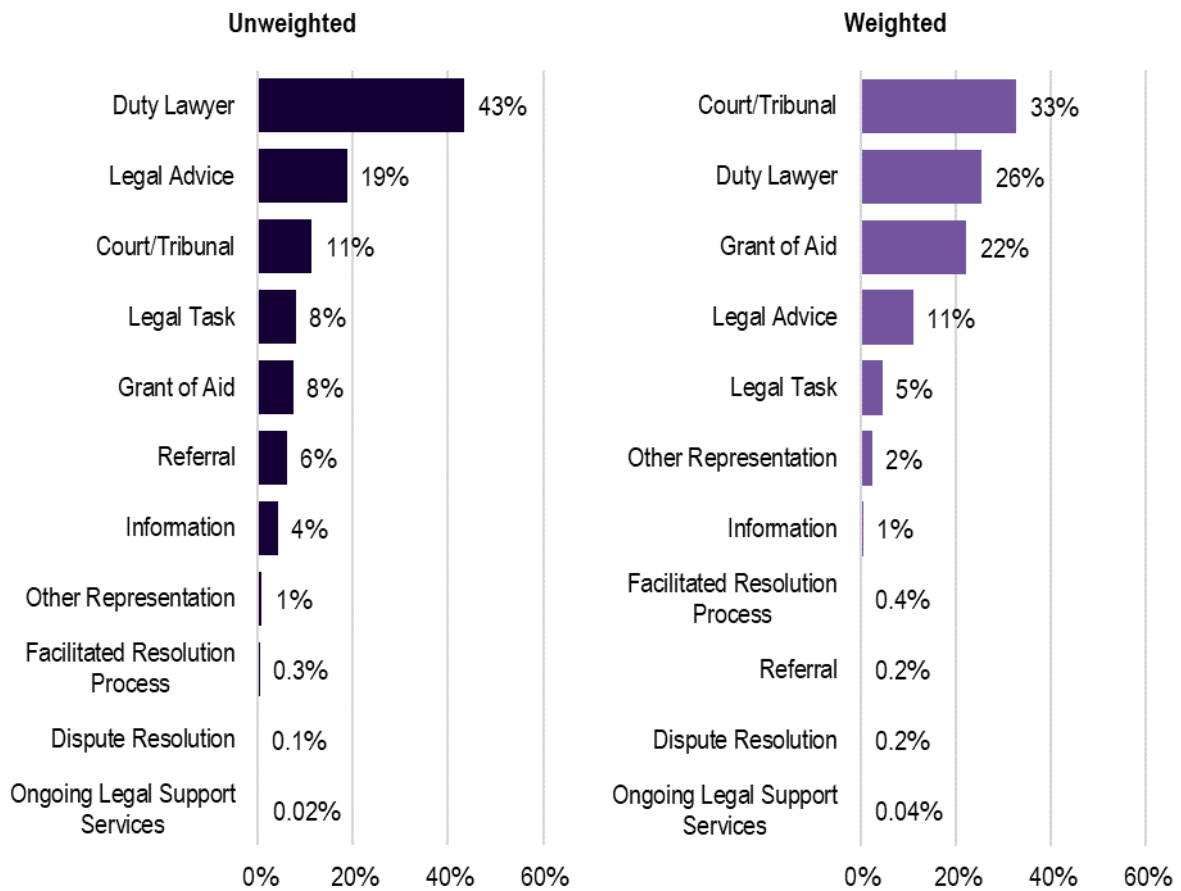
**6.9.2 Service types**

*Duty lawyer services* are the most common type of legal assistance, accounting for 43 per cent of services delivered. This is followed by *legal advice* (19 per cent) and *court / tribunal services* (11 per cent).

On a weighted service basis, the three largest services are *court / tribunal services*, *duty lawyer services*, and *grants of aid*. Collectively, this implies that for Perth – South East residents, the sector has directed 81 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

**Figure 6.34** Service types, proportion of services delivered



Source: ACIL Allen, from service provider data



**6.9.3 Provider types**

Within the Perth – South East region, more than half of the services (60 per cent) were delivered by LAWA.

CLCs are the second largest provider type, accounting for 20 per cent of services delivered. Among the CLCs, Circle Green Community Legal and Gosnells Community Legal Centre are the two largest CLCs, each accounting 20 per cent of services delivered.

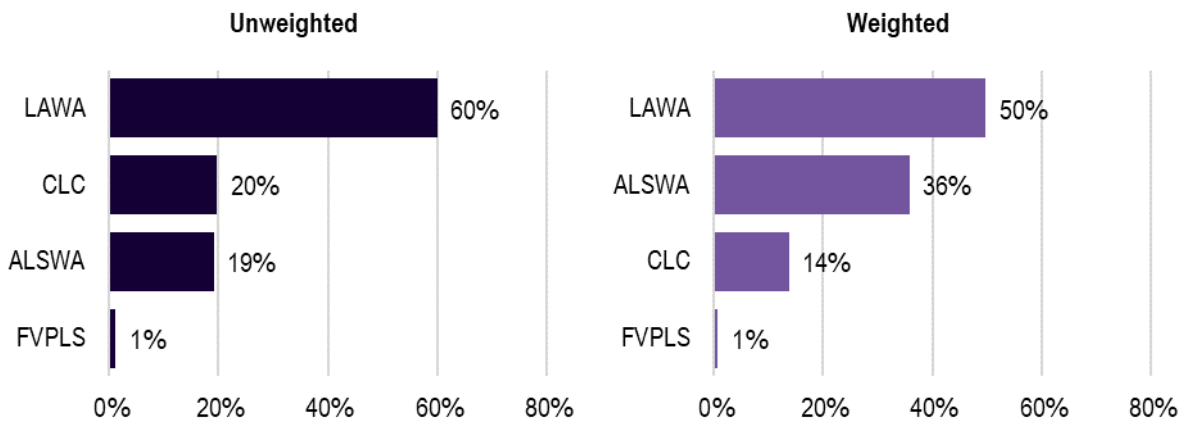
In addition to these CLCs, there are 17 other CLCs that provide legal assistance to Perth – South East residents. Service proportions can vary across these service providers, ranging from a low of 0.02 per cent, to a high of 12 per cent.

ALSWA are the third largest provider type, delivering 19 per cent of services.

FVPLSs are the smallest provider type as they account for three per cent of services delivered. Among the FVPLS, almost all services (96 per cent) were delivered by Aboriginal Family Legal Services. Marninwarntikura Women’s Resource Centre is the next largest FVPLS, accounting for 23 per cent of services delivered. The remaining one per cent is attributable to Perth Metro Family Violence Prevention Legal Service and Southern Aboriginal Corporation.

On a weighted service basis, provider types are ranked differently. ALSWA are now the second largest provider type, followed by CLCs. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 6.35** Provider types, proportion of services delivered within Perth – South East



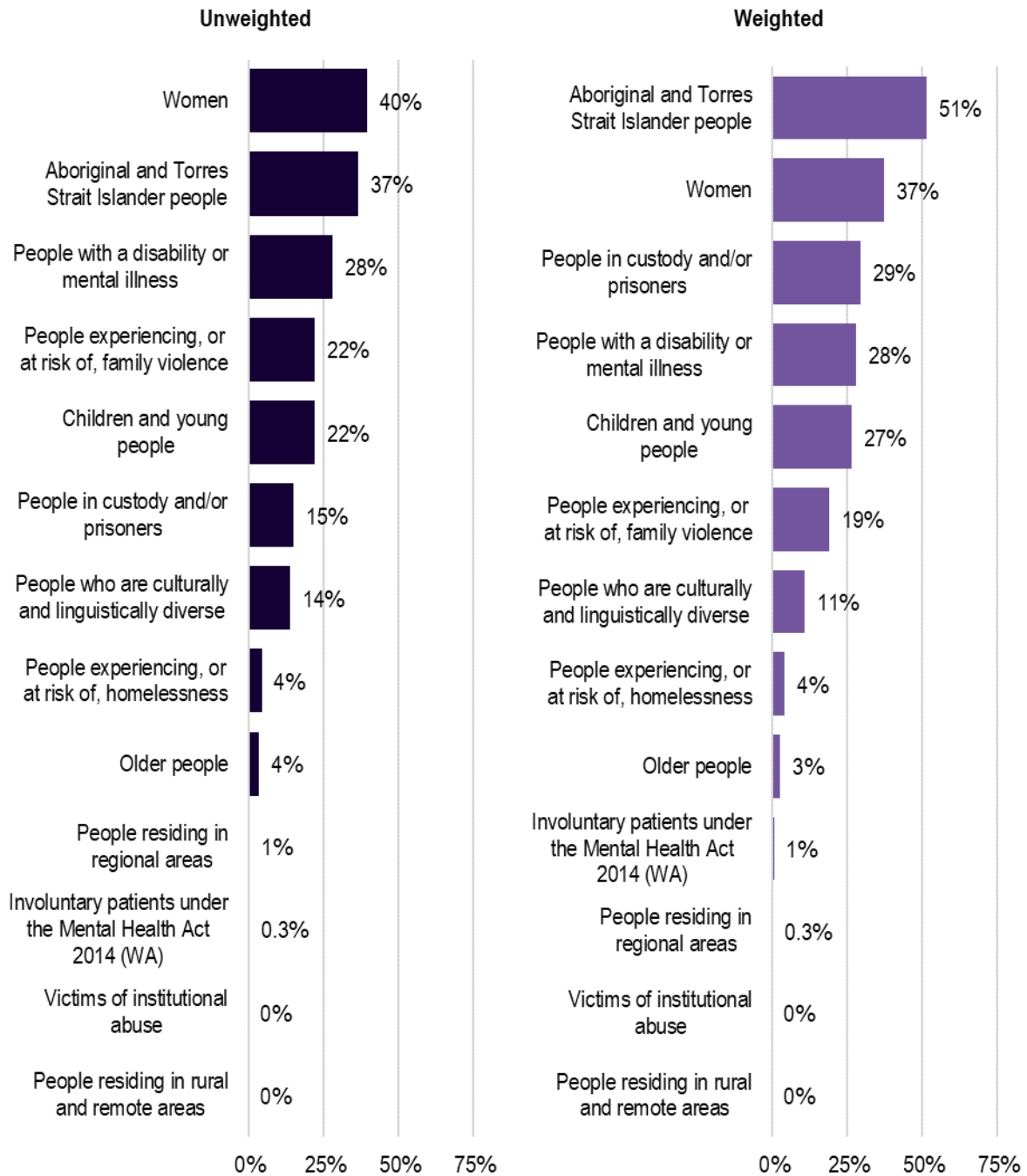
Source: ACIL Allen, from service provider data

6.9.4 Priority Client Groups

For service users residing in the Perth – South East region, *women* (40 per cent) are the most common characteristic. This is followed by *Aboriginal and Torres Strait Islander people* (37 per cent) and *People with a disability or mental illness* (28 per cent)

On a weighted service basis, groups with a higher service proportion include *Aboriginal and Torres Strait Islander people* (1.4 times larger than its unweighted counterpart) and *people in custody and/or prisoners* (1.9 times), reflecting the relatively more complex legal problems encountered by these cohorts.

Figure 6.36 Priority Client Groups, proportion of services delivered within Perth – South East



Source: ACIL Allen, from service provider data

## 6.10 Perth – South West

In FY21, the sector delivered roughly 20,400 services to Perth – South West residents. This is equivalent to 6.3 per cent of all legal assistance by the sector.

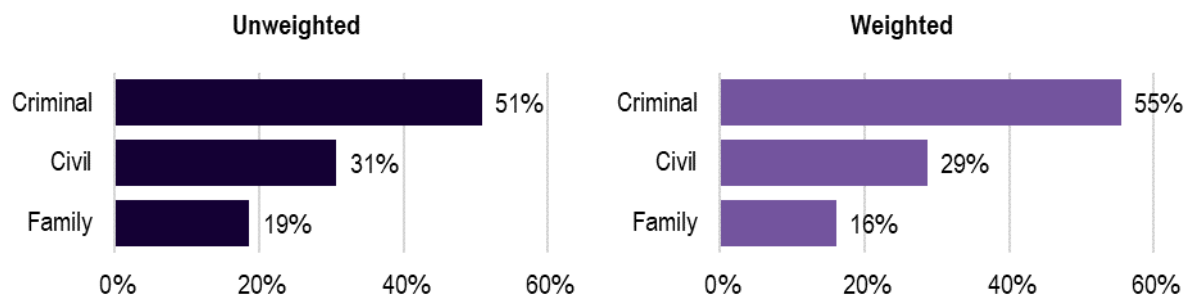
### 6.10.1 Law types

More than half of the legal assistance accessed by Perth – South West residents are for criminal law matters. Among the identifiable criminal law matters, the three most common legal problems are *acts intended to cause injury* (18 per cent), *offences against government procedures, security and operations* (15 per cent) and *theft and related offences* (11 per cent).

For civil law matters, legal assistance primarily addressed legal problems associated with *domestic violence protection orders* (24 per cent), *housing* (21 per cent) and *other civil law problems* (nine per cent).

For family law matters, *parenting arrangements* are the common legal problem presented to the sector, accounting for 63 per cent of services delivered. This is followed by *family law property* (13 per cent) and *child support* (seven per cent).

**Figure 6.37** Law types, proportion of services delivered within Perth – South West



Source: ACIL Allen, from service provider data

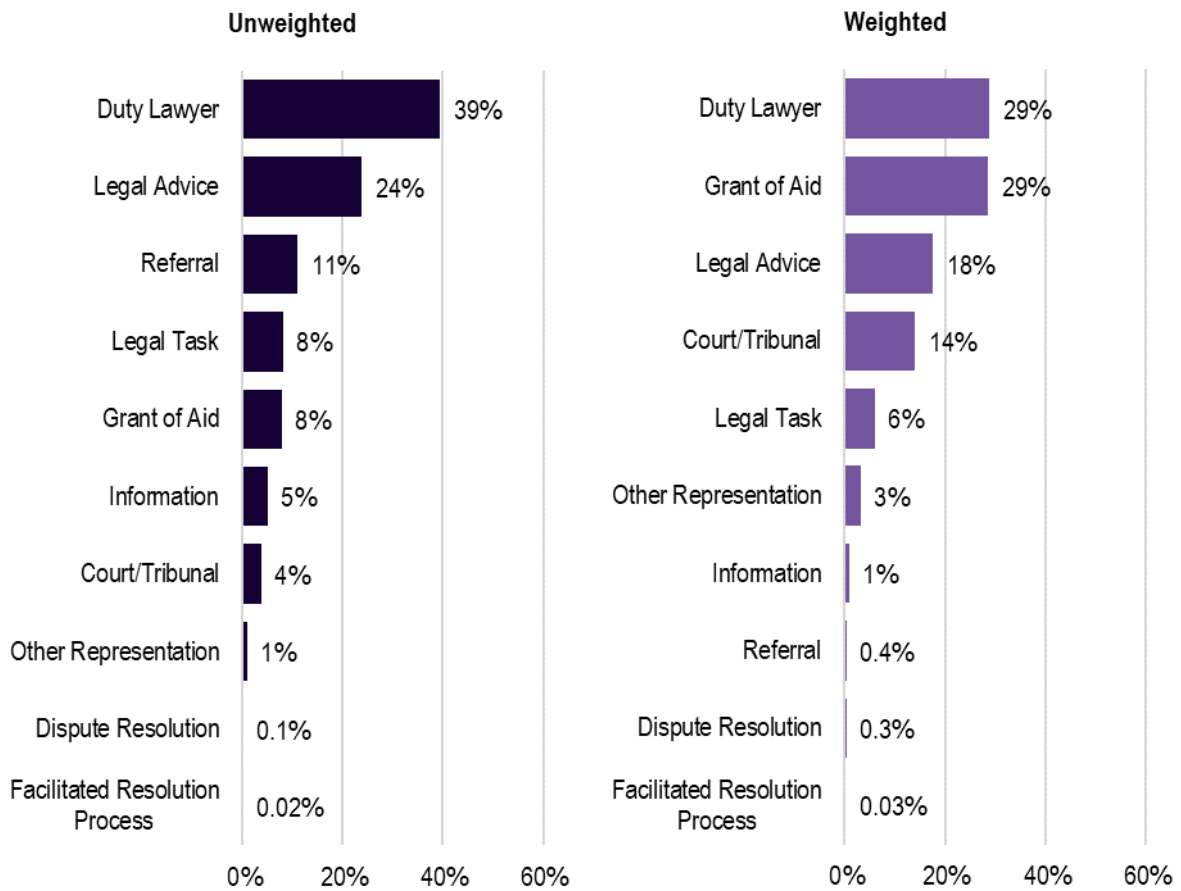
6.10.2 Service types

*Duty lawyer services* are the most common type of legal assistance, accounting for 39 per cent of services delivered. This is followed by *legal advice* (24 per cent) and *referrals* (11 per cent).

On a weighted service basis, the three largest services are *duty lawyer services*, *grants of aid* and *legal advice*. Collectively, this implies that for Perth – South West residents, the sector has directed 75 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

Figure 6.38 Service types, proportion of services delivered



Source: ACIL Allen, from service provider data

**6.10.3 Provider types**

Within the Perth – South West region, more than half of the services (63 per cent) were delivered by LAWA.

CLCs are the second largest provider type, accounting for 31 per cent of services delivered. Among the CLCs, Fremantle Community Legal Centre and SCALES are the two largest CLCs, accounting for 36 per cent and 29 per cent of services delivered, respectively.

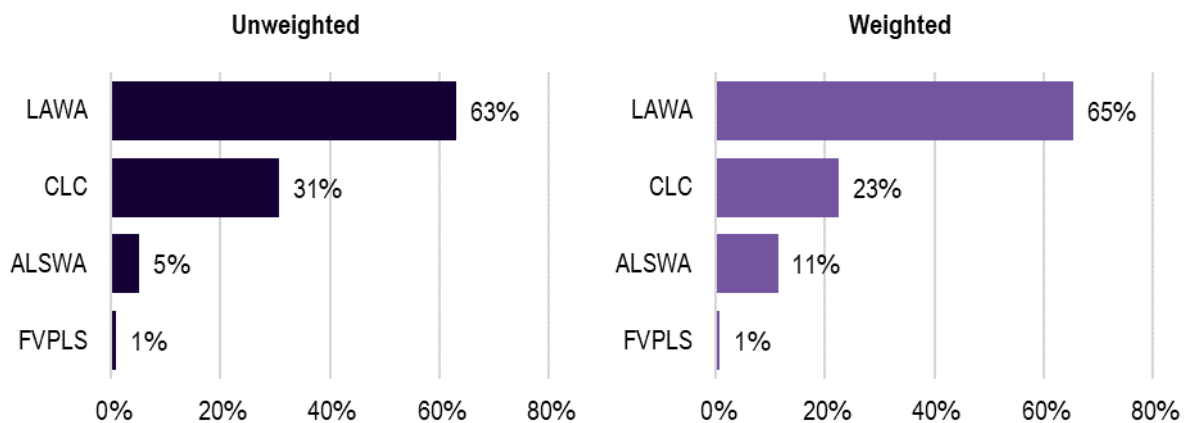
In addition to these CLCs, there are 18 other CLCs that provide legal assistance to Perth – South West residents. Service proportions can vary across these service providers, ranging from a low of 0.02 per cent, to a high of 11 per cent.

ALSWA are the third largest provider type, at five per cent of services delivered.

FVPLSs are the smallest provider type as they account for three per cent of services delivered. Among the FVPLS, almost all services (98 per cent) were delivered by Perth Metro Family Violence Prevention Legal Service. The remaining two per cent is attributable to Aboriginal Family Legal Services and Marninwarntikura Women’s Resource Centre.

On a weighted service basis, provider types are ranked similarly. However, there are some changes to the proportion of services. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 6.39** Provider types, proportion of services delivered within Perth – South West



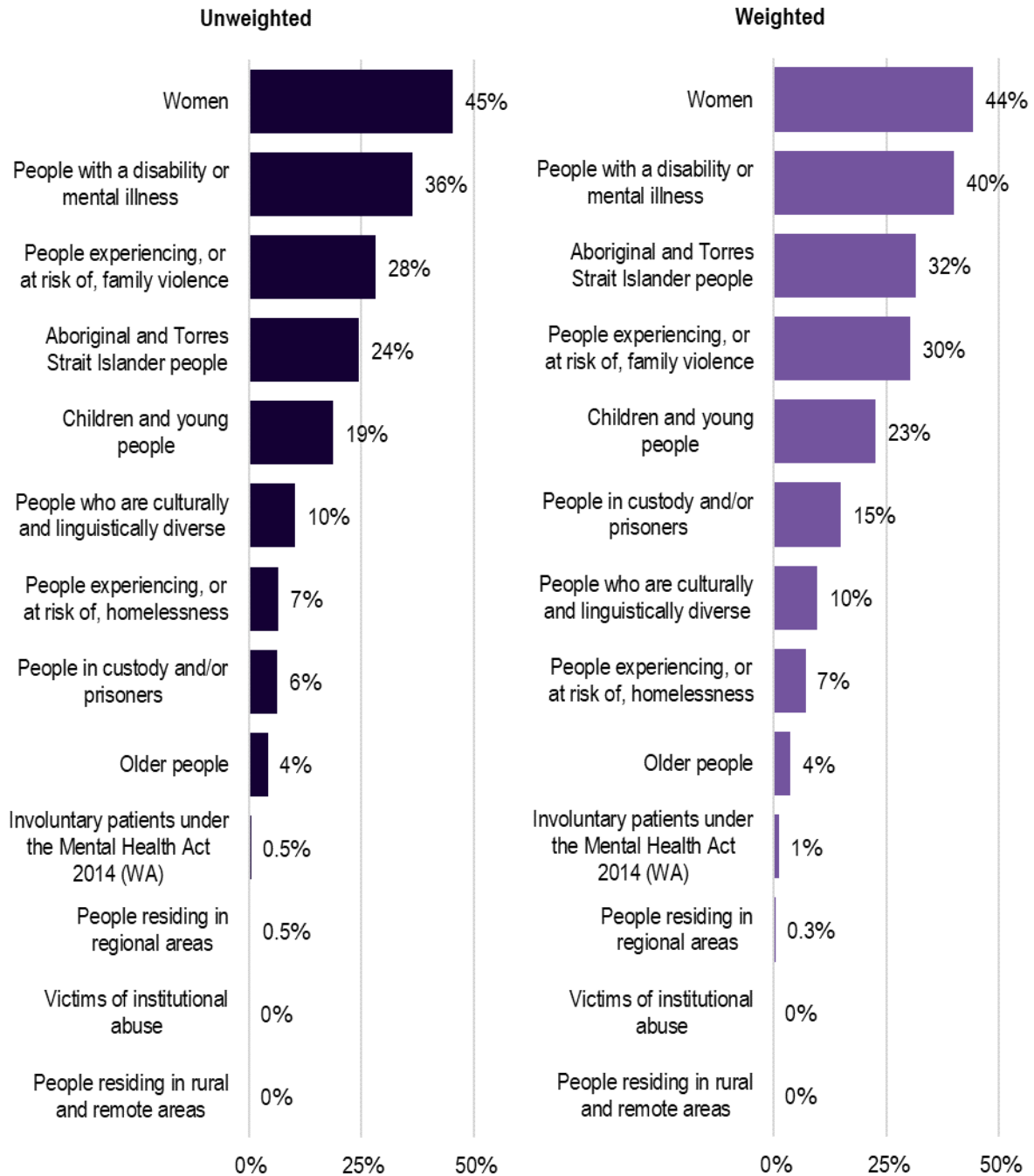
Source: ACIL Allen, from service provider data

**6.10.4 Priority Client Groups**

For service users residing in the Perth – South West region, *women* (45 per cent) are the most common characteristic. This is followed by *people with a disability or mental illness* (36 per cent) and *people experiencing, or at risk of, family violence* (28 per cent)

On a weighted service basis, groups with a higher service proportion include *Aboriginal and Torres Strait Islander people* (1.3 times larger than its unweighted counterpart) and *people in custody and/or prisoners* (2.5 times), reflecting the relatively more complex legal problems encountered by these cohorts.

**Figure 6.40** Priority Client Groups, proportion of services delivered within Perth – South West



Source: ACIL Allen, from service provider data

## 6.11 Perth Inner

In FY21, the sector delivered roughly 9,000 services to Perth Inner residents. This is equivalent to 2.8 per cent of all legal assistance by the sector.

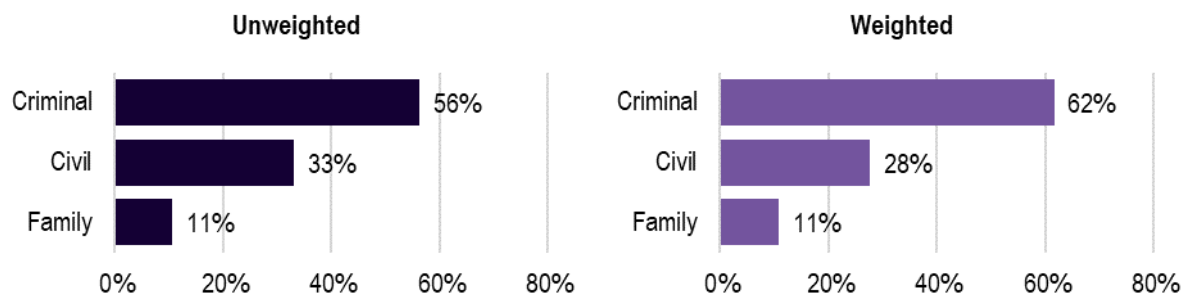
### 6.11.1 Law types

More than half of the legal assistance accessed by Perth Inner residents are for criminal law matters. Among the identifiable criminal law matters, the three most common legal problems are *acts intended to cause injury* (20 per cent), *offences against government procedures, government security and government operations* (17 per cent) and *illicit drug offences* (nine per cent).

For civil law matters, legal assistance primarily addressed legal problems associated with *housing* (21 per cent), *domestic violence protection orders* (15 per cent) and *other civil law problems* (14 per cent).

For family law matters, *parenting arrangements* are the common legal problem presented to the sector, accounting for 56 per cent of services delivered. This is followed by *family law property* (13 per cent) and *divorce, de-facto separations and/or annulment* (eight per cent).

**Figure 6.41** Law types, proportion of services delivered within Perth Inner



Source: ACIL Allen, from service provider data

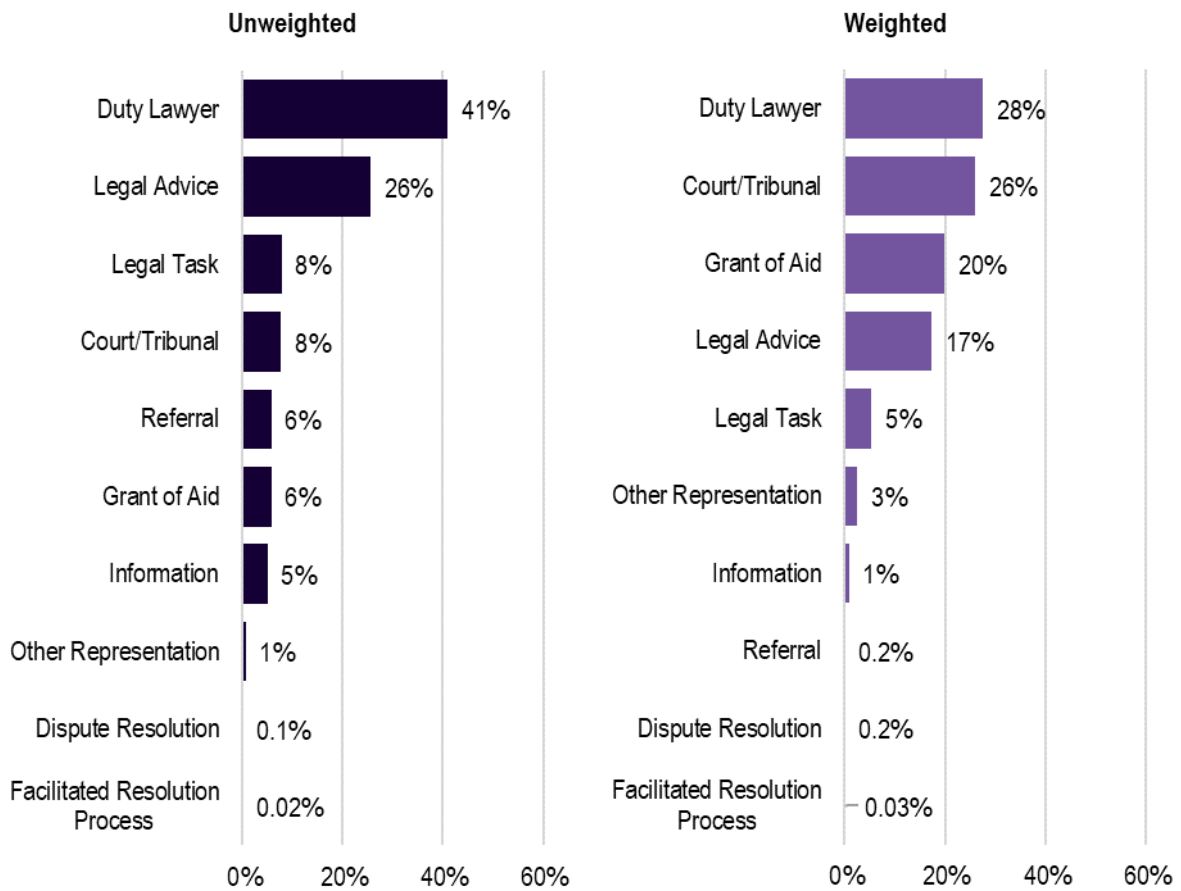
**6.11.2 Service types**

*Duty lawyer services* are the most common type of legal assistance, accounting for 41 per cent of services delivered. This is followed by *legal advice* (26 per cent) and *legal task* (eight per cent).

On a weighted service basis, the three largest services are *duty lawyer services*, *court / tribunal services* and *grants of aid*. Collectively, this implies that for Perth Inner residents, the sector has directed 74 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

**Figure 6.42** Service types, proportion of services delivered



Source: ACIL Allen, from service provider data



**6.11.3 Provider types**

Within the Perth Inner region, more than half of the services (62 per cent) were delivered by LAWA.

CLCs are the second largest provider type, accounting for 24 per cent of services delivered. Among the CLCs, Circle Green accounts for the largest share of services (23 per cent). This is followed by Northern Suburbs Community Legal Centre and Welfare Rights & Advocacy Service, accounting for 15 per cent and 14 per cent of services delivered, respectively.

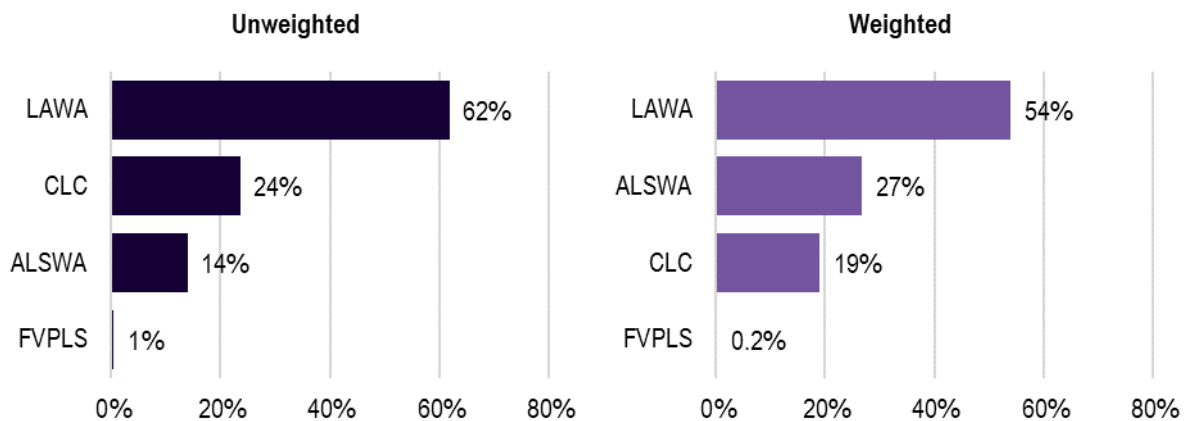
In addition to these CLCs, there are 15 other CLCs that provide legal assistance to Perth Inner residents. Service proportions can vary across these service providers, ranging from a low of 0.05 per cent, to a high of 13 per cent.

ALSWA are the third largest provider type, at 14 per cent of services delivered.

FVPLSs are the smallest provider type as they account for three per cent of services delivered. Among the FVPLS, almost all services (96 per cent) were delivered by Perth Metro Family Violence Prevention Legal Service. The remaining four per cent is delivered by Aboriginal Family Legal Services.

On a weighted service basis, provider types are ranked differently. ALSWA are now the second largest provider type, followed by CLCs. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 6.43** Provider types, proportion of services delivered within Perth Inner



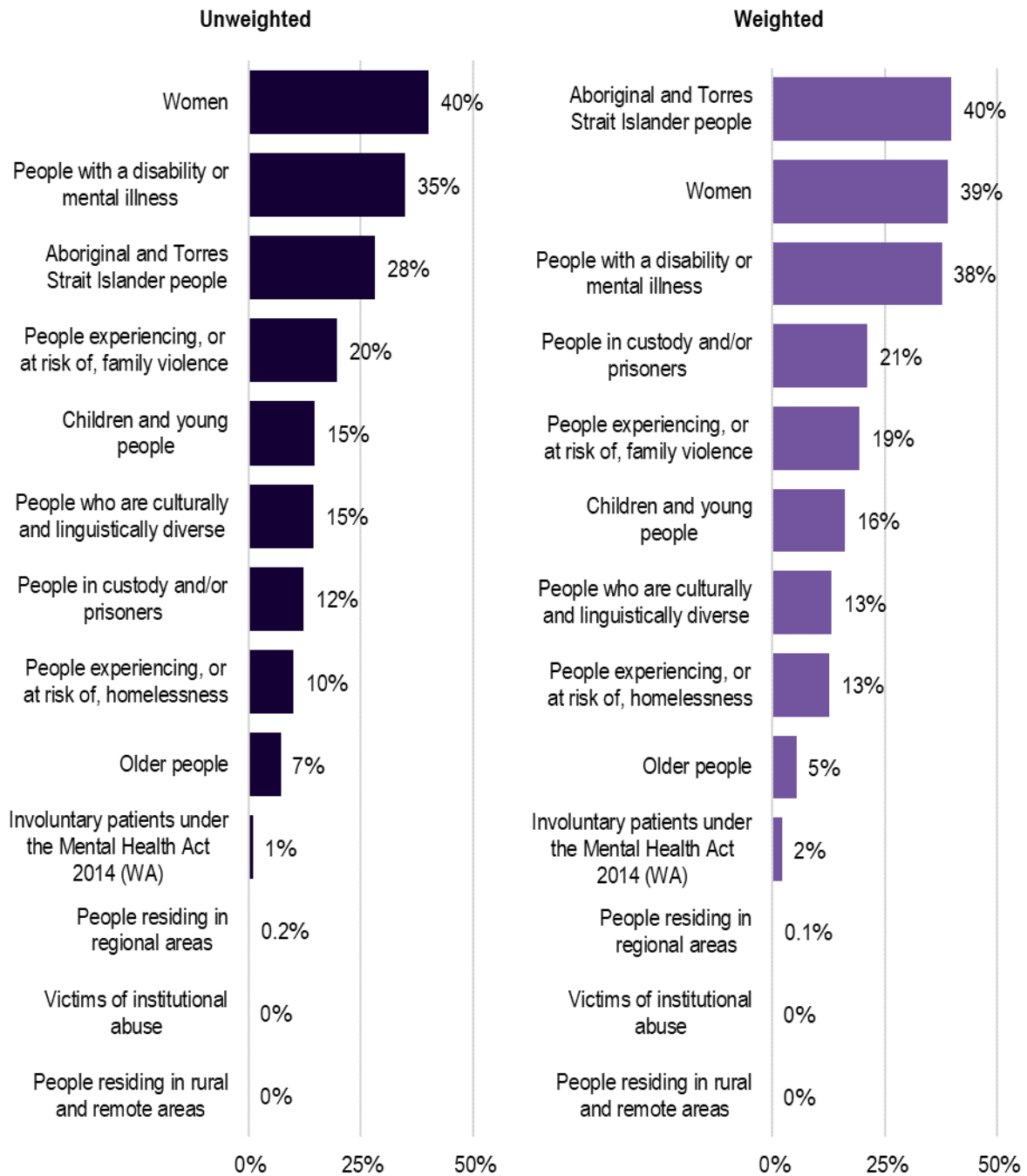
Source: ACIL Allen, from service provider data

6.11.4 Priority Client Groups

For service users residing in the Perth Inner region, *women* (40 per cent) are the most common characteristic. This is followed by *people with a disability or mental illness* (35 per cent) and *Aboriginal and Torres Strait Islander people* (28 per cent)

On a weighted service basis, groups with a higher service proportion include *Aboriginal and Torres Strait Islander people* (1.4 times larger than its unweighted counterpart) and *people in custody and/or prisoners* (1.8 times), reflecting the relatively more complex legal problems encountered by these cohorts.

Figure 6.44 Priority Client Groups, proportion of services delivered within Perth Inner



Source: ACIL Allen, from service provider data

## 6.12 Pilbara

In FY21, the sector delivered roughly 8,300 services to Pilbara residents. This is equivalent to 2.6 per cent of all legal assistance by the sector.

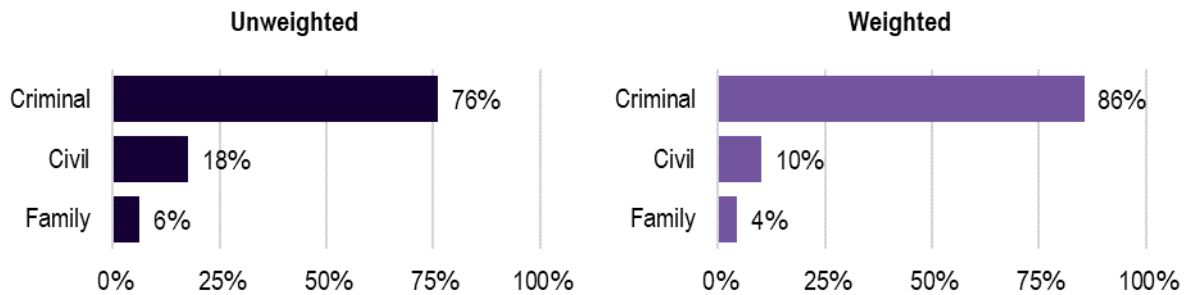
### 6.12.1 Law types

More than three quarters of the legal assistance accessed by Pilbara residents are for criminal law matters. Among the identifiable criminal law matters, the three most common legal problems are *acts intended to cause injury* (24 per cent), *traffic and vehicle regulatory offences* (14 per cent) and *offences against government procedures, security and operations* (13 per cent).

For civil law matters, legal assistance primarily addressed legal problems associated with *housing* (24 per cent), *domestic violence protection orders* (16 per cent) and *other civil law problems* (13 per cent).

For family law matters, *parenting arrangements* are the common legal problem presented to the sector, accounting for 50 per cent of services delivered. This is followed by *divorce, de-facto separations and/or annulment* (17 per cent) and *family law property* (14 per cent).

**Figure 6.45** Law types, proportion of services delivered within Pilbara



Source: ACIL Allen, from service provider data

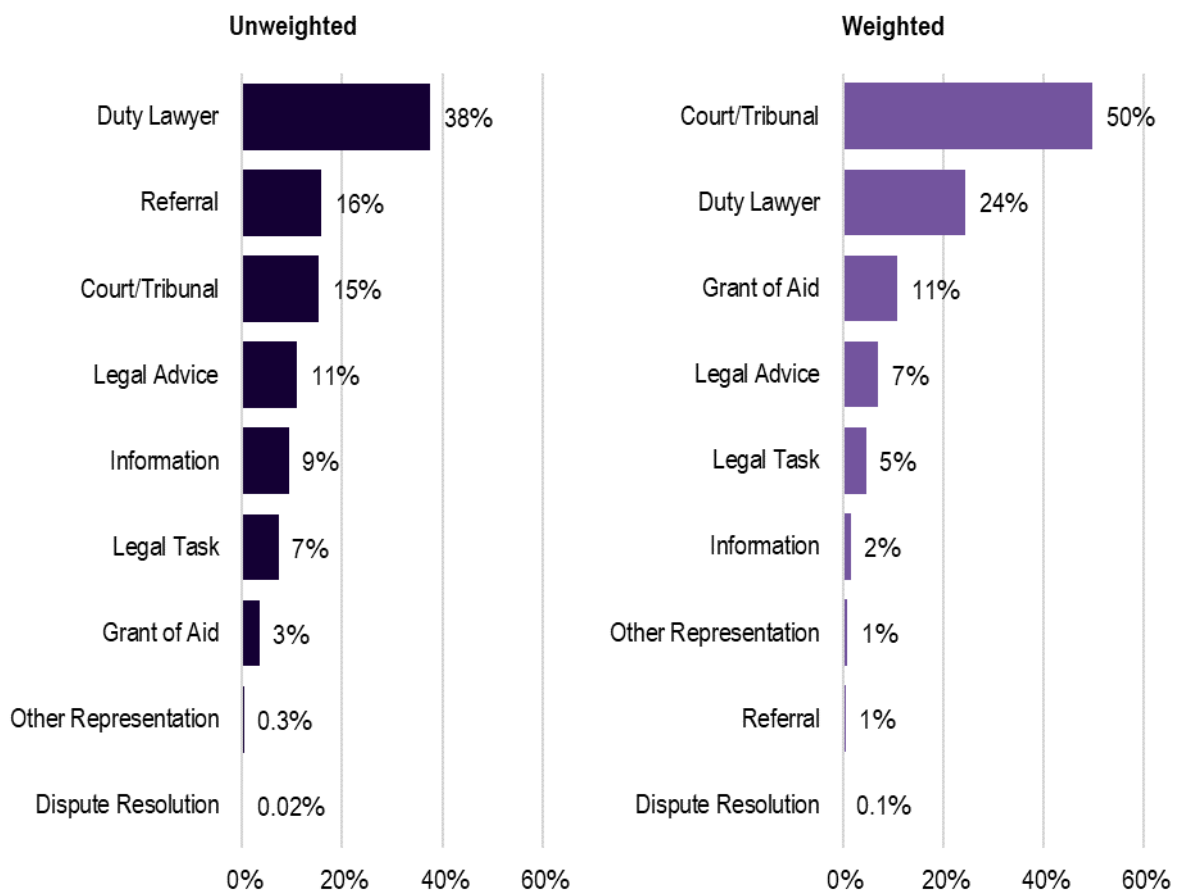
6.12.2 Service types

*Duty lawyer services* are the most common type of legal assistance, accounting for 38 per cent of services delivered. This is followed by *referrals* (16 per cent) and *court / tribunal services* (15 per cent).

On a weighted service basis, the three largest services are *court / tribunal services*, *duty lawyer services*, and *grants of aid*. Collectively, this implies that for Pilbara residents, the sector has directed 85 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

Figure 6.46 Service types, proportion of services delivered



Source: ACIL Allen, from service provider data

**6.12.3 Provider types**

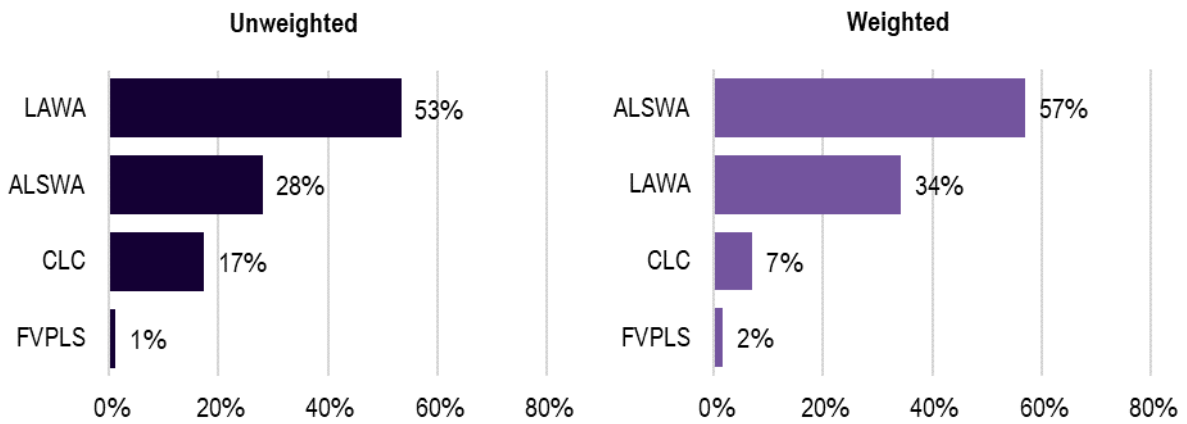
Within the Pilbara region, more than half of the services (53 per cent) were delivered by LAWA. ALSWA are the second largest provider type, at 28 per cent of services delivered.

CLCs are the third largest provider type, accounting for 17 per cent of services delivered. Among the CLCs, most services (86 per cent) were delivered by Pilbara Community Legal Service. The remaining 14 per cent of services is split between 13 different CLCs.

FVPLSs are the smallest provider type as they account for one per cent of services delivered. Among the FVPLS, almost all services (93 per cent) were delivered by Aboriginal Family Legal Services. The remaining seven per cent is attributable to Perth Metro Family Violence Prevention Legal Service and Marninwarntikura Women’s Resource Centre.

On a weighted service basis, provider types are ranked differently. ALSWA are now the largest provider type, followed by LAWA. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 6.47** Provider types, proportion of services delivered within Pilbara



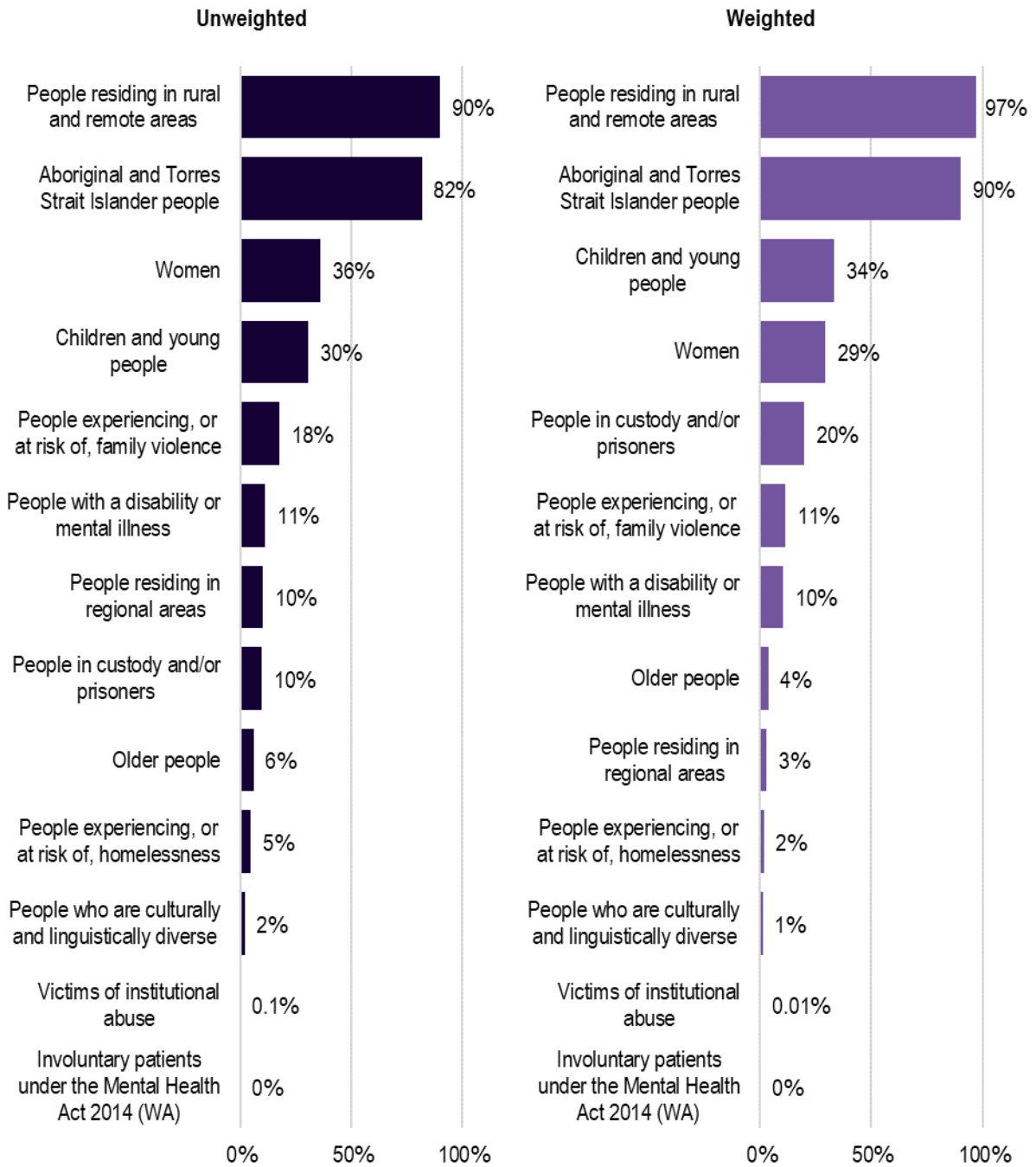
Source: ACIL Allen, from service provider data

6.12.4 Priority Client Groups

For service users residing in the Pilbara region, *people residing in rural and remote areas* (90 per cent) are the most common characteristic. This is followed by *Aboriginal and Torres Strait Islander people* (82 per cent) and *women* (36 per cent).

On a weighted service basis, groups with a higher service proportion include *people in custody and/or prisoners* (2 times larger than its unweighted counterpart), reflecting the relatively more complex legal problems encountered by this cohorts.

Figure 6.48 Priority Client Groups, proportion of services delivered within Pilbara



Source: ACIL Allen, from service provider data

## 6.13 Wheatbelt

In FY21, the sector delivered roughly 5,400 services to Wheatbelt residents. This is equivalent to 1.7 per cent of all legal assistance delivered by the sector.

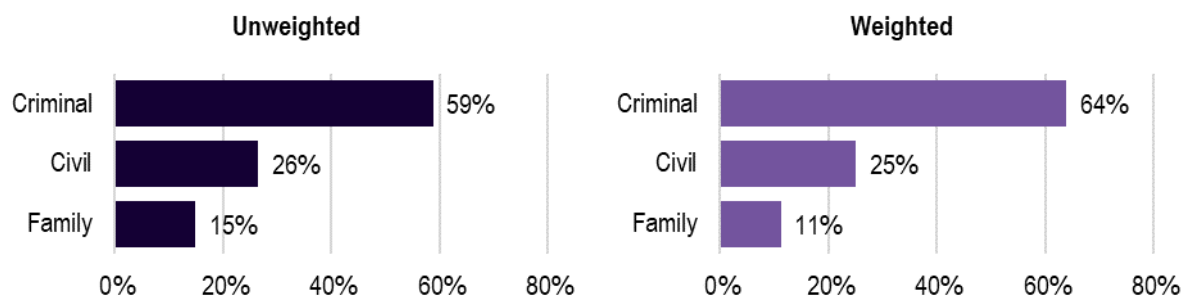
### 6.13.1 Law types

More than half of the legal assistance accessed by Wheatbelt residents are for criminal law matters. Among the identifiable criminal law matters, the three most common legal problems are *acts intended to cause injury* (22 per cent), *traffic and vehicle regulatory offences* (13 per cent), and *illicit drug offences* (10 per cent).

For civil law matters, legal assistance primarily addressed legal problems associated with *housing* (26 per cent), *child protection* (25 per cent) and *domestic violence protection orders* (13 per cent).

For family law matters, *parenting arrangements* are the common legal problem presented to the sector, accounting for 55 per cent of services delivered. This is followed by *other family law problems* (17 per cent) and *family law property* (12 per cent).

**Figure 6.49** Law types, proportion of services delivered within Wheatbelt



Source: ACIL Allen, from service provider data

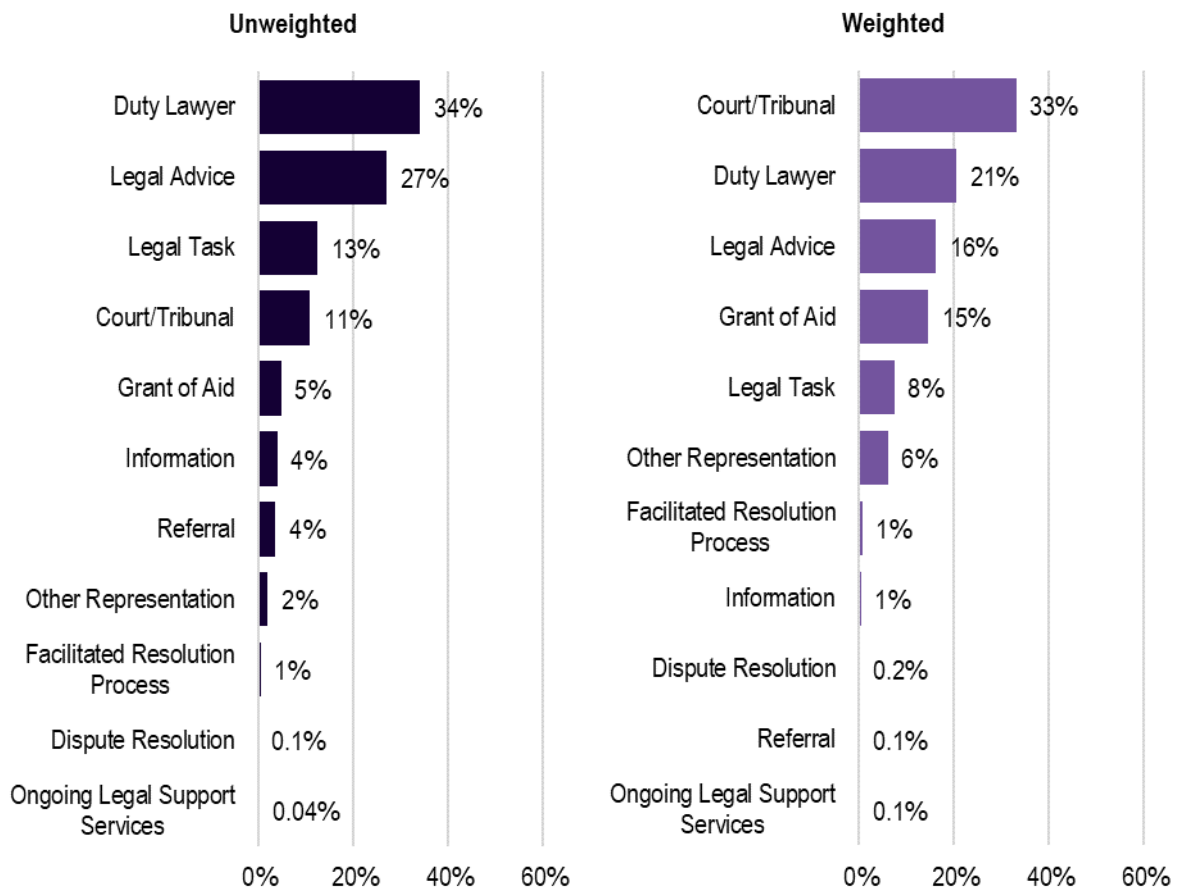
**6.13.2 Service types**

*Duty lawyer services* are the most common type of legal assistance, accounting for 34 per cent of services delivered. This is followed by *legal advice* (27 per cent) and *legal tasks* (13 per cent).

On a weighted service basis, the three largest services are *court / tribunal services*, *duty lawyer services*, and *legal advice*. Collectively, this implies that for Wheatbelt residents, the sector has directed 70 per cent of its resources to these services.

Changes in proportion relative to their unweighted counterparts, reflect the differences in resource intensity. This means that the more time-intensive services will typically account for a larger share of weighted services, and vice versa.

**Figure 6.50** Service types, proportion of services delivered



Source: ACIL Allen, from service provider data



**6.13.3 Provider types**

Within the Wheatbelt region, more than half of the services (51 per cent) were delivered by LAWA.

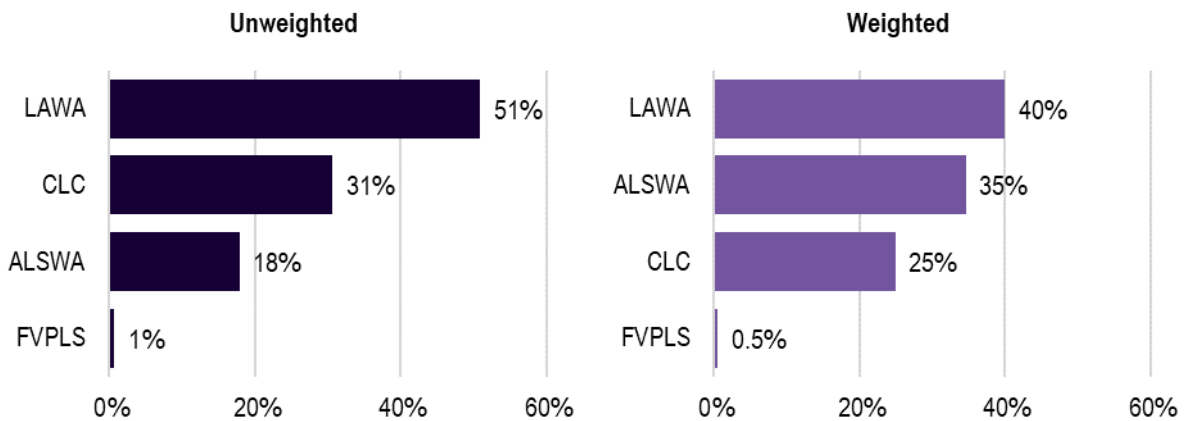
CLCs are the second largest provider type, accounting for 31 per cent of services delivered. Among the CLCs, most services (81 per cent) were delivered by Wheatbelt Community Legal Centre. The remaining 19 per cent is split between 18 CLCs.

ALSWA are the third largest provider type, at 18 per cent of services delivered.

FVPLSs are the smallest provider type as they account for one per cent of services delivered. Among the FVPLS, almost all services (89 per cent) were delivered by Southern Aboriginal Corporation. The remaining 11 per cent is attributable to Perth Metro Family Violence Prevention Legal Service and Aboriginal Family Legal Services.

On a weighted service basis, provider types are ranked differently. ALSWA are now the second largest provider type, followed by CLCs. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 6.51** Provider types, proportion of services delivered within Wheatbelt



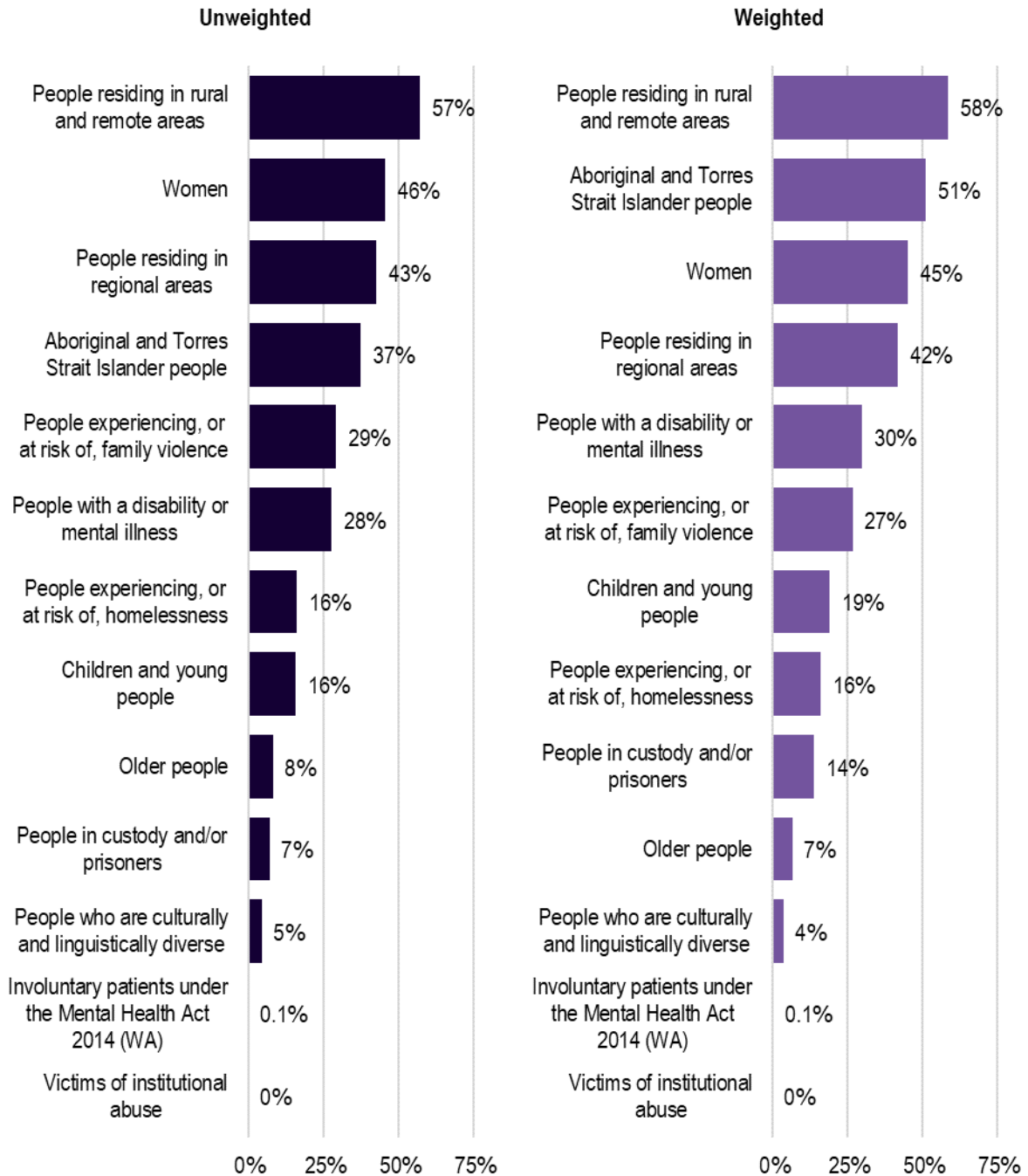
Source: ACIL Allen, from service provider data

6.13.4 Priority Client Groups

For service users residing in the Wheatbelt region, *people residing in rural and remote areas* (57 per cent) are the most common characteristic. This is followed by *women* (46 per cent) and *people residing in regional areas* (43 per cent).

On a weighted service basis, groups with a higher service proportion include *Aboriginal and Torres Strait Islander people* (1.4 times larger than its unweighted counterpart) and *people in custody and/or prisoners* (2.0 times), reflecting the relatively more complex legal problems encountered by these cohorts.

Figure 6.52 Priority Client Groups, proportion of services delivered within Wheatbelt



Source: ACIL Allen, from service provider data

## 6.14 Christmas Island and Cocos (Keeling) Islands

In FY21, the sector delivered roughly 210 services to residents on Christmas Island and Cocos (Keeling) Islands. This is equivalent to 0.07 per cent of all legal assistance delivered by the sector.

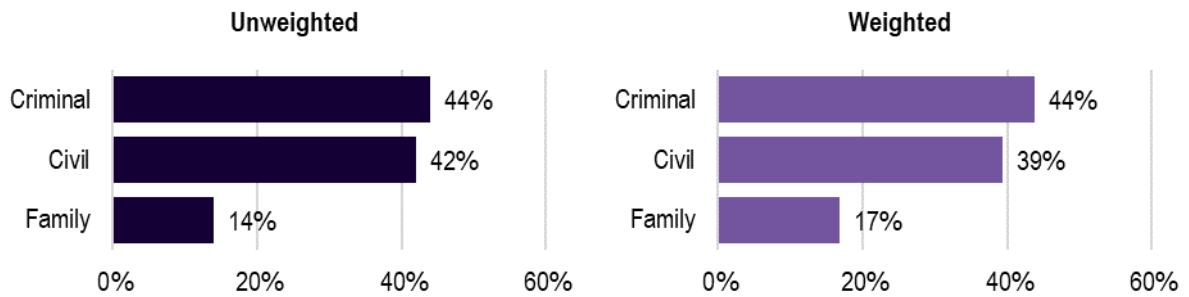
### 6.14.1 Law types

44 per cent of the legal assistance accessed are for criminal law matters. Among the identifiable criminal law matters, the three most common legal problems are *sexual assault and related offences* (28 per cent), *miscellaneous offences* (17 per cent), and *illicit drug offences* (16 per cent).

For civil law matters, legal assistance primarily addressed legal problems associated with *wills and estates* (28 per cent), *immigration law* (24 per cent) and *other civil law problems* (17 per cent).

For family law matters, *parenting arrangements* are the common legal problem presented to the sector, accounting for 50 per cent of services delivered. This is followed by *family law property* (23 per cent) and *abduction* (20 per cent).

**Figure 6.53** Law types, proportion of services delivered within Christmas Island and Cocos (Keeling) Islands



Source: ACIL Allen, from service provider data

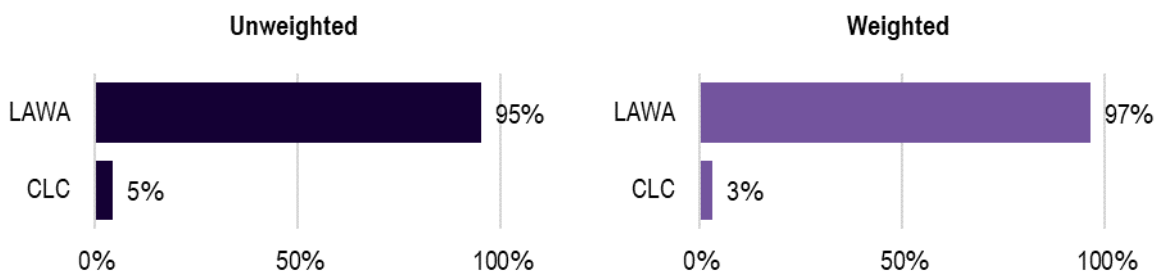
### 6.14.2 Provider types

Within the Christmas Island and Cocos (Keeling) Islands, almost all services (95 per cent) were delivered by LAWA.

The remaining five per cent is delivered by CLCs, specifically by Circle Green Community Legal.

On a weighted service basis, provider types are ranked similarly. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 6.54** Provider types, proportion of services delivered within Christmas Island and Cocos (Keeling) Islands



Source: ACIL Allen, from service provider data

## 6.15 Outside WA

In FY21, the sector delivered roughly 950 services to residents outside Western Australia. This is equivalent to 0.3 per cent of all legal assistance delivered by the sector.

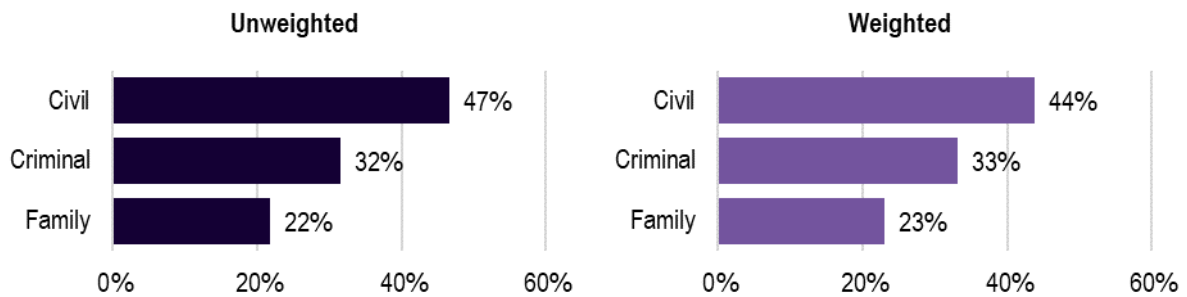
### 6.15.1 Law types

Almost half of the legal assistance (47 per cent) accessed are for civil law matters. Among the identifiable civil law matters, the three most common legal problems are *housing* (16 per cent), *domestic violence protection orders* (16 per cent), and *employment* (nine per cent).

For criminal law matters, legal assistance primarily addressed legal problems associated with *offences against government procedures, security and operations* (17 per cent), *illicit drug offences* (16 per cent) and *acts intended to cause injury* (13 per cent).

For family law matters, *parenting arrangements* are the common legal problem presented to the sector, accounting for 65 per cent of services delivered. This is followed by *family law property* (19 per cent) and *other family law problems* (five per cent).

**Figure 6.55** Law types, proportion of services delivered to residents outside Western Australia



Source: ACIL Allen, from service provider data

### 6.15.2 Provider types

More than half of services (58 per cent) were delivered by LAWA.

CLCs are the second largest provider type, accounting for 39 per cent of services delivered. Among the CLCs, the largest service provider is Circle Green Community Legal (23 per cent), followed by Northern Suburbs Community Legal Centre (11 per cent) and Women’s Legal Service (11 per cent)

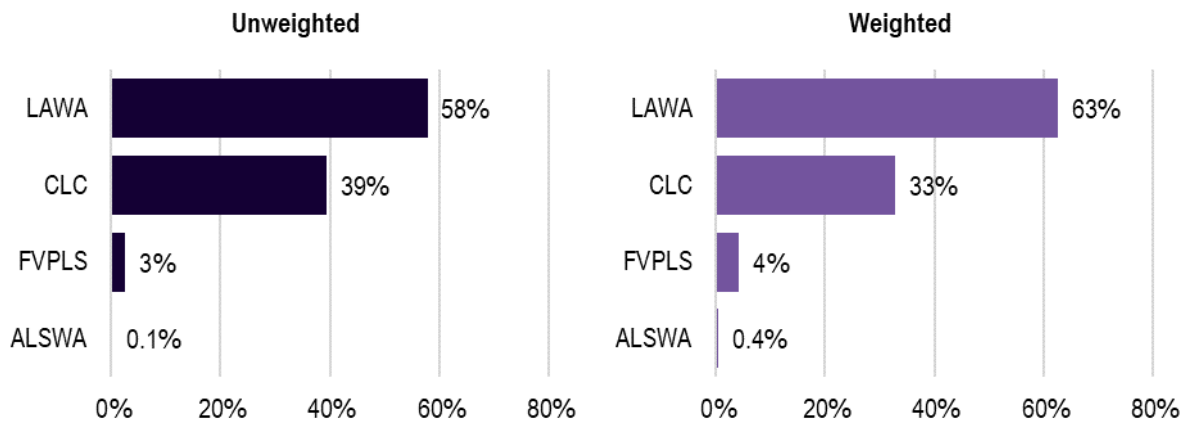
In addition to these CLCs, there are 17 other CLCs that provide legal assistance to residents outside WA. Service proportions can vary across these service providers, ranging from a low of 0.3 per cent, to a high of seven per cent.

FVPLSs are the third largest provider type as they account for three per cent of services delivered. Among the FVPLS, almost two thirds (64 per cent) were delivered by Aboriginal family Legal Services. The remaining 36 per cent is attributable to Southern Aboriginal Corporation and Perth Metro Family Violence Prevention Legal Service.

ALSWA are the smallest provider type, at 0.1 per cent of services delivered.

On a weighted service basis, provider types are ranked similarly. Any increase from the unweighted proportion, may indicate that legal problems addressed by the provider and/or the services delivered by the provider are more resource intensive, and vice versa.

**Figure 6.56** Provider types, proportion of services delivered to residents outside Western Australia



Source: ACIL Allen, from service provider data

Relative sufficiency of legal  
assistance

IV



## 7.1 Introduction

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This section provides a comprehensive analysis on the relative sufficiency of legal assistance across Western Australia in FY21.

The section is presented in two chapters, specifically:

- Chapter 8: presents analysis on the sufficiency of legal need by **law type**. This chapter also includes detailed sufficiency of legal assistance analysis by Priority Areas of Law under Civil Law, although this same level of analysis is not available due to data limitations for Criminal Law and Family Law.
- Chapter 9: presents analysis on the sufficiency of legal need by **priority client group**. This also includes an analysis of how the sufficiency of legal assistance by priority client group varies by law type.

To identify the potential need for legal assistance, we estimated the count and distribution of Priority Client Groups across Western Australia. This is then mapped against historical service delivery using provider data to calculate a service-to-need ratio.

The service-to-need ratio is calculated by dividing the number of services by the corresponding population estimate. A range of population estimates have been utilised based on the particular Areas of Law or Priority Client Groups that we are assessing. **Table 7.1** outlines the population estimates used to estimate legal need for each Law Type, Priority Area of Law and Priority Client Group.

A higher service-to-need ratio means that there is a greater level of service delivery for every potential vulnerable person, and vice versa. For areas that reported high service-to-need ratios, it implies that there are relatively lower levels of unmet legal need, all else constant.

However, there are some limitations with this approach. Specifically, Priority Client Group estimates only identifies the number of vulnerable people. While there is empirical evidence to suggest greater need of legal assistance, not all of these individuals will actually develop legal problems; hence, may not require legal assistance.

Importantly, our analysis is centred on identifying Justice Regions that potentially have unmet legal need. This is based solely on the relativity of service-to-need ratios and there is no indication of how many services may actually be required for each cohort. That being said, identifying the size of vulnerable population is the first and unavoidable step to estimating potential legal need.

**Table 7.1** Population estimates

Sufficiency of legal need	Population estimate
<b>Law Types</b>	
Civil law	NLAS (Capability)
Criminal law	NLAS (Capability)
Family law	NLAS (Capability)
<b>Priority Areas of Law</b>	
Child protection matters	Children and young people
Consumer law matters	NLAS (Capability)
Human rights and discrimination matters	NLAS (Capability)
Employment matters	NLAS (Capability)
Migration matters	People who are culturally and linguistically diverse with an annual personal income of less than \$52k
Restraining order matters	People experiencing or at risk of family violence
Social security matters	NLAS (Capability)
Tenancy matters	NLAS (Capability)
<b>Priority Client Groups</b>	
Aboriginal and Torres Strait Islander people	Aboriginal and Torres Strait Islander people with an annual personal income of less than \$52k
Children and young people	Children and young people
Older people	Older people
People experiencing or at risk of family violence	People experiencing or at risk of family violence
People experiencing or at risk of homelessness	People experiencing or at risk of homelessness
People in custody and/or prisoners	People in custody
People residing in rural and remote areas	People residing in rural and remote areas
People who are culturally and linguistically diverse	People who are culturally and linguistically diverse, with an annual personal income of less than \$52k
People with a disability or mental illness	People with a disability
People residing in regional areas	People residing in rural and remote areas
Women	Women
Victims of institutional abuse	People who are eligible to participate in the National Redress Scheme
Involuntary patients under Mental health Act 2014 (WA)	Involuntary patients under Mental Health Act 2014 (WA)
<i>Source: ACIL Allen</i>	

For law types and Priority Areas of Law, most estimates are based on NLAS (Capability). However, for some of the Priority Areas of Law and Priority Client Groups, we endeavoured to use the best available estimates for our analysis.

In many cases, we resorted to NLAS (Capability) to represent legal need, since there is simply no other publicly available dataset that: a) can reasonably identify the underlying cohorts, and b) is sufficiently granular for the development of the underlying data tool.



NLAS (Capability) was selected since it was developed by the Law and Justice Foundation of New South Wales as a proxy for legal capability and is widely recognised across the sector. Specifically, this measure identifies the number of people aged 15 to 64, with low personal income, and who have a lower level of educational attainment.

While NLAS (Capability) is a fairly broad measure, it has been applied where it represents the most viable option at the time of writing this report. Furthermore, while more specific population estimates have been used in this analysis (e.g., Children and Young People), these also face limitations as they do not fully represent the underlying population given the multitude of potential vulnerabilities that cannot be measured solely through a statistical-based approach.

In recognition of these limitations, ACIL Allen has presented in **F-1** some of barriers and risk factors faced by different Priority Client Groups in accessing legal assistance. This provides some additional insight into the complexities experienced by different cohorts, and identify areas of potential unmet legal need in a qualitative manner. The report also includes analysis of potential population estimates to augment the analysis extracted from the service tool. These additional analyses are based on data that could not be used in the tool due to a range of limitations (i.e., provider data reporting and geographic granularity of population data).

As part of our analysis on the sufficiency of legal need, a benchmark of the 75<sup>th</sup> percentile was presented consistently across all sections. The intent is to provide a visual reference of the upper levels of service-to-need ratios, as currently observed in the sector. This level is also sufficiently low that it is not affected by outliers that may exist within the data.

Importantly, this benchmark is not based on a view of adequate service provision or funding requirements. ACIL Allen cautions that further work is required, including consultation with the sector, to determine the sufficiency of legal assistance across the key dimensions outlined in this report and that these findings represent a reference point to support ongoing investigations.

# Law Types

# 8

This section presents the relative sufficiency of legal assistance for the three law types, with additional analysis on the Priority Areas of Law under Civil Law.

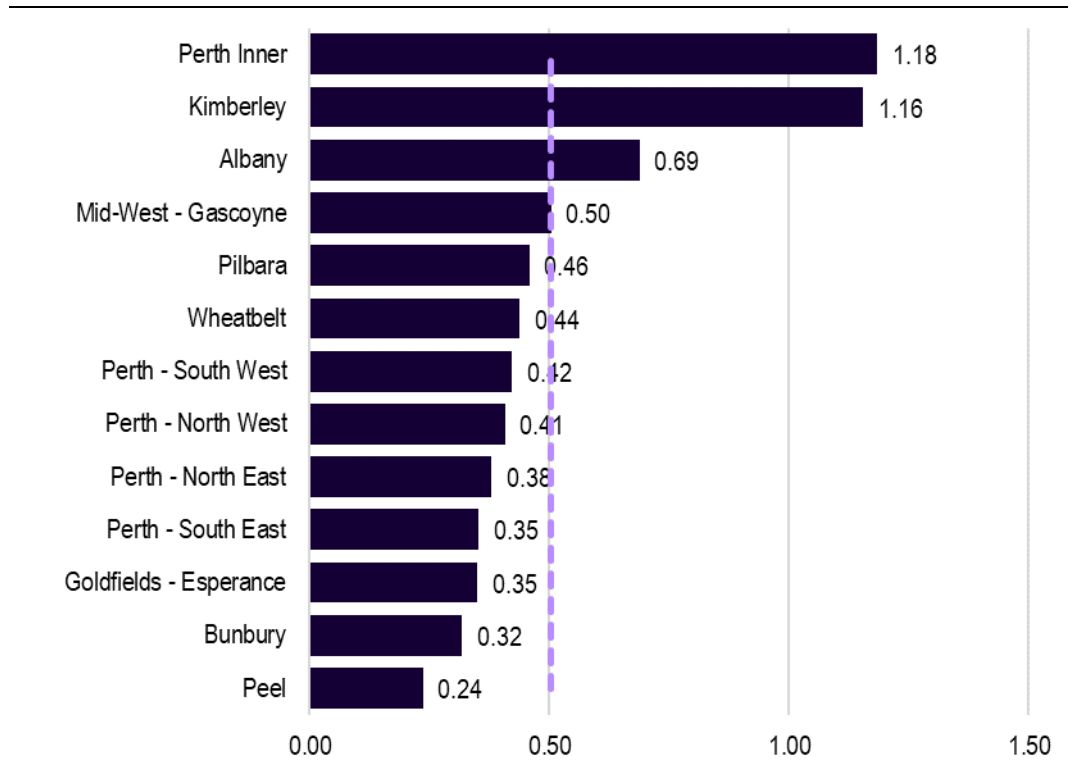
## 8.1 Civil law

Legal need for civil law matters is estimated using the number of NLAS (Capability) persons.

For every person in need of legal assistance, there were approximately 0.43 weighted services delivered. This varied across Western Australia, with several Justice Regions reporting more than one weighted service per person.

Figure 8.1 presents the service-to-need ratios across Justice Regions. In FY21, the 75<sup>th</sup> percentile corresponded to 0.5 weighted services per NLAS (Capability) person.

Figure 8.1 Civil Law - Relative sufficiency of legal assistance



Source: ACIL Allen, from various sources

Two Justice Regions, namely Perth Inner and Kimberley reported substantially higher levels of legal assistance, relative to potential underlying demand. Legal assistance may be particularly high for Perth Inner, given some providers may have recorded service location (e.g., courts) in place of the service user’s place of residence.

Conversely, regions in the southern parts of Western Australia appear to have lower service levels, in comparison to other locations. Specifically, Peel, Bunbury and Goldfields – Esperance reported some of the lowest service rates in the State.

With the exception of Perth Inner, Perth metropolitan regions have broadly similar service-to-need ratios, which range from 0.35 to 0.42 weighted services per NLAS (Capability) person. In comparison to other Justice Regions, most Perth metropolitan regions fall within the bottom half of the distribution.

In addition to this analysis, relative sufficiency of legal assistance for different populations are available in D-1. This includes Aboriginal and Torres Strait Islander people, people who are culturally and linguistically diverse, children and young people, adults and older people.

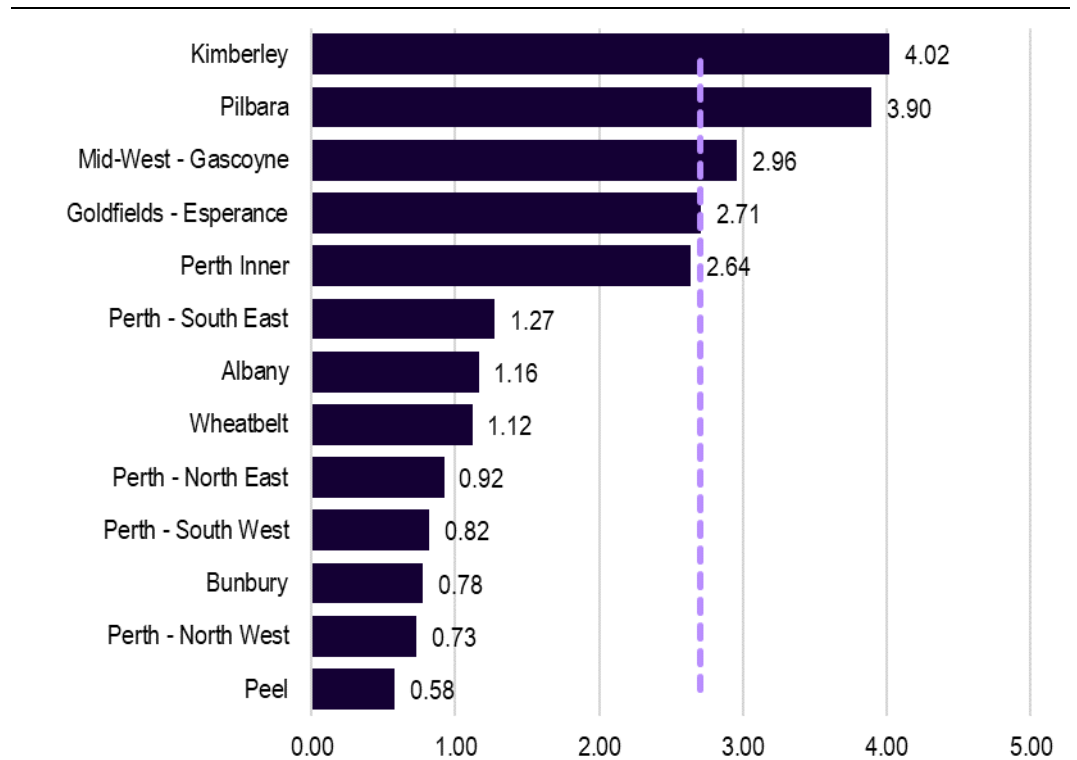
## 8.2 Criminal law

Legal need for criminal law matters is estimated using the number of NLAS (Capability) persons.

For every person in need of legal assistance, there were approximately 1.24 weighted services delivered. This varied across Western Australia, with several Justice Regions reporting more than two weighted services per person.

**Figure 8.2** presents the service-to-need ratios across Justice Regions. In FY21, the 75<sup>th</sup> percentile corresponded to 2.71 weighted services per NLAS (Capability) person.

**Figure 8.2** Criminal law matters - relative sufficiency of legal assistance



Source: ACIL Allen, from various sources

The distribution of service rates indicates that there are some differences between metropolitan and regional areas. Regional WA typically reported higher service-to-need ratios, as compared to Perth metropolitan and Peel regions.

However, while this is true for most regional areas, there are some exceptions. For instance, Bunbury reported one of the lowest service rates in Western Australia. Albany and Wheatbelt also have relatively low service-to-need ratios, in comparison to other regional locations. This suggests that these regions may have relative unmet legal need.

Among Perth metropolitan and Peel regions, Perth Inner and to a lesser extent, Perth – South East reported higher levels of legal assistance, relative to underlying demand. For every NLAS (Capability) person, both regions delivered more than 1.27 weighted services, respectively.

In contrast, other metropolitan areas reported less than 0.92 weighted services per NLAS (Capability) person. However, there are two Justice Regions (i.e., Perth – North West and Peel) that have particularly low service rates. This means that on a need-adjusted basis, service delivery is relatively low in these regions.

In addition to this analysis, relative sufficiency of legal assistance for different populations are available in **D-1**. This includes Aboriginal and Torres Strait Islander people, people who are culturally and linguistically diverse, children and young people, adults, older people, males and females.

### 8.3 Family law

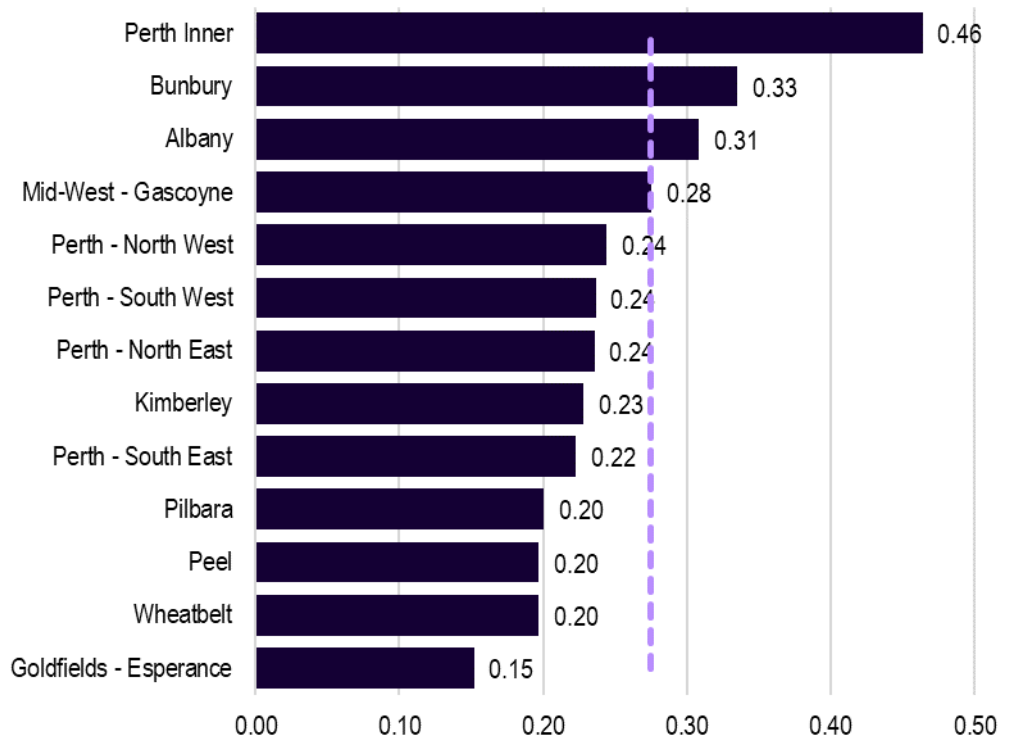
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Legal need for family law matters is estimated using the number of NLAS (Capability) persons.

For every person in need of legal assistance, there were approximately 0.24 weighted services delivered. In comparison to civil and criminal law matters, there is considerably less variability in service rates across Justice Regions for family law.

**Figure 8.3** presents the service-to-need ratios across Justice Regions. In FY21, the 75<sup>th</sup> percentile corresponded to 0.27 weighted services per NLAS (Capability) person.

**Figure 8.3** Family law matters - relative sufficiency of legal assistance



Source: ACIL Allen, from various sources

Perth Inner reported substantially higher levels of legal assistance, relative to underlying demand. Legal assistance may be particularly high for Perth Inner, given some providers may have recorded service location (e.g., courts) in place of the service user’s place of residence.

With the exception of Perth Inner, Perth metropolitan and Peel regions have broadly similar service-to-need ratios, which range from 0.20 to 0.24 weighted services per NLAS (Capability) person. Given the clustering of service rates, relative unmet legal need is less apparent for metropolitan areas.

In contrast, there is some dispersion for areas located in regional WA. Goldfields – Esperance and to a lesser extent, Wheatbelt and Pilbara reported some of the lowest service rates in Western Australia. This indicates that for these regions, service delivery is relatively low in comparison to the underlying legal need.

In addition to this analysis, relative sufficiency of legal assistance for different populations are available in **D-1**. This includes Aboriginal and Torres Strait Islander people, people who are culturally and linguistically diverse, children and young people, adults, older people, males and females.

## 8.4 Civil Law - Priority Areas of Law

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This section provides additional analysis on eight priority areas of law within civil law. These areas align to problem types, which are recorded by providers of legal assistance and therefore can be analysed in this way. Notably, other priority areas of law do not have corresponding alignment and therefore cannot be analysed in this report or the service data tool.

### 8.4.1 Child protection matters

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Legal need for child protection matters is estimated using the number of children and young people. It is acknowledged that in actuality, this cohort is more specific than presently defined.

For example, the number of children in out of home care more aptly reflects the underlying population. In FY21, the WA Department of Communities reported that there were 5,344 children in care for FY21.<sup>13</sup> The majority of these children are of Aboriginal and Torres Strait Islander descent, accounting for 57 per cent of children in care.

Alternatively, legal need may also be estimated using the number of substantiated child safety investigations. In FY21, the WA Department of Communities reported that 3,922 investigations were substantiated.<sup>14</sup> Of which, 45 per cent of investigations required some form of intervention / referral to external program(s).

These datasets were not mapped against service provision because it does not satisfy the data requirements for this engagement. Specifically, information on the geographic distribution is either not granular enough (i.e., out of home care) or relies on a different geographical mapping system (i.e., child safety investigations).

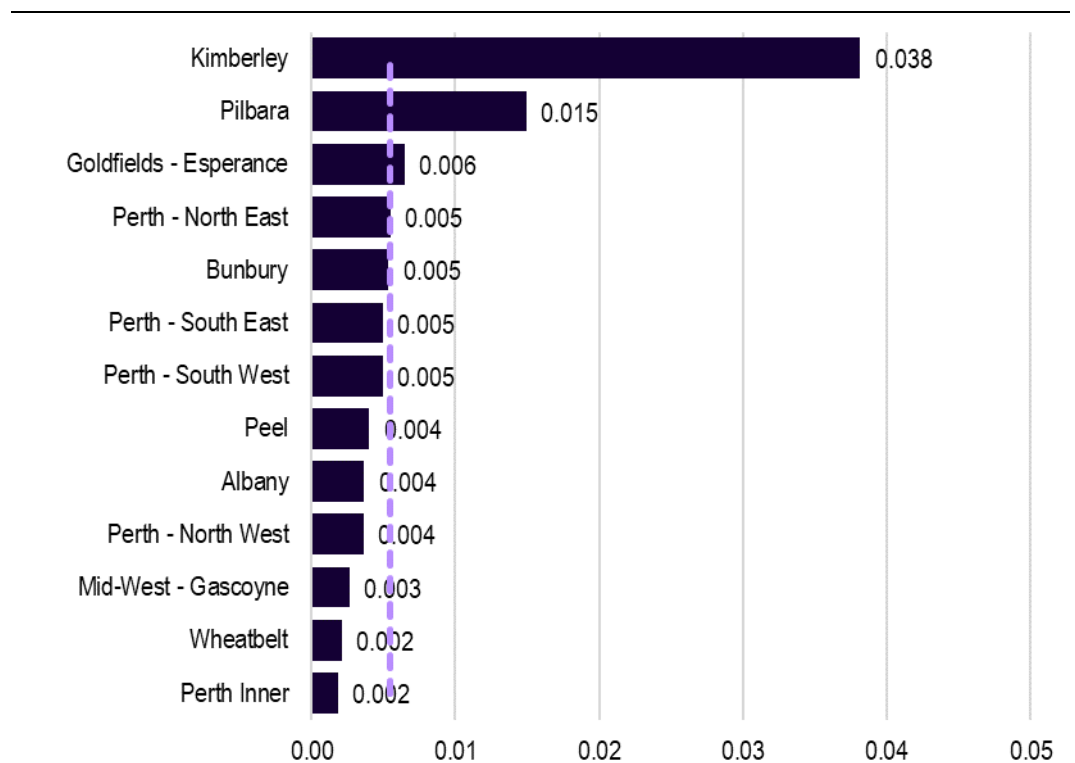
For every person with a potential need of legal assistance, there were approximately 0.005 weighted services delivered. This is broadly consistent across Western Australia, with the two exceptions being the Kimberley region and to a lesser extent, Pilbara region.

**Figure 8.4** presents the service-to-need ratios across Justice Regions. In FY21, the 75<sup>th</sup> percentile corresponded to 0.005 weighted services per child and young person in Western Australia.

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<sup>13</sup> WA Department of Communities. 2021. [Annual Report 2020-21](#)

<sup>14</sup> WA Department of Communities. 2021. [Child Protection Activity Performance Information 2020-21](#)

**Figure 8.4** Child protection matters - relative sufficiency of legal assistance

Source: ACIL Allen, from various sources

For regional areas, there is some variation among Justice Regions. Specifically, these regions appear to be on both extremes of service-to-need ratios. Notably, the Wheatbelt and Mid-West – Gascoyne regions are among the lowest service rates reported in the State, indicating relative unmet legal need.

With the exception of Perth Inner, Perth metropolitan and Peel regions have broadly similar service-to-need ratios, which can range from 0.004 to 0.005 weighted services per child and young person.

Perth Inner reported the lowest service rate in the State, at 0.002 weighted services per child and young person. This indicates that service delivery is relatively low, relative to the underlying legal need in this region.

In addition to this analysis, relative sufficiency of legal assistance for different populations are available in **D-1**. This includes Aboriginal and Torres Strait Islander people, people who are culturally and linguistically diverse, males and females.

#### 8.4.2 Consumer law matters

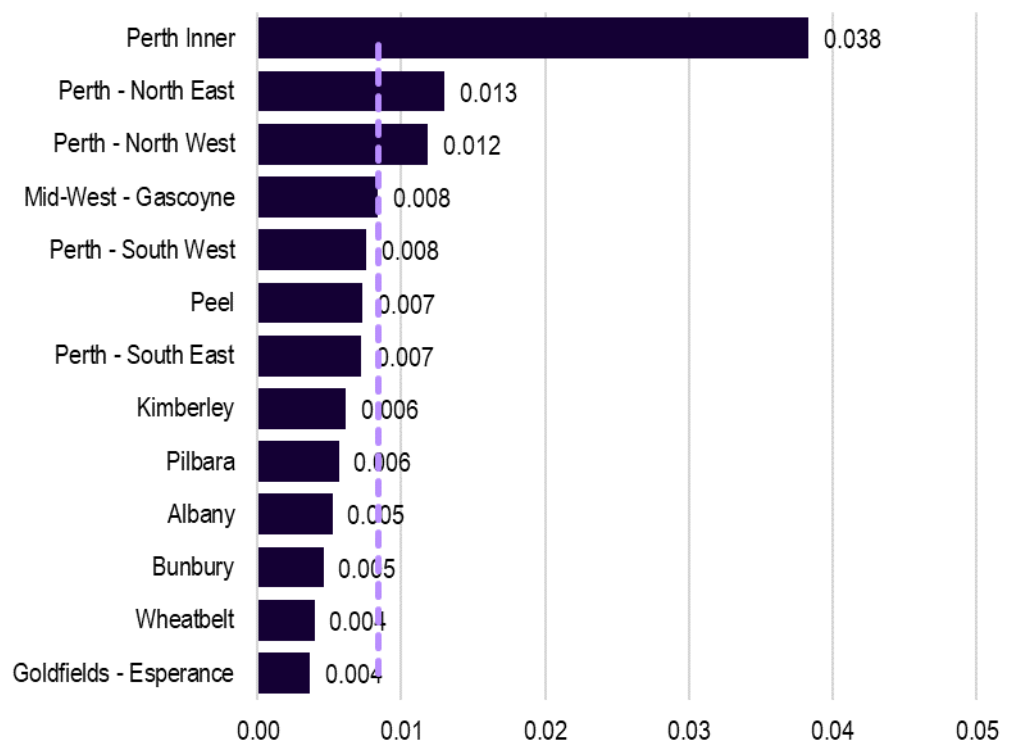
Legal need for consumer law matters is estimated using the number of NLAS (Capability) persons. It is acknowledged that in actuality, this cohort is more specific than presently defined.

However, there is currently no other dataset that is both publicly available and satisfies the data requirements of this engagement.

For every person with a potential need of legal assistance, there were approximately 0.009 weighted services delivered. The distribution of service rates indicates that there are some differences between metropolitan and regional areas. Specifically, metropolitan areas reported higher service-to-need ratios, as compared to regional WA.

Figure 8.5 presents the service-to-need ratios across Justice Regions. In FY21, the 75<sup>th</sup> percentile corresponded to 0.008 weighted services per NLAS (Capability) person in Western Australia.

Figure 8.5 Consumer law matters - relative sufficiency of legal assistance



Source: ACIL Allen, from various sources

Perth Inner reported substantially higher levels of legal assistance, relative to underlying demand. Legal assistance may be particularly high for Perth Inner, given some providers may have recorded service location (e.g., courts or their office address) in place of the service user’s place of residence.

More broadly, Perth metropolitan and Peel regions recorded some of the largest service rates in Western Australia. There is some dispersion in service-to-need ratios, which indicates that there may be relative unmet legal need. Areas with relatively low service levels include the Peel and Perth – South East regions.

With the exception of Mid-West – Gascoyne, Justice Regions in regional WA have broadly similar service-to-need ratios. These rates can range from 0.004 to 0.006 weighted services per NLAS (Capability) person. Given the clustering of service rates, relative unmet legal need is less apparent for regional areas.

In addition to this analysis, relative sufficiency of legal assistance for different populations are available in D-1. This includes Aboriginal and Torres Strait Islander people, people who are culturally and linguistically diverse, children and young people, adults, older people, males and females.

### 8.4.3 Human rights and anti-discrimination matters

Legal need for human rights and anti-discrimination matters is estimated using the number of NLAS (Capability) persons. It is acknowledged that in actuality, this cohort is more specific than presently defined.



For example, the number of complaints lodged to the WA Equal Opportunity Commission more aptly reflects the underlying population. In FY22, a total of 518 complaints were lodged on the grounds of unlawful discrimination and unreasonable treatment.<sup>15</sup>

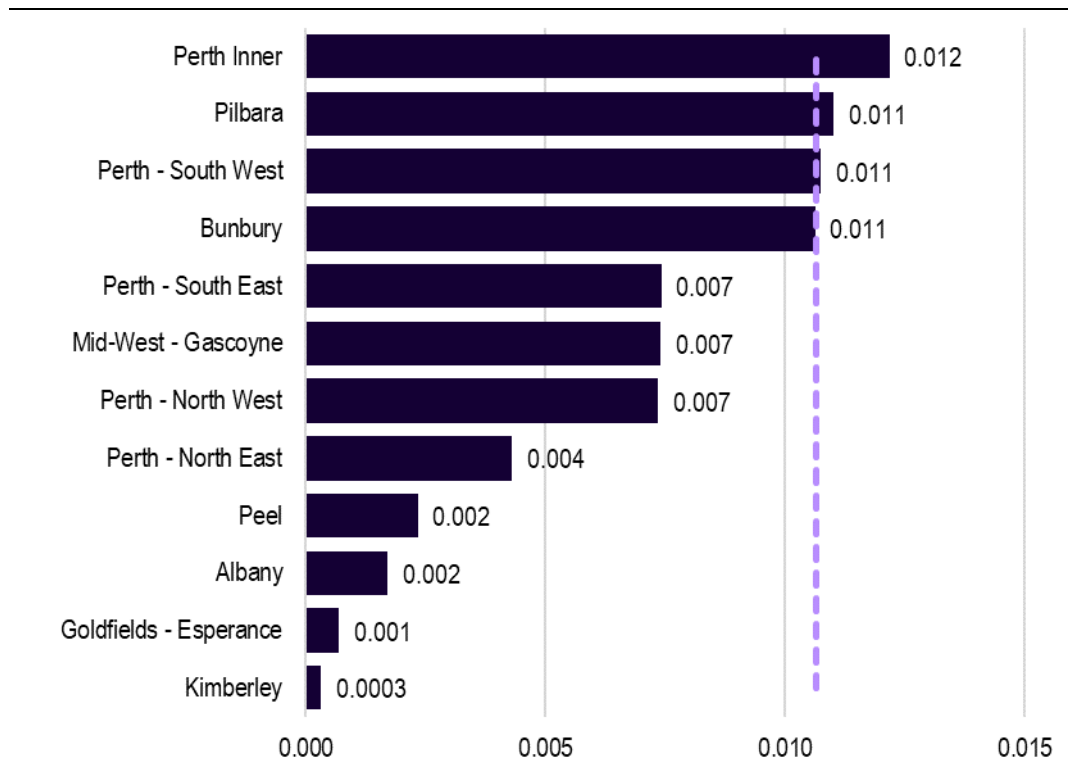
Alternatively, legal need may also be estimated using the number of enquiries and complaints received by the Australian Human Rights Commission. In FY21, there were 1,223 enquirers and 344 complaints from Western Australians.<sup>16</sup>

These datasets were not mapped against service provision because it does not satisfy the data requirements for this engagement. Specifically, information on the geographic distribution was not granular enough for this exercise.

For every person in need of legal assistance, there were approximately 0.007 weighted services delivered. The distribution of service rates indicates that there are some differences between metropolitan and regional areas. Specifically, metropolitan areas reported higher service-to-need ratios, as compared to regional WA.

Figure 8.6 presents the service-to-need ratios across Justice Regions. In FY21, the 75<sup>th</sup> percentile corresponded to 0.011 weighted services per NLAS (Capability) person.

**Figure 8.6** Human rights and anti-discrimination matters - relative sufficiency of legal assistance



Source: ACIL Allen, from various sources

For regional areas, there is some variation among Justice Regions. Specifically, these regions appear to be on both extremes of service-to-need ratios. Notably, the Kimberley, Goldfields – Esperance and Albany regions have reported the lowest service rates in the State, while Wheatbelt had no services delivered within this area of law.

There is some clustering among Perth metropolitan and Peel regions. Perth Inner and Perth – South West fall within the first cluster, both indicating relatively high service-to-need ratios.

<sup>15</sup> WA Equal Opportunity Commission. 2022. [Annual Report 2021-22](#)

<sup>16</sup> Australian Human Rights Commission. 2021. [2020-21 Complaint Statistics](#)

The second cluster is comprised of Perth – South East, Perth – North West and Perth – North East. These regions have broadly similar service-to-need ratios, ranging from 0.007 to 0.11 weighted services per NLAS (Capability) person.

Perth – North East and Peel regions are in the third and final cluster –both regions reporting service rates that are considerably lower than their metropolitan counterparts. In particular, service rates for these areas are 0.004 and 0.002 respectively. Relatively low rates of service may indicate relative unmet legal need in these regions.

In addition to this analysis, relative sufficiency of legal assistance for different populations are available in **D-1**. This includes Aboriginal and Torres Strait Islander people, people who are culturally and linguistically diverse, children and young people, adults, older people, males and females.

#### 8.4.4 Employment matters

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Legal need for employment matters is estimated using the number of NLAS (Capability) persons.

A more specific way to estimate the potential size of the cohort requiring legal assistance for employment matters may be the number of matters brought before the Western Australian Industrial Relations Commission. In FY21, a total of 385 industrial matters were concluded by the Commission.<sup>17</sup>

However, this data was not mapped against service provision because it does not satisfy the data requirements for this engagement. Specifically, information on the geographic distribution was not granular enough for this exercise.

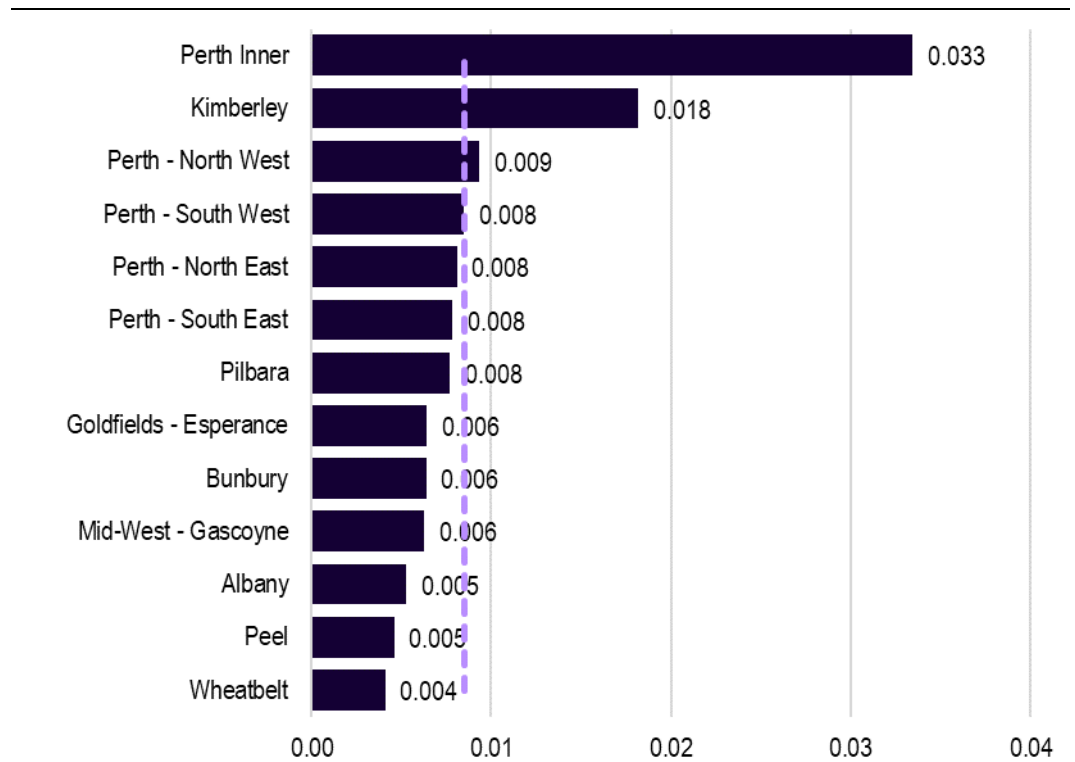
For every person in need of legal assistance, there were approximately 0.008 weighted services delivered. This varied across Western Australia, with two Justice Regions reporting more than double the state-wide average.

**Figure 8.7** presents the service-to-need ratios across Justice Regions. In FY21, the 75<sup>th</sup> percentile corresponded to 0.008 weighted services per NLAS (Capability) person.

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<sup>17</sup> WA Industrial Relations Commission, 2021. [Annual Report 2020-21](#)

**Figure 8.7** Employment matters - relative sufficiency of legal assistance



Source: ACIL Allen, from various sources

Two Justice Regions, namely Perth Inner and Kimberley reported substantially higher levels of legal assistance, relative to underlying demand. Legal assistance may be particularly high for Perth Inner, given some providers may have recorded service location (e.g., provider office) in place of the service user’s place of residence.

The distribution of service rates indicates that there are some differences between metropolitan and regional areas. In particular, metropolitan regions generally reported higher service-to-need ratios, as compared to regional areas.

The only exception is the Peel region, which recorded one of the lowest service rates in the State. This suggests that there is relative unmet legal need in the region.

With the exception of the Kimberley, Justice Regions in regional WA are concentrated in the bottom half of the service rate distribution. However, ratios for Wheatbelt and Albany are particularly small, even among regional counterparts. Relatively low rates of service may indicate relative unmet legal need in these areas.

In addition to this analysis, relative sufficiency of legal assistance for different populations are available in **D-1**. This includes Aboriginal and Torres Strait Islander people, people who are culturally and linguistically diverse, children and young people, adults, older people, males and females.

**8.4.5 Migration matters**

Legal need for migration matters is estimated using the number of people who are culturally and linguistically diverse with an annual personal income of less than \$52k.

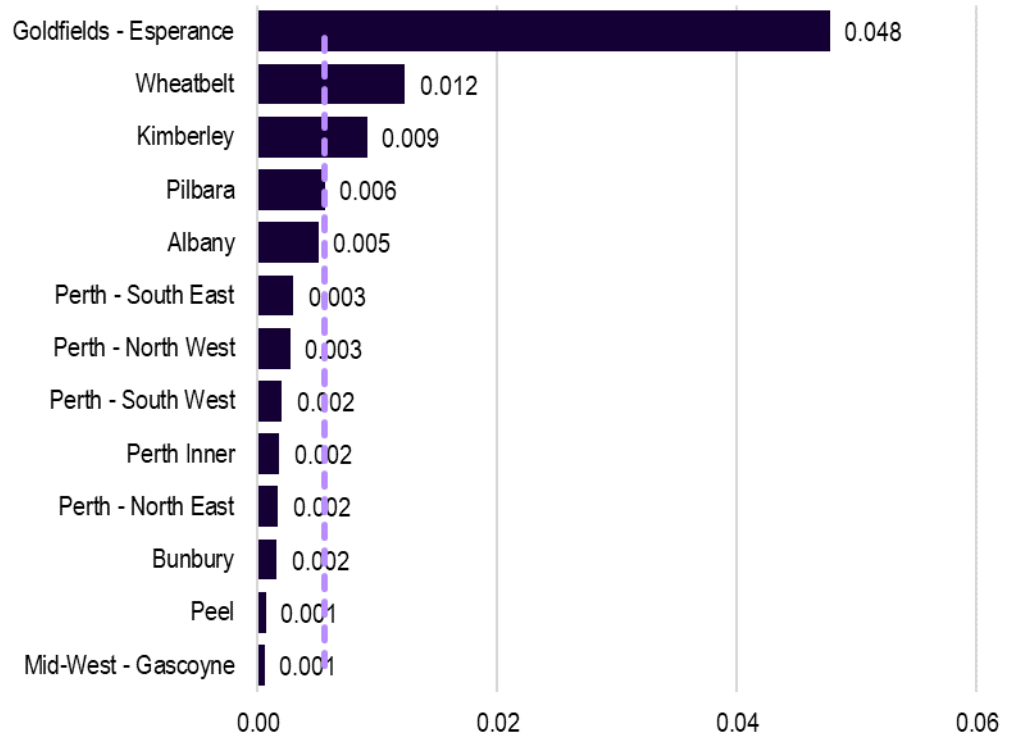
A more specific way to estimate the potential size of the cohort requiring legal assistance for migration matters may be the number of migration lodgements to Administrative Appeals Tribunal. In FY21, a total of 565 lodgements were from Western Australian residents.<sup>18</sup>

However, this data was not mapped against service provision because it does not satisfy the data requirements for this engagement. Specifically, information on the geographic distribution was not granular enough for this exercise.

For every person in need of legal assistance, there were approximately 0.003 weighted services delivered. This varied across Western Australia, with two Justice Regions reporting more than triple the state-wide average.

**Figure 8.8** presents the service-to-need ratios across Justice Regions. In FY21, the 75<sup>th</sup> percentile corresponded to 0.006 weighted services per eligible person.

**Figure 8.8** Migration matters - relative sufficiency of legal assistance



Source: ACIL Allen, from various sources

For regional areas, there is some variation among Justice Regions. Specifically, these regions appear to be on both extremes of service-to-need ratios. As evidenced by the comparatively low service-to-need ratios, there are two Justice Regions that exhibit relative unmet legal need, namely Bunbury and Mid-West Gascoyne.

Perth metropolitan and Peel areas have broadly similar service-to-need ratios, ranging from 0.001 to 0.003 weighted services per eligible person. Given the clustering of Justice Regions, it is unclear whether there is relative unmet legal need for these areas.

<sup>18</sup> Administrative Appeals Tribunal. 2021. [Migration and Refugee Division Caseload Report](#)

In addition to this analysis, relative sufficiency of legal assistance for different populations are available in **D-1**. This includes children and young people, adults, older people, males and females.

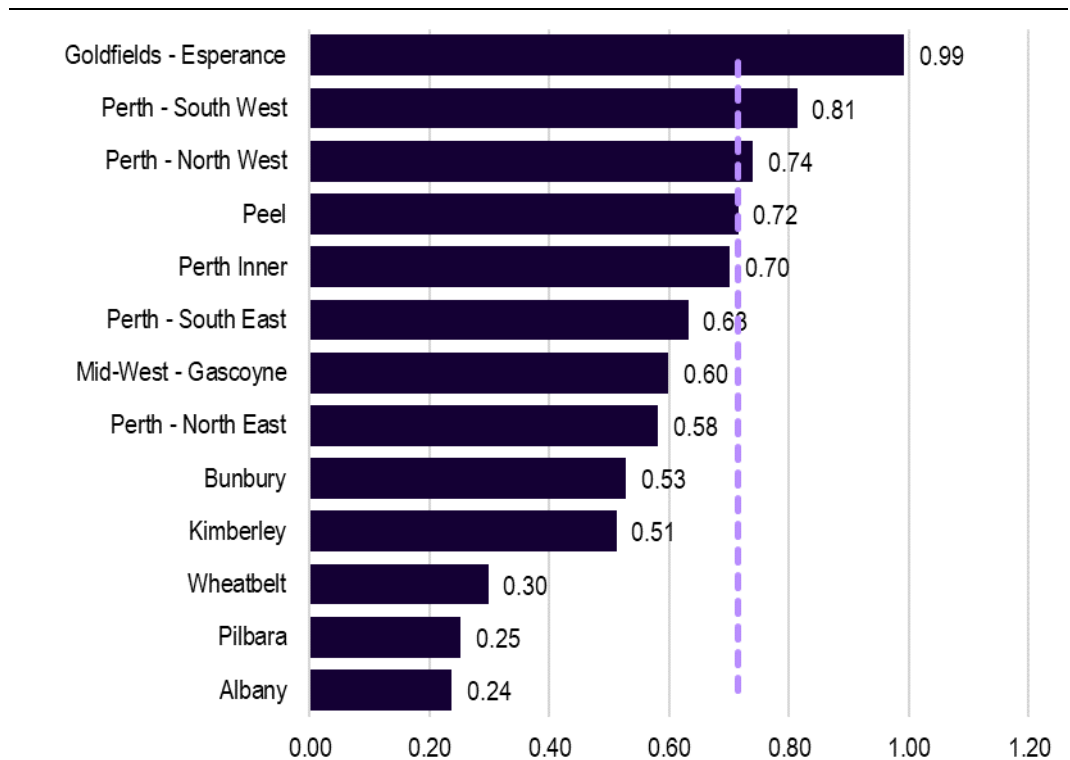
**8.4.6 Restraining order matters**

Legal need for restraining order matters is estimated using the number of people experiencing or at risk of family violence.

For every person in need of legal assistance, there were approximately 0.61 weighted services delivered. The distribution of service rates indicates that there are some differences between metropolitan and regional areas. Specifically, Perth metropolitan and Peel regions reported higher service-to-need ratios, as compared to regional WA.

**Figure 8.9** presents the service-to-need ratios across Justice Regions. In FY21, the 75<sup>th</sup> percentile corresponded to 0.72 weighted services per eligible person.

**Figure 8.9** Restraining order matters - relative sufficiency of legal assistance



Source: ACIL Allen, from various sources

With the exception of Goldfields – Esperance, Justice Regions in regional WA are concentrated in the bottom half of the service rate distribution. Among regional areas, three Justice Regions have comparatively low service-to-need ratios, namely the Albany, Pilbara and Wheatbelt regions. This suggests that there is relative unmet legal need in these areas.

In contrast, Perth metropolitan and Peel regions have higher levels of service delivery. The only exception is Perth – North East, which has a comparatively low service-to-need ratio. Relatively low rates of service may indicate relative unmet legal need in the Perth – North East region.

In addition to this analysis, relative sufficiency of legal assistance for different populations are available in **D-1**. This includes Aboriginal and Torres Strait Islander people, people who are culturally and linguistically diverse, children and young people, adults, older people, males and females.

**8.4.7 Social security matters**

Legal need for social security matters is estimated using the number of NLAS (Capability) persons.

An alternative way to measure this cohort is the number of people receiving welfare payments (e.g., JobSeeker payments) may more aptly reflect the underlying population. In FY21, the Australian Department of Social Services estimated that there were 106,546 Western Australians that received JobSeeker payments.<sup>19</sup> This is one of many welfare payments that is currently available.

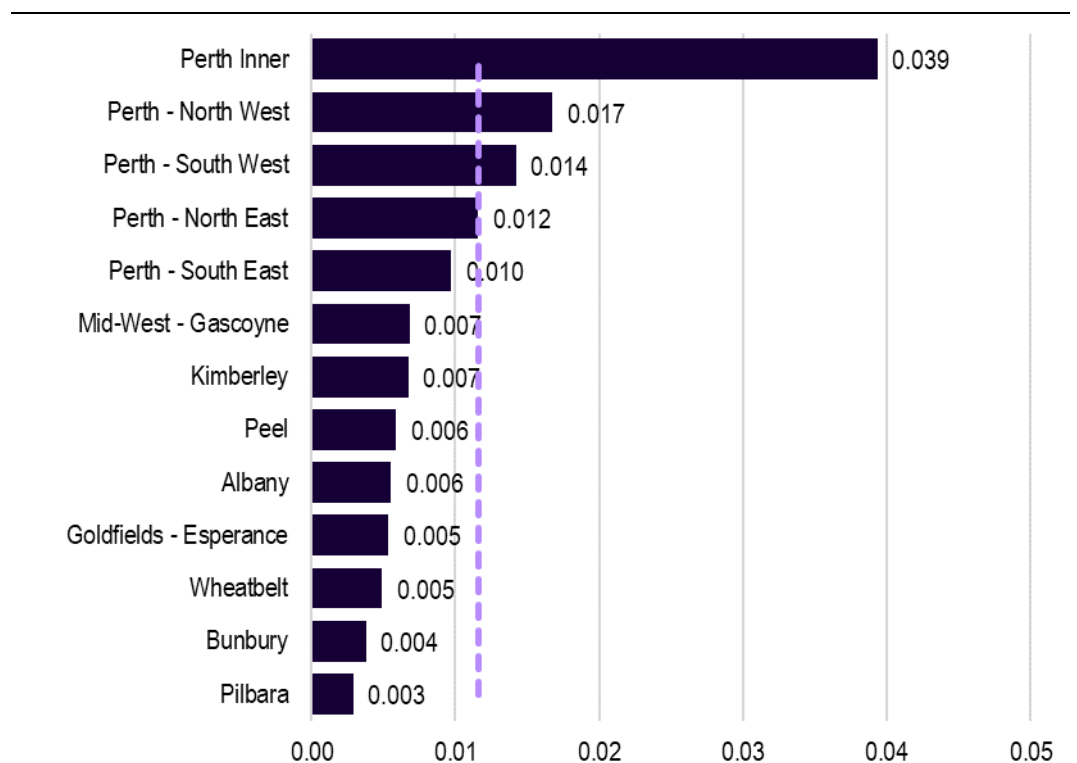
Even though sub-jurisdictional information is available for different welfare payments, these are standalone datasets, and it is unclear how many unique individuals are within the system; hence, were not mapped against service provision.

Given some individuals may be eligible for multiple payment categories, there is a risk of overestimating the underlying population by simply adding all payment cohorts together. On the other hand, shortlisting a single cohort is too simplistic since legal need may emerge across all types of social security payments.

For every person in need of legal assistance, there were approximately 0.011 weighted services delivered. The distribution of service rates indicates that there are some differences between metropolitan and regional areas. Specifically, Perth metropolitan and Peel regions reported higher service-to-need ratios, as compared to regional WA.

**Figure 8.10** presents the service-to-need ratios across Justice Regions. In FY21, the 75<sup>th</sup> percentile corresponded to 0.012 weighted services per NLAS (Capability) person.

**Figure 8.10** Social security matters - relative sufficiency of legal assistance



Source: ACIL Allen, from various sources

Perth metropolitan and Peel regions recorded some of the largest service rates in Western Australia. There is some dispersion in service-to-need ratios, which indicates that there may be

<sup>19</sup> Australian Department of Social Services. 2021. [DSS Payment Demographic Data](#)

relative unmet legal need. Areas with relatively low service levels include the Peel and Perth – South East regions.

In contrast, Justice Regions in regional WA are concentrated in the bottom half of the service rate distribution. Notably, there are two Justice Regions with lower service levels, namely the Pilbara and Bunbury regions. Relatively low rates of legal assistance may indicate relative unmet legal need in both regions.

In addition to this analysis, relative sufficiency of legal assistance for different populations are available in **D-1**. This includes Aboriginal and Torres Strait Islander people, people who are culturally and linguistically diverse, children and young people, adults, older people, males and females.

#### **8.4.8 Tenancy matters**

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Legal need for tenancy matters is estimated using the number of NLAS (Capability) persons. It is acknowledged that in actuality, this cohort is more specific than presently defined.

For instance, the number of people in public housing may more aptly reflect the underlying population. In FY21, the WA Department of Communities managed a total of 35,000 public housing properties.<sup>20</sup>

Alternatively, legal need may also be estimated using the number of rented dwellings in Western Australia. In FY21, there were 273,000 rented dwellings across the State.<sup>21</sup>

These datasets were not mapped against service provision because it does not satisfy the data requirements for this engagement. Specifically, information on the geographic distribution was not granular enough for this exercise.

For every person in need of legal assistance, there were approximately 0.063 weighted services delivered. The distribution of service rates indicates that there are some differences between metropolitan and regional areas. Specifically, Perth metropolitan and Peel regions reported higher service-to-need ratios, as compared to regional WA.

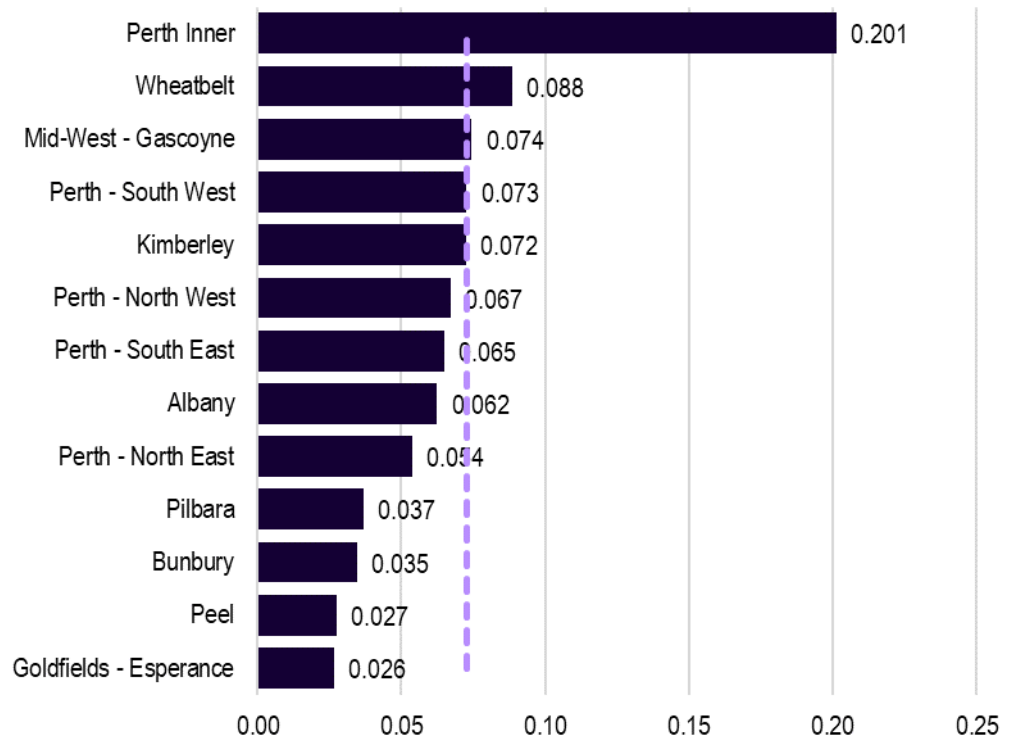
**Figure 8.11** presents the service-to-need ratios across Justice Regions. In FY21, the 75<sup>th</sup> percentile corresponded to 0.073 weighted services per NLAS (Capability) person.

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<sup>20</sup> WA Department of Communities. 2021. [Annual Report 2020-21](#)

<sup>21</sup> Australian Bureau of Statistics. 2022. [Snapshot of Western Australia](#)

Figure 8.11 Tenancy matters - relative sufficiency of legal assistance



Source: ACIL Allen, from various sources

Perth Inner reported substantially higher levels of legal assistance, relative to underlying demand. Legal assistance may be particularly high for Perth Inner, given some providers may have recorded service location (e.g., provider office) in place of the service user’s place of residence.

Conversely, regions in the southern parts of Western Australia appear to be under-served, in comparison to other locations. Specifically, Peel, Bunbury and Goldfields – Esperance reported some of the lowest service rates in the State.

In addition to this analysis, relative sufficiency of legal assistance for different populations are available in **D-1**. This includes Aboriginal and Torres Strait Islander people, people who are culturally and linguistically diverse, children and young people, adults, older people, males and females.



# Priority Client Groups 9

*This section presents analysis on the sufficiency of legal need by priority client group, including an analysis of how the sufficiency of legal assistance by priority client group varies by law type.*

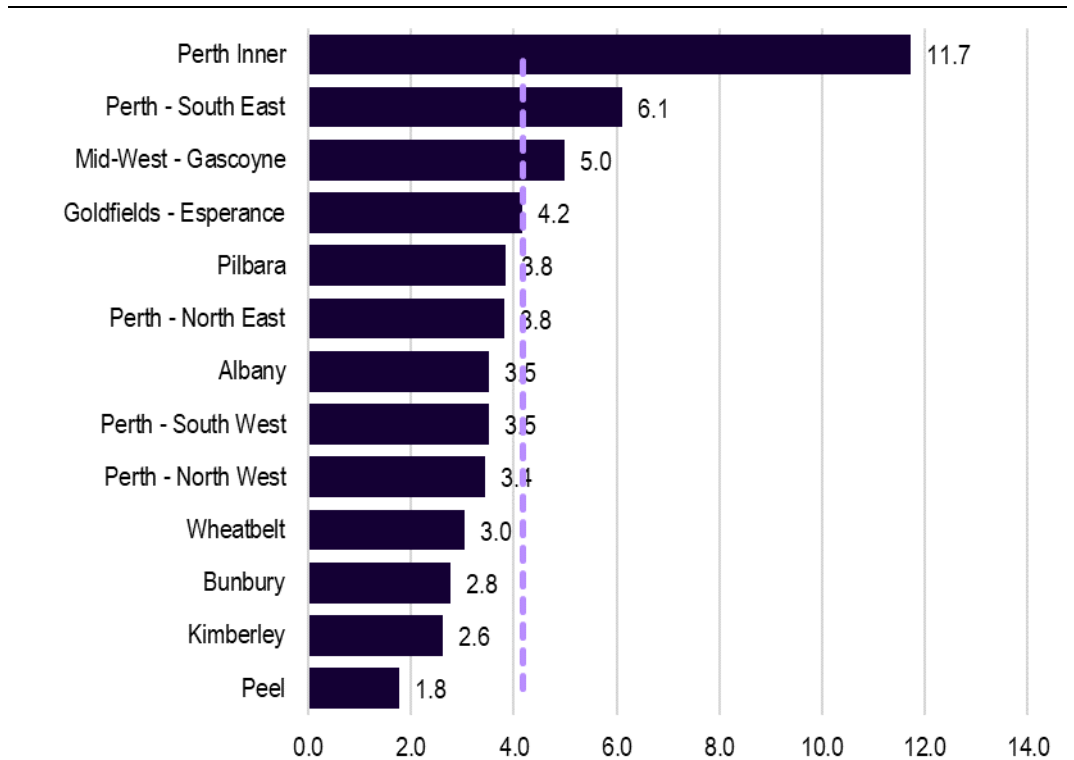
## 9.1 Aboriginal and Torres Strait Islander people

Legal need for Aboriginal and Torres Strait Islander people is estimated using the number of individuals who identify as Aboriginal and/or Torres Strait Islander and had an annual personal income of less than \$52,000.

For every eligible individual, there were approximately 3.84 weighted services delivered. This varied across Western Australia, with several Justice Regions reporting service rates that are double the State’s average. Notably, Aboriginal and Torres Strait Islander people recorded the highest service rates among all other Priority Client Groups.

**Figure 9.1** presents the service-to-need ratios across Justice Regions. In FY21, the 75<sup>th</sup> percentile corresponded to 4.17 weighted services per eligible Aboriginal and Torres Strait Islander person.

**Figure 9.1** Relative sufficiency of legal assistance



Source: ACIL Allen, from various sources

Perth Inner and to a lesser extent, Perth – South East reported substantially higher levels of legal assistance, relative to estimated underlying demand. Legal assistance may be particularly high in Perth Inner, given some providers may have recorded service location (e.g., courts) in place of the service user’s place of residence.

There is a cluster of metropolitan areas with comparable service rates, namely the Perth – North East, Perth – South West, and Perth – North West regions. These rates can range from 3.44 to 3.8 weighted services per eligible person.

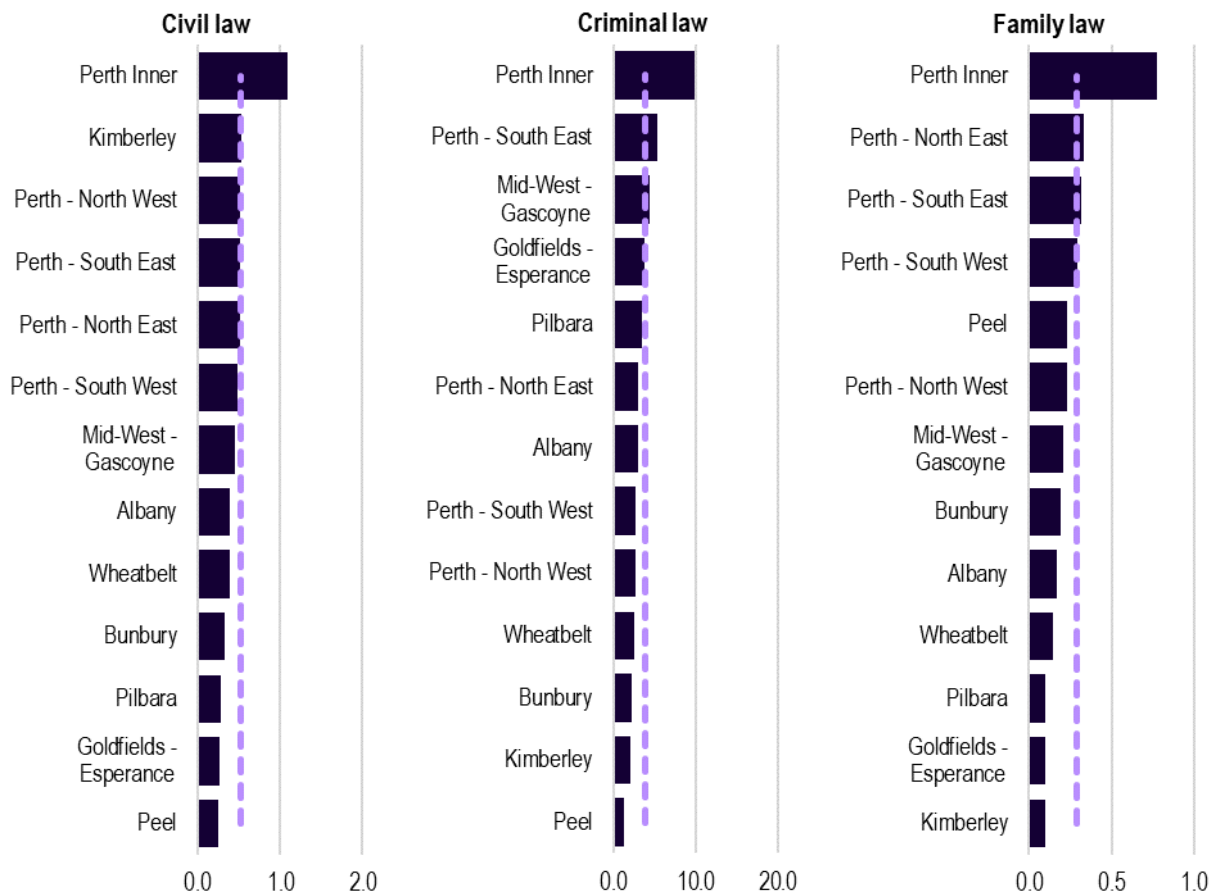
Relative to other metropolitan areas, Peel’s service-to-need ratio is relatively low. In fact, it recorded the lowest service rate in the State. This indicates that there is relative unmet legal need in the Peel region.

Among regional areas, there are several Justice Regions with lower service levels. This includes the Kimberley, Bunbury and Wheatbelt regions. Relatively low service rates may indicate relative unmet legal need in these regions.

**Figure 9.2** illustrates the service-to-need ratios across law types. On a per person basis, the number of weighted services delivered is the highest for criminal law matters, followed by civil law matters and family law matters.

Differences between metropolitan and regional areas is also observed for all law types. In particular, service rates are typically higher for metropolitan areas.

**Figure 9.2** Relative sufficiency of legal assistance, by various law types



Source: ACIL Allen, from various sources

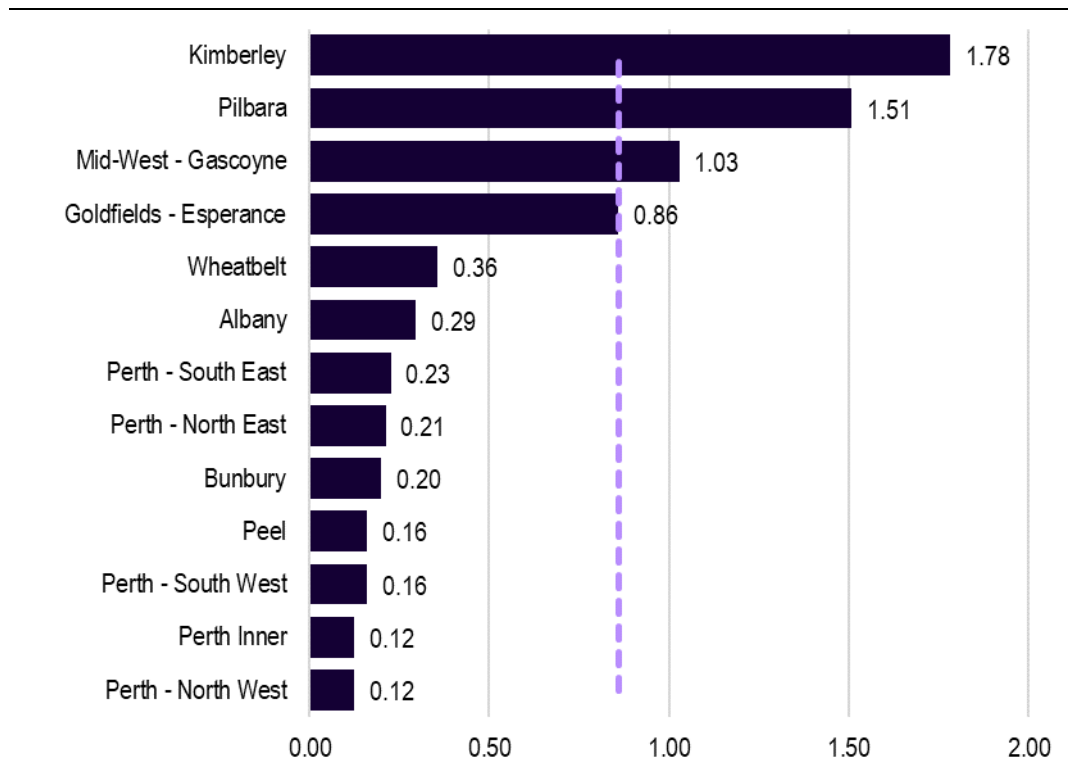
## 9.2 Children and young people

Legal need for children and young people is estimated using the number of children and young people that had an annual personal income of less than \$52,000.

For every eligible individual, there were approximately 0.24 weighted services delivered. The distribution of service rates indicates that there are some differences between metropolitan and regional areas. Specifically, regional WA reported higher service-to-need ratios, as compared to Perth metropolitan and Peel regions.

Figure 9.3 presents the service-to-need ratios across Justice Regions. In FY21, the 75<sup>th</sup> percentile corresponded to 0.86 weighted services per eligible child and young person.

**Figure 9.3** Relative sufficiency of legal assistance



Source: ACIL Allen, from various sources

There is some clustering among regional WA. Specifically, the first cluster has relative high levels of service, and is comprised of the Kimberley, Pilbara, Mid-West – Gascoyne and Goldfields – Esperance region.

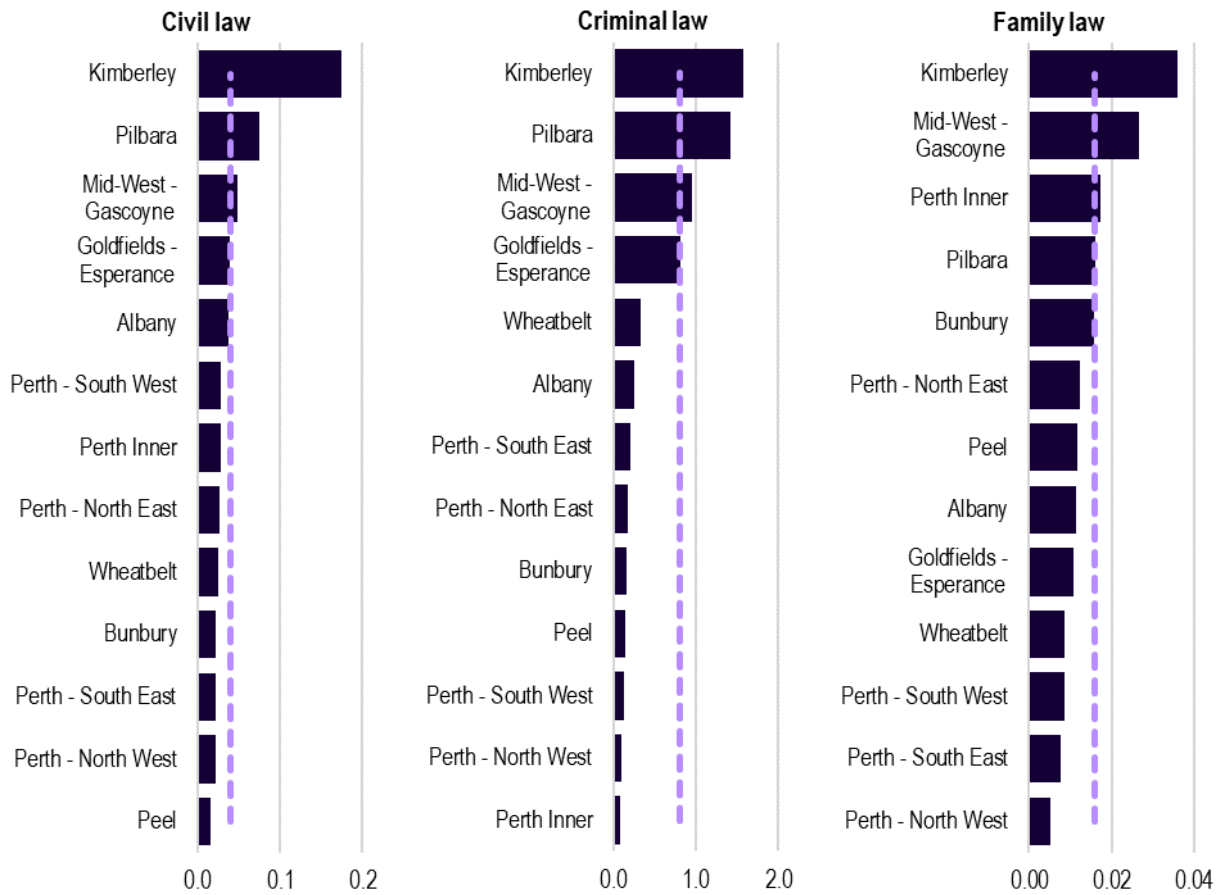
Wheatbelt, Albany and Bunbury fall within the second cluster, and are characterised by their relatively low service rates. This indicates that there is relative unmet legal need in these areas.

Metropolitan areas are concentrated in the bottom half of the service rate distribution. Among these areas, there are several Justice Regions with low levels of service delivery relative to their underlying at-risk population. The two lowest include the Perth – North West and Perth Inner regions.

Figure 9.4 illustrates the service-to-need ratios across law types. On a per person basis, the number of weighted services delivered is the highest for criminal law matters, followed by civil law matters and family law matters.

Differences between metropolitan and regional areas is also observed for all law types. Service rates are typically higher for regional areas, as compared to their metropolitan counterparts.

Figure 9.4 Relative sufficiency of legal assistance, by various law types



Source: ACIL Allen, from various sources

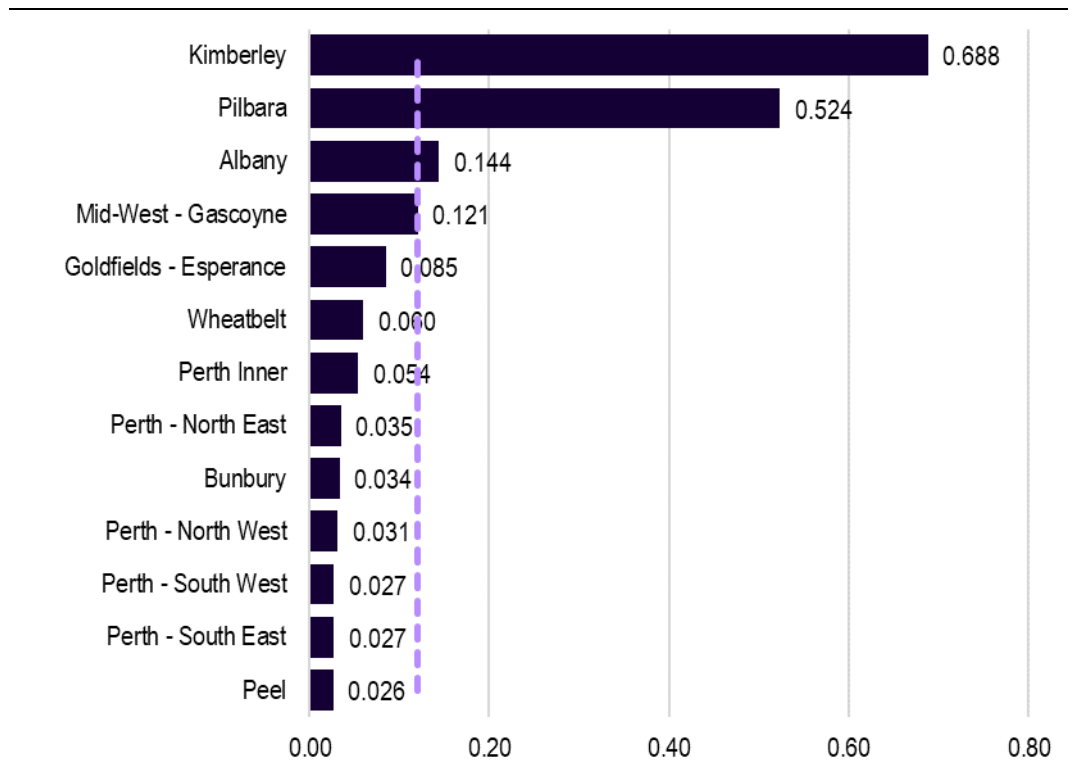
### 9.3 Older people

Legal need for older people is estimated using the number of older people that had an annual personal income of less than \$52,000.

For every eligible individual, there were approximately 0.047 weighted services delivered. The distribution of service rates indicates that there are some differences between metropolitan and regional areas. Specifically, regional WA reported higher service-to-need ratios, as compared to Perth metropolitan and Peel regions.

**Figure 9.5** presents the service-to-need ratios across Justice Regions. In FY21, the 75<sup>th</sup> percentile corresponded to 0.121 weighted services per eligible older person.

**Figure 9.5** Relative sufficiency of legal assistance



Source: ACIL Allen, from various sources

Two Justice Regions, namely Kimberley and Pilbara reported substantially higher levels of legal assistance, relative to underlying demand. Service-to-need ratios for these areas are at least 10 times the state-wide average.

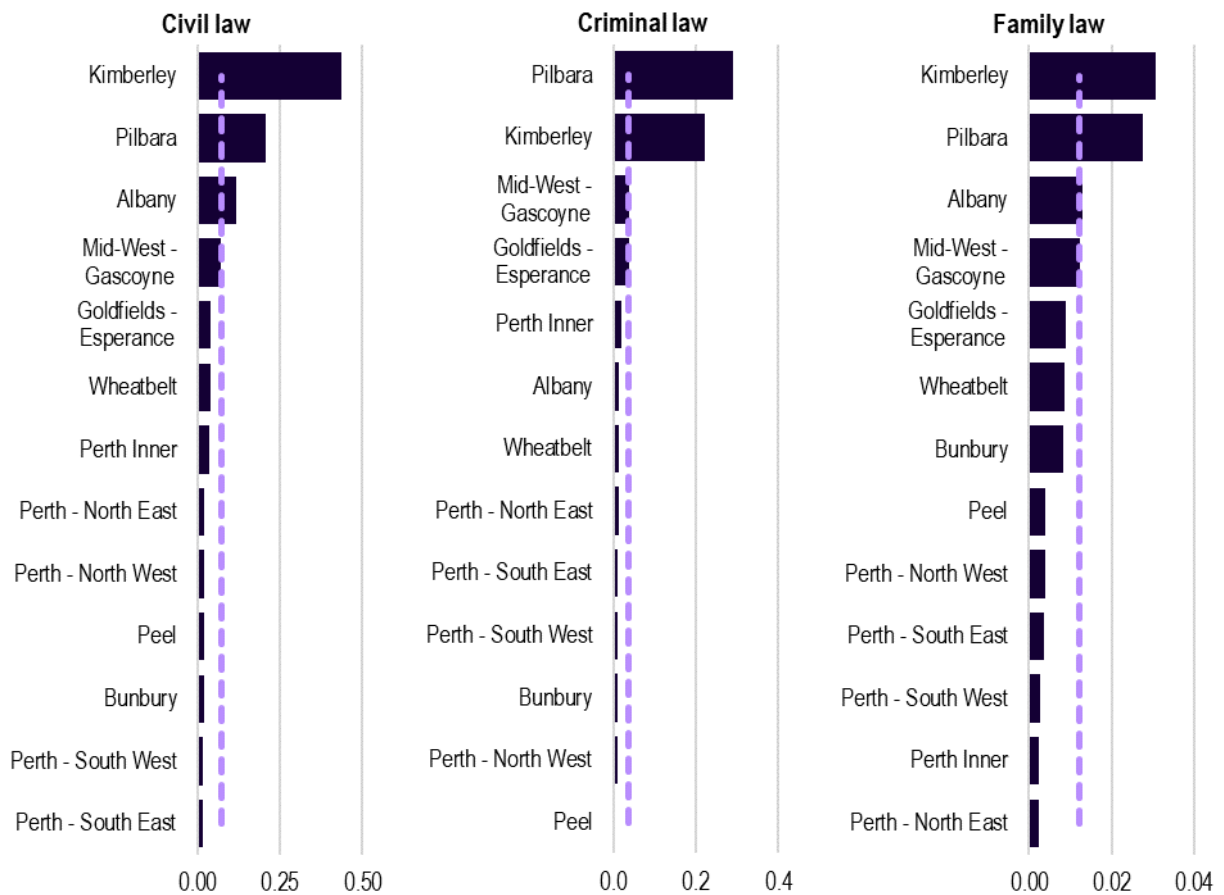
More broadly, regional areas are concentrated in the upper half of service rate distribution. There is some dispersion in service-to-need ratios, which indicates that there may be relative unmet legal need. Areas with relatively low service levels include the Bunbury and Wheatbelt regions.

Perth metropolitan and Peel regions reported some of the lowest service-to-need ratios in the State. Service rates are particularly low in regions such as Perth – South West, Perth – South East and Peel, which indicates that there is relative unmet legal need in these areas.

Figure 9.6 illustrates the service-to-need ratios across law types. On a per person basis, the number of weighted services delivered is the highest for civil law matters, followed by criminal law matters and family law matters.

Differences between metropolitan and regional areas is also observed for all law types. Service rates are typically higher for regional areas, as compared to their metropolitan counterparts.

Figure 9.6 Relative sufficiency of legal assistance, by various law types



Source: ACIL Allen, from various sources

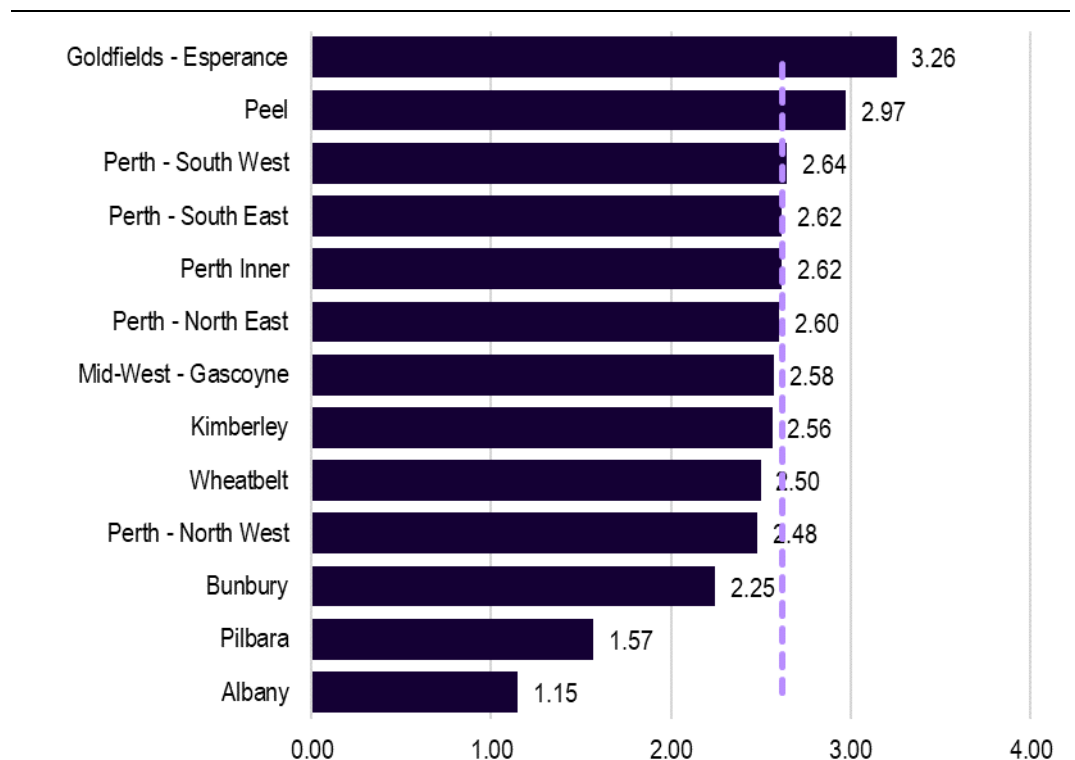
## 9.4 People experiencing, or at risk of, family violence

Legal need for people experiencing or at risk of family violence is based on an estimate of the number of FVRO applications, which is then scaled to account for family / domestic violence incidents that are likely unreported.

For every eligible individual, there were approximately 2.44 weighted services delivered. Service rates are broadly similar across Western Australia, with the only exception being the Pilbara and Albany regions.

Figure 9.7 presents the service-to-need ratios across Justice Regions. In FY21, the 75<sup>th</sup> percentile corresponded to 2.62 weighted services per eligible person.

Figure 9.7 Relative sufficiency of legal assistance



Source: ACIL Allen, from various sources

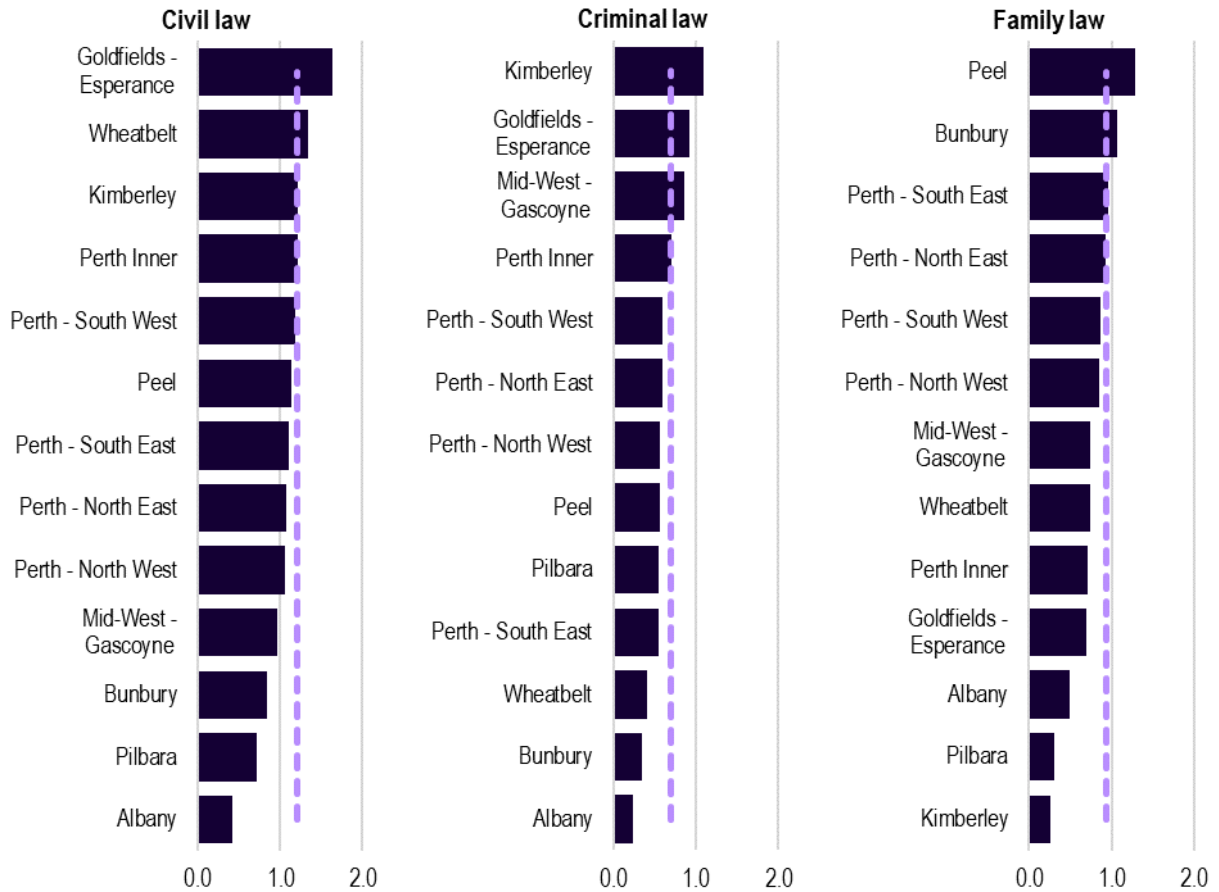
There is some variation across regional WA. Specifically, there are Justice Regions on both extremes of the distribution for service rates. Pilbara and Albany reported the lowest service-to-need ratios in Western Australia, indicating that relative unmet legal need in these regions.

Perth metropolitan and Peel regions have broadly similar service-to-need ratios, ranging between 2.48 to 2.97 weighted services per eligible person. Given the clustering of Justice Regions, relative unmet legal need is less apparent for metropolitan areas. Notably, service rates in these regions are fairly close to the upper levels of service (i.e., 75<sup>th</sup> percentile) observed in Western Australia.

**Figure 9.8** illustrates the service-to-need ratios across law types. On a per person basis, the number of weighted services delivered is the highest for civil law matters, followed by family law matters and criminal law matters.

For regional areas, there are Justice Regions on both extremes of the service rate distribution. On the other hand, service-to-need ratios is consistent across Perth metropolitan and Peel regions. These patterns are observed across all law types.

**Figure 9.8** Relative sufficiency of legal assistance, by various law types



Source: ACIL Allen, from various sources



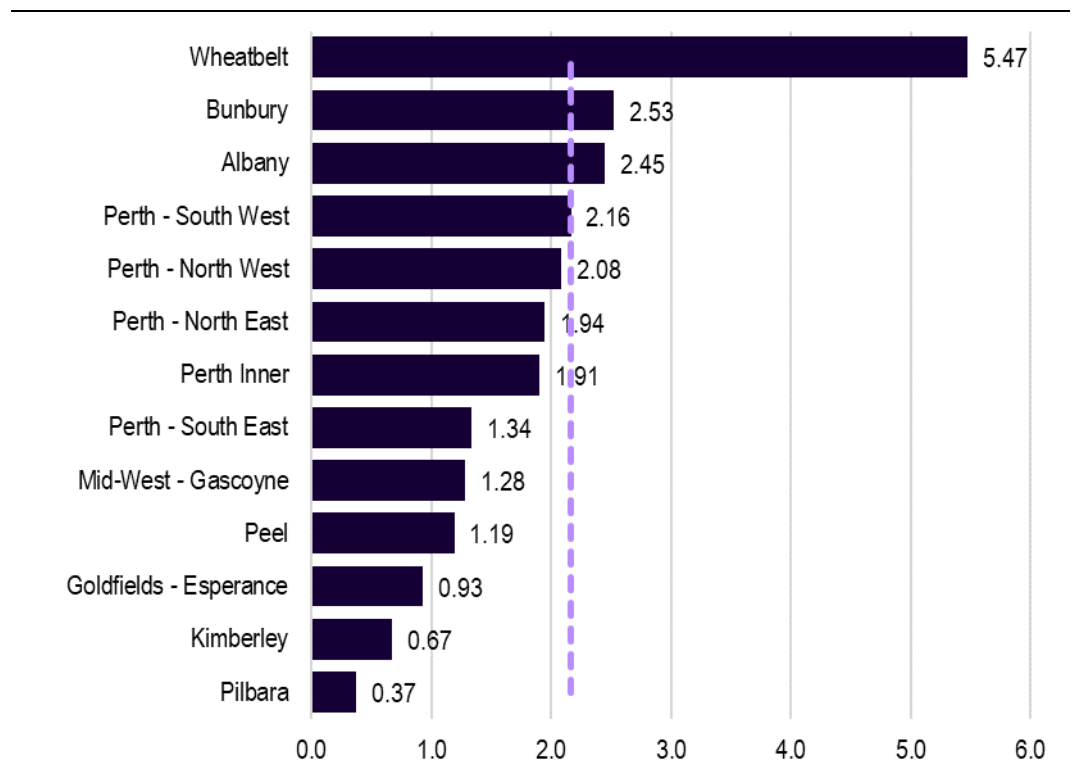
## 9.5 People experiencing, or at risk of, homelessness

The legal need for people experiencing or at risk of homelessness has been modelled based on the estimated number of rough sleepers and also those living in temporary / severely crowded accommodation.

For every eligible individual, there were approximately 1.62 weighted services delivered. However, this varied across Western Australia, as it ranges from a low of 0.37 weighted services in Pilbara, to a high of 5.47 weighted services in Wheatbelt.

**Figure 9.9** presents the service-to-need ratios across Justice Regions. In FY21, the 75<sup>th</sup> percentile corresponded to 2.16 weighted services per eligible person.

**Figure 9.9** Relative sufficiency of legal assistance



Source: ACIL Allen, from various sources

There is some variation across regional WA. Specifically, there are Justice Regions on both extremes of the distribution for service rates. Pilbara and to a lesser extent, Goldfields – Esperance and Mid-West – Gascoyne have relatively low service-to-need ratios, indicating that there is relative unmet legal need in these regions.

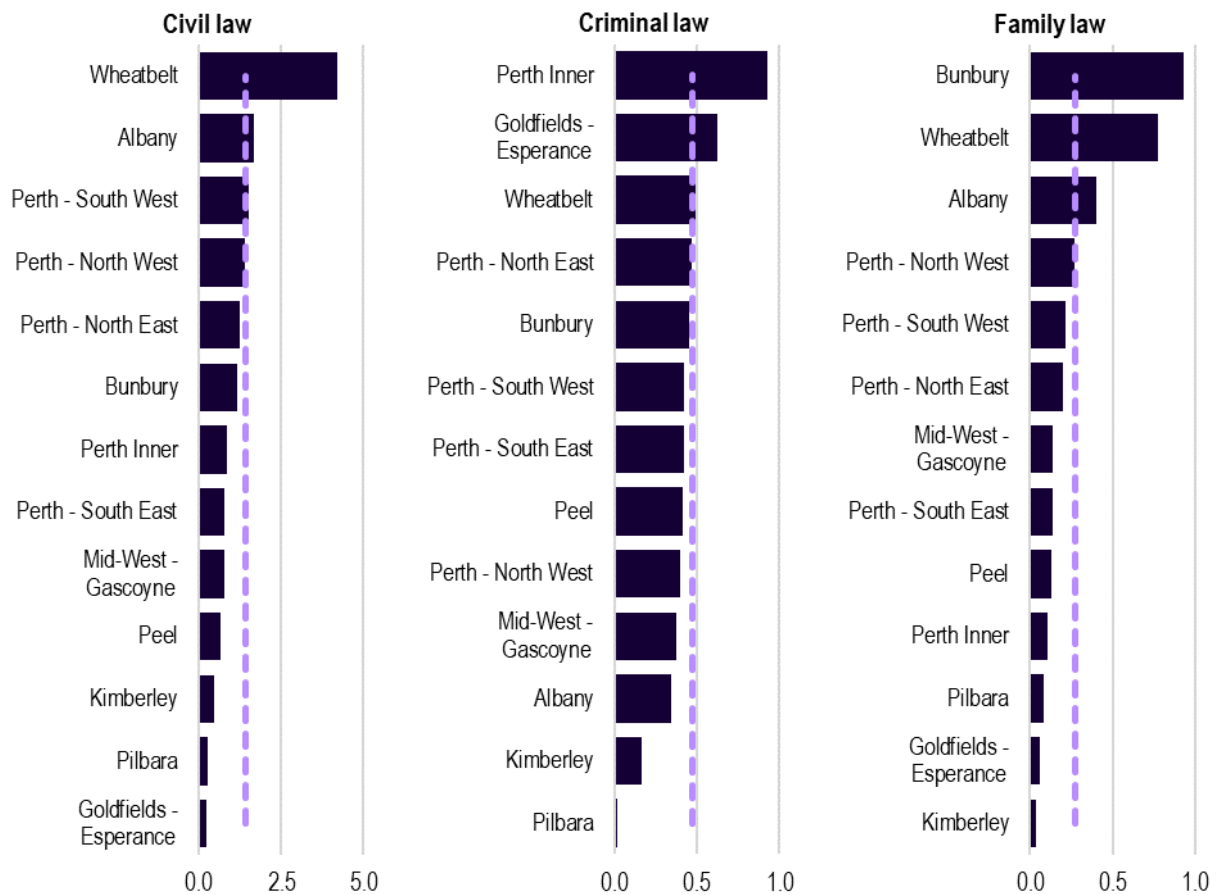
With the exception of Peel and Perth – South East, metropolitan areas have broadly similar service-to-need ratios, ranging from 1.91 to 2.16 weighted services per eligible person.

The two exceptions have comparatively low levels of service, at 1.19 and 1.34 weighted services, respectively. Relatively low service rates suggests that there is relative unmet legal need in the Peel and Perth – South East regions.

**Figure 9.10** illustrates the service-to-need ratios across law types. On a per person basis, the number of weighted services delivered is the highest for civil law matters, followed by criminal law matters and family law matters.

For regional areas, there are Justice regions on both extremes of the service rate distribution. This is observed consistently across all law types. On the other hand, Perth metropolitan and Peel exhibited a two-cluster pattern for civil law matters and family law matters, while service rates are broadly consistent for criminal law matters.

**Figure 9.10** Relative sufficiency of legal assistance, by various law types



Source: ACIL Allen, from various sources

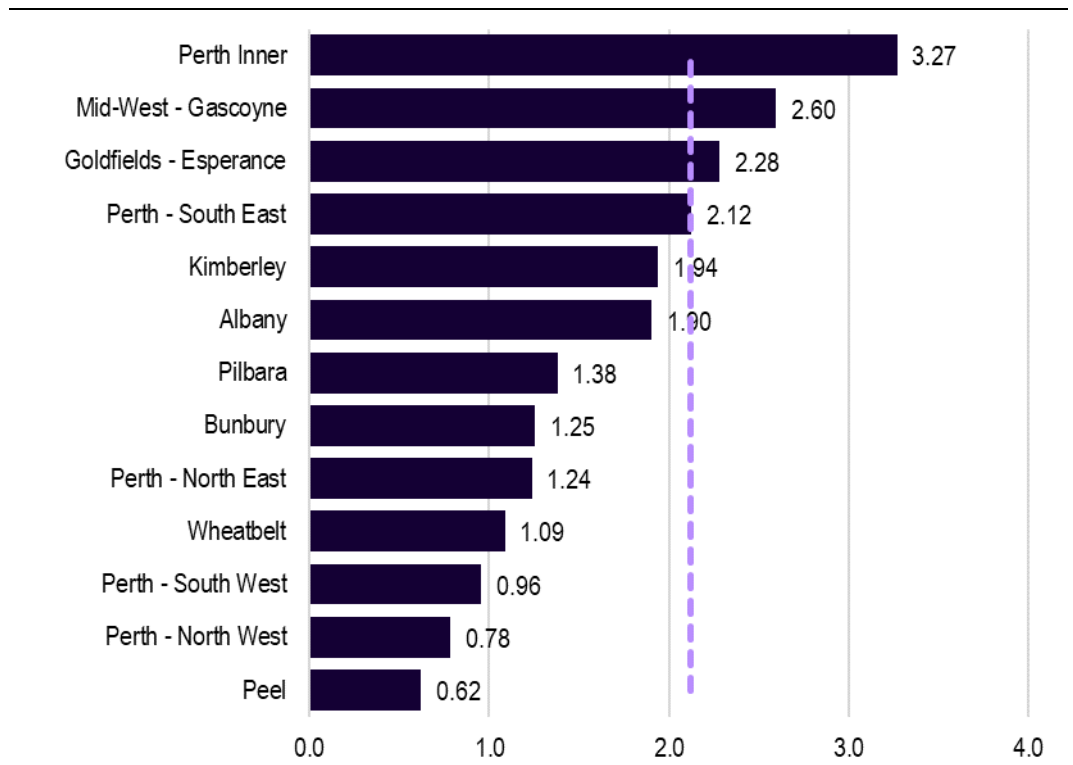
## 9.6 People in custody and/or prisoners

Legal need is estimated using the number of people in police custody. This estimate does not include the prisoner cohort, as publicly available information on its geographical distribution is not sufficiently granular.

For every eligible individual, there were approximately 1.53 weighted services delivered. This varied across Western Australia, as it ranges from a low of 0.62 weighted services in Peel, to a high of 3.27 in Perth Inner.

**Figure 9.11** presents the service-to-need ratios across Justice Regions. In FY21, the 75<sup>th</sup> percentile corresponded to 2.12 weighted services per eligible person.

**Figure 9.11** Relative sufficiency of legal assistance



Source: ACIL Allen, from various sources

Perth Inner reported substantially higher levels of legal assistance, relative to underlying demand. Legal assistance may be particularly high, given some providers may have recorded service location (e.g., courts) in place of the service user’s place of residence.

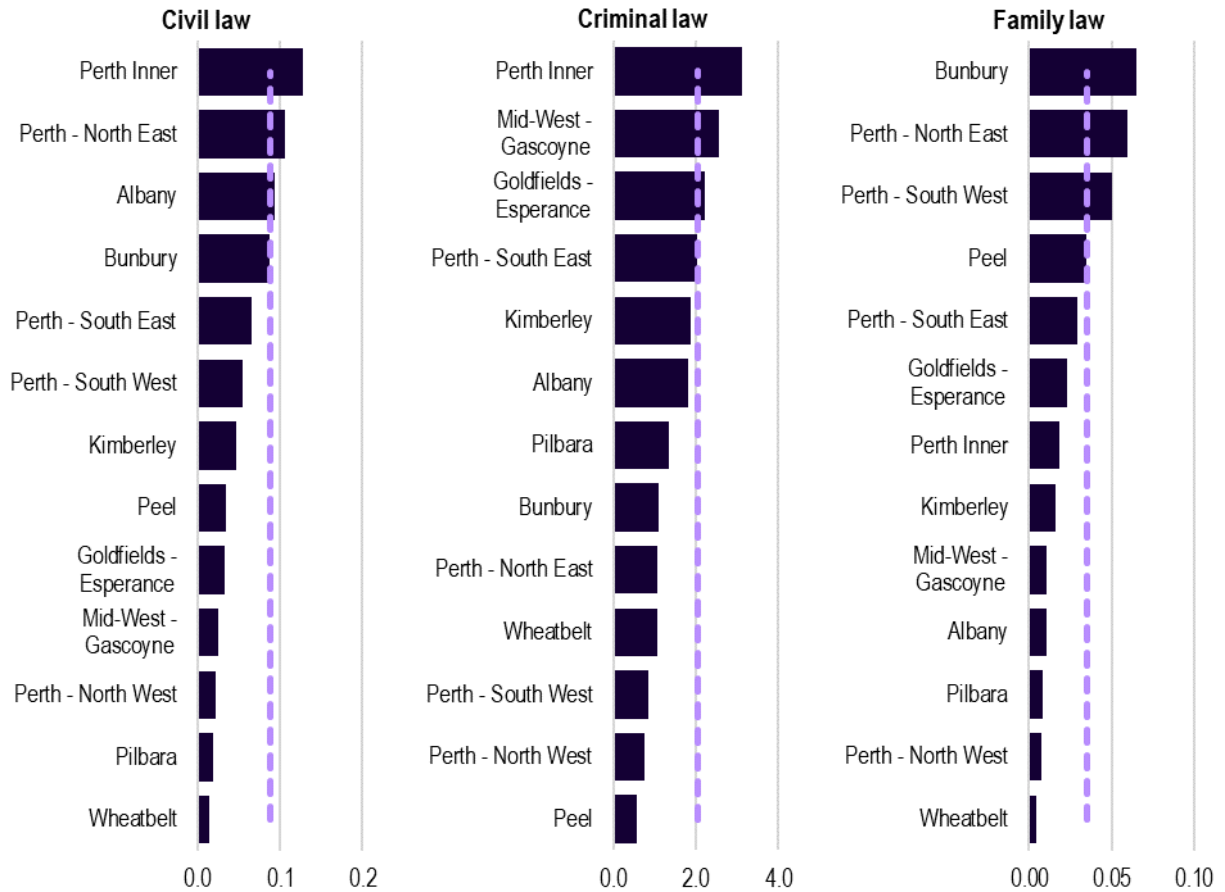
More broadly, metropolitan areas are mostly concentrated in the bottom half of the service rate distribution. Of which there are several Justice Regions with comparatively low service-to-need ratios. This includes the Peel, Perth – North West and Perth – South West regions.

In contrast, regional areas have higher levels of service. Among these Justice Regions, there is some dispersion in service rates, which suggests that there is relative unmet legal need. Areas with relatively low service-to-need ratios include Wheatbelt, Bunbury and Pilbara.

**Figure 9.12** illustrates the service-to-need ratios across law types. On a per person basis, the number of weighted services delivered is the highest for criminal law matters, followed by civil law matters and family law matters.

For civil law matters and family law matters, regional areas consistently recorded the lowest service rates in the State. In contrast, for criminal law matters, Perth metropolitan and Peel regions largely represent the bottom half of the service rate distribution.

**Figure 9.12** Relative sufficiency of legal assistance, by various law types



Source: ACIL Allen, from various sources

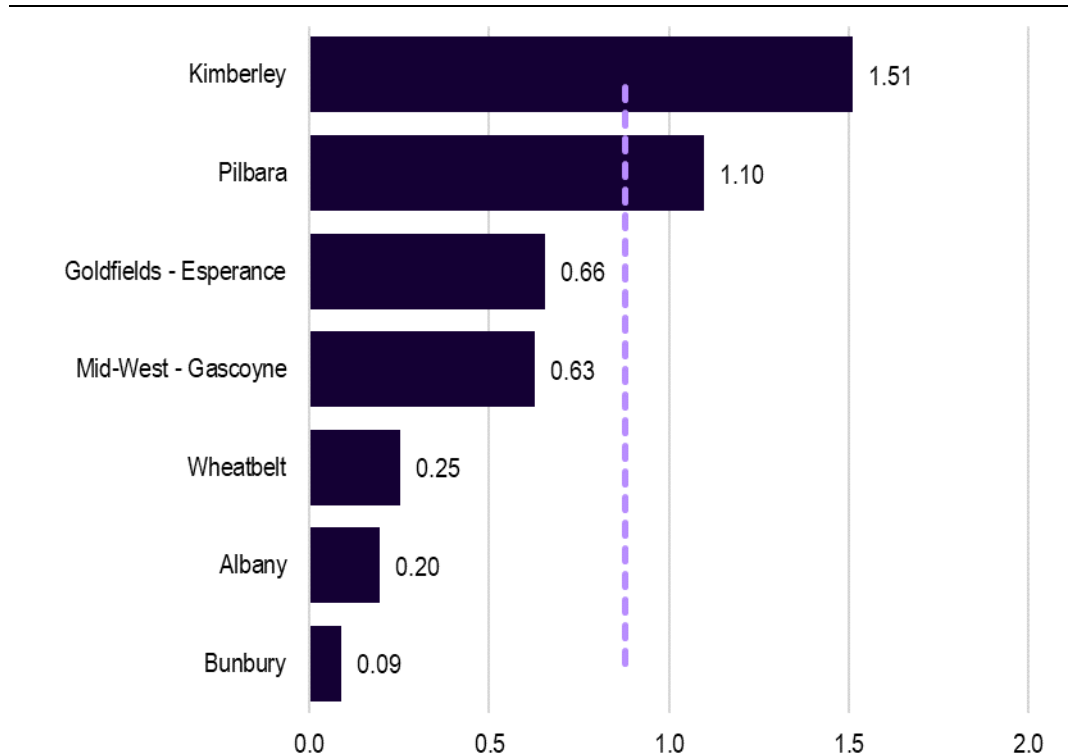
## 9.7 People residing in rural and remote areas

Legal need for people residing rural and remote areas is estimated using the number of people residing in rural and remote areas and had an annual personal income of less than \$52,000.

For every eligible individual, there were approximately 0.57 weighted services delivered. This varies across Western Australia, with several Justice Regions reporting more than double the state-wide average.

**Figure 9.1** presents the service-to-need ratios across Justice Regions. In FY21, the 75<sup>th</sup> percentile corresponded to 0.88 weighted services per eligible person.

**Figure 9.13** Relative sufficiency of legal assistance



Source: ACIL Allen, from various sources

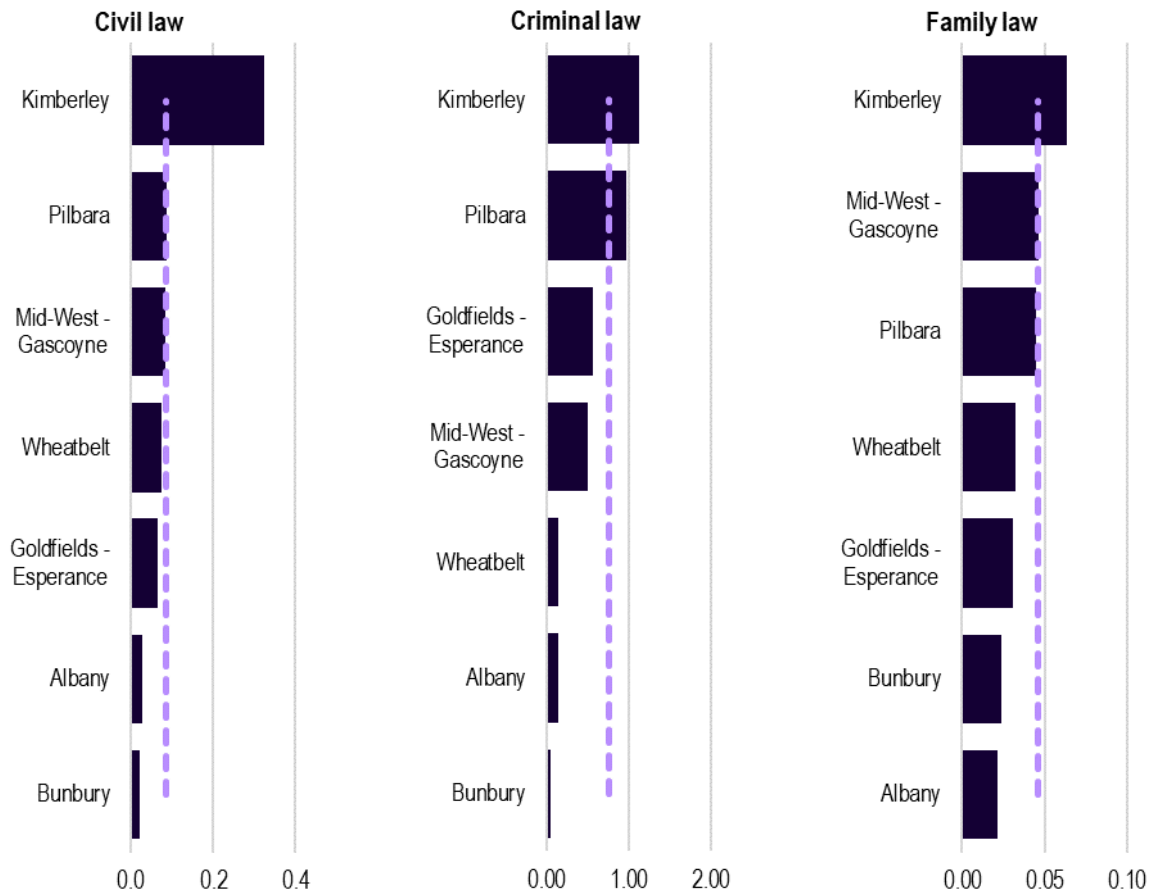
Importantly, the distribution of service rates is closely related to the proportion of residents in rural and remote areas.<sup>22</sup> For Justice Regions with a large number of rural and remote communities, the service-to-need ratios are generally higher, and vice versa.

This pattern is reflective of how accessible alternative providers are. For example, Bunbury residents are not limited to accessing services delivered from their rural and remote communities, since it is less prohibitive to travel to proximal regional town for legal assistance. In contrast, this optionality is not available for Kimberley residents, given its current population structure.

<sup>22</sup> At the Justice Region level, regions like Bunbury are typically classified under regional areas. However, since our approach encodes remoteness at the SA2-level (i.e., more granular), there are some SA2s within these Justice Regions that more closely resemble rural and remote areas.

Figure 9.14 illustrates the service-to-need ratios across law types. On a per person basis, the number of weighted services delivered is the highest for criminal law matters, followed by civil law matters and family law matters.

Figure 9.14 Relative sufficiency of legal assistance, by various law types



Source: ACIL Allen, from various sources

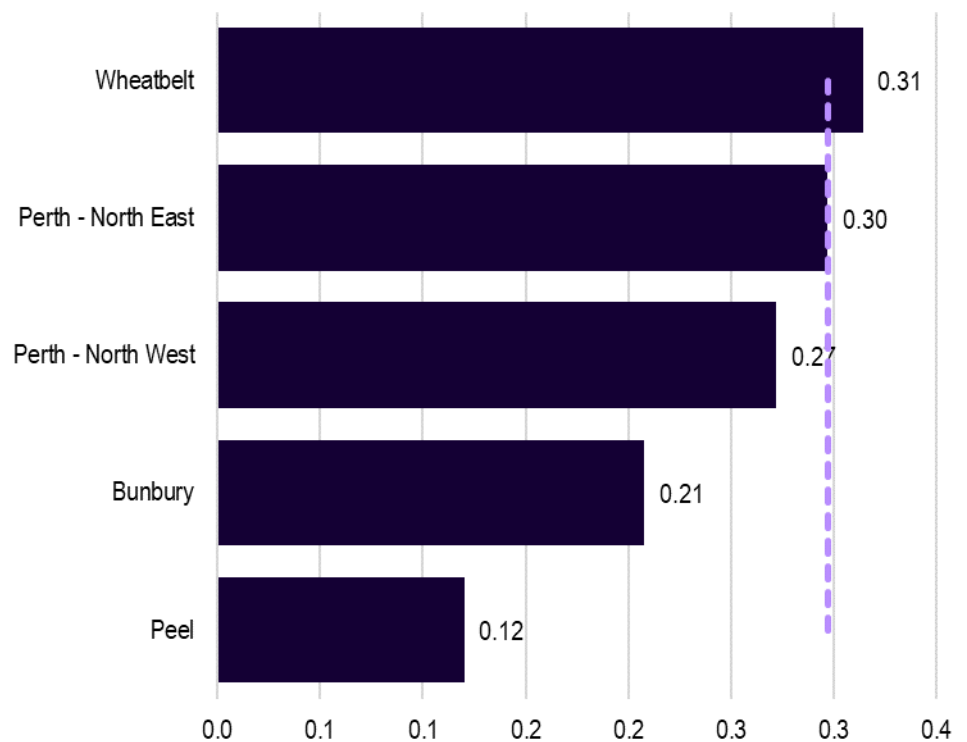
## 9.8 People residing in regional areas

Legal need for people residing rural and remote areas is estimated using the number of people residing in regional areas and had an annual personal income of less than \$52,000.

For every eligible individual, there were approximately 0.26 weighted services delivered. This varies across Western Australia, ranging from a low of 0.12 weighted services in Peel, to a high of 0.31 weighted services in Wheatbelt.

Figure 9.1 presents the service-to-need ratios across Justice Regions. In FY21, the 75<sup>th</sup> percentile corresponded to 0.30 weighted services per eligible person.

Figure 9.15 Relative sufficiency of legal assistance



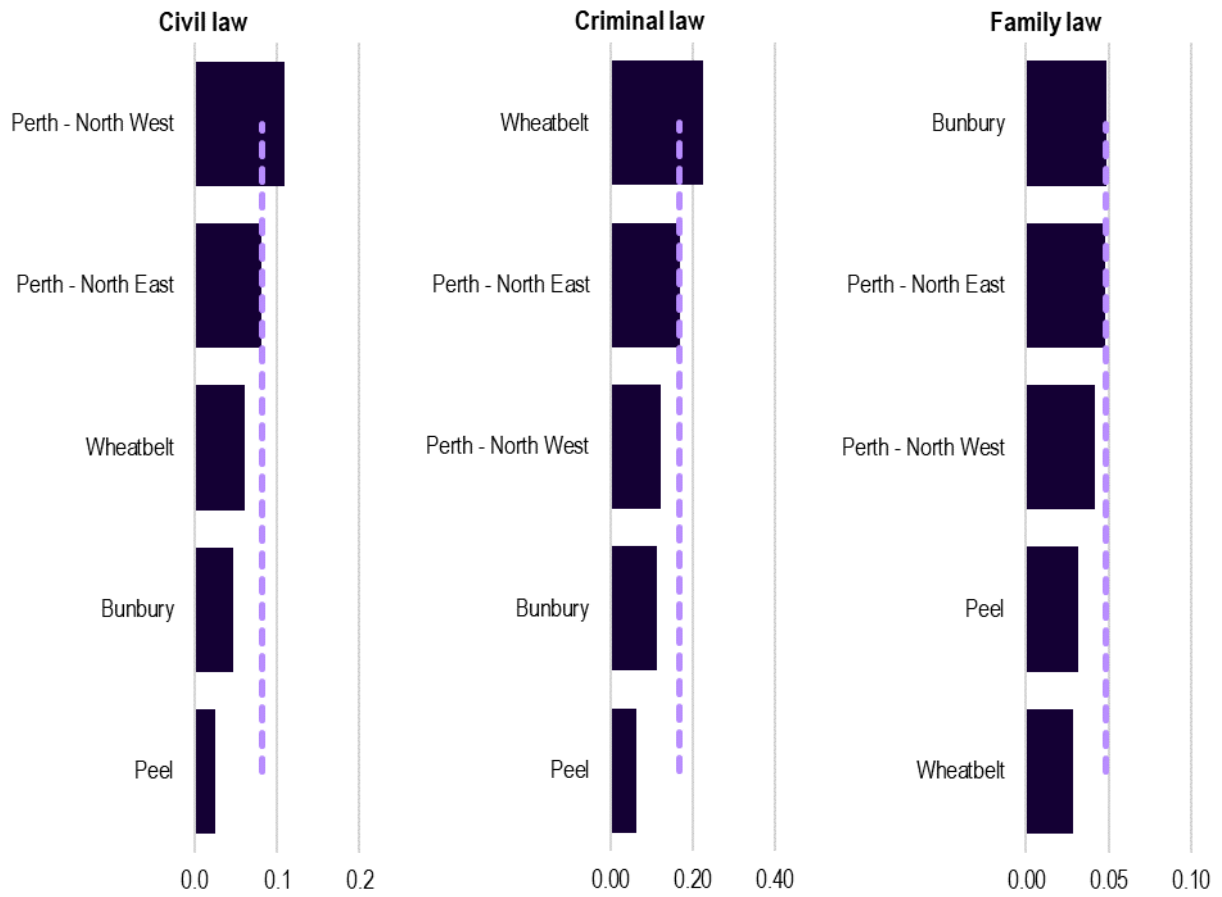
Source: ACIL Allen, from various sources

Based on the service rate distribution, there are two clusters of Justice Regions. It appears that areas that are close to or in the south-west corridor of the State, have relatively low service-to-need ratios. This indicates that there may be relative unmet legal need in the Bunbury and Peel regions.<sup>23</sup>

<sup>23</sup> At the Justice Region level, regions like the Perth – North East are typically classified under metropolitan areas. However, since our approach encodes remoteness at the SA2-level (i.e., more granular), there are some SA2s within these Justice Regions that more closely resemble regional areas.

Figure 9.16 illustrates the service-to-need ratios across law types. On a per person basis, the number of weighted services delivered is the highest for criminal law matters, followed by civil law matters and family law matters.

Figure 9.16 Relative sufficiency of legal assistance, by various law types



Source: ACIL Allen, from various sources



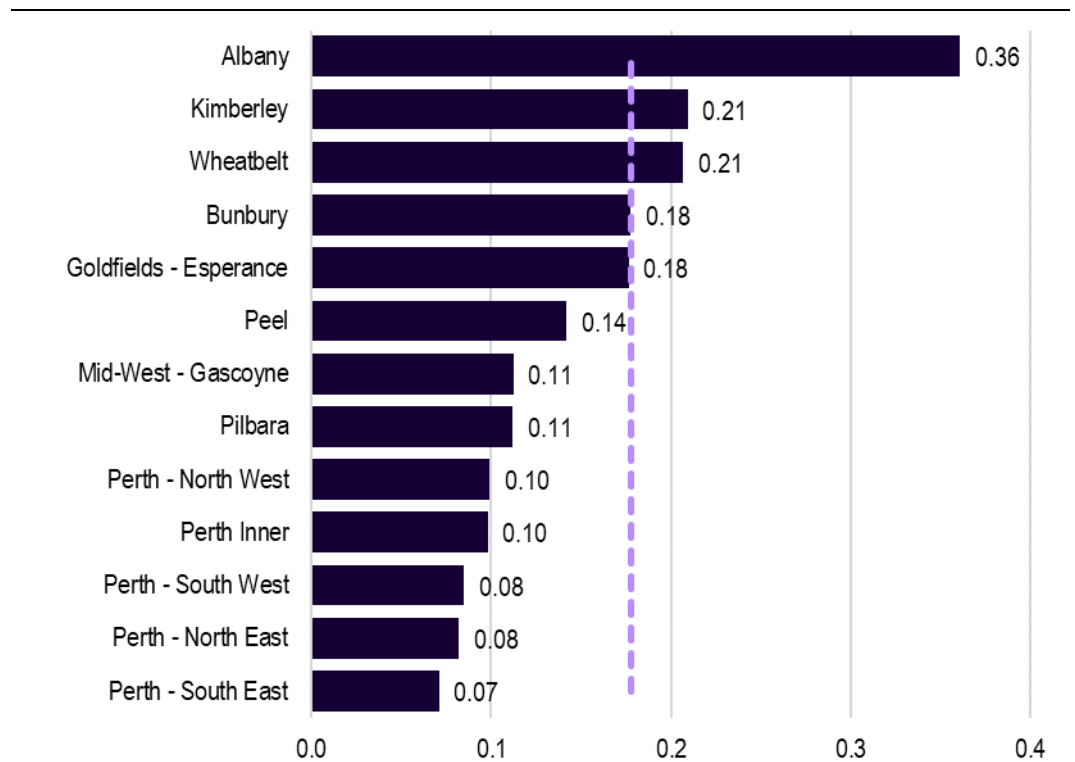
## 9.9 People who are culturally and linguistically diverse

Legal need for people who are culturally and linguistically diverse is estimated using the number of people who are culturally and linguistically diverse that had an annual personal income of less than \$52,000.

For every eligible individual, there were approximately 0.09 weighted services delivered. The distribution of service rates indicates that there are some differences between metropolitan and regional areas. Specifically, regional WA reported higher service-to-need ratios, as compared to Perth metropolitan and Peel regions.

**Figure 9.17** presents the service-to-need ratios across Justice Regions. In FY21, the 75<sup>th</sup> percentile corresponded to 0.18 weighted services per eligible older person.

**Figure 9.17** Relative sufficiency of legal assistance



Source: ACIL Allen, from various sources

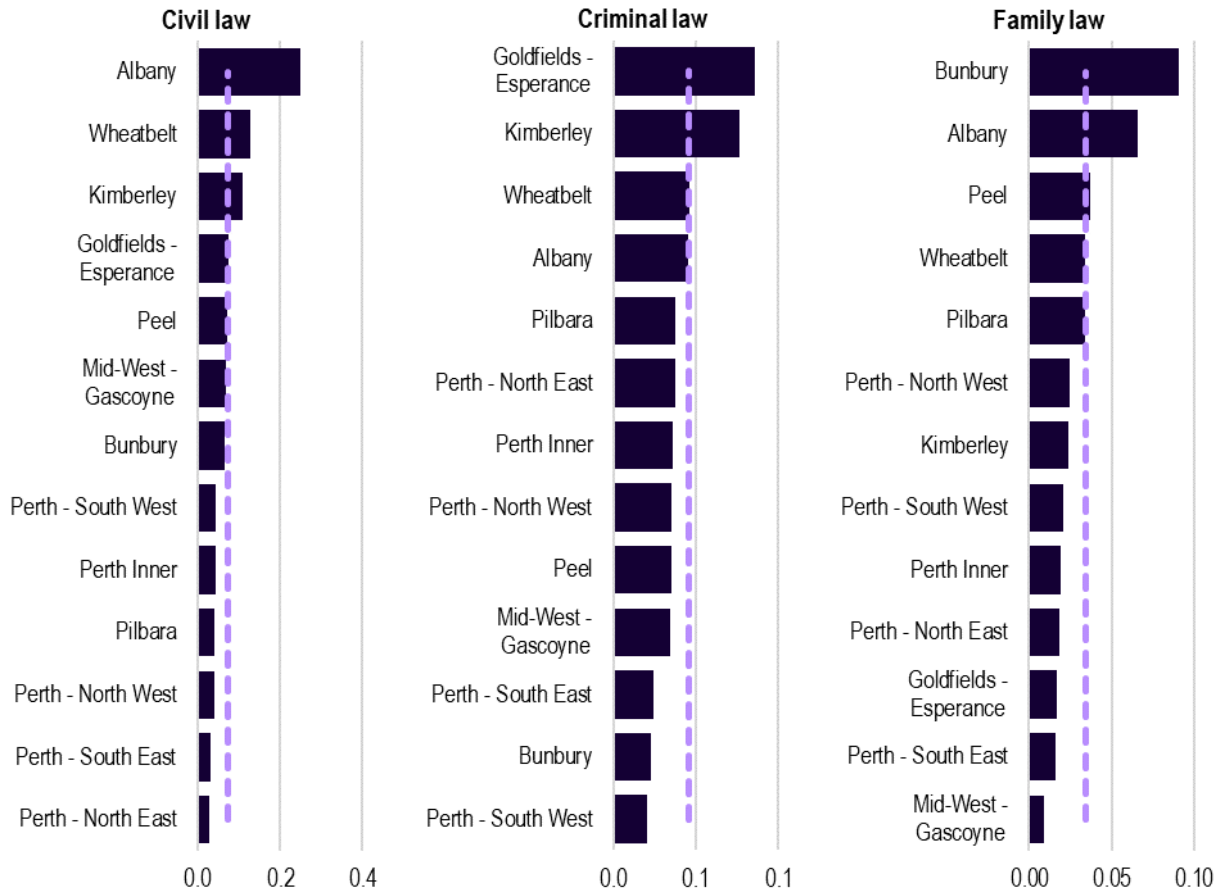
Justice Regions in regional WA have reported some of the highest service rates in Western Australia. However, there is some dispersion in service-to-need ratios, indicating that the possibility of relative unmet legal need. Areas with relatively low ratios include the Pilbara and Mid-West – Gascoyne regions.

Perth metropolitan and Peel regions are concentrated the bottom half of the service rate distribution. With the exception of Peel which has a higher level of service, service-to-need ratios are fairly consistent across metropolitan areas. Given the clustering of Justice Regions, relative unmet legal need is less apparent in metropolitan areas.

**Figure 9.18** illustrates the service-to-need ratios across law types. On a per person basis, the number of weighted services delivered is the highest for civil law matters, followed by criminal law matters and family law matters.

Differences between metropolitan and regional areas is also observed for all law types. In particular, service rates are typically higher for regional areas, as compared to their metropolitan counterparts.

**Figure 9.18** Relative sufficiency of legal assistance, by various law types



Source: ACIL Allen, from various sources

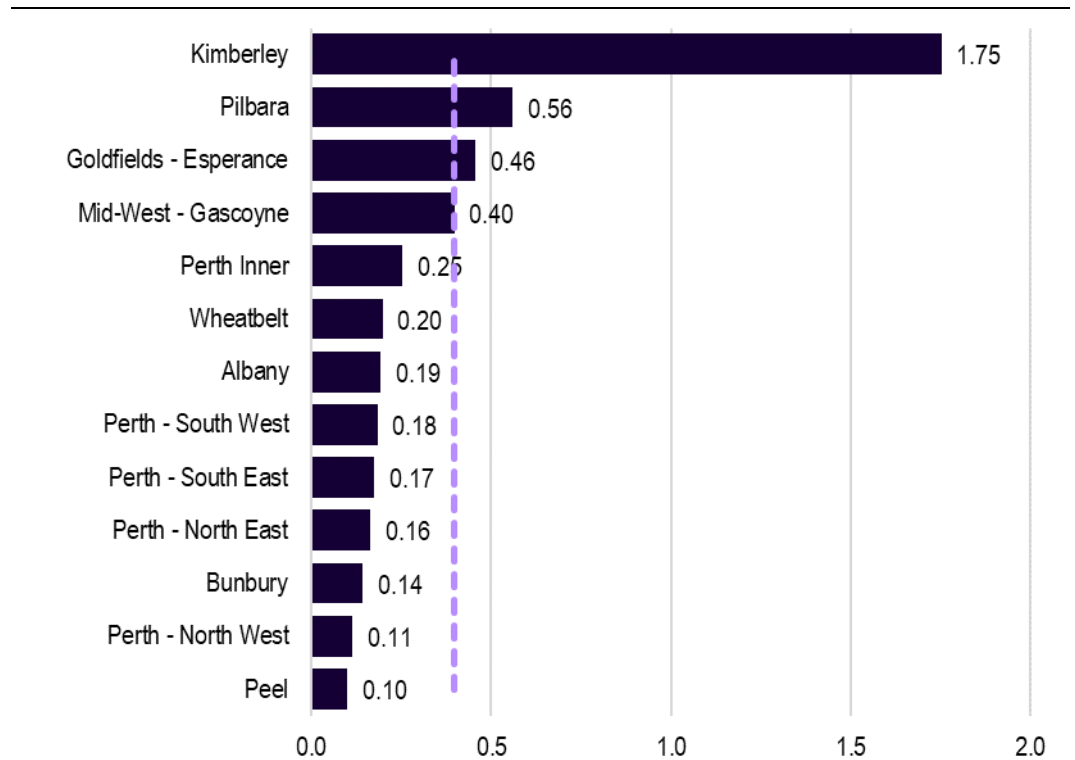
## 9.10 People with a disability or mental illness

Legal need is estimated using the number of people with a disability. This estimate does not include individuals that are experiencing mental illness, as publicly available information on its geographical distribution is not sufficiently granular.

For every eligible individual, there were approximately 0.18 weighted services delivered. The distribution of service rates indicates that there are some differences between metropolitan and regional areas. Specifically, regional WA reported higher service-to-need ratios, as compared to Perth metropolitan and Peel regions.

**Figure 9.19** presents the service-to-need ratios across Justice Regions. In FY21, the 75<sup>th</sup> percentile corresponded to 0.4 weighted services per eligible person.

**Figure 9.19** Relative sufficiency of legal assistance



Source: ACIL Allen, from various sources

For regional WA, service rates are divided into two clusters. The first cluster have relatively high service rates, and is comprised of the Kimberley, Pilbara, Goldfields – Esperance and Mid-West – Gascoyne regions. Notably, these service rates fall within the upper levels of service (i.e., 75<sup>th</sup> percentile) currently observed in the State.

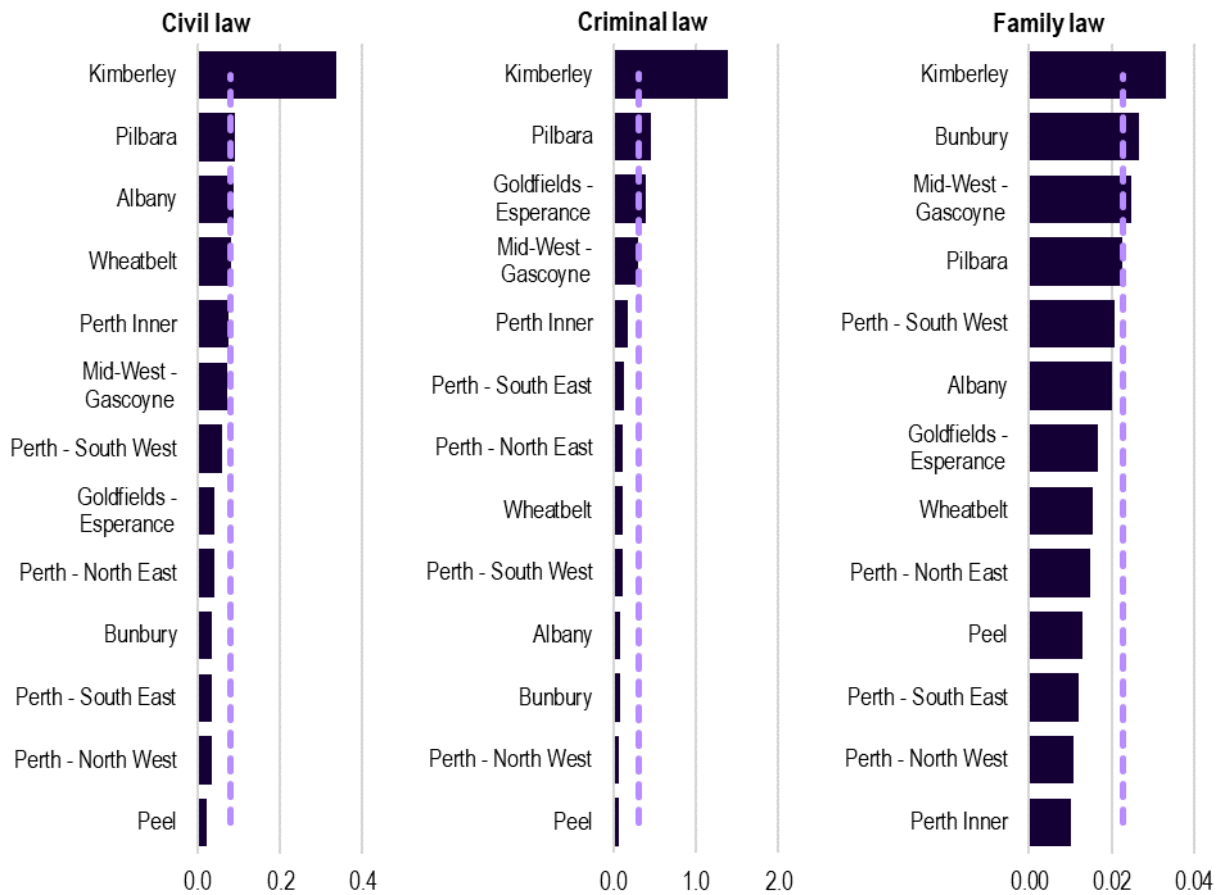
The second cluster of regional areas include the Bunbury, Albany and Wheatbelt regions. These areas are characterised by their relatively low service levels, which can range from 0.14 to 0.25 weighted services per eligible person. This suggests that there is relative unmet legal need in these Justice Regions.

Perth metropolitan and Peel regions reported some of the lowest service-to-need ratios in the State. However, there are several Justice Regions with comparatively low service rates, namely the Perth – North West and Peel regions.

**Figure 9.20** illustrates the service-to-need ratios across law types. On a per person basis, the number of weighted services delivered is the highest for criminal law matters, followed by civil law matters and family law matters.

Differences between metropolitan and regional areas is also observed for all law types. In particular, service rates are typically higher for regional areas, as compared to their metropolitan counterparts.

**Figure 9.20** Relative sufficiency of legal assistance, by various law types



Source: ACIL Allen, from various sources

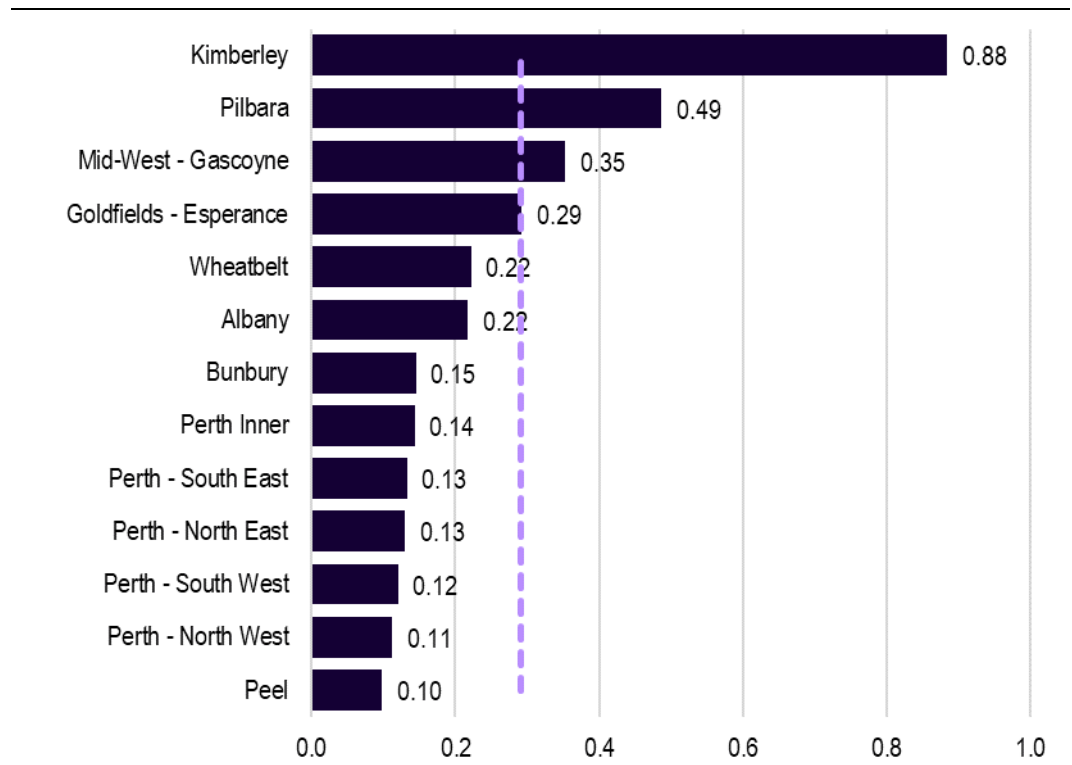
### 9.11 Women

Legal need for women is estimated using the number of individuals who are female and had an annual personal income of less than \$52,000.

For every eligible individual, there were approximately 0.15 weighted services delivered. The distribution of service rates indicates that there are some differences between metropolitan and regional areas. Specifically, regional WA reported higher service-to-need ratios, as compared to Perth metropolitan and Peel regions.

**Figure 9.21** presents the service-to-need ratios across Justice Regions. In FY21, the 75<sup>th</sup> percentile corresponded to 0.29 weighted services per eligible women.

**Figure 9.21** Relative sufficiency of legal assistance



Source: ACIL Allen, from various sources

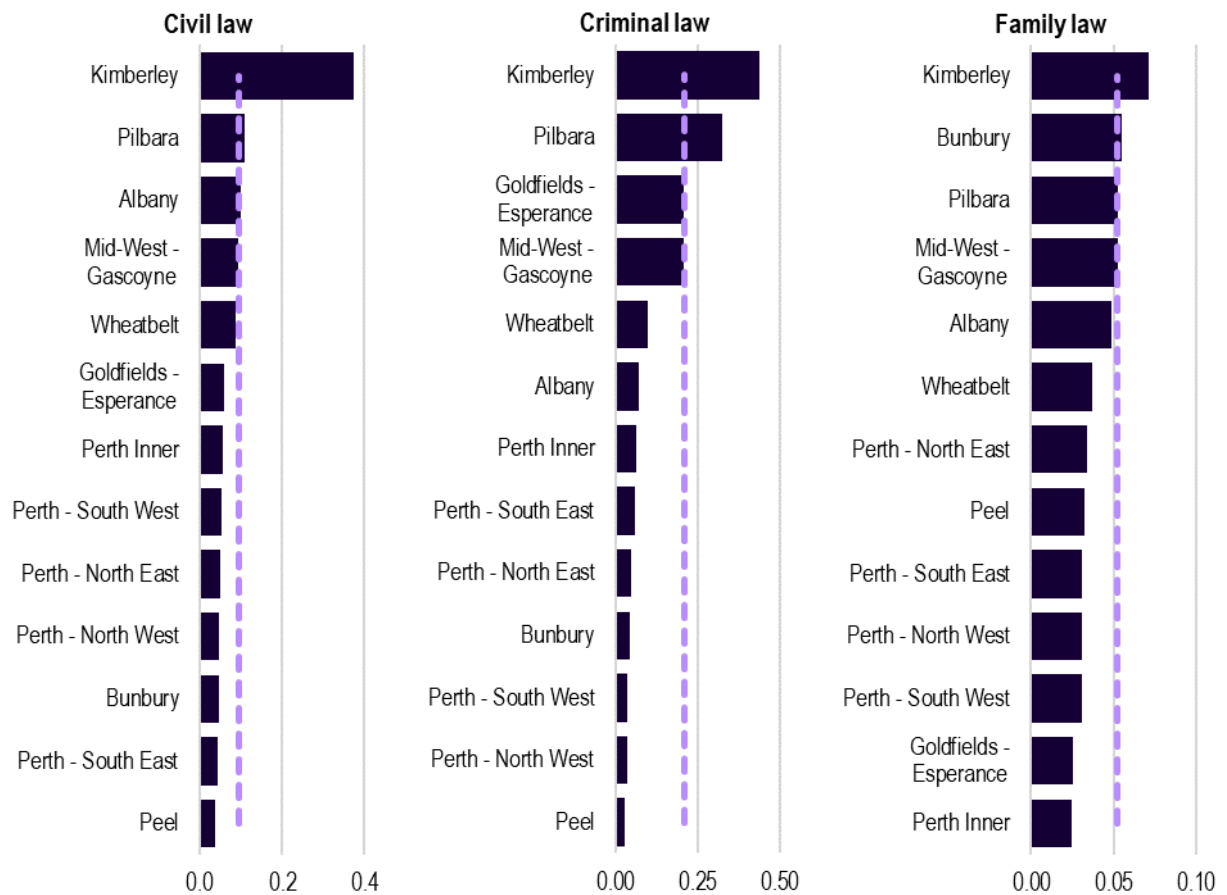
Kimberley and to a lesser extent, Pilbara reported substantially higher service levels, relative to other Justice Regions. More broadly, regional WA has some of the highest service rates in Western Australia. However, there are some Justice Regions with comparatively low service-to-need ratios, namely the Bunbury, Albany and Wheatbelt regions.

In contrast, Perth metropolitan and Peel regions reported some of the lowest service-to-need ratios in the State. These ratios are broadly consistent as it varies between 0.1 to 0.14 weighted services per eligible person. Given the clustering of Justice Regions, relative unmet legal need is less apparent for metropolitan areas.

Figure 9.22 illustrates the service-to-need ratios across law types. On a per person basis, the number of weighted services delivered is the highest for criminal law matters, followed by civil law matters and family law matters.

Differences between metropolitan and regional areas is also observed for all law types. Service rates are typically higher for regional areas, as compared to their metropolitan counterparts.

Figure 9.22 Relative sufficiency of legal assistance, by various law types



Source: ACIL Allen, from various sources

Appendices

V



# Priority Client Groups

This appendix presents a complete list of Priority Client Groups that were identified either in the NLAP, or through consultation with the legal assistance sector.

## A.1 Descriptions of Priority Client Groups

**Table 9.1** describes how each Priority Client Group is defined for the purposes of this report. It also highlights any deviations for the purposes of developing population estimates or data recording by service providers.

**Table 9.1** Description of Priority Client Groups

Priority Client Group	Description
Aboriginal and Torres Strait Islander People	This report defines this Priority Client Group as people who identify as Aboriginal and/or Torres Strait Islander. This categorisation has been applied to general population estimates from the ABS, and is currently used by service providers.
Children and young people	This report defines this Priority Client Group as people below 24-years old. This categorisation has been applied to general population estimates from the ABS, and is currently used by service providers.
Involuntary patients under the <i>Mental Health Act 2014 (WA)</i>	This report defines this Priority Client Group as people who have received an involuntary mental health order.  This categorisation has been applied to derive a population estimate at the state-wide level. While service providers do not directly identify this cohort, ACIL Allen represented this cohort by triangulating information on specific problem types and dedicated funding sources.
Older people	This report defines this Priority Client Group as people above 55-years old for Indigenous Australians, and above 65-years old for non-Indigenous Australians. This categorisation has been applied to general population estimates from the ABS, and is currently used by service providers.
People experiencing, or at risk of, family violence	This report defines this Priority Client Group as people who are experiencing family violence, regardless of whether assistance has been sought. It includes any violent and/or aggressive act(s) and/or behaviour(s), or the threats of such act(s) and/or behaviour(s), that is committed by a member of the family or household in order to control, coerce and/or harm another member of the family or household. It can include, but is not limited to, physical, emotional, psychological, sexual and financial abuse.  This categorisation generally reflects the definition used by legal assistance providers.  Given there is no publicly available dataset which represents this cohort, we applied this categorisation to derive our population estimates. These estimates rely on the number of FVRO applications as the base estimate.  However, in recognition of the underreporting of family violence incidents, we relied on the prevailing literature to determine the extent to which these estimates need to be scaled upwards.



Priority Client Group	Description
People experiencing, or at risk of, homelessness	<p>This report defines this Priority Client Group as people who lack stable, safe and adequate housing. It includes those living in improvised dwellings, tents, supported homeless accommodation, boarding houses, other forms of temporary lodging and severely crowded dwellings. Notably, we have relied on definition currently used by the Law and Justice Foundation of NSW.</p> <p>This categorisation has been applied to general population estimates from the ABS, and generally reflects the definition used by legal assistance service providers.</p>
People in custody and/or prisoners	<p>This report defines this Priority Client Group as people whose freedom of movement is limited:</p> <ul style="list-style-type: none"> <li>– people who are in prison, regardless of sentencing status</li> <li>– people who are held in police custody, regardless of charge status</li> <li>– people in immigration detention, including in community under Residence Determination.</li> </ul> <p>It excludes people who are detained under mental health grounds as this report considers it a distinct priority client group.</p> <p>This categorisation has been applied to derive our population estimate at the state-wide level. However, sub-jurisdictional estimates are limited to people who are held in police custody due to issues with data availability.</p> <p>Service providers use a more holistic definition as specified in the NLA Data Standards Manual. It covers a wider range of custody status, including people on bail and those who are under guardianship for mental health issues.</p>
People residing in regional areas	<p>This report defines this Priority Client Group as people living in an area in Western Australia where the population is concentrated in Inner Regional areas, according to the Accessibility and Remoteness Index of Australia.</p> <p>This categorisation has been applied to general population estimates by the ABS. While service providers do not directly identify this cohort, we have inferred it from the client resident postcodes.</p>
People residing in rural and remote areas	<p>This report defines this Priority Client Group as people living in an area in Western Australia where the population is concentrated in Outer Regional, Remote or Very Remote areas, according to the Accessibility and Remoteness Index of Australia.</p> <p>This categorisation has been applied to general population estimates by the ABS. While service providers do not directly identify this cohort, we have inferred it from the client resident postcodes.</p>
People who are culturally and linguistically diverse	<p>This report defines this Priority Client Group who are from a culturally and linguistically diverse background, which includes:</p> <ul style="list-style-type: none"> <li>– people who are born outside of Australia</li> <li>– people who are not proficient in English</li> <li>– people seeking asylum, refugees and humanitarian migrants.</li> </ul> <p>This categorisation has been applied to derive a population estimate at the state-wide level. However, sub-jurisdictional estimates are limited to people who do speak a language, aside English at home.</p> <p>While service providers do not directly identify this cohort, we have inferred it by identifying people who are either born overseas or those who are not proficient in spoken English.</p>
People who identify as LGBTQI+	<p>This report defines this Priority Client Group as people whose sexual orientation or gender identity can include (but is not limited to) lesbian, gay, bisexual, transgender, queer and/or intersex.</p> <p>However, population estimates were derived for adults that are in a non-heterosexual relationship due to issues with data availability. At this stage, service providers have yet to consistently represent this cohort in their data.</p>
People who may fall into multiple Priority Client Groups	<p>This refers to clients that have, or experience, multiple vulnerabilities. Given the lack of data on these intersections, the population estimates are limited to the following domains:</p> <ul style="list-style-type: none"> <li>– Aboriginal and Torres Strait Islander status,</li> <li>– culturally and linguistically diverse background,</li> </ul>

Priority Client Group	Description
	<ul style="list-style-type: none"> <li>– residing in regional / rural and remote area,</li> <li>– age, and</li> <li>– gender.</li> </ul> <p>Service providers currently record unit-record data on clients. The extent to which these intersections may be identified, is conditional on the data recorded by providers.</p>
People with a disability or mental illness	<p>This report defines this Priority Client Group as people with either a disability and/or mental illness. This categorisation is currently used by service providers. However, population estimates were limited to people with disability due to issues with data availability.</p>
People with low education levels	<p>This report defines this Priority Client Group as people whose highest educational attainment is Year 12 and below.</p> <p>This categorisation is applied to general population estimates from the ABS. At this stage, service providers have yet to consistently represent this cohort in their data.</p>
Single parents	<p>This report defines this Priority Client Group as people who are raising their children without a partner/spouse.</p> <p>This categorisation is applied to general population estimates from the ABS. At this stage, service providers have yet to consistently represent this cohort in their data.</p>
Victims of institutional abuse	<p>This report defines this Priority Client Group as sexual abuse victims in WA and are eligible to participate in the National Redress Scheme.</p> <p>This categorisation has been applied to derive a population estimate at the state-wide level. While service providers do not directly identify this cohort, we have inferred it through the identification of dedicated funding sources.</p>
Women	<p>This report defines this Priority Client Group as people who are female.</p> <p>This categorisation has been applied to general population estimates from the ABS, and is currently used by service providers.</p>



# Priority Areas of Law

## B

*This appendix presents a complete list of Priority Areas of Law have been either identified in the NLAP, or have been identified as Western Australian-specific priorities through consultation with the legal assistance sector.*

### B.1 Family Law

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- Matters where the safety or welfare of children are at risk
- Matters involving allegations of family violence
- Matters involving complex issues about the living arrangements, relationships and financial support of children
- Assisting people with property settlement matters if they are experiencing financial disadvantage or are at risk of homelessness
- For Legal Aid WA, the representation of children in family law proceedings and family dispute resolution processes.

### B.2 Civil Law

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- Bankruptcy matters
- Child protection matters
- Consumer law matters
- Employment matters
- Extradition matters
- Human rights and anti-discrimination matters
- Insurance law matters
- Migration matters
- Restraining order matters
- Social security law matters
- Tenancy matters.

### B.3 Criminal Law

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- Matters where the defendant is a child
- Matters where the defendant is being charged with a criminal offence for which a sentence of imprisonment is likely to apply should the defendant be found guilty
- Assisting persons being detained in custody.

## **B.4 National and jurisdictional emergencies**

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The legal assistance sector should endeavour to ensure the continued delivery of legal assistance services during national or jurisdictional emergencies, taking into consideration:

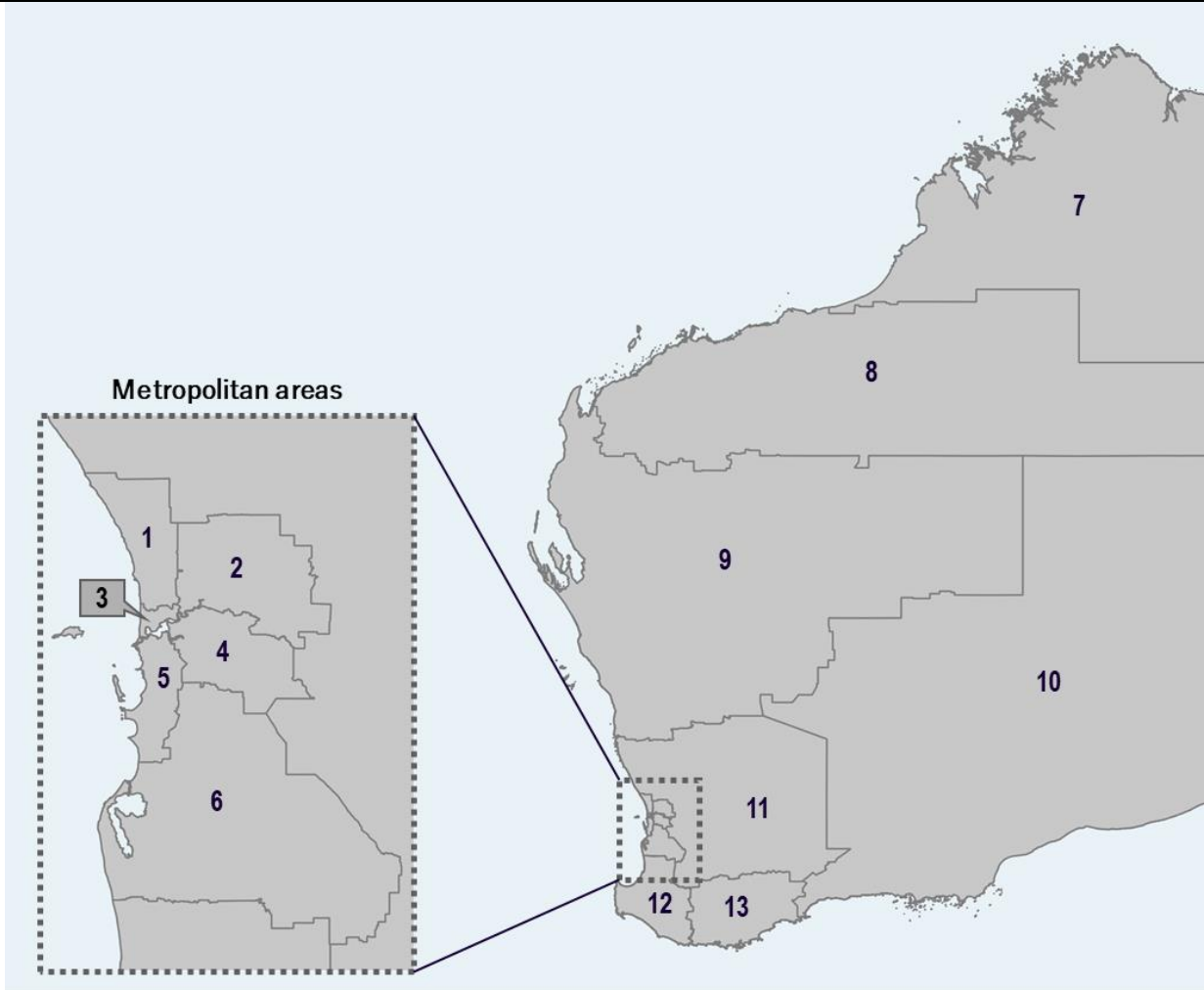
- The safety of individuals who will be responsible for the delivery of legal assistance services.
- The safety of those in receipt of legal assistance services.
- The appropriateness of continuing to deliver legal assistance services during a national or jurisdictional emergency.

# Justice Regions

*This appendix presents how Western Australia is segmented into different Justice Regions. It also presents the location of courts and prisons / detention centres across the State, including its intersection with various Justice Regions.*

## C.1 Justice Regions

**Figure C.1** Justice Regions

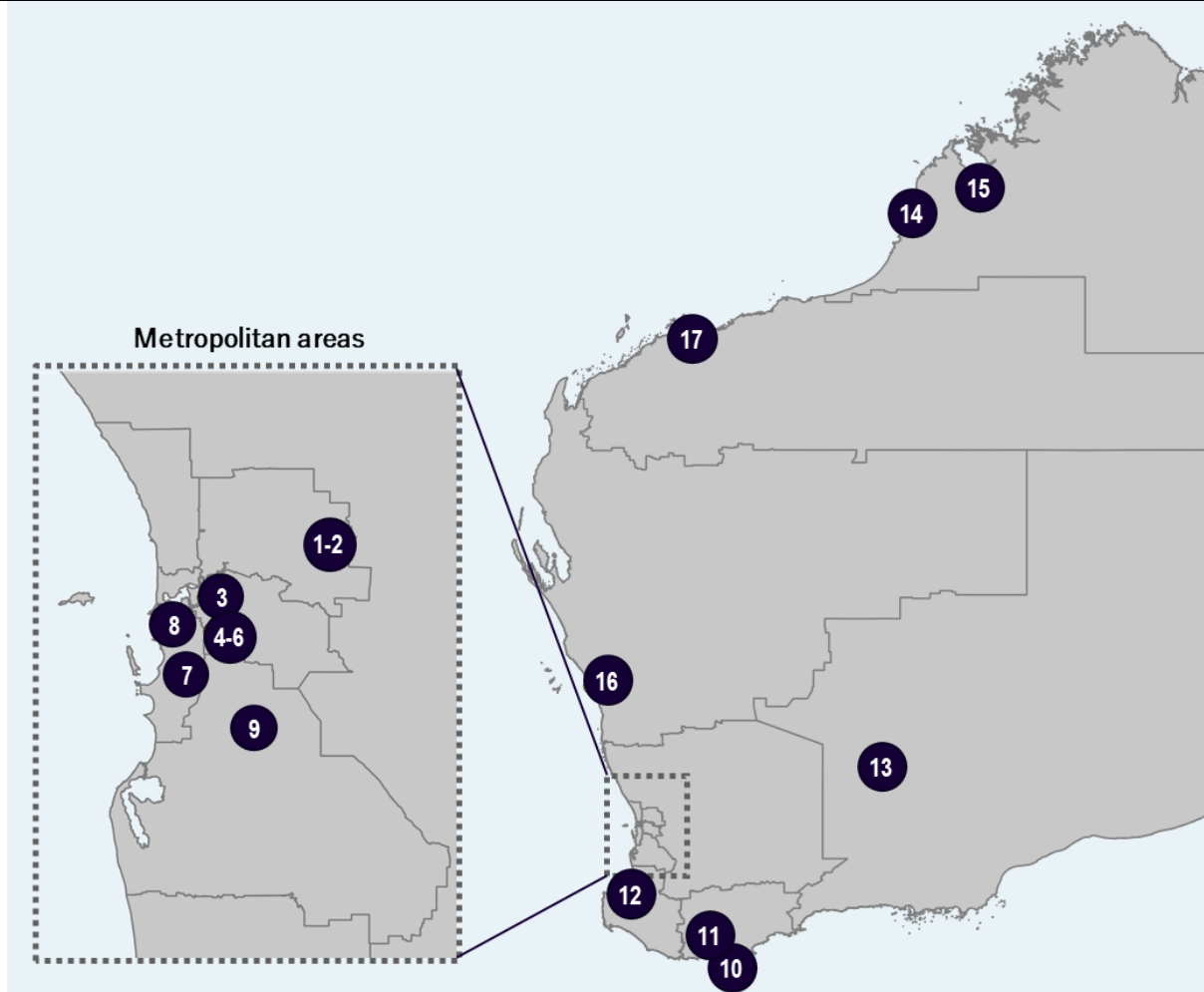


Source: WA Department of Justice

Note: 1) Perth - North West; 2) Perth – North East; 3) Perth Inner; 4) Perth – South East; 5) Perth – South West; 6) Peel; 7) Kimberley; 8) Pilbara; 9) Mid-West – Gascoyne; 10) Goldfields – Esperance; 11) Wheatbelt; 12) Bunbury; 13) Albany

## C.2 Prisons and detention centres in Western Australia

Figure C.2 Prison and detention centres in Western Australia



Source: WA Department of Justice

Note: Refer to numbered list in Table C.2 to identify prisons / detention centres

Table C.1 Prison and detention centres, by Justice Regions

#	Prison / Detention Centre	Justice Region
1	Acacia Prison	Perth – North East
2	Wooroloo Prison Farm	Perth – North East
3	Boronia Pre-release Centre for Women	Perth – South East
4	Banksia Hill Detention Centre	Perth – South East
5	Hakea Prison	Perth – South East
6	Melaleuca Women’s Prison	Perth – South East
7	Casuarina Prison	Perth – South West
8	Wandoo Rehabilitation Prison	Perth – South West
9	Karnet Prison Farm	Peel
10	Albany Regional Prison	Albany
11	Pardelup Prison Farm	Albany
12	Bunbury Regional Prison	Bunbury

#	Prison / Detention Centre	Justice Region
13	Eastern Goldfields Region Prison	Goldfields – Esperance
14	Broome Regional Prison	Kimberley
15	West Kimberley Regional Prison	Kimberley
16	Greenough Regional Prison	Mid-West – Gascoyne
17	Roebourne Regional Prison	Pilbara

*Source: WA Department of Justice*

# Relative sufficiency of legal need, by select populations

# D

*This chapter presents the relative sufficiency of legal need, by various sub-populations.*

## D.1 Civil law matters

For civil law matters, relative sufficiency of legal need was also assessed for:

- Aboriginal and Torres Strait Islander people,
- People who are culturally and linguistically diverse,
- Children and young people,
- Older people, and
- Adults.

**Table D.1** Civil law matters – Aboriginal and Torres Strait Islander people

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Perth Inner	1.08	0.51
Kimberley	0.52	0.51
Perth - North West	0.51	0.51
Perth - South East	0.51	0.51
Perth - North East	0.51	0.51
Perth - South West	0.48	0.51
Mid-West - Gascoyne	0.45	0.51
Albany	0.39	0.51
Wheatbelt	0.39	0.51
Bunbury	0.33	0.51
Pilbara	0.29	0.51
Goldfields - Esperance	0.27	0.51
Peel	0.24	0.51

*Source: ACIL Allen, from various data sources*



**Table D.2** Civil law matters – People who are culturally and linguistically diverse

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Albany	0.25	0.07
Wheatbelt	0.13	0.07
Kimberley	0.11	0.07
Goldfields - Esperance	0.07	0.07
Mid-West - Gascoyne	0.07	0.07
Bunbury	0.07	0.07
Peel	0.06	0.07
Perth - South West	0.04	0.07
Perth Inner	0.04	0.07
Pilbara	0.04	0.07
Perth - North West	0.04	0.07
Perth - South East	0.03	0.07
Perth - North East	0.03	0.07

*Source: ACIL Allen, from various data sources*

**Table D.3** Civil law matters – Children and young people

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.17	0.04
Pilbara	0.07	0.04
Mid-West - Gascoyne	0.05	0.04
Goldfields - Esperance	0.04	0.04
Albany	0.04	0.04
Perth - South West	0.03	0.04
Perth Inner	0.03	0.04
Perth - North East	0.03	0.04
Wheatbelt	0.02	0.04
Bunbury	0.02	0.04
Perth - South East	0.02	0.04
Perth - North West	0.02	0.04
Peel	0.01	0.04

*Source: ACIL Allen, from various data sources*

**Table D.4** Civil law matters – Older people

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.44	0.07
Pilbara	0.20	0.07
Albany	0.12	0.07
Mid-West - Gascoyne	0.07	0.07
Goldfields - Esperance	0.04	0.07
Wheatbelt	0.04	0.07
Perth Inner	0.03	0.07
Perth - North East	0.02	0.07
Perth - North West	0.02	0.07
Bunbury	0.02	0.07
Perth - South West	0.02	0.07
Perth - South East	0.02	0.07
Peel	0.01	0.07

*Source: ACIL Allen, from various data sources*

**Table D.5** Civil law matters – Adults

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.33	0.09
Pilbara	0.11	0.09
Mid-West - Gascoyne	0.10	0.09
Wheatbelt	0.09	0.09
Goldfields - Esperance	0.08	0.09
Albany	0.08	0.09
Perth Inner	0.08	0.09
Perth - South West	0.07	0.09
Bunbury	0.06	0.09
Perth - North West	0.06	0.09
Perth - North East	0.06	0.09
Perth - South East	0.06	0.09
Peel	0.05	0.09

*Source: ACIL Allen, from various data sources*

## D.2 Criminal law matters

For criminal law matters, relative sufficiency of legal need was also assessed for:

- Aboriginal and Torres Strait Islander people,
- People who are culturally and linguistically diverse,
- Children and young people,
- Older people,
- Adult,
- Males, and
- Females.

**Table D.6** Criminal law matters – Aboriginal and Torres Strait Islander people

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Perth Inner	9.8	3.8
Perth - South East	5.3	3.8
Mid-West - Gascoyne	4.3	3.8
Goldfields - Esperance	3.8	3.8
Pilbara	3.4	3.8
Perth - North East	3.0	3.8
Albany	2.9	3.8
Perth - South West	2.7	3.8
Perth - North West	2.7	3.8
Wheatbelt	2.5	3.8
Bunbury	2.2	3.8
Kimberley	2.0	3.8
Peel	1.3	3.8

*Source: ACIL Allen, from various data sources*

**Table D.7** Criminal law matters – People who are culturally and linguistically diverse

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Goldfields - Esperance	0.09	0.05
Kimberley	0.08	0.05
Wheatbelt	0.05	0.05
Albany	0.05	0.05
Pilbara	0.04	0.05
Perth - North East	0.04	0.05
Perth Inner	0.04	0.05
Perth - North West	0.04	0.05
Mid-West - Gascoyne	0.03	0.05
Peel	0.03	0.05
Perth - South East	0.02	0.05
Bunbury	0.02	0.05
Perth - South West	0.02	0.05

*Source: ACIL Allen, from various data sources*

**Table D.8** Criminal law matters – Children and young people

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	1.57	0.81
Pilbara	1.42	0.81
Mid-West - Gascoyne	0.95	0.81
Goldfields - Esperance	0.81	0.81
Wheatbelt	0.32	0.81
Albany	0.25	0.81
Perth - South East	0.20	0.81
Perth - North East	0.17	0.81
Bunbury	0.16	0.81
Peel	0.13	0.81
Perth - South West	0.12	0.81
Perth - North West	0.10	0.81
Perth Inner	0.08	0.81

*Source: ACIL Allen, from various data sources*

**Table D.9** Criminal law matters – Adults

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	1.1	0.5
Pilbara	0.8	0.5
Goldfields - Esperance	0.6	0.5
Mid-West - Gascoyne	0.5	0.5
Wheatbelt	0.2	0.5
Perth Inner	0.2	0.5
Albany	0.2	0.5
Perth - South East	0.2	0.5
Bunbury	0.1	0.5
Perth - North East	0.1	0.5
Perth - South West	0.1	0.5
Peel	0.1	0.5
Perth - North West	0.1	0.5

Source: ACIL Allen, from various data sources

**Table D.10** Criminal law matters – Older people

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Pilbara	0.290	0.036
Kimberley	0.222	0.036
Mid-West - Gascoyne	0.038	0.036
Goldfields - Esperance	0.036	0.036
Perth Inner	0.018	0.036
Albany	0.014	0.036
Wheatbelt	0.014	0.036
Perth - North East	0.012	0.036
Perth - South East	0.009	0.036
Perth - South West	0.009	0.036
Bunbury	0.008	0.036
Perth - North West	0.008	0.036
Peel	0.004	0.036

Source: ACIL Allen, from various data sources

**Table D.11** Criminal law matters – Males

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Pilbara	2.29	0.89
Kimberley	1.95	0.89
Goldfields - Esperance	1.14	0.89
Mid-West - Gascoyne	0.89	0.89
Wheatbelt	0.27	0.89
Perth - South East	0.26	0.89
Albany	0.25	0.89
Perth Inner	0.23	0.89
Perth - North East	0.21	0.89
Bunbury	0.20	0.89
Perth - South West	0.19	0.89
Peel	0.17	0.89
Perth - North West	0.14	0.89

*Source: ACIL Allen, from various data sources*

**Table D.12** Criminal law matters – Females

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.44	0.21
Pilbara	0.32	0.21
Goldfields - Esperance	0.21	0.21
Mid-West - Gascoyne	0.21	0.21
Wheatbelt	0.10	0.21
Albany	0.07	0.21
Perth Inner	0.06	0.21
Perth - South East	0.06	0.21
Perth - North East	0.05	0.21
Bunbury	0.04	0.21
Perth - South West	0.04	0.21
Perth - North West	0.03	0.21
Peel	0.03	0.21

*Source: ACIL Allen, from various data sources*

### D.3 Family law matters

For family law matters, relative sufficiency of legal need was also assessed for:

- Aboriginal and Torres Strait Islander people,
- People who are culturally and linguistically diverse,
- Children and young people,
- Older people,
- Adult,
- Males, and
- Females.

**Table D.13** Family law matters – Aboriginal and Torres Strait Islander people

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Perth Inner	0.78	0.29
Perth - North East	0.33	0.29
Perth - South East	0.31	0.29
Perth - South West	0.29	0.29
Perth - North West	0.23	0.29
Peel	0.23	0.29
Mid-West - Gascoyne	0.21	0.29
Bunbury	0.19	0.29
Albany	0.17	0.29
Wheatbelt	0.15	0.29
Pilbara	0.10	0.29
Goldfields - Esperance	0.10	0.29
Kimberley	0.10	0.29

*Source: ACIL Allen, from various data sources*

**Table D.14** Family law matters – People who are culturally and linguistically diverse

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Bunbury	0.091	0.034
Albany	0.066	0.034
Wheatbelt	0.037	0.034
Pilbara	0.034	0.034
Peel	0.034	0.034
Perth - North West	0.024	0.034
Kimberley	0.024	0.034
Perth - South West	0.021	0.034
Perth Inner	0.019	0.034
Perth - North East	0.019	0.034
Goldfields - Esperance	0.017	0.034
Perth - South East	0.016	0.034
Mid-West - Gascoyne	0.009	0.034

*Source: ACIL Allen, from various data sources*

**Table D.15** Family law matters – Children and young people

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.0359	0.016
Mid-West - Gascoyne	0.0266	0.016
Perth Inner	0.0172	0.016
Pilbara	0.0160	0.016
Bunbury	0.0157	0.016
Perth - North East	0.0125	0.016
Albany	0.0117	0.016
Peel	0.0115	0.016
Goldfields - Esperance	0.0106	0.016
Wheatbelt	0.0087	0.016
Perth - South West	0.0085	0.016
Perth - South East	0.0077	0.016
Perth - North West	0.0051	0.016

*Source: ACIL Allen, from various data sources*



**Table D.16** Family law matters – Adults

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.0808	0.064
Bunbury	0.0723	0.064
Mid-West - Gascoyne	0.0681	0.064
Pilbara	0.0637	0.064
Albany	0.0607	0.064
Wheatbelt	0.0491	0.064
Perth - North East	0.0487	0.064
Goldfields - Esperance	0.0463	0.064
Perth - South West	0.0449	0.064
Peel	0.0449	0.064
Perth - North West	0.0431	0.064
Perth - South East	0.0404	0.064
Perth Inner	0.0361	0.064

*Source: ACIL Allen, from various data sources*

**Table D.17** Family law matters – Older people

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.031	0.012
Pilbara	0.028	0.012
Albany	0.013	0.012
Mid-West - Gascoyne	0.012	0.012
Goldfields - Esperance	0.009	0.012
Wheatbelt	0.009	0.012
Bunbury	0.008	0.012
Perth - North West	0.004	0.012
Perth - South East	0.004	0.012
Perth - South West	0.004	0.012
Perth Inner	0.003	0.012
Peel	0.003	0.012
Perth - North East	0.002	0.012

*Source: ACIL Allen, from various data sources*

**Table D.18** Family law matters – Males

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.055	0.035
Pilbara	0.041	0.035
Mid-West - Gascoyne	0.037	0.035
Goldfields - Esperance	0.035	0.035
Bunbury	0.031	0.035
Albany	0.026	0.035
Perth - North East	0.023	0.035
Wheatbelt	0.023	0.035
Perth - South West	0.021	0.035
Peel	0.021	0.035
Perth - North West	0.017	0.035
Perth - South East	0.017	0.035
Perth Inner	0.016	0.035

*Source: ACIL Allen, from various data sources*

**Table D.19** Family law matters – Females

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.071	0.053
Bunbury	0.055	0.053
Pilbara	0.053	0.053
Mid-West - Gascoyne	0.053	0.053
Albany	0.048	0.053
Wheatbelt	0.037	0.053
Perth - North East	0.034	0.053
Perth - South East	0.033	0.053
Perth - North West	0.031	0.053
Perth - South West	0.030	0.053
Peel	0.030	0.053
Goldfields - Esperance	0.025	0.053
Perth Inner	0.025	0.053

*Source: ACIL Allen, from various data sources*

## D.4 Civil Law - Priority Areas of Law

### D.4.1 Child protection matters

For child protection matters, relative sufficiency of legal need was also assessed for:

- Aboriginal and Torres Strait Islander people,
- People who are culturally and linguistically diverse,
- Males, and
- Females.

**Table D.20** Child protection matters – Aboriginal and Torres Strait Islander people

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Perth Inner	0.25	0.14
Perth - South East	0.18	0.14
Perth - North East	0.16	0.14
Perth - North West	0.14	0.14
Perth - South West	0.13	0.14
Wheatbelt	0.12	0.14
Peel	0.10	0.14
Bunbury	0.09	0.14
Kimberley	0.09	0.14
Pilbara	0.08	0.14
Goldfields - Esperance	0.07	0.14
Albany	0.06	0.14
Mid-West - Gascoyne	0.05	0.14

Source: ACIL Allen, from various data sources

**Table D.21** Child protection matters – People who are culturally and linguistically diverse

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Wheatbelt	0.0706	0.0024
Mid-West - Gascoyne	0.0057	0.0024
Bunbury	0.0024	0.0024
Perth - North West	0.0015	0.0024
Perth Inner	0.0013	0.0024
Perth - North East	0.0012	0.0024
Perth - South West	0.0009	0.0024
Perth - South East	0.0006	0.0024
Peel	0.0002	0.0024

Source: ACIL Allen, from various data sources

**Table D.22** Child protection matters – Males

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.0395	0.0082
Pilbara	0.0181	0.0082
Goldfields - Esperance	0.0088	0.0082
Wheatbelt	0.0082	0.0082
Perth - North East	0.0064	0.0082
Mid-West - Gascoyne	0.0055	0.0082
Bunbury	0.0053	0.0082
Peel	0.0052	0.0082
Perth - South West	0.0046	0.0082
Perth - South East	0.0044	0.0082
Perth Inner	0.0035	0.0082
Perth - North West	0.0028	0.0082
Albany	0.0028	0.0082

*Source: ACIL Allen, from various data sources*

**Table D.23** Child protection matters – Females

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.058	0.012
Wheatbelt	0.042	0.012
Pilbara	0.024	0.012
Goldfields - Esperance	0.012	0.012
Mid-West - Gascoyne	0.009	0.012
Perth - North East	0.009	0.012
Perth - South East	0.008	0.012
Bunbury	0.006	0.012
Perth Inner	0.005	0.012
Perth - South West	0.005	0.012
Perth - North West	0.005	0.012
Peel	0.005	0.012
Albany	0.004	0.012

*Source: ACIL Allen, from various data sources*

**D.4.2 Consumer law matters**

For consumer law matters, relative sufficiency of legal need was also assessed for:

- Aboriginal and Torres Strait Islander people,
- People who are culturally and linguistically diverse,
- Children and young people,
- Adults,
- Older people
- Males, and
- Females.

**Table D.24** Consumer law matters – Aboriginal and Torres Strait Islander people

<b>Justice Regions</b>	<b>Service-to-need ratios</b>	<b>Benchmark (75<sup>th</sup> percentile)</b>
Bunbury	0.0115	0.0028
Peel	0.0088	0.0028
Goldfields - Esperance	0.0035	0.0028
Mid-West - Gascoyne	0.0028	0.0028
Perth - South West	0.0026	0.0028
Perth Inner	0.0025	0.0028
Albany	0.0020	0.0028
Kimberley	0.0018	0.0028
Perth - North West	0.0013	0.0028
Perth - South East	0.0013	0.0028
Pilbara	0.0011	0.0028
Perth - North East	0.0009	0.0028

*Source: ACIL Allen, from various data sources*

**Table D.25** Consumer law matters – People who are culturally and linguistically diverse

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Goldfields - Esperance	0.0037	0.0025
Perth - North West	0.0035	0.0025
Peel	0.0026	0.0025
Perth - South West	0.0025	0.0025
Kimberley	0.0016	0.0025
Bunbury	0.0015	0.0025
Perth - South East	0.0014	0.0025
Perth Inner	0.0013	0.0025
Albany	0.0012	0.0025
Pilbara	0.0011	0.0025
Mid-West - Gascoyne	0.0010	0.0025
Perth - North East	0.0009	0.0025
Wheatbelt	0.0006	0.0025

*Source: ACIL Allen, from various data sources*

**Table D.26** Consumer law matters – Children and young people

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Perth - North West	0.00157	0.00037
Peel	0.00081	0.00037
Perth - South West	0.00052	0.00037
Bunbury	0.00037	0.00037
Perth - North East	0.00030	0.00037
Kimberley	0.00024	0.00037
Albany	0.00023	0.00037
Pilbara	0.00021	0.00037
Wheatbelt	0.00021	0.00037
Mid-West - Gascoyne	0.00013	0.00037
Perth - South East	0.00009	0.00037
Perth Inner	0.000004	0.00037

*Source: ACIL Allen, from various data sources*

**Table D.27** Consumer law matters – Adults

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Bunbury	0.0017	0.0015
Perth - North West	0.0016	0.0015
Kimberley	0.0016	0.0015
Perth - South East	0.0015	0.0015
Goldfields - Esperance	0.0012	0.0015
Mid-West - Gascoyne	0.0011	0.0015
Peel	0.0011	0.0015
Perth - South West	0.0010	0.0015
Perth - North East	0.0010	0.0015
Perth Inner	0.0007	0.0015
Pilbara	0.0006	0.0015
Albany	0.0006	0.0015
Wheatbelt	0.0005	0.0015

*Source: ACIL Allen, from various data sources*

**Table D.28** Consumer law matters – Older people

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Peel	0.0042	0.0022
Perth - South East	0.0036	0.0022
Bunbury	0.0022	0.0022
Goldfields - Esperance	0.0022	0.0022
Perth - North West	0.0018	0.0022
Albany	0.0013	0.0022
Kimberley	0.0012	0.0022
Perth - South West	0.0010	0.0022
Perth Inner	0.0007	0.0022
Perth - North East	0.0007	0.0022
Pilbara	0.0006	0.0022
Mid-West - Gascoyne	0.0005	0.0022
Wheatbelt	0.0003	0.0022

*Source: ACIL Allen, from various data sources*

**Table D.29** Consumer law matters – Males

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Peel	0.00244	0.0017
Perth - South East	0.00218	0.0017
Bunbury	0.00177	0.0017
Perth - North West	0.00166	0.0017
Kimberley	0.00164	0.0017
Perth - South West	0.00157	0.0017
Perth - North East	0.00096	0.0017
Mid-West - Gascoyne	0.00094	0.0017
Wheatbelt	0.00092	0.0017
Goldfields - Esperance	0.00074	0.0017
Perth Inner	0.00073	0.0017
Albany	0.00068	0.0017
Pilbara	0.00068	0.0017

*Source: ACIL Allen, from various data sources*

**Table D.30** Consumer law matters – Females

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Goldfields - Esperance	0.00184	0.0013
Perth - North West	0.00158	0.0013
Bunbury	0.00150	0.0013
Peel	0.00130	0.0013
Perth - South East	0.00104	0.0013
Kimberley	0.00095	0.0013
Mid-West - Gascoyne	0.00080	0.0013
Albany	0.00076	0.0013
Perth - South West	0.00072	0.0013
Perth - North East	0.00070	0.0013
Pilbara	0.00064	0.0013
Perth Inner	0.00056	0.0013
Wheatbelt	0.00039	0.0013

*Source: ACIL Allen, from various data sources*



### D.4.3 Employment law matters

For employment law matters, relative sufficiency of legal need was also assessed for:

- Aboriginal and Torres Strait Islander people,
- People who are culturally and linguistically diverse,
- Children and young people,
- Adults,
- Older people
- Males, and
- Females.

**Table D.31** Employment law matters – Aboriginal and Torres Strait Islander people

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.0029	0.0021
Mid-West - Gascoyne	0.0026	0.0021
Perth - South East	0.0024	0.0021
Perth - North East	0.0014	0.0021
Pilbara	0.0011	0.0021
Goldfields - Esperance	0.0009	0.0021
Albany	0.0009	0.0021
Wheatbelt	0.0007	0.0021
Perth - North West	0.0006	0.0021
Perth - South West	0.0004	0.0021

*Source: ACIL Allen, from various data sources*

**Table D.32** Employment law matters – People who are culturally and linguistically diverse

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.0152	0.0021
Goldfields - Esperance	0.0046	0.0021
Wheatbelt	0.0026	0.0021
Pilbara	0.0021	0.0021
Bunbury	0.0019	0.0021
Perth - South West	0.0016	0.0021
Perth Inner	0.0016	0.0021
Mid-West - Gascoyne	0.0016	0.0021
Albany	0.0015	0.0021
Peel	0.0011	0.0021
Perth - North East	0.0010	0.0021
Perth - South East	0.0010	0.0021
Perth - North West	0.0010	0.0021

*Source: ACIL Allen, from various data sources*

**Table D.33** Employment law matters – Children and young people

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Goldfields - Esperance	0.0010	0.0008
Kimberley	0.0008	0.0008
Pilbara	0.0008	0.0008
Perth Inner	0.0008	0.0008
Perth - North East	0.0006	0.0008
Perth - South West	0.0005	0.0008
Albany	0.0005	0.0008
Perth - North West	0.0005	0.0008
Perth - South East	0.0004	0.0008
Peel	0.0004	0.0008
Bunbury	0.0003	0.0008
Wheatbelt	0.0002	0.0008

*Source: ACIL Allen, from various data sources*

**Table D.34** Employment law matters – Adults

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.0064	0.0014
Perth Inner	0.0023	0.0014
Pilbara	0.0019	0.0014
Perth - South West	0.0014	0.0014
Perth - North West	0.0013	0.0014
Mid-West - Gascoyne	0.0013	0.0014
Perth - North East	0.0013	0.0014
Perth - South East	0.0012	0.0014
Bunbury	0.0012	0.0014
Peel	0.0010	0.0014
Albany	0.0009	0.0014
Goldfields - Esperance	0.0008	0.0014
Wheatbelt	0.0006	0.0014

*Source: ACIL Allen, from various data sources*

**Table D.35** Employment law matters – Older people

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.00586	0.0004
Pilbara	0.00311	0.0004
Wheatbelt	0.00042	0.0004
Mid-West - Gascoyne	0.00039	0.0004
Perth - South East	0.00032	0.0004
Perth - South West	0.00030	0.0004
Goldfields - Esperance	0.00027	0.0004
Albany	0.00024	0.0004
Perth - North East	0.00017	0.0004
Perth - North West	0.00011	0.0004
Bunbury	0.00010	0.0004
Perth Inner	0.00007	0.0004
Peel	0.00007	0.0004

*Source: ACIL Allen, from various data sources*

**Table D.36** Employment law matters – Males

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.0069	0.0015
Pilbara	0.0031	0.0015
Perth Inner	0.0024	0.0015
Mid-West - Gascoyne	0.0015	0.0015
Perth - South West	0.0010	0.0015
Goldfields - Esperance	0.0010	0.0015
Perth - North East	0.0009	0.0015
Perth - North West	0.0008	0.0015
Perth - South East	0.0008	0.0015
Bunbury	0.0007	0.0015
Albany	0.0007	0.0015
Peel	0.0005	0.0015
Wheatbelt	0.0004	0.0015

*Source: ACIL Allen, from various data sources*

**Table D.37** Employment law matters – Females

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.00347	0.0010
Pilbara	0.00123	0.0010
Perth Inner	0.00114	0.0010
Perth - North East	0.00098	0.0010
Perth - North West	0.00098	0.0010
Bunbury	0.00093	0.0010
Perth - South East	0.00090	0.0010
Perth - South West	0.00083	0.0010
Wheatbelt	0.00078	0.0010
Goldfields - Esperance	0.00071	0.0010
Mid-West - Gascoyne	0.00067	0.0010
Peel	0.00065	0.0010
Albany	0.00063	0.0010

*Source: ACIL Allen, from various data sources*

**D.4.4 Human rights and anti-discrimination matters**

For human rights and anti-discrimination matters, relative sufficiency of legal need was also assessed for:

- Aboriginal and Torres Strait Islander people,
- People who are culturally and linguistically diverse,
- Children and young people,
- Adults,
- Older people
- Males, and
- Females.

**Table D.38** Human rights and anti-discrimination matters – Aboriginal and Torres Strait Islander people

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Peel	0.0053	0.0015
Perth - North West	0.0024	0.0015
Albany	0.0011	0.0015
Perth - North East	0.0009	0.0015
Perth - South East	0.0009	0.0015
Perth - South West	0.0005	0.0015
Kimberley	0.0002	0.0015
Mid-West - Gascoyne	0.00002	0.0015

*Source: ACIL Allen, from various data sources*

**Table D.39** Human rights and anti-discrimination matters – People who are culturally and linguistically diverse

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Perth - North West	0.0010	0.0009
Peel	0.0009	0.0009
Perth - South East	0.0009	0.0009
Pilbara	0.0006	0.0009
Goldfields - Esperance	0.0006	0.0009
Bunbury	0.0004	0.0009
Perth - North East	0.0003	0.0009
Perth Inner	0.0002	0.0009
Perth - South West	0.0002	0.0009

*Source: ACIL Allen, from various data sources*

**Table D.40** Human rights and anti-discrimination matters – Children and young people

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Pilbara	0.0105	0.002
Mid-West - Gascoyne	0.0024	0.002
Perth - South West	0.0021	0.002
Perth Inner	0.0015	0.002
Perth - North West	0.0013	0.002
Bunbury	0.0009	0.002
Albany	0.0004	0.002
Perth - South East	0.0003	0.002
Goldfields - Esperance	0.0002	0.002
Peel	0.0001	0.002

*Source: ACIL Allen, from various data sources*

**Table D.41** Human rights and anti-discrimination matters – Adults

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Bunbury	0.0023	0.0012
Mid-West - Gascoyne	0.0014	0.0012
Perth - South West	0.0013	0.0012
Perth - South East	0.0012	0.0012
Peel	0.0006	0.0012
Perth - North West	0.0006	0.0012
Perth - North East	0.0004	0.0012
Albany	0.0003	0.0012
Perth Inner	0.0002	0.0012
Goldfields - Esperance	0.0002	0.0012
Pilbara	0.0001	0.0012
Kimberley	0.00001	0.0012

*Source: ACIL Allen, from various data sources*

**Table D.42** Human rights and anti-discrimination matters – Older people

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.00051	0.0003
Perth - South East	0.00047	0.0003
Perth - North West	0.00032	0.0003
Perth Inner	0.00030	0.0003
Peel	0.00005	0.0003
Bunbury	0.00005	0.0003
Perth - North East	0.00004	0.0003
Mid-West - Gascoyne	0.00001	0.0003
Perth - South West	0.00001	0.0003

*Source: ACIL Allen, from various data sources*

**Table D.43** Human rights and anti-discrimination matters – Males

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Pilbara	0.0082	0.0014
Mid-West - Gascoyne	0.0027	0.0014
Perth - South West	0.0016	0.0014
Bunbury	0.0013	0.0014
Perth Inner	0.0012	0.0014
Perth - South East	0.0010	0.0014
Perth - North East	0.0009	0.0014
Perth - North West	0.0009	0.0014
Albany	0.0004	0.0014
Peel	0.0003	0.0014
Goldfields - Esperance	0.0002	0.0014
Kimberley	0.00002	0.0014

*Source: ACIL Allen, from various data sources*

**Table D.44** Human rights and anti-discrimination matters – Females

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Bunbury	0.0015	0.0007
Perth - South West	0.0010	0.0007
Perth - North West	0.00075	0.0007
Perth - South East	0.00072	0.0007
Peel	0.00035	0.0007
Mid-West - Gascoyne	0.00020	0.0007
Perth - North East	0.00019	0.0007
Kimberley	0.00015	0.0007
Perth Inner	0.00014	0.0007
Pilbara	0.00013	0.0007
Goldfields - Esperance	0.00008	0.0007
Albany	0.00006	0.0007

*Source: ACIL Allen, from various data sources*



### D.4.5 Migration matters

For migration matters, relative sufficiency of legal need was also assessed for:

- Children and young people,
- Adults,
- Older people
- Males, and
- Females.

**Table D.45** Migration matters – Children and young people

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Goldfields - Esperance	0.0018	0.0004
Perth - South East	0.0004	0.0004
Kimberley	0.00039	0.0004
Perth - North West	0.00036	0.0004
Perth Inner	0.00024	0.0004
Perth - North East	0.00024	0.0004
Albany	0.00021	0.0004
Wheatbelt	0.00021	0.0004
Perth - South West	0.00018	0.0004

*Source: ACIL Allen, from various data sources*

**Table D.46** Migration matters – Adults

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Goldfields - Esperance	0.0047	0.0015
Perth Inner	0.0017	0.0015
Perth - South East	0.0016	0.0015
Pilbara	0.0015	0.0015
Wheatbelt	0.0012	0.0015
Kimberley	0.0012	0.0015
Perth - North West	0.0012	0.0015
Perth - South West	0.0009	0.0015
Albany	0.0008	0.0015
Perth - North East	0.0007	0.0015
Bunbury	0.0002	0.0015
Mid-West - Gascoyne	0.0001	0.0015
Peel	0.0001	0.0015

*Source: ACIL Allen, from various data sources*

**Table D.47** Migration matters – Older people

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Perth Inner	0.0004	0.0002
Pilbara	0.0003	0.0002
Bunbury	0.0002	0.0002
Perth - North East	0.0002	0.0002
Perth - North West	0.0002	0.0002
Perth - South West	0.00003	0.0002
Perth - South East	0.00003	0.0002
Mid-West - Gascoyne	0.00001	0.0002
Wheatbelt	0.000005	0.0002

*Source: ACIL Allen, from various data sources*

**Table D.48** Migration matters – Males

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Goldfields - Esperance	0.0035	0.0015
Wheatbelt	0.0027	0.0015
Perth Inner	0.0021	0.0015
Perth - South East	0.0015	0.0015
Perth - North West	0.0010	0.0015
Perth - North East	0.0009	0.0015
Pilbara	0.0008	0.0015
Perth - South West	0.0008	0.0015
Albany	0.0007	0.0015
Bunbury	0.0003	0.0015
Kimberley	0.0003	0.0015
Peel	0.0002	0.0015
Mid-West - Gascoyne	0.0001	0.0015

*Source: ACIL Allen, from various data sources*

**Table D.49** Migration matters – Females

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.0013	0.0009
Perth Inner	0.0012	0.0009
Pilbara	0.0011	0.0009
Perth - South East	0.0008	0.0009
Perth - North West	0.0005	0.0009
Perth - South West	0.0004	0.0009
Albany	0.0003	0.0009
Perth - North East	0.0002	0.0009
Bunbury	0.0001	0.0009
Mid-West - Gascoyne	0.0001	0.0009
Peel	0.00004	0.0009
Goldfields - Esperance	0.00002	0.0009

*Source: ACIL Allen, from various data sources*

**D.4.6 Restraining order matters**

For restraining order matters, relative sufficiency of legal need was also assessed for:

- Aboriginal and Torres Strait Islander people
- People who are culturally and linguistically diverse
- Children and young people,
- Adults,
- Older people
- Males, and
- Females.

**Table D.50** Restraining order matters – Aboriginal and Torres Strait Islander people

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Perth Inner	0.109	0.093
Kimberley	0.108	0.093
Perth - North West	0.097	0.093
Perth - South West	0.093	0.093
Mid-West - Gascoyne	0.089	0.093
Goldfields - Esperance	0.082	0.093
Perth - South East	0.058	0.093
Pilbara	0.052	0.093
Bunbury	0.052	0.093
Albany	0.046	0.093
Perth - North East	0.033	0.093
Wheatbelt	0.023	0.093
Peel	0.019	0.093

Source: ACIL Allen, from various data sources

**Table D.51** Restraining order matters – People who are culturally and linguistically diverse

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.042	0.018
Bunbury	0.026	0.018
Albany	0.025	0.018
Peel	0.018	0.018
Goldfields - Esperance	0.015	0.018
Perth - South West	0.014	0.018
Perth Inner	0.012	0.018
Perth - North West	0.010	0.018
Perth - North East	0.009	0.018
Pilbara	0.008	0.018
Perth - South East	0.008	0.018
Wheatbelt	0.003	0.018
Mid-West - Gascoyne	0.002	0.018

*Source: ACIL Allen, from various data sources*

**Table D.52** Restraining order matters – Children and young people

Justice Regions	Service-to-need ratios	Benchmark
Kimberley	0.042	0.011
Mid-West - Gascoyne	0.017	0.011
Pilbara	0.013	0.011
Goldfields - Esperance	0.011	0.011
Bunbury	0.010	0.011
Wheatbelt	0.010	0.011
Perth - South West	0.009	0.011
Albany	0.006	0.011
Perth - North West	0.006	0.011
Perth Inner	0.005	0.011
Perth - South East	0.004	0.011
Peel	0.0034	0.011
Perth - North East	0.0032	0.011

*Source: ACIL Allen, from various data sources*

**Table D.53** Restraining order matters – Adults

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.082	0.024
Perth - South West	0.025	0.024
Goldfields - Esperance	0.024	0.024
Pilbara	0.024	0.024
Mid-West - Gascoyne	0.023	0.024
Bunbury	0.023	0.024
Perth Inner	0.020	0.024
Perth - North West	0.019	0.024
Peel	0.017	0.024
Albany	0.017	0.024
Perth - North East	0.015	0.024
Perth - South East	0.015	0.024
Wheatbelt	0.013	0.024

*Source: ACIL Allen, from various data sources*

**Table D.54** Restraining order matters – Older people

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.0536	0.0076
Pilbara	0.0219	0.0076
Goldfields - Esperance	0.0141	0.0076
Mid-West - Gascoyne	0.0076	0.0076
Perth - South West	0.0022	0.0076
Albany	0.0022	0.0076
Wheatbelt	0.0020	0.0076
Bunbury	0.0019	0.0076
Perth - South East	0.0019	0.0076
Perth - North West	0.0018	0.0076
Perth Inner	0.0016	0.0076
Perth - North East	0.0015	0.0076
Peel	0.0006	0.0076

*Source: ACIL Allen, from various data sources*

**Table D.55** Restraining order matters – Males

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.030	0.007
Pilbara	0.010	0.007
Bunbury	0.007	0.007
Mid-West - Gascoyne	0.007	0.007
Goldfields - Esperance	0.007	0.007
Albany	0.005	0.007
Wheatbelt	0.003	0.007
Perth - North West	0.003	0.007
Perth - North East	0.003	0.007
Perth - South West	0.002	0.007
Perth Inner	0.002	0.007
Perth - South East	0.002	0.007
Peel	0.001	0.007

*Source: ACIL Allen, from various data sources*

**Table D.56** Restraining order matters – Females

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.100	0.025
Goldfields - Esperance	0.027	0.025
Pilbara	0.026	0.025
Mid-West - Gascoyne	0.025	0.025
Perth - South West	0.024	0.025
Bunbury	0.020	0.025
Perth Inner	0.018	0.025
Perth - North West	0.018	0.025
Perth - South East	0.015	0.025
Albany	0.015	0.025
Peel	0.015	0.025
Perth - North East	0.014	0.025
Wheatbelt	0.014	0.025

*Source: ACIL Allen, from various data sources*

**D.4.7 Social security matters**

For social security matters, relative sufficiency of legal need was also assessed for:

- Aboriginal and Torres Strait Islander people
- People who are culturally and linguistically diverse
- Children and young people,
- Adults,
- Older people
- Males, and
- Females.

**Table D.57** Social security matters – Aboriginal and Torres Strait Islander people

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Perth - South West	0.008	0.005
Perth - North West	0.007	0.005
Albany	0.005	0.005
Kimberley	0.003	0.005
Peel	0.003	0.005
Perth - North East	0.002	0.005
Perth - South East	0.002	0.005
Bunbury	0.0012	0.005
Mid-West - Gascoyne	0.0008	0.005

*Source: ACIL Allen, from various data sources*

**Table D.58** Social security matters – People who are culturally and linguistically diverse

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Albany	0.004	0.0019
Peel	0.003	0.0019
Perth - South West	0.002	0.0019
Perth - South East	0.0013	0.0019
Wheatbelt	0.0013	0.0019
Pilbara	0.0006	0.0019
Perth - North West	0.0005	0.0019
Bunbury	0.0004	0.0019
Perth Inner	0.00017	0.0019
Perth - North East	0.00015	0.0019

*Source: ACIL Allen, from various data sources*



**Table D.59** Social security matters – Children and young people

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Goldfields - Esperance	0.0012	0.001
Peel	0.0006	0.001
Perth - South West	0.0006	0.001
Perth Inner	0.0005	0.001
Perth - North East	0.0005	0.001
Perth - North West	0.0004	0.001
Albany	0.0002	0.001
Mid-West - Gascoyne	0.0002	0.001
Perth - South East	0.0001	0.001

*Source: ACIL Allen, from various data sources*

**Table D.60** Social security matters – Adults

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Perth Inner	0.0024	0.002
Perth - North West	0.0024	0.002
Perth - South West	0.0021	0.002
Perth - North East	0.0021	0.002
Perth - South East	0.0017	0.002
Mid-West - Gascoyne	0.0014	0.002
Kimberley	0.0011	0.002
Goldfields - Esperance	0.0011	0.002
Peel	0.0010	0.002
Albany	0.0008	0.002
Wheatbelt	0.0007	0.002
Bunbury	0.0006	0.002
Pilbara	0.0005	0.002

*Source: ACIL Allen, from various data sources*

**Table D.61** Social security matters – Older people

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.0073	0.0013
Pilbara	0.0032	0.0013
Mid-West - Gascoyne	0.0013	0.0013
Perth - North West	0.0013	0.0013
Perth - South West	0.0012	0.0013
Perth Inner	0.0011	0.0013
Wheatbelt	0.0010	0.0013
Bunbury	0.0007	0.0013
Peel	0.0006	0.0013
Perth - North East	0.0006	0.0013
Perth - South East	0.0004	0.0013
Albany	0.0004	0.0013
Goldfields - Esperance	0.0003	0.0013

*Source: ACIL Allen, from various data sources*

**Table D.62** Social security matters – Males

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Goldfields - Esperance	0.0022	0.0015
Perth - South West	0.0021	0.0015
Perth - North West	0.0019	0.0015
Perth Inner	0.0015	0.0015
Perth - North East	0.0014	0.0015
Mid-West - Gascoyne	0.0013	0.0015
Perth - South East	0.0011	0.0015
Pilbara	0.0011	0.0015
Peel	0.0008	0.0015
Kimberley	0.0007	0.0015
Albany	0.0004	0.0015
Bunbury	0.0003	0.0015
Wheatbelt	0.0003	0.0015

*Source: ACIL Allen, from various data sources*

**Table D.63** Social security matters – Females

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.0029	0.0014
Perth Inner	0.0016	0.0014
Perth - North West	0.0016	0.0014
Perth - North East	0.0014	0.0014
Perth - South West	0.0013	0.0014
Mid-West - Gascoyne	0.0011	0.0014
Wheatbelt	0.0010	0.0014
Perth - South East	0.0010	0.0014
Peel	0.0008	0.0014
Bunbury	0.0006	0.0014
Albany	0.0006	0.0014
Pilbara	0.0005	0.0014
Goldfields - Esperance	0.0003	0.0014

*Source: ACIL Allen, from various data sources*

#### D.4.8 Tenancy matters

For tenancy matters, relative sufficiency of legal need was also assessed for:

- Aboriginal and Torres Strait Islander people
- People who are culturally and linguistically diverse
- Children and young people,
- Adults,
- Older people
- Males, and
- Females.

**Table D.64** Tenancy matters – Aboriginal and Torres Strait Islander people

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Wheatbelt	0.124	0.058
Perth Inner	0.102	0.058
Mid-West - Gascoyne	0.075	0.058
Perth - North West	0.058	0.058
Perth - South East	0.050	0.058
Perth - South West	0.047	0.058
Albany	0.044	0.058
Kimberley	0.030	0.058
Peel	0.018	0.058
Pilbara	0.016	0.058
Bunbury	0.012	0.058
Perth - North East	0.011	0.058
Goldfields - Esperance	0.005	0.058

*Source: ACIL Allen, from various data sources*

**Table D.65** Tenancy matters – People who are culturally and linguistically diverse

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Albany	0.024	0.013
Wheatbelt	0.016	0.013
Peel	0.013	0.013
Mid-West - Gascoyne	0.013	0.013
Perth - South West	0.013	0.013
Kimberley	0.012	0.013
Bunbury	0.011	0.013
Perth - South East	0.009	0.013
Perth Inner	0.009	0.013
Perth - North West	0.008	0.013
Perth - North East	0.004	0.013
Goldfields - Esperance	0.003	0.013
Pilbara	0.003	0.013

*Source: ACIL Allen, from various data sources*

**Table D.66** Tenancy matters – Children and young people

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.0088	0.0032
Wheatbelt	0.0046	0.0032
Pilbara	0.0035	0.0032
Mid-West - Gascoyne	0.0032	0.0032
Perth Inner	0.0022	0.0032
Perth - South West	0.0021	0.0032
Perth - North West	0.0020	0.0032
Perth - South East	0.0018	0.0032
Goldfields - Esperance	0.0013	0.0032
Albany	0.0013	0.0032
Perth - North East	0.0011	0.0032
Bunbury	0.0009	0.0032
Peel	0.0005	0.0032

*Source: ACIL Allen, from various data sources*

**Table D.67** Tenancy matters – Adults

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.0174	0.0154
Perth Inner	0.0162	0.0154
Wheatbelt	0.0161	0.0154
Mid-West - Gascoyne	0.0154	0.0154
Perth - South West	0.0133	0.0154
Albany	0.0114	0.0154
Perth - South East	0.0111	0.0154
Perth - North West	0.0104	0.0154
Pilbara	0.0087	0.0154
Bunbury	0.0075	0.0154
Goldfields - Esperance	0.0071	0.0154
Peel	0.0062	0.0154
Perth - North East	0.0056	0.0154

*Source: ACIL Allen, from various data sources*

**Table D.68** Tenancy matters – Older people

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.0395	0.0114
Wheatbelt	0.0132	0.0114
Mid-West - Gascoyne	0.0127	0.0114
Pilbara	0.0114	0.0114
Perth Inner	0.0043	0.0114
Albany	0.0043	0.0114
Perth - North West	0.0033	0.0114
Perth - South East	0.0024	0.0114
Perth - South West	0.0022	0.0114
Goldfields - Esperance	0.0020	0.0114
Peel	0.0018	0.0114
Bunbury	0.0014	0.0114
Perth - North East	0.0007	0.0114

*Source: ACIL Allen, from various data sources*

**Table D.69** Tenancy matters – Males

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.0142	0.0072
Perth Inner	0.0104	0.0072
Wheatbelt	0.0093	0.0072
Mid-West - Gascoyne	0.0072	0.0072
Perth - South East	0.0071	0.0072
Goldfields - Esperance	0.0068	0.0072
Albany	0.0064	0.0072
Perth - South West	0.0064	0.0072
Pilbara	0.0064	0.0072
Perth - North West	0.0055	0.0072
Bunbury	0.0054	0.0072
Peel	0.0029	0.0072
Perth - North East	0.0027	0.0072

*Source: ACIL Allen, from various data sources*

**Table D.70** Tenancy matters – Females

Justice Regions	Service-to-need ratios	Benchmark (75 <sup>th</sup> percentile)
Kimberley	0.0239	0.0093
Wheatbelt	0.0173	0.0093
Mid-West - Gascoyne	0.0161	0.0093
Perth Inner	0.0093	0.0093
Pilbara	0.0093	0.0093
Perth - South West	0.0092	0.0093
Albany	0.0089	0.0093
Perth - North West	0.0078	0.0093
Perth - South East	0.0073	0.0093
Peel	0.0043	0.0093
Bunbury	0.0042	0.0093
Perth - North East	0.0041	0.0093
Goldfields - Esperance	0.0014	0.0093

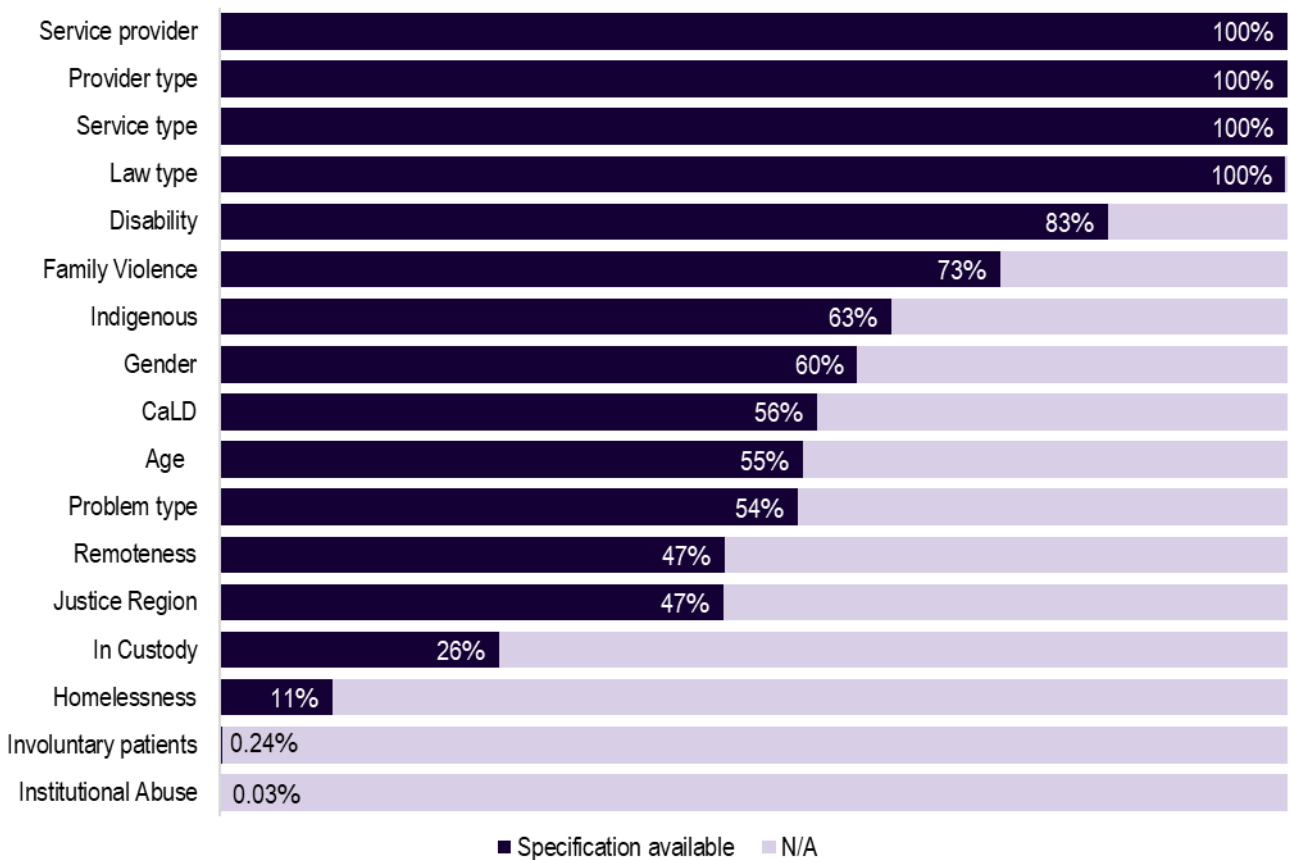
*Source: ACIL Allen, from various data sources*

# Completeness of service data

**Figure 9.23** outlines the extent to which specifications are available for each domain. For example, it is currently possible to identify the disability status for 83 per cent of the services delivered. This identifies services delivered to people with / without a disability. Conversely, it also implies that the disability status for 17 per cent of service users is unknown.

Currently, data completeness varies considerably across the different domains. There are four domains where specifications are available across all services. These domains are Service provider, Provider type, Service type and Law type. On the other hand, specifications are only available for 0.024 per cent of legal assistance (i.e., Involuntary patients) and 0.03 per cent (i.e., Institutional abuse).

**Figure 9.23** Data completeness across different domains



Source: ACIL Allen, from service provider data

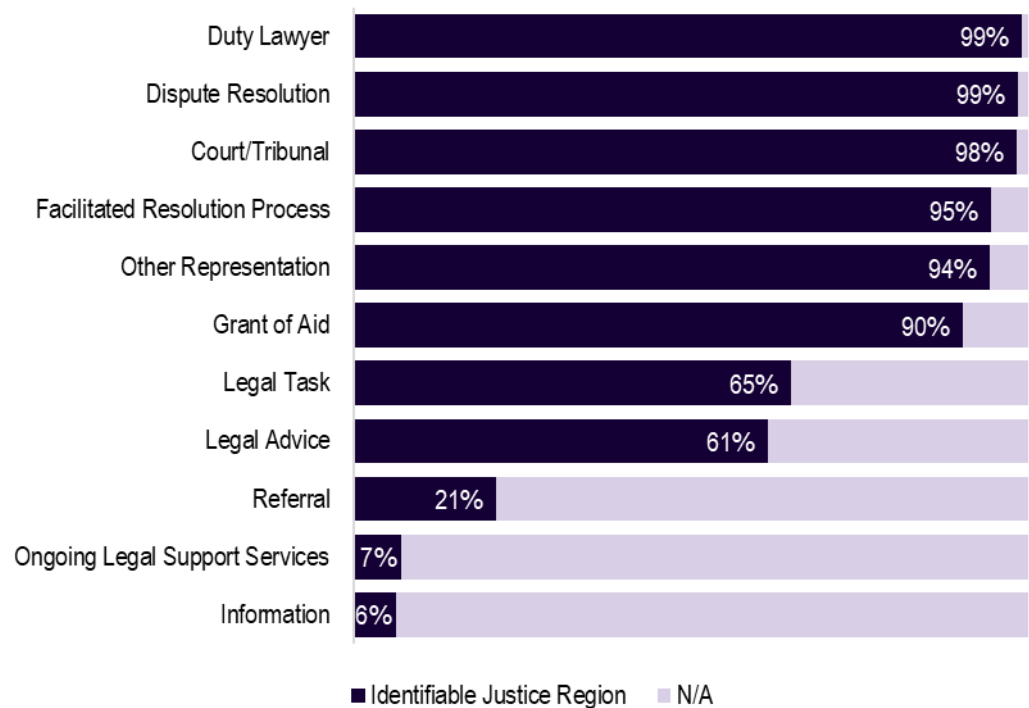


For each service type, it is also important the share of services with an identifiable Justice Region. This is because our analysis on the relative unmet legal need is based on geographical dispersion, and any data gaps may undermine the accuracy of our findings.

**Figure 9.24** presents the share of services delivered where the Justice Region is known. Data completeness is particularly poor for certain services, particularly those within the discrete legal assistance. This includes service types such as information services, referrals, legal advice and legal tasks.

As the name suggests, these types of legal assistance are typically delivered on non-recurring basis; hence, opportunities for data collection are more limited. In addition to this, data recording requirements are currently less onerous for this subset of services, given it is relatively less resource intensive.

**Figure 9.24** Identifiable Justice Regions, by proportion of services delivered



Source: ACIL Allen, from service provider data

More broadly, information and referral services typically have limited Priority Client Group and Justice Region information assigned to it. Note that these limitations are not limited to a specific provider type, but rather it does affect the sector as a whole. While there was concerted effort to fill-in these gaps, many of these data fields are still incomplete.

For Priority Client Group information, various assumptions were made to improve the data completeness of information and referral services. These assumptions were limited to specialist service providers, where the target service users are particularly clear. On the other hand, data on Justice Regions was largely unadulterated since most of the data gaps pertained to state-wide service providers.

However, Law Type information was mostly recorded for information and referral services; hence, were generally incorporated as part of the analysis.

# Barriers and risk factors for Priority Client Groups

# F

*This chapter outlines the risk factors that may lead to a greater need of legal assistance for different Priority Client Groups. It also highlights barriers faced by Priority Client Groups in seeking help and their capability to resolve these problems.*

*Importantly, this chapter draws heavily from the Collaborative Planning Resource – Service Planning, which was released by the Law and Justice Foundation of NSW in 2015. Therefore, any information presented in this chapter is obtain from this document, unless stated otherwise.*

## F.1 Aboriginal and Torres Strait Islander peoples

This report defines this Priority Client Group as people who identify as Aboriginal and/or Torres Strait Islander.

### F.1.1 Risk factors

Aboriginal and Torres Strait Islander peoples are disproportionately impacted by key risk factors which contribute to higher levels of need for legal assistance services, including:

- Aboriginal and Torres Strait Islander peoples are imprisoned at the highest rate of any peoples in the world. In 2016, the 2,400 adult prisoners in WA who identified as being of Aboriginal and Torres Strait Islander origin made up 38 per cent of the adult prison population.<sup>24</sup>
- Aboriginal and Torres Strait Islander peoples are overrepresented at every stage of the criminal justice system than non-Indigenous Australians. They are much more likely to be questioned by police; charged by police with a criminal offence; arrested than proceeded against by summons; held on remand in prison than given bail; convicted at trial; and sentenced to imprisonment.
- There is a lack of understanding in mainstream systems and services of the nature of Aboriginal and Torres Strait Islander peoples' family obligations and interconnections, and the mainstream legal system and forms of governance undermine Aboriginal and Torres Strait Islander peoples' justice models.<sup>25</sup>
- The link between violence and issues that stem from colonisation, such as alcohol misuse and intergenerational trauma, is often not considered. This lack of cultural competence and intergenerational trauma, particularly for members of the Stolen Generations, can lead to distrust of the police, justice system and governments and systemic disadvantage.

<sup>24</sup> Australian Bureau of Statistics. 2016. [Prisoners in Australia, 2016](#).

<sup>25</sup> Australia's National Research Organisation for Women's Safety Limited. 2019. [Understanding the role of law and culture in Aboriginal and/or Torres Strait Islander communities in responding to and preventing family violence](#).

## F.1.2 Barriers to accessing services

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Aboriginal and Torres Strait Islander peoples face a range of barriers that inhibit access to effective legal assistance. These barriers persist in both systemic and personal forms.

### Systemic barriers

Systemic barriers<sup>26</sup> relate to the policies, procedures and practices that reduce access and / or limit the effectiveness of legal assistance service and include:

- Aboriginal and Torres Strait Islander Legal Services tend to focus on criminal law, with fewer legal services for family and civil law
- Social, communication and language factors can result in inadequate or poorly explained advice
- Lack of recognition of traditional laws and cultural needs are often not considered; large kinship systems often result in multiple parties to proceedings and difficulty in finding legal assistance due to conflicts of interest
- Long-term distrust of the legal system and formality of the legal system
- Fear of the family law system due to the forced removal of children and bad experiences with child protection agencies
- Inter-generational trauma and poor health outcomes associated with colonisation and dispossession of land
- Aboriginal and Torres Strait Islander peoples living in regional, rural or remote areas experience gaps in service delivery associated with geographic isolation. Poor access to phones, internet and computers in remote and regional areas contributes to this barrier for services delivered virtually. Service providers based in regional locations are often located a considerable distance from many clients
- Aboriginal and Torres Strait Islander women are more likely to live in regional areas and consequently face additional barriers to accessing legal services. Regional areas have poorer access to a phone and email, and may need to commute long distances in order to access face-to-face services.

### Personal barriers

Personal barriers relate to individual characteristics, experiences and cultural factors that reduce access and / or limit the effectiveness of legal assistance service and include:

- Overlapping disadvantage (e.g. educational, financial, legal and medical) and historic marginalisation from mainstream public services
- A lack of knowledge/awareness of rights, or intimidation in approaching legal services
- Lack of access to mediation or other forms of dispute resolution
- Unresolved civil law issues escalating to criminalisation, e.g., neighbourhood disputes
- Fear of and vulnerability to eviction, especially under the Department of Health's three-strikes policy based on neighbours' complaints
- Lack of understanding of a will's utility beyond bequeathing property and/or taboo around discussing death.

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<sup>26</sup> Law and Justice Foundation of New South Wales. 2013. [Legal needs of Indigenous people in Australia](#).

## F.2 Children and young people

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This report defines this Priority Client Group as people below 24-years old.

### F.2.1 Risk factors

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Children and young people are disproportionately impacted by key risk factors which contribute to higher levels of need for legal assistance services, including<sup>27</sup>:

- Children and young people experience higher rates of crime problems (including crime victim problems), rights problems (including student bullying and harassment) and personal injury problems. These problems may in part reflect stage of life, including greater risk-taking behaviour and greater opportunity to experience certain types of problems, such as motor vehicle accidents while driving skills are still developing and education-related problems.
- ‘At risk’ or ‘disengaged’ youth have increased vulnerability to legal problems compared to other young people. For example, those who have been homeless or in out of home care and those with a mental illness or physical disability have higher levels of legal problems, including substantial legal problems.

### F.2.2 Barriers to accessing services

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Children and young people face a range of barriers that prevent access to effective legal assistance. These barriers persist in both systemic and personal forms.

#### Systemic barriers

Systemic barriers relate to the policies, procedures and practices that reduce access and / or limit the effectiveness of legal assistance service and include:<sup>28</sup>

- Lack of specialist, child-friendly legal assistance services and a shortage of lawyers with the specialist skills necessary to deal with the complex needs of children and young people, particularly in the child care and protection jurisdiction
- Solicitors who lack skills in dealing with children and young people
- Intimidating and formal atmosphere of many legal services
- Lack of information strategies which specifically target children and young people, for example teaching legal rights and processes in the education system
- Lack of access to specialist legal advice and specialist children’s courts can result in higher rates of imprisonment and intensive supervision orders for children and young people in rural and remote areas

#### Personal barriers

Personal barriers relate to individual characteristics, experiences and cultural factors that reduce access and / or limit the effectiveness of legal assistance service and include:<sup>29</sup>

- Limited financial resources
- Poor knowledge of their rights and legal entitlements
- Uncertainty about available avenues or remedies

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<sup>27</sup> Law and Justice Foundation of New South Wales. 2015. [Collaborative Planning Resource – Service Planning](#).

<sup>28</sup> Ibid.

<sup>29</sup> Ibid.

- A perception that the legal system will not assist them
- Many young people, particularly those from disadvantaged backgrounds, lack the independence, experience, skills and psychological preparedness to successfully resolve legal problems themselves. They may have poor knowledge of available avenues and assistance services, as well as reduced self-efficacy and diminished legal capability
- Many lack verbal communication skills, which further undermines their ability to resolve law-related problems
- Reliance on adults to mediate their access to legal services. Young people are particularly likely to rely on family and friends, people they know and trust, for help resolving their legal problems. They prefer to obtain assistance from a familiar and easily accessible person or place, often seeking someone who will provide practical assistance and resolve the problem for them
- Fear of being disbelieved or not taken seriously by service providers
- Experience of violence and trauma undermines willingness to seek assistance in some cases
- Negative attitudes towards professionals, such as police and legal assistance services, affects use of advisers, and difficulty managing law-related issues is associated with increased feelings of helplessness
- Although young people are often avid users of information and communicative technology, online legal information does not necessarily improve their legal capability. For instance, young people may lack the ability to successfully obtain and apply online legal information in a meaningful way.

### F.3 Older people

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This report defines this Priority Client Group as people above 55-years old for Indigenous Australians, and above 65-years old for non-Indigenous Australians.

#### F.3.1 Risk factors

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Older people report fewer legal problems than the general population.<sup>30</sup> This may reflect changes in life circumstances, including retirement, fewer home mortgages and other loans and grown children having left home. These circumstances present fewer opportunities to experience certain types of legal problems, such as employment problems, certain debt problems and family problems. Through experience, older people may be better able to deal with some problems before they escalate. However, they may also report fewer issues due to not identifying legal needs, placing less importance on problems or having lower awareness of their personal circumstances.

Older people can still experience serious legal issues, some of which are clearly linked to their stage of life. Thus, older people are disproportionately impacted by key risk factors which contribute to higher levels of need for legal assistance services, including:

- elder abuse
- issues with residential aged care
- being guarantors for loans.

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<sup>30</sup> Law and Justice Foundation of New South Wales. 2015. [Collaborative Planning Resource – Service Planning](#).

### F.3.2 Barriers to accessing services

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Older people face a range of barriers<sup>31,32</sup> that prevent access to effective legal assistance. These barriers persist in both systemic and personal forms.

#### Systemic barriers

Systemic barriers relate to the policies, procedures and practices that reduce access and / or limit the effectiveness of legal assistance service and include:

- Limited awareness of elder abuse within the community, inadequate data and high levels of underreporting
- Lack of support, aids and adjustments to accommodate disability- and age-related needs
- Strict means tests can present difficulties accessing legal aid. Older Australians may have low incomes but do not qualify for legal assistance due to owning assets such as a house
- Lack of practitioner knowledge about the legal issues older people face
- Lack of locally accessible specialist legal assistance services
- Lack of appropriately communicated legal information
- Technological barriers (e.g. in accessing legal information websites or helplines)
- Stereotypes about older people.

#### Personal barriers

Personal barriers relate to individual characteristics, experiences and cultural factors that reduce access and / or limit the effectiveness of legal assistance service and include:<sup>33</sup>

- Physical incapacity or mobility issues and dependence on others
- Lower levels of legal capability, such as lower awareness of legal rights and avenues for redress
- Lower awareness of sources of information, advice and assistance
- Psychological barriers, such as feelings of shame, embarrassment, diminished self-confidence or misplaced stoicism
- Belief that the potential benefits of engaging with the legal system are outweighed by the stress, cost and delay in resolving the issue
- Ignoring legal problems
- Reluctance to think about death and disabilities
- Low literacy levels
- Lack of confidence in enforcing their rights and approaching official agencies
- Previous negative experiences with the law leading to dislike and mistrust of the legal system
- Perception of the law as disempowering and unable to solve their problems
- Fear that lawyers may act against their interests

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<sup>31</sup> Law and Justice Foundation of New South Wales. 2015. [Collaborative Planning Resource – Service Planning](#).

<sup>32</sup> Law Council of Australia. 2018. [The Justice Project Final Report: Introduction and Overview](#).

<sup>33</sup> Law and Justice Foundation of New South Wales. 2015. [Collaborative Planning Resource – Service Planning](#).

- Limited financial resources – older people who are subject to a guardianship order or experiencing financial elder abuse may be unable to access their assets or savings to pay for private legal services.

## F.4 People experiencing, or at risk of, family violence

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This report defines this Priority Client Group as people who are experiencing family violence, regardless of whether assistance has been sought.

Family violence includes any violent and/or aggressive act(s) and/or behaviour(s), or the threats of such act(s) and/or behaviour(s), that is committed by a member of the family or household in order to control, coerce and/or harm another member of the family or household. It can include, but is not limited to, physical, emotional, psychological, sexual and financial abuse.

Importantly, this Priority Client Group does not include perpetrators unless they too, are victims of family violence.

### F.4.1 Risk factors

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People experiencing, or at risk of, family violence are disproportionately impacted by key risk factors<sup>34</sup> which contribute to higher levels of need for legal assistance services, including:

- As a result of physical or emotional abuse, survivors may want to get a VRO or FVRO, make complaints to the police, get support during criminal proceedings, or get compensation for criminal injuries
- Family violence compounds other gender inequities and contributes to other social issues such as accommodation problems or becoming homeless, resulting in need for tenancy advice and property advice
- Financial disadvantage is a distinct contributing factor and outcome of family violence. Survivors may be left with a large joint debt to pay off after a perpetrator has been imprisoned, or may have suffered financial abuse. This may require financial counselling and civil law advice and representation
- Divorce and issues with custody or child protection may necessitate family law advice and representation
- Needing to take time off to attend court dates or having to leave a job to enter a refuge, impacting employment performance or leading to loss of job, may require employment law advice and representation
- Involvement in criminal justice system (e.g. as a result of drug and alcohol issues) and fines may require criminal law advice and representation.

### F.4.2 Barriers to accessing services

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People experiencing, or at risk of, family violence face a range of barriers that prevent access to effective legal assistance. These barriers persist in both systemic and personal forms.

#### Systemic barriers

Women who are survivors of family violence or child abuse are systemically disadvantaged in accessing justice. Systemic barriers<sup>35</sup> relate to the policies, procedures and practices that reduce access and / or limit the effectiveness of legal assistance service and include:

<sup>34</sup> Women's Legal Service Victoria. 2015. [Legal Barriers to Economic Equality after Family Violence](#).

<sup>35</sup> Women's Legal Services Australia. 2014. [Women's Legal Services Australia Submission to Productivity Commission Draft Report on Access to Justice Arrangements](#).

- Lack of recognition, understanding and training across the legal system concerning the complex nature of family violence, particularly by or against people identifying as LGBTQI+
- Legal assistance lawyers may not have sufficient knowledge or training regarding family violence and intersectional issues experienced by survivors of family violence.
- The limited money received for legal assistance grants restricts the time and effort that panel lawyers can spend with clients, which can mean that clients with complex cases do not get sufficient legal support.
- Police often do not understand the financial consequences arising from family violence and do not act to stop economic abuse
- Conditions included in intervention orders are not sufficient to prevent economic abuse
- Family law proceedings to resolve financial issues can be lengthy, stressful and achieve inequitable outcomes
- In family law proceedings, if the perpetrator is not legally represented, they can directly cross-examine the victim in court<sup>36</sup>
- Lack of timely, affordable and specialist legal advice and representation
- The financial and emotional burden of responding to violence falling on the victim
- Prohibitive cost of legal representation
- Lack of access to low-cost advice and dispute resolution services, particularly in rural and remote areas, particularly as both sides need different legal services to avoid conflicts of interest
- A fragmented and constantly changing family law system
- Lack of access to affordable and appropriate housing in a fast/timely manner
- Lack of offender accountability and inadequate response to breach of protection or restraining orders
- Limits of legal solutions for complex social problems, such as family violence
- Survivors of family violence who are from CALD communities face obstacles throughout the legal process such as language difficulties, intimidating court processes, prejudicial attitudes and inadequate support from services, particularly a lack of female interpreters, disadvantaging them when it comes to dealing with the legal system.<sup>37</sup>
- Meeting strict eligibility criteria, such as evidence of identity or bank account statements, or being able to articulate the merits of one's case sufficiently, can make it harder to obtain a grant of legal aid, for example.

### Personal barriers

Personal barriers relate to individual characteristics, experiences and cultural factors that reduce access and / or limit the effectiveness of legal assistance service and include:<sup>38</sup>

- Survivors' self-confidence can be eroded
- Survivors of family violence often have little knowledge of their legal and financial rights following violence and separation
- Reluctance to disclose family violence due to stigma and shame
- Fear of and for the offender

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<sup>36</sup> Women's Legal Services Australia. 2016. [Vulnerable Witness Protection in Family Law](#).

<sup>37</sup> Ibid.

<sup>38</sup> Women's Legal Services Australia. 2014. [Women's Legal Services Australia Submission to Productivity Commission Draft Report on Access to Justice Arrangements](#).



- Lack of access to ongoing support beyond the point at which the violence occurs
- Overriding concerns about the safety and wellbeing of children and pets
- Lack of knowledge about the legal system
- Fearful or intimidated by the judicial system
- Previous negative experiences, for example with the police
- Survivors often do not pursue financial settlements due to barriers created by family violence, causing further financial disadvantage. Perpetrators can use joint debt to continue committing economic violence against women interviewed and there is no legal recourse to sever the joint liability
- Recent immigrants may not know what constitutes family violence in WA, and the definition here may be different to the one in their country of origin. Immigration laws leave some survivors extremely vulnerable as they have limited access to most forms of support<sup>39</sup>
- Survivors who are part of other Priority Client Groups, such as Aboriginal and Torres Strait Islander peoples, people from culturally and linguistically diverse backgrounds, people with a disability or mental illness and people who live in regional or rural and remote communities, may be high users of service provision in the community or alternatively, are so disadvantaged they do not understand their legal rights, how to access them or even that they have a right to seek redress.

## F.5 People experiencing, or at risk of, homelessness

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This report defines people experiencing, or at risk of, homelessness as people who lack stable, safe and adequate housing. This includes individuals residing in improvised dwellings, tents, supported homeless accommodation, boarding houses, other forms of temporary lodging and 'severely' crowded dwellings.

### F.5.1 Risk factors

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There is a large intersection between people experiencing, or at risk of, homelessness and those in other priority client groups. They are disproportionately impacted by key risk factors which contribute to higher levels of need for legal assistance services, including:

- Experienced family and domestic violence
- Are Aboriginal and/or Torres Strait Islander peoples
- Identify as having a mental health issue
- Are young people aged 15-24 and present to services alone
- Identify as being born overseas
- Reported having problematic drug or alcohol issues
- Are aged 55 years and older
- Experienced homelessness more than once in the reporting year
- Are leaving care or exiting custodial arrangements
- Have a disability or long-term health issue
- Identify as current or former members of the Australian Defence Force.

People experiencing, or at risk of, homelessness often have multi-faceted legal and other issues. In 2017-18 the top five reasons for seeking assistance from specialist homelessness services were:

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<sup>39</sup> InTouch Multicultural Centre against Family Violence. 2010. [Barriers to the Justice System Faced by CALD Women Experiencing Family Violence](#).

- Domestic and family violence
- Financial difficulties
- Relationship/family breakdown
- Housing crisis
- Inadequate or inappropriate dwelling conditions.<sup>40</sup>

Insufficient affordable, safe and stable accommodation contributes to and exacerbates poor justice outcomes. People experiencing or at risk of homelessness are more likely to be denied bail and instead be placed on remand. The risk of homelessness can also prevent a person from escaping family violence and increases the likelihood of recently released prisoners reoffending.

Complex housing laws that do not prioritise homelessness prevention, including evicting people from public housing after ‘three strikes’, enforcing public housing debt against survivors of family violence and negative former tenancy classifications, can make it harder for vulnerable people to maintain tenancy arrangements or re-enter public housing after being evicted. People leaving government institutions, such as hospitals, out of home care, prisons and mental health facilities often face inadequate exit strategies and do not receive enough support, which can leave them homeless.

Laws prohibiting begging and public drinking, street sweeping offences and move on cautions can have the effect of criminalising homelessness and introducing them to the criminal justice system.

By essentially excluding people from safe public spaces, they can become even more vulnerable. These laws, policies and practices disproportionately affect people experiencing or at risk of homelessness. The complex nature of people’s legal needs when they are experiencing or at risk of homelessness means that they often need separate responses from different legal services, which can be hard to navigate and make poor justice outcomes even more likely.

### **F.5.2 Barriers to accessing services**

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People experiencing, or at risk of, homelessness face a range of barriers that prevent access to effective legal assistance. These barriers persist in both systemic and personal forms.

#### **Systemic barriers**

Systemic barriers relate to the policies, procedures and practices that reduce access and / or limit the effectiveness of legal assistance services and include:

- The traditional structure of legal services presents difficulties because many people experiencing homelessness face multiple, complex legal issues that need separate responses from different legal services.
- While specialist homeless legal services address this problem to some extent, these services are underfunded and generally only available in capital cities.

#### **Personal barriers**

Personal barriers relate to individual characteristics, experiences and cultural factors that reduce access and / or limit the effectiveness of legal assistance service and include:

- Having to prioritise more basic and pressing non-legal needs such as accommodation, food and caring for family
- Limited available resources for legal and non-legal needs
- Poor family relationships often marked by histories of violence

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<sup>40</sup> Australian Institute of Health and Welfare. 2019. [Specialist homelessness services annual report 2017-18](#).

- Fear of the legal system and a belief that their problems will just ‘go away’
- Feelings of despair and hopelessness, and that the law would not work to their benefit
- Mental health and drug and alcohol issues
- Poor literacy, numeracy and educational attainment
- Lack of ability to identify issues as legal ones
- Lack of knowledge of legal options
- Failing to act upon legal problems until they have reached crisis point and become more complex and difficult to resolve
- Having multiple, urgent and interrelated legal and non-legal problems.

## F.6 People in custody and/or prisoners

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This report defines this people in custody and/or prisoners as people whose freedom of movement is limited. This includes:

- People who are in prison, regardless of sentencing status
- People who are held in police custody, regardless of charge status
- People in immigration detention, including in community under Residence Determination.

Importantly, this excludes people who are detained under mental health grounds as this report considers it a distinct priority client group.

### People who are in prison

People who are in prison may be detained in one of 17 prisons across Western Australia. This includes 16 public prisons that are operated by the WA Department of Justice, and one private prison (i.e., Acacia Prison) that is operated by Serco Australia.

In FY21, the WA Department of Justice indicated that there were 6,753 people who are in prison, regardless of their sentencing status. That said, most prisoners have received a sentence as it accounts for 72 per cent of all prisoners.

Noting that the number of prisoners within each facility is not publicly available, the Department presented the regional distribution of prisoners, depending on the facility’s location.<sup>41</sup> Specifically, this comprises of the following regions:

- *Perth metropolitan*: 4,612 prisoners
- *South West*: 471 prisoners
- *Great Southern*: 391 prisoners
- *Peel*: 363 prisoners
- *Kimberley*: 282 prisoners
- *Goldfields – Esperance*: 219 prisoners
- *Mid-West*: 215 prisoners
- *Pilbara region*: 200 prisoners.

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<sup>41</sup> These regions broadly correspond to the justice regions used in this report. Perth metropolitan is the amalgamation of Perth Inner, Perth – North East, Perth – North West, Perth – South East and Perth – South West region. Great Southern corresponds to the Albany region, South West overlaps with the Bunbury region.

### People who are held in police custody

People who are held in police custody comprise approximately one per cent of the WA population. WA Police Force indicated that there were 32,759 people held in police custody in FY21, regardless of charge status.

### People in immigration detention

People in immigration detention may be detained in either in immigration detention facilities or may be approved for a residence determination to live in the community. At the time of developing the data tool (i.e., February 2022), the Australian Department of Home Affairs indicated that there were 536 people in immigration detention residing in Western Australia. This comprises of:

- *Yongah Hill Immigration Detention Centre*: 295 individuals
- *North West Point Immigration Detention Centre*: 198 individuals
- *Perth Immigration Detention Centre*: 20 individuals
- *Alternative Places of Detentions*: 13 individuals
- *Held in community under Residence Determination*: 10 individuals.

#### F.6.1 Risk factors

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The number of people in custody, detainees and prisoners continues to grow year on year.<sup>42</sup> Aboriginal and Torres Strait Islander peoples and people with disability are substantially over-represented in Australia's prisoner and juvenile detention populations, and the numbers of incarcerated women and people on remand have increased significantly over the past decades.

By definition, people in custody and prisoners have criminal law needs and may continue to do so. Prisoner-specific legal issues in the incarceration process include bail, prison discipline and parole. Many prisoners and detainees also experience ongoing civil (debt, housing, employment) and family law issues which are often interconnected with their criminal law issues. Where these issues are not resolved optimally, they can escalate and feed into the cycle of disadvantage experienced by many prisoners which can lead to their eventual return to prison.

People in custody and/or prisoners are disproportionately impacted by key risk factors which contribute to higher levels of need for legal assistance services, including:

- Poverty
- Homelessness
- Poor education and literacy
- Unemployment
- Mental health conditions
- Intellectual disability
- History of alcohol and drug misuse.

#### F.6.2 Barriers to accessing services

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People in custody and prisoners face a range of barriers that prevent access to effective legal assistance.<sup>43</sup> These barriers persist in both systemic and personal forms.

<sup>42</sup> Law Council of Australia. 2018. [The Justice Project Final Report: Introduction and Overview](#).

<sup>43</sup> Law and Justice Foundation of New South Wales. 2015. [Collaborative Planning Resource – Service Planning](#); Law Council of Australia. 2018. [The Justice Project Final Report: Introduction and Overview](#).

### **Systemic barriers**

Systemic barriers relate to the policies, procedures and practices that reduce access and / or limit the effectiveness of legal assistance service and include:

- Physical barriers posed by the prison environment, which precludes ready access to legal information sources or legal practitioners
- Insufficient access to legal assistance services, particularly with respect to civil and family law issues, and length of time it takes to obtain legal information or advice
- Legal assistance services that are ill-suited to prisoners' legal capability (e.g. provision of written information to detainees with poor literacy, advice sessions being too short, and complexity of information provided etc.)
- Limited access to civil and family courts and processes
- A lack of transition programs designed to address legal issues
- Limited access to technologies including telephones, audio-visual links and internet-enabled computers
- Overreliance on certain 'law and order' policies without adequate support for diversion options, alternatives to imprisonment or programs focused on rehabilitation.

### **Personal barriers**

Personal barriers relate to individual characteristics, experiences and cultural factors that reduce access and / or limit the effectiveness of legal assistance service and include:

- Multiple criminal and civil legal issues
- Chaotic lives or lives that had been spiralling out of control prior to custody
- Cognitive impairment and mental health conditions (including due to frequent experiences of trauma caused by prior histories of violence or abuse)
- Illiteracy and limited or interrupted education; periods in custody decreasing confidence and skills; and being too embarrassed, intimidated or overwhelmed to admit a lack of understanding or literacy skills
- Tendency of those without the necessary skills or support to engage in maladaptive behaviour, including avoiding legal problems and help
- Lack of understanding about how to obtain legal assistance and/or outcomes of legal processes
- Tendency to have made financial, family and other arrangements outside of formal legal processes
- Limited financial resources – many prisoners have a history of being unemployed, homeless or in debt prior to incarceration
- Negative experiences with the corrections system, police or the justice system may have led to people in custody and prisoners distrusting authorities and lawyers and negative beliefs about the utility of trying to use the legal system
- Prisoners and/or people in custody may be less able to address civil and family law issues when they first arrive in prison as they may be more unstable, stressed and immediately focused on dealing with their criminal law issue than at later points in their incarceration.

## **F.7 People residing in rural and remote areas**

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This report defines people residing in rural and remote areas as people living in an area in Western Australia classified as Outer Regional, Remote or Very Remote in the Accessibility and

Remoteness Index of Australia. This definition is also used by population estimates reported by the ABS.

### **F.7.1 Risk factors**

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People residing in rural and remote areas are disproportionately impacted by key risk factors which contribute to higher levels of need for legal assistance services, including:

- Considerable overlap with other Priority Client Groups, such as:
  - women,
  - children and young people,
  - people with financial disadvantage; and
  - Aboriginal and Torres Strait Islander peoples.

### **F.7.2 Barriers to accessing services**

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People in rural and remote areas face a range of barriers that prevent access to effective legal assistance. These barriers persist in both systemic and personal forms. They are similar to those experienced by people living in regional area, but are generally exacerbated in rural and remote areas.

#### **Systemic barriers**

Systemic barriers relate to the policies, procedures and practices that reduce access and / or limit the effectiveness of legal assistance service and include:

- Legal services in rural and remote areas cover huge areas. In 2016, only 5.2 per cent of Western Australian solicitors practised in country and rural areas, thus the per capita rate of lawyers in remote areas is much lower than in metropolitan areas
- Even if there is a legal service in a remote area, it is often far from where the client lives and, people living in remote communities including Aboriginal and Torres Strait Islander peoples may have to travel long distances to access legal services
- Due to the scarcity of lawyers, conflict of interest issues may arise when two or more sides need representation, particularly when Aboriginal and Torres Strait Islander peoples' large kinship systems result in multiple parties to proceedings. Thus clients face additional cost and distance burdens due to having to travel further to find out, or miss out altogether
- Issues with availability and reliability of public transport can result in clients missing appointments or court hearings
- Poor access to phones, internet, computers and telecommunications leads to poor access to legal information and services conducted virtually
- Community-based sentencing options are lacking in many rural and remote areas
- Scarcity of interpreters, residential drug and alcohol rehabilitation, mental health services, family violence services, and safe, secure housing services (including bail accommodation and support) in rural and remote areas
- The decline in local court circuit services in rural and remote communities exacerbates distance, transport and cost barriers. In some cases, residents give up on attending court altogether or the delay in having their matter considered may mean any resolution is less impactful than had it been settled in a timelier way.

#### **Personal barriers**

Personal barriers relate to individual characteristics, experiences and cultural factors that reduce access and / or limit the effectiveness of legal assistance service and include:

- Limited access to financial resources due to socioeconomic disadvantage and high cost of living (groceries, transport, petrol, insurance) in remote areas
- Many people residing in rural and remote areas, such as farmers, can be 'income poor and asset rich', and may be unable to either afford private lawyers or meet legal aid means tests
- Lack of awareness of legal services or legal information in very remote areas
- The nearest regional centre with a legal assistance service may be far away, and clients may think legal assistance is not worth the time and cost of transportation, leading them to ignore their legal problems or solve them informally
- Lower levels of education and literacy can lead to difficulties understanding legal information
- Poor technological access and/or capability, particularly for older people. Around 78–80 per cent of people in remote and very remote Australia access the internet, but only 53 per cent of people in remote areas and 48 per cent of people in very remote areas use the internet to access government services.
- Difficulties with privacy and confidentiality in smaller rural communities
- People in rural and remote areas may choose to rely on family or social networks to resolve legal problems instead of official legal institutions and services
- Geographic remoteness can lead to feelings of social exclusion and disempowerment
- Large proportions of people residing in rural and remote areas are also in other Priority Client Groups, for example Aboriginal and Torres Strait Islander peoples make up 16.3 per cent of the population in remote WA and 36.5 per cent of the population in very remote WA.<sup>44</sup> In the Kimberley, which is classified as very remote by the ABS, Aboriginal and Torres Strait Islander peoples make up 41.6 per cent of the population.<sup>45</sup>

## F.8 People who are culturally and linguistically diverse

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This report defines people who are culturally and linguistically diverse as people who fall into at least one of these categories:

- people are born outside of Australia
- people who are not proficient in English
- people seeking asylum, refugees and humanitarian migrants.

This specification has been applied to derive a population estimate at the state-wide level. However, any information for the sub-jurisdictions, are limited to people who speak a language aside English at home.

While legal assistance providers do not directly identify this cohort, ACIL Allen represented this cohort by identifying people who are either born overseas or those who are not proficient in spoken English.

### People seeking asylum, refugees and humanitarian entrants

As part of its permanent humanitarian resettlement program, the Australian Department of Home Affairs granted 5,947 resettlement visas in FY21, of which 4,558 were for offshore visas and 1,389 for onshore visas.<sup>46</sup>

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<sup>44</sup> Public Health Information Development Unit. 2022. [Remoteness: Western Australia by Remoteness Area of place of residence](#).

<sup>45</sup> Australian Bureau of Statistics. 2016. [Kimberley: 2016 Census All persons QuickStats](#).

<sup>46</sup> Australian Department of Home Affairs. 2022. [2020-21 Humanitarian Program Outcomes](#).

As the name suggests, offshore visas are allocated for people that are currently residing outside of Australia and are subject to persecution or discrimination that amounts to a gross violation of their human rights.<sup>47</sup> It is comprised of two visa pathways: the Refugee category visas and Special Humanitarian Program visas. In FY21, there were 2,505 visas approved for the Special Humanitarian Program, and another 2,053 visas were approved for refugees.

On the other hand, onshore visas are reserved for people who arrive lawfully in Australia and engage Australia's protection obligations because they are either found to be a refugee or meet the complementary protection criteria under the *Migration Act 1958*. In FY21, the priority regions were similar to the offshore component of the humanitarian program.

Australia also grants humanitarian visas to individuals who arrive unlawfully in Australia. Under the Morrison Government, only temporary visas were available. However, the Albanese Government has committed to issuing permanent visa for this cohort of people. In FY21, there were 11,614 visas granted to individuals where their designed state of residence is Western Australia.

For people seeking asylum, refugees and humanitarian entrants, legal need may also manifest through individuals applying for review with the Administrative Appeals Tribunal or applying for judicial review in the Federal Circuit Court and Federal Court, for decisions relating to migration and refugee visas.

### **F.8.2 Risk factors**

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People who are culturally and linguistically diverse (CALD) are disproportionately impacted by key risk factors which contribute to higher levels of need for legal assistance services, including:

- People who have recently arrived in Australia are likely to have limited familiarity with the Australian legal system and their own rights under Australian law. As a result, recently arrived individuals may not recognise that they have legal problems, despite being vulnerable to a range of complex legal difficulties, particularly during the initial settlement phase. These include being victimised by exploitation or unfair work practices, unfair consumer practices, as well as driving infringements and other fines, and specific family violence issues.
- People who are CALD may also experience social challenges, such as discrimination and housing insecurity, which have a legal dimension.
- A tendency to under-report means it is not unusual for CALD women experiencing family violence to wait until a point of crisis before they seek help.<sup>48</sup> Under-reporting is influenced by a lack of information about their rights and how to access them, a fear of authorities, and not knowing what constitutes family violence in WA. Considerable external pressure from family and community is also a significant factor.

### **F.8.3 Barriers to accessing services**

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People who are CALD face a range of barriers that inhibit access to effective legal assistance. These barriers persist in both systemic and personal forms.

#### **Systemic barriers**

Systemic barriers relate to the policies, procedures and practices that reduce access and / or limit the effectiveness of legal assistance service and include:

- Lack of effective referral between migrant and legal services

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<sup>47</sup> Australian Department of Home Affairs. 2021. [Australia's Offshore Humanitarian Program: 2020-21](#)

<sup>48</sup> InTouch Multicultural Centre against Family Violence. 2010. [Barriers to the Justice System Faced by CALD Women Experiencing Family Violence](#).



- Difficulty accessing interpreter services and translated legal information material, and lack of availability of female interpreters for issues faced by CALD women
- Lack of awareness and sensitivity to the needs of diverse cultures among service providers, including newly emerging/smaller communities
- Intimidating court processes and prejudicial attitudes
- Absence of a coordinated approach in access to justice strategies for CALD communities

### Personal barriers

Personal barriers relate to individual characteristics, experiences and cultural factors that reduce access and / or limit the effectiveness of legal assistance service and include:

- Lack of English language literacy and proficiency
- Lack of knowledge of the Australian legal system, legal rights and remedies, particularly for recent migrants, given that laws may be different from their country of origin
- Lack of awareness of legal service providers and how to access legal help
- Fear and distrust of authorities, visa dependency and a fear of deportation
- Shame and fear associated with having a legal problem
- Cultural isolation
- A preference to resolve certain issues within communities, and cultural and religious barriers that inhibit help-seeking outside the community, particularly for family law problems
- The perceived cost of legal services and limited financial means for private legal services

## F.9 People with a disability and/or mental illness

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This report defines this priority client group as people with either a disability and/or mental illness. However, population estimates were derived for people with disability only.

### F.9.1 Risk factors

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People with disability comprise around 18 per cent of the Australian population, but almost 50 per cent of the adult prison population. People with a disability or mental illness are disproportionately impacted by key risk factors which contribute to higher levels of need for legal assistance services, including:

- People with disability or mental illness commonly experience cumulative disadvantage, which manifests in a myriad of ways, such as social exclusion, discrimination, poverty, unemployment, homelessness and heightened vulnerability to abuse.<sup>49</sup>
- In 2018–19, based on self-reported survey responses, an estimated 24 per cent of Indigenous Australians reported having a diagnosed mental health or behavioural condition.<sup>50</sup> From 2004–05 to 2018–19, the proportion of Indigenous adult Australians reporting 'high or very high' levels of psychological distress increased from 27 per cent to 31 per cent.<sup>51</sup>
- A 2010 Senate Inquiry found that approximately 98 per cent of incarcerated Aboriginal and / or Torres Strait Islander peoples have cognitive impairment. Children and young people with disability are similarly overrepresented. In Western Australia's only youth justice facility, 89 per cent of youth detainees have at least one form of severe neurodevelopmental impairment. This is one of the highest reported rates in the world.

<sup>49</sup> Law Council of Australia. 2018. *The Justice Project Final Report: Introduction and Overview*.

<sup>50</sup> Indigenous Mental Health & Suicide Prevention Clearinghouse. 2022. *Data tables: Mental Health*.

<sup>51</sup> Ibid.

- Legal problems are often related to nonlegal needs, such as health problems, unemployment, social isolation or homelessness.<sup>52</sup> People with disability also have high levels of interaction with the criminal justice system, as both victims and offenders. People with disability, especially women with disability, are more vulnerable to crime and abuse. People with an intellectual disability are 10 times more likely to experience violence and three times more likely to be victims of assault, sexual assault and robbery. Prisoners with disability are more vulnerable to violence, abuse and mistreatment in custody.
- Offenders with disability have higher rates of recidivism and are more vulnerable to extended and repeat incarceration, which is linked to the failure to provide appropriate supports to ensure offenders understand court orders and parole or bail conditions.
- Police may sometimes respond inappropriately to people with disability; a manifestation of an impairment may be misinterpreted by police as defiance. This has contributed to the overrepresentation of people with disability in the criminal justice system and has been linked to the high numbers of people with mental health conditions as victims of police shootings.

### **F.9.2 Barriers to accessing services**

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People with a disability or mental illness face a range of barriers that prevent access to effective legal assistance. These barriers persist in both systemic and personal forms. Not all barriers apply to all people with a disability and/or mental illness.

#### **Systemic barriers**

Systemic barriers relate to the policies, procedures and practices that reduce access and / or limit the effectiveness of legal assistance service and include:

- Physical, cultural and social environments often fail to accommodate the needs of people with a disability or mental illness and inhibit them from participating in the justice system on an equal basis with others
- Inflexible court procedures and time constraints placed on legal service provision
- Negative attitudes and stigma towards people with a disability or mental illness, including a perceived lack of credibility
- Lack of understanding or training around disability or mental illness by those who work in the justice system, or the service provider having difficulty identifying mental illness. Inadequate disability training perpetuates misconceptions about disability and entrenches stigma. It also leads to a failure by justice system personnel to identify disability or appropriately respond to disability related needs. This can lead to miscarriages of justice; the compounding of communication barriers; pleading guilty without cause; an incorrect assessment of an accused person's fitness to plead or stand trial; negative stereotypes about the reliability of a person with disability's evidence; or exclusion from diversionary or rehabilitation programs
- Lack of critical supports for people with a disability or mental illness at all stages of the justice system
- Limited availability of affordable, specialist legal services, especially in remote, rural and regional areas
- In court proceedings, without appropriate aids and adjustments, the adversarial nature of court proceedings, its reliance on complex, technical language and reluctance to adopt flexible procedures can all make it difficult for people with disability to effectively participate in proceedings on an equal basis with others, especially where people with a mental illness are unrepresented and there is a power imbalance between parties.

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<sup>52</sup> Law Council of Australia. 2018. [The Justice Project Final Report: Introduction and Overview](#).

### Personal barriers

Personal barriers relate to individual characteristics, experiences and cultural factors that reduce access and / or limit the effectiveness of legal assistance service and include:

- Without appropriate support, some people with a disability and/or mental illness may have difficulty understanding and complying with instructions and orders.
- Ill-health and long-term disability can have cumulative adverse effects that reduce personal and legal capability, including reduced ability to access and act on advice and minor assistance. Disability can make effective legal assistance complex and more challenging.<sup>53</sup>
- Poorer knowledge about legal rights and remedies
- Poorer literacy and communication skills
- Strained personal resources due to a broad range of complex and interconnected legal and non-legal problems
- Fewer resources to avoid or mitigate problems
- Health and other personal needs that present additional access to justice barriers
- Being stressed, overwhelmed and mistrustful
- Exhibiting difficult behaviour
- Stress and cognitive impairment
- Problems with organisation such as time management, managing documents and appointments
- Communication problems, which may be exacerbated by poor English skills and lack of legal literacy.

## F.10 People residing in regional areas

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This report defines people residing in regional areas as people living in an area in Western Australia classified as Inner Regional in the Accessibility and Remoteness Index of Australia.

### F.10.1 Risk factors

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Many of the risk factors that apply to people living in regional areas have been discussed in previous sections of this report. Some regional areas have experienced population decline, which can link with increasing disadvantage. These areas tend to be inland, with levels of socio-economic disadvantage generally increasing with remoteness.

Not all individuals within a 'disadvantaged' area are necessarily disadvantaged. Living in more remote areas reduces the likelihood of acting and seeking professional advice for *certain* groups of people, over and above disadvantage.<sup>54</sup>

### F.10.2 Barriers to accessing services

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People residing in regional areas face a range of barriers that prevent access to effective legal assistance. These barriers are very similar to those experienced by people living in rural and remote areas, and persist in both systemic and personal forms.

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<sup>53</sup> Law and Justice Foundation of New South Wales. 2015. [Collaborative Planning Resource – Service Planning](#).

<sup>54</sup> Law and Justice Foundation of New South Wales. 2015. [Collaborative Planning Resource – Service Planning](#).

### **Systemic barriers**

Systemic barriers relate to the policies, procedures and practices that reduce access and / or limit the effectiveness of legal assistance service and include:

- Widespread shortage of lawyers in regional areas leading to gaps in service delivery and a lower per capita rate of legal service provision in regional areas than in metropolitan areas
- As private practitioner services decline in regional areas, the availability of legal aid, pro bono or volunteer assistance similarly declines
- Poor access to phones, internet, computers and telecommunication services reduces clients' access to legal information and virtual services
- Scarcities of locally available lawyers create conflict of interest problems, imposing additional cost and distance burdens on residents, who need to travel further to find help, or may miss out altogether
- Community-based sentencing options are lacking in many regional areas
- There is a scarcity of interpreters, residential drug and alcohol rehabilitation, mental health services, family violence services, and safe, secure housing services (including bail accommodation and support)
- The decline in local court circuit services in regional communities significantly exacerbates distance, transport and cost barriers for residents. In some cases, residents give up on attending court altogether. In certain contexts, the delay in having their matter heard can effectively mean that their case is already lost
- Issues with availability or reliability of public transport can lead to clients missing appointments or court hearings
- Geographic isolation can lead to economic disadvantage and exclusion, poor education, legal literacy/capability, disempowerment and reduced ability for self help
- Face-to-face services are needed to review client documents and are not always available

### **Personal barriers**

Personal barriers relate to individual characteristics, experiences and cultural factors that reduce access and / or limit the effectiveness of legal assistance service and include:

- Many people residing in regional areas, such as farmers, can be 'income poor and asset rich', and may be unable to either afford private lawyers or meet legal aid means tests
- Poor technological access or capability and low education levels are associated with difficulties in accessing legal information websites and low levels of awareness of legal information or legal services
- Being referred to larger regional centres for legal assistance, which are often costly and time-consuming to attend
- Transportation difficulties can result in clients missing court
- People residing in regional areas are often also part of other Priority Client Groups, particularly in outer regional areas, and thus face further barriers. These relate to financial problems and education levels, as well as issues experienced by Aboriginal and Torres Strait Islander peoples, who make up a relatively high proportion of regional populations

## **F.11 Women**

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This report defines women as people who are female.

### F.11.1 Risk factors

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Women are disproportionately impacted by some risk factors which contribute to higher levels of need for legal assistance services, including:

- having no or very low income
- having limited access to other legal services, such as those in remote regions, those not eligible to access other services (including Legal Aid), or where their local community legal centre is unable to assist
- are experiencing or overcoming family violence, or the trauma it creates
- have a disability
- are homeless
- are in prison or on remand
- are CALD, particularly if English is a second language
- are of Aboriginal and/or Torres Strait Islander origin, and/or
- are experiencing discrimination on the basis of sexuality.<sup>55</sup>

Women's Legal Service WA provides legal advice and assistance to women with these characteristics predominantly in the areas of:

- family law
- family violence restraining orders
- care and protection proceedings
- criminal injuries compensation for victims of family and domestic violence and/or sexual assault.<sup>56</sup>

### F.11.2 Barriers to accessing services

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Women face a range of barriers that limit access to effective legal assistance. These barriers persist in both systemic and personal forms and not all barriers affect all women.

#### **Systemic barriers**

Systemic barriers relate to the policies, procedures and practices that reduce access and / or limit the effectiveness of legal assistance service and include:

- Financial barriers
- Lack of access to information about their rights
- Difficulty accessing legal services due to child minding responsibilities
- Frequent imbalance of power between Child Protection and Family Support and its officers and parent/relative respondents, in both Signs of Safety procedures and court processes
- Difficulty navigating a court system that was made by and dominated by men.

#### **Personal barriers**

Personal barriers relate to individual characteristics, experiences and cultural factors that reduce access and / or limit the effectiveness of legal assistance service and include:

- Lack of legal understanding, for example agreeing to Orders with no apparent understanding of their meaning, and then needing legal assistance for revocation of those orders

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<sup>55</sup> Women's Legal Service WA. 2022. [Need help?](#)

<sup>56</sup> Women's Law Centre. 2018. [Submission to the CIC Review \(WA\)](#).

- Women may not pursue legal matters as the prospect of court and cross examination is daunting, particularly if they will be unrepresented and have a poor grasp of the issues.
- Given the diversity of women, there is considerable overlap with other Priority Client Groups, including Aboriginal and Torres Strait Islander women, women CALD backgrounds, women who live in rural, regional or remote communities, LGBTQI+ women and women in prison.
- Women are more likely to experience family violence. For women, leaving a violent relationship often also involves leaving their home and losing financial and housing security, which can lead to homelessness.

## F.12 Victims of institutional abuse

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This report defines this priority client group as sexual abuse victims in WA and are eligible to participate in the National Redress Scheme.

As part of National Redress Scheme costing, the Royal Commission estimated that there are approximately 6,410 victim/survivors of institutional abuse in WA.<sup>57</sup> Given the Scheme's mandate, this represents the anticipated number of sexual abuse victims that will likely access the Scheme during the implementation period.

### F.12.1 Barriers to accessing services

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Survivors of institutional abuse face a range of barriers<sup>58,59</sup> that prevent access to effective legal assistance, predominantly under the Redress Scheme. These barriers persist in both systemic and personal forms and not all barriers are experienced by all survivors of institutional abuse.

#### Systemic barriers

Systemic barriers relate to the policies, procedures and practices that reduce access and / or limit the effectiveness of legal assistance service and include:

- Lack of readily accessible, flexible, culturally appropriate and safe support services, such as counselling and legal services
- Lack of clarity around eligibility for the Redress Scheme for children, prison inmates, non-citizens and non-permanent residents who were abused in Australia
- Lack of clarity on which prior payments to survivors are considered relevant, including Stolen Generation payments
- Lack of consistency in the application of a balance of proof
- Limitations on government's ability to provide 'funder of last resort' funding to meet any shortfall where an institution no longer exists
- Short term contract staff are not given sufficient training. A high turnover of staff leads to an impersonal response.

#### Personal barriers

Personal barriers relate to individual characteristics, experiences and cultural factors that reduce access and / or limit the effectiveness of legal assistance service and include:

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<sup>57</sup> Royal Commission into Institutional Responses to Child Sexual Abuse. 2015. [National Redress Scheme Participant and Cost Estimates](#).

<sup>58</sup> Ms Robyn Kruk AO. 2021. [Final Report: Second year review of the National Redress Scheme](#).

<sup>59</sup> Australian Institute of Family Studies. 2017. [Pathways to support services for victims/survivors of child sexual abuse and their families](#).

- Difficulty naming the experience as abuse
- Inherent trauma in recounting abuse
- Length of time that has passed since the abuse occurred
- Little trust in government institutions
- High vulnerability and feeling of disempowerment
- Previous negative responses to disclosures of institutional abuse and perceived stigmatisation by others
- Not feeling ready to seek support or access/participate in services
- Potential risks of seeking support, including having to speak openly about something kept secret; the fear of opening up and ‘unravelling’ without a guarantee of receiving ongoing support; and lack of clarity and transparency about the ‘agendas’ and approaches of service providers
- Impacts of abuse itself, including on brain development, physical health, mental health, behaviour and interpersonal relationships, and on education and employment opportunities, making it harder to seek legal and non-legal support services

### F.13 Involuntary patients under the Mental Health Act 2014 (WA)

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This report defines this priority client group as people who have received an involuntary mental health order.

There are two different involuntary treatment orders in Western Australia: an inpatient treatment and a community treatment order. As the name suggests, an inpatient treatment means the patient is admitted and detained at a hospital, while a community treatment order means the patients can be treated in the community.

Not all hospitals are authorised for the admission of involuntary mental health patients.<sup>60</sup> Only select hospitals are authorised, including:

- *North Metropolitan Health Service*: Graylands Hospital and Sir Charles Gairdner Hospital
- *South Metropolitan Health Service*: Fremantle Hospital, Rockingham General Hospital and Fiona Stanley Hospital
- *East Metropolitan Health Service*: Armadale Hospital, Bentley Hospital and Royal Perth Hospital
- *WA Country Health Service*: Albany Hospital, Broome Hospital, Bunbury Hospital and Kalgoorlie Hospital
- *Child and Adolescent Health Service*: Perth Children’s Hospital
- *Women’s and Newborn Health Service*: King Edward Memorial Hospital.
- *Private hospitals*: Joondalup Hospital, St John of God Midland Public Hospital and St John of God Mt Lawley Hospital.

In FY21, the WA Mental Health Advocacy Service estimates that there were 3,389 involuntary inpatient orders, 884 community treatment orders and 29 custody orders (in an authorised hospital).<sup>61</sup>

<sup>60</sup> Chief Psychiatrist of Western Australia. 2022. [Authorised Hospital in WA](#).

<sup>61</sup> Mental Health Advocacy Service. 2021. [Annual Report 2020-21](#).

### F.13.1 Risk factors

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The WA Mental Health Advocacy Service received 7,581 issues and complaints in FY21, including 171 allegations of assault or abuse.<sup>62</sup> Involuntary patients are disproportionately impacted by key risk factors which contribute to higher levels of need for legal assistance services, including:

- Right to a Mental Health Tribunal review of involuntary status at any time
- Guardianship and administration matters
- Mental health specialist court (Start Court)
- Complaints against the police, the health sector, or other community service providers
- Decisions about whether the patient is ‘criminally responsible’ or of ‘unsound mind’ at the time of committing a criminal offence
- Child custody and child protection issues
- Employment issues.

### F.13.2 Barriers to accessing services

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Involuntary patients face a range of barriers that limit access to effective legal assistance. These barriers persist in both systemic and personal forms.

#### Systemic barriers

Systemic barriers relate to the policies, procedures and practices that reduce access and / or limit the effectiveness of legal assistance service and include:

- Physical hospital environment for involuntary patients under an inpatient treatment order and therefore restricted access to phones, the internet and legal services
- Lack of understanding of mental health issues by staff in the justice system
- Culture of secrecy or defensive practices among mental health services staff.

#### Personal barriers

Personal barriers<sup>63</sup> relate to individual characteristics, experiences and cultural factors that reduce access and / or limit the effectiveness of legal assistance service and include:

- Cognitive impairment and impact of the mental health condition
- When first detained, people may be more unstable, stressed and focused on dealing with the mental health issue than legal problems
- Lack of access to financial resources, due to assets, finances and expenses being managed by a Trustee
- Lack of capacity to understand the justice system, rights and laws
- Lack of understanding of culpability
- Vulnerability and feelings of disempowerment
- Involuntary patients are often unable to understand or to give effective instructions and may be facing a defendant who is the State government, with all the resources that brings to the litigation<sup>64</sup>

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<sup>62</sup> Mental Health Advocacy Service. 2021. [Annual Report 2020-21](#).

<sup>63</sup> Mental Health Law Centre. 2022. [Your Stories](#).

<sup>64</sup> Mental Health Law Centre. 2014. [ALRC Discussion Paper 80 Serious Invasions of Privacy in the Digital Era: Mental Health Law Centre \(WA\) Inc. Submission](#).



- Involuntary patients may be unable to provide clear evidence of monetary damage arising from breaches of the mental health law, which is often unquantifiable (e.g. embarrassment, loss of dignity, disruption to life).

## F.14 People who identify as LGBTQI+

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This report defines people who identify as LGBTQI+ as people whose sexual orientation or gender identity can include (but is not limited to) lesbian, bisexual, gay, transgender, queer and intersex.

However, population estimates were derived for adults that are in a non-heterosexual relationship.

Non-heterosexual adults comprise approximately two per cent of the WA population. Charles Darwin University estimated that 51,100 non-heterosexual adults resided in WA in 2016.<sup>65</sup> Non-heterosexual adults comprise higher proportions in the most Perth metropolitan and Peel areas, as opposed to regional WA.

### F.14.1 Risk factors

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Distinct justice and human rights issues arise for LGBTQI+ groups. People who identify as LGBTQI+ are disproportionately impacted by key risk factors<sup>66</sup> which contribute to higher levels of need for legal assistance services, including:

- People who identify as LGBTQI+ experience legal needs regarding discrimination, assault and harassment, as well as elevated demand for family law, family violence, end-of-life planning, medical treatment, and administrative law services.
- The legal needs of people who identify as LGBTQI+ are under-researched. For example, although LGBTQI+ communities experience similar rates of violence to the general population, LGBTQI+ people have been rarely included in family violence strategies.
- People who are intersex have unique and acute justice concerns. These include human rights concerns associated with medical interventions performed on children and infants born with intersex variations.

### F.14.2 Barriers to accessing services

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People who identify as LGBTQI+ face a range of barriers that prevent access to effective legal assistance. These barriers persist in both systemic and personal forms, and not all people who identify as LGBTQI+ experience all barriers.

#### Systemic barriers

Systemic barriers relate to the policies, procedures and practices that reduce access and / or limit the effectiveness of legal assistance service and include:

- People who identify as LGBTQI+ may have complex legal needs that require specialist advice, but such advice is often not available.
- In the absence of informed services, with inclusive guidelines and policies, and trained and diverse personnel, people who identify as LGBTQI+ may encounter discrimination and prejudice in their dealings with lawyers, courts, police and social services.
- Due to the ad hoc nature of legal change, there are inconsistencies between jurisdictions and uncertainties regarding anti-discrimination provisions, recognition of parenting rights, and government approaches to identity documents

<sup>65</sup> Charles Darwin University. 2018. [Estimates of Australia's non-heterosexual population](#).

<sup>66</sup> Law Council of Australia. 2018. [The Justice Project Final Report: Introduction and Overview](#).

- Some states and territories require individuals to have undergone surgery before being able to change their gender on their Birth Certificate and other documentation for identification.

### Personal barriers

Personal barriers relate to individual characteristics, experiences and cultural factors that reduce access and / or limit the effectiveness of legal assistance service and include:

- Some people who identify as LGBTQI+ have a deep mistrust of government and the justice system, due to historic and lived experiences of discrimination and marginalisation
- People who identify as LGBTQI+ are significantly less likely than other victims of crime to report harassment or violence to the police
- Rapid and wide-ranging changes to laws affecting LGBTI+ communities have created demand for specific legal education and information, as LGBTI+ people are often unaware of their legal rights and recourses.

## F.15 Single parents

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This report defines single parents as people who are raising their children without a partner/spouse. This definition is also used by population estimates reported by the ABS.

Single parents comprise approximately nine per cent of WA families. This is equivalent to 93,341 families as of the 2016 Census. Single parents comprise a higher proportion of families in the most Perth metropolitan and Peel areas, as opposed to regional WA.

### F.15.1 Risk factors

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Single parents are disproportionately impacted by key risk factors which contribute to higher levels of need for legal assistance services, including:

- Elevated experience of family law problems (e.g. problems with division of assets, child support payments, child protection/custody/contact)
- Female lone parents comprise nearly 85 per cent of all lone parents with an income below \$20 800, and women often experience poorer financial outcomes after relationship breakdown due to having a greater responsibility for caring for children, lack of access to affordable child care, and work-life strains and pressures.<sup>67</sup>
- Relationship breakdown can also heighten risk to the onset and further entrenchment of disadvantage, particularly amongst Indigenous and CALD single parents, and those experiencing financial disadvantage.

### F.15.2 Barriers to accessing services

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Single parents face a range of barriers that limit access to effective legal assistance. These barriers persist in both systemic and personal forms and not all single parents experience all barriers.

#### Systemic barriers

Systemic barriers relate to the policies, procedures and practices that reduce access and / or limit the effectiveness of legal assistance service and include:

- The family law, child protection and family violence system is fragmented, complex and continually changing

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<sup>67</sup> Law and Justice Foundation of New South Wales. 2015. [Collaborative Planning Resource – Service Planning](#).

- It can be difficult to obtain timely and specialist legal assistance, particularly for complex family disputes involving children
- Lack of access to low-cost advice and dispute resolution services, particularly for small property disputes and other civil matters, and particularly in some regional, rural and remote areas
- Prohibitive cost of legal representation in family law matters
- Lack of available or affordable childcare to attend appointments or court hearings.

### Personal barriers

Personal barriers relate to individual characteristics, experiences and cultural factors that reduce access and / or limit the effectiveness of legal assistance service and include:

- Lack of knowledge about the legal system and the cost and availability of legal assistance services
- Relationship breakdown can give rise to a range of further legal problems (e.g. housing, credit and debt)
- Relationship breakdown can dramatically change personal circumstances, such as financial resources, emotional stability and psychological preparedness to take action, and ability to effectively manage legal disputes
- Relationship breakdown involving domestic violence and mental health issues can negatively affect personal and legal capability, consequent with having multiple, complex legal and non-legal problems.

## F.16 People with low education levels

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This report defines people with low education levels as people whose highest educational attainment is Year 12 and below.

People with low education levels comprise approximately 14 per cent of WA population. The ABS estimated that 332,397 people with low education levels resided in WA in 2016. People with low education levels comprise higher proportions in regional WA, as opposed to the Perth metropolitan and Peel areas.

### F.16.1 Risk factors

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People with low education levels report low rather than high prevalence of legal problems.<sup>68</sup> People with low education levels may have lower vulnerability to legal problems, due to their economic and other life circumstances providing less opportunity to experience certain problems, such as problems arising from various economic activities. However, their lower reporting levels may reflect a failure to recognise legal problems or an unwillingness to admit to legal problems, due to low levels of legal capability, such as low levels of legal literacy or other more pressing needs. People with low education levels are significantly more likely to ignore their legal problems, and when they take some type of action, are significantly less likely to seek advice from a (legal or non-legal) professional. However, when they consult a professional, they are similar to others in their likelihood of including a legal professional among the professionals they consult.

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<sup>68</sup> Law and Justice Foundation of New South Wales. 2015. [Collaborative Planning Resource – Service Planning](#).

## **F.16.2 Barriers to accessing services**

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People with low education levels face a range of barriers that limit access to effective legal assistance. These barriers persist in both systemic and personal forms.

### **Systemic barriers**

Systemic barriers relate to the policies, procedures and practices that reduce access and / or limit the effectiveness of legal assistance service and include:

- Professionals of the legal system not adequately trained in communicating the complexity of the legal system
- Information sources not written in clear, simple English.

### **Personal barriers**

Personal barriers relate to individual characteristics, experiences and cultural factors that reduce access and / or limit the effectiveness of legal assistance service and include:

- Lack of awareness of the availability of legal aid
- Low legal literacy and lack of understanding of legal processes and outcomes
- Inability to recognise a problem as a legal problem
- More likely to ignore legal problems
- Lack of awareness of sources of legal information
- Lack of awareness of rights
- Inability to assess legal options
- Inability to access information on legal information websites.

People with low education levels are often in other Priority Client Groups as well, such as people with financial disadvantage, single parents, Aboriginal and Torres Strait Islander peoples and people who live in regional or rural and remote communities.



In this report, service count is represented on an unweighted and weighted basis. Unweighted service count simply refers to a count of services delivered, as conventionally understood. However, weighted service count is calculated by applying service weights, to the unweighted service count.

This distinction is made in recognition of the varying resource intensity across service types. For instance, representation services are typically more resource intensive than say, an information service. The relative resource intensity is as follows:

- |                          |                                       |
|--------------------------|---------------------------------------|
| 1. Referral: 1           | 7. Facilitated Resolution Process: 40 |
| 2. Information: 5        | 8. Ongoing Legal Support Services: 70 |
| 3. Duty Lawyer: 20       | 9. Court/Tribunal: 100                |
| 4. Legal Advice: 20      | 10. Dispute Resolution: 100           |
| 5. Legal Task: 20        | 11. Other Representation: 100         |
| 6. Non-legal Support: 20 | 12. Grant of Aid: 100                 |

These estimates were strictly developed by the Department for the purposes of this report. It largely relies on the Department's earlier work on CLC funding allocation. We were unable to independently verify it, as the sector's estimated time spent data is a new reporting requirement and is very limited at this stage.

Throughout this report, service count is presumed to be unweighted, unless stated otherwise.

**Melbourne**

Suite 4, Level 19; North Tower  
80 Collins Street  
Melbourne VIC 3000 Australia  
+61 3 8650 6000

**Canberra**

Level 6, 54 Marcus Clarke Street  
Canberra ACT 2601 Australia  
+61 2 6103 8200

ACIL Allen Pty Ltd  
ABN 68 102 652 148

[acilallen.com.au](http://acilallen.com.au)

**Sydney**

Suite 603, Level 6  
309 Kent Street  
Sydney NSW 2000 Australia  
+61 2 8272 5100

**Perth**

Level 12, 28 The Esplanade  
Perth WA 6000 Australia  
+61 8 9449 9600

**Brisbane**

Level 15, 127 Creek Street  
Brisbane QLD 4000 Australia  
+61 7 3009 8700

**Adelaide**

167 Flinders Street  
Adelaide SA 5000 Australia  
+61 8 8122 4965