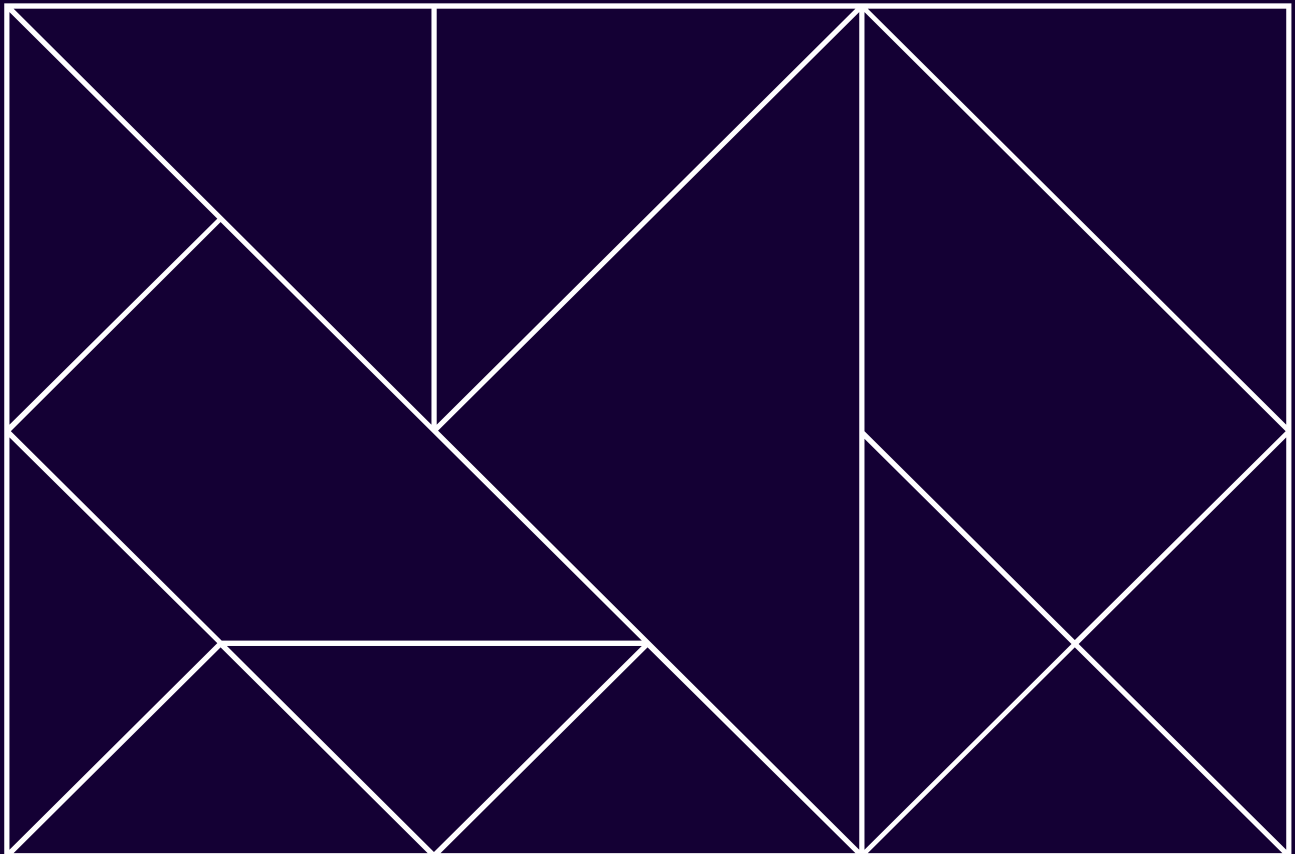


December 2022

Report to Government of Western Australia – Department of Justice

# Assessment on the Current Legal Needs in Western Australia

## Summary Report



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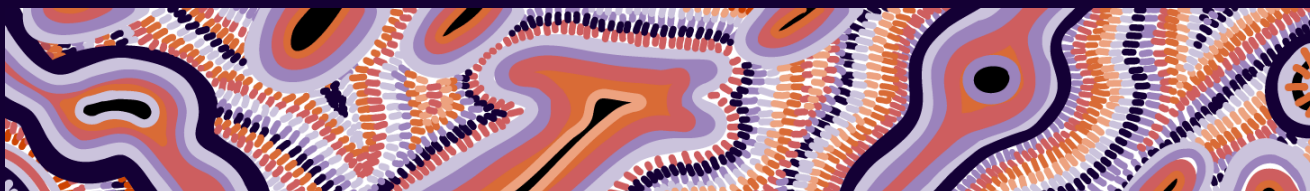
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# Introduction



# About this report

# 1

## 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

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As part of the NLAP requirements, the Department was required to develop a Legal Assistance Strategy and Legal Assistance Action Plan, which were 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.

This report is a summary version of the full Legal Needs report, and was prepared for public release.

### **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

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This summary 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 how services are currently being funded.
- **Part III: Supply and relative sufficiency of legal assistance** – presents a complete analysis of legal assistance and need in relation to particular Areas of Law, Priority Client Groups and Justice Regions. It also considers the relative sufficiency of legal assistance across the State.
- **Appendices** – presents technical information that may provide a more comprehensive understanding of this report.

Note that findings presented in this report have been condensed from the Detailed Report.

## 1.4 Important guidance for interpreting analysis in this report

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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.

In particular, the analysis in this Summary Report should be considered in the context of the following:

- **Limitations to the service data:** Data fields used for this report and data tool vary in completeness and quality due to gaps in data recording. While our data cleaning process has addressed some of these concerns, there are outstanding issues that can only be resolved through broad-based improvements at the sectoral level.
- **Constraints on population estimates:** To represent underlying legal need, we estimated the count and distribution of Priority Client Groups across Western Australia. For some Priority Client Groups, we relied on proxy datasets to represent vulnerable cohorts. Our assessment has very specific data requirements, which means that exact datasets may be unavailable or not in a format suitable for the requirements of this project.
- **Drawbacks from using observed legal assistance:** The analysis in this report is limited to the nature and quantum of services delivered. It has not substantiated whether the type of legal assistance is adequate to address the client's legal need, and represents the efficient use of resources. Given data availability issues, we were unable to incorporate other forms of legal assistance, such as pro bono legal assistance as well as services to community.
- **Limited sectoral engagement for output validation:** The tight 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 analyses.

Additional information on these limitations and areas of future research are presented in the Detailed Report.



## 1.5 Glossary of terms and abbreviations

**Table 1.1** Glossary of terms

Term	Definition
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 map 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.
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.
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 is 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

<b>Abbreviation</b>	<b>Full Name</b>
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 how legal assistance is currently being funded.*

## 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.

## 2.2 Types of legal assistance

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 community were excluded, given the information on service users is currently limited. 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.

<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.

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 aid.

## 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. The NLA Data Standards Manual sets out a full list of problem type options available under each of the three law types.

As part of its Legal Assistance Strategy, the Department has identified a set of Priority Areas of Law.<sup>2</sup> A full list of the Priority Areas of Law is set out at **Appendix B**.

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.

## 2.4 Priority Client Groups

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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

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

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<sup>2</sup> At this stage, not all Priority Areas of Law can be mapped against problem types; hence, 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.

For the purposes of this report, we also added ‘Christmas Island and Cocos Islands’ for service users residing in these territories, and ‘Outside WA’ for interstate service users.<sup>3</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 Islands
- Outside WA.

## 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>4</sup> However, the amount funded varies significantly across funding sources.

**Table 2.1** 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

<sup>3</sup> Acknowledging that there are regional differences, we have provided commentary specific to the underlying areas, where appropriate.

<sup>4</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.

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 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.

It is also noted that additional funding streams have since become available which post-dates the data used, including 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>56</sup>

## 2.7 Other forms of legal assistance

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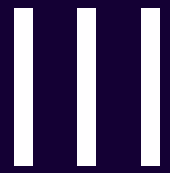
While some types of legal assistance have been omitted for the identification of unmet legal need, it is acknowledged that these services do address the legal need of Western Australians. These services are non-legal support, pro bono legal services and services to community. Additional information about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

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<sup>5</sup> Commonwealth Attorney-General's Department. 2021. [Western Australia: Bilateral Schedule \(NLAP\)](#)

<sup>6</sup> National Indigenous Australians Agency. 2021. [Closing the Gap Implementation Plan](#)

# Supply and Relative Sufficiency of Legal Assistance





# Law Types

# 3

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.

## 3.1 Overview

In Western Australia, almost half of the legal assistance (45 per cent) was directed towards criminal law matters. This is followed by civil law and family law matters, each accounting for 27 per cent.

Among the identifiable Priority Areas of Law, the two most common legal problems are restraining order matters (three per cent) and tenancy matters (2.7 per cent). However, the other Priority Areas of Law are relatively small as most of these legal problems range between 0.3 to 0.6 per cent of total services.

More broadly, there are additional Priority Areas of Law that have not been covered in the analysis of this report. This is because there was insufficient data to conduct any meaningful analysis.

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.

**Table 3.1** Services delivered, by count and percentage of total

Areas of Law	Service count	Percentage of services:	
		Unweighted	Weighted
<b>Civil law</b>	<b>88,000</b>	<b>27%</b>	<b>23.4%</b>
Child protection matters	4,600	1.4%	2.5%
Consumer law matters	1,500	0.5%	0.4%
Human rights and anti-discrimination matters	1,100	0.3%	0.5%
Employment matters	1,900	0.6%	0.4%
Migration matters	1,300	0.4%	0.3%
Restraining order matters	8,900	3%	4.5%
Social security matters	1,500	0.5%	0.5%
Tenancy matters	8,800	2.7%	3%
<b>Criminal law</b>	<b>147,000</b>	<b>45%</b>	<b>59.4%</b>
<b>Family law</b>	<b>88,000</b>	<b>27%</b>	<b>17.3%</b>

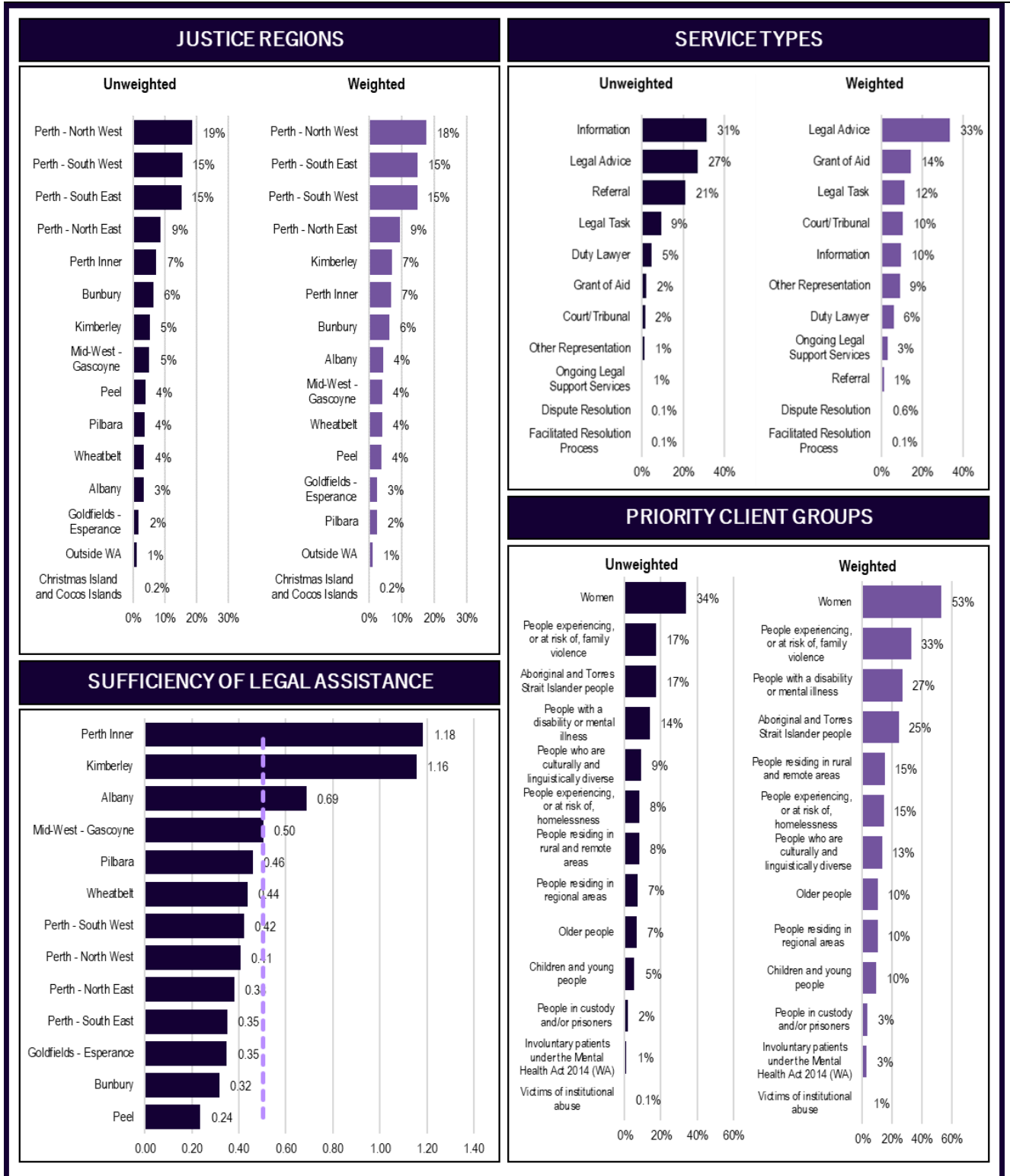
Source: Service Data Tool, 2022

Note: Service count has been rounded to the nearest 100.

3.2 Civil law

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.

Figure 3.1 Service Summary – Civil Law



Source: Service Data Tool, 2022

### **3.2.1 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.

### **3.2.2 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* and *people experiencing, or at risk of, family violence*, each accounting for 17 per cent of services delivered.

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.

### **3.2.3 Justice Regions**

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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.

### **3.2.4 Sufficiency of Legal Assistance**

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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.

In FY21, the 75<sup>th</sup> percentile corresponded to 0.5 weighted services per NLAS (Capability) person.

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.

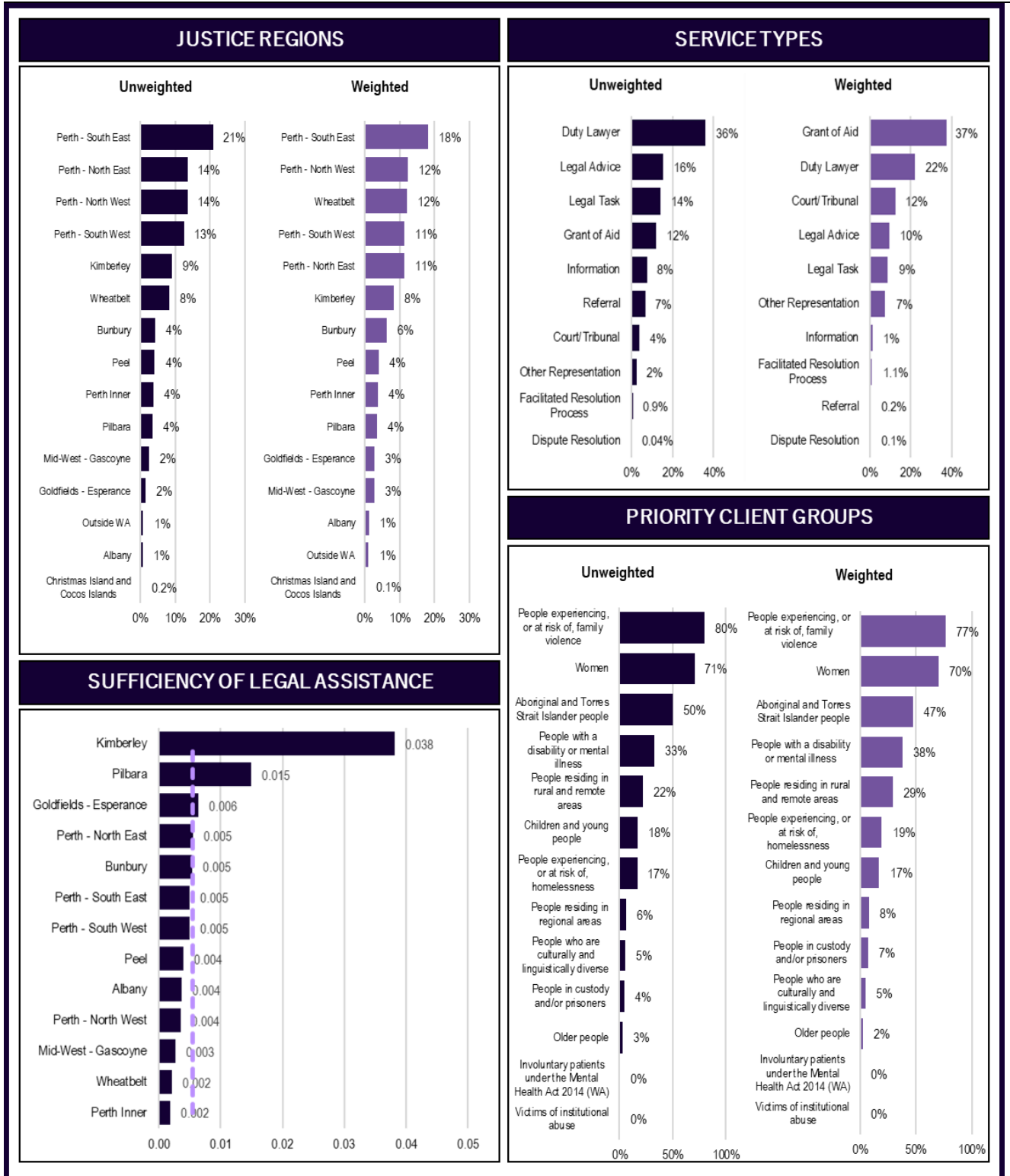
Conversely, regions in the southern parts of Western Australia appear to have lower service levels, in comparison to other locations. Specifically, Peel, Bunbury and Goldfields – Esperance reported some of the lowest service rates in the State.

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.

### 3.3 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.

Figure 3.2 Service Summary – Child protection matters



Source: Service Data Tool, 2022

### 3.3.1 Service types

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*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.

### 3.3.2 Priority Client Groups

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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.

### 3.3.3 Justice Regions

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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.

### 3.3.4 Sufficiency of Legal Assistance

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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>7</sup> The majority of these children (57 per cent) are of Aboriginal and Torres Strait Islander descent.

Alternatively, legal need may 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>8</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 and Pilbara regions.

In FY21, the 75<sup>th</sup> percentile corresponded to 0.005 weighted services per child and young person in Western Australia. 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.

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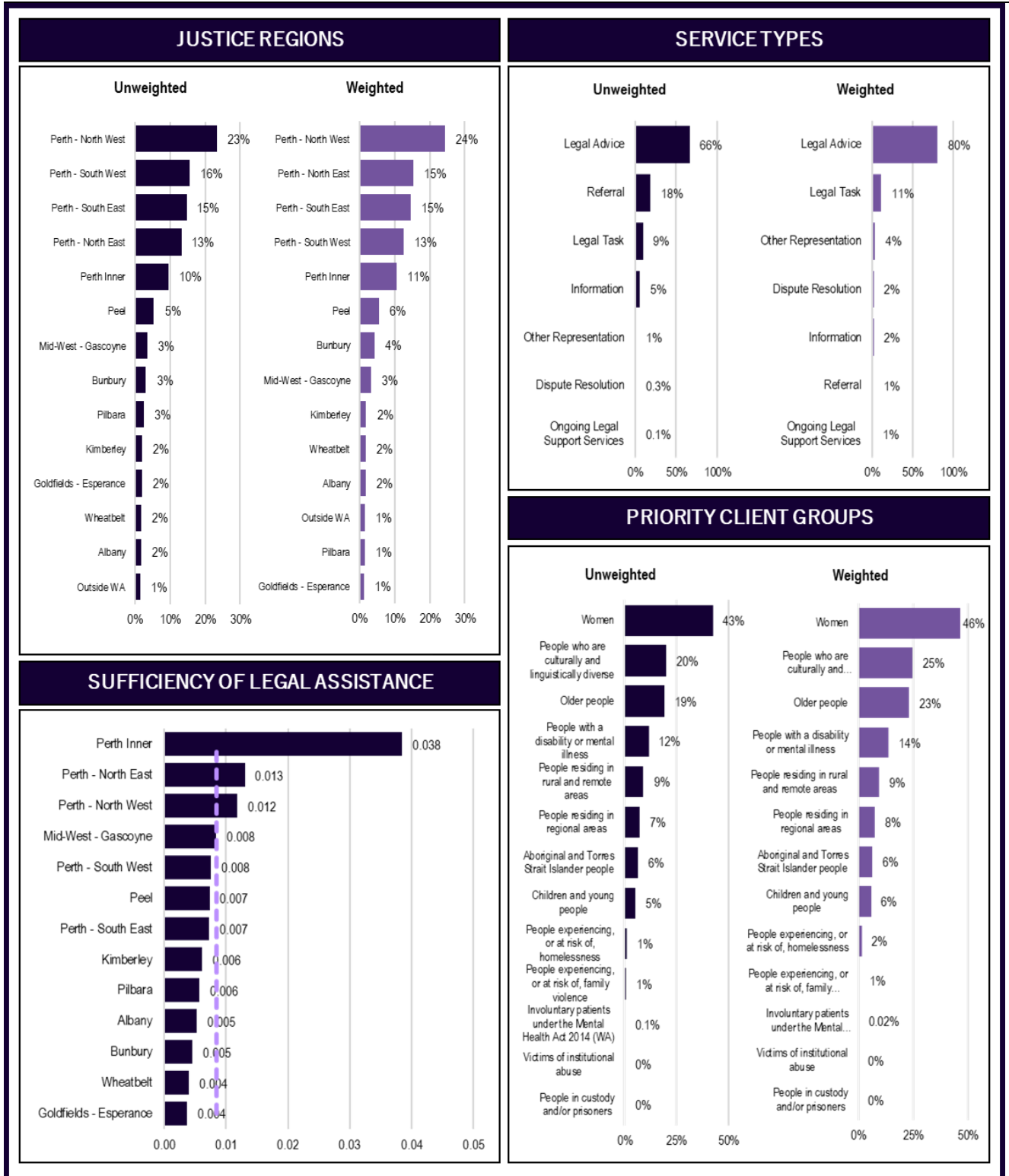
<sup>7</sup> WA Department of Communities. 2021. [Annual Report 2020-21](#)

<sup>8</sup> WA Department of Communities. 2021. [Child Protection Activity Performance Information 2020-21](#)

### 3.4 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.

Figure 3.3 Service Summary – Consumer law matters



Source: Service Data Tool, 2022

### **3.4.1 Service types**

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*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.

### **3.4.2 Priority Client Groups**

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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.

### **3.4.3 Justice Regions**

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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.

### **3.4.4 Sufficiency of Legal Assistance**

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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.

In FY21, the 75<sup>th</sup> percentile corresponded to 0.008 weighted services per NLAS (Capability) person in Western Australia.

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.

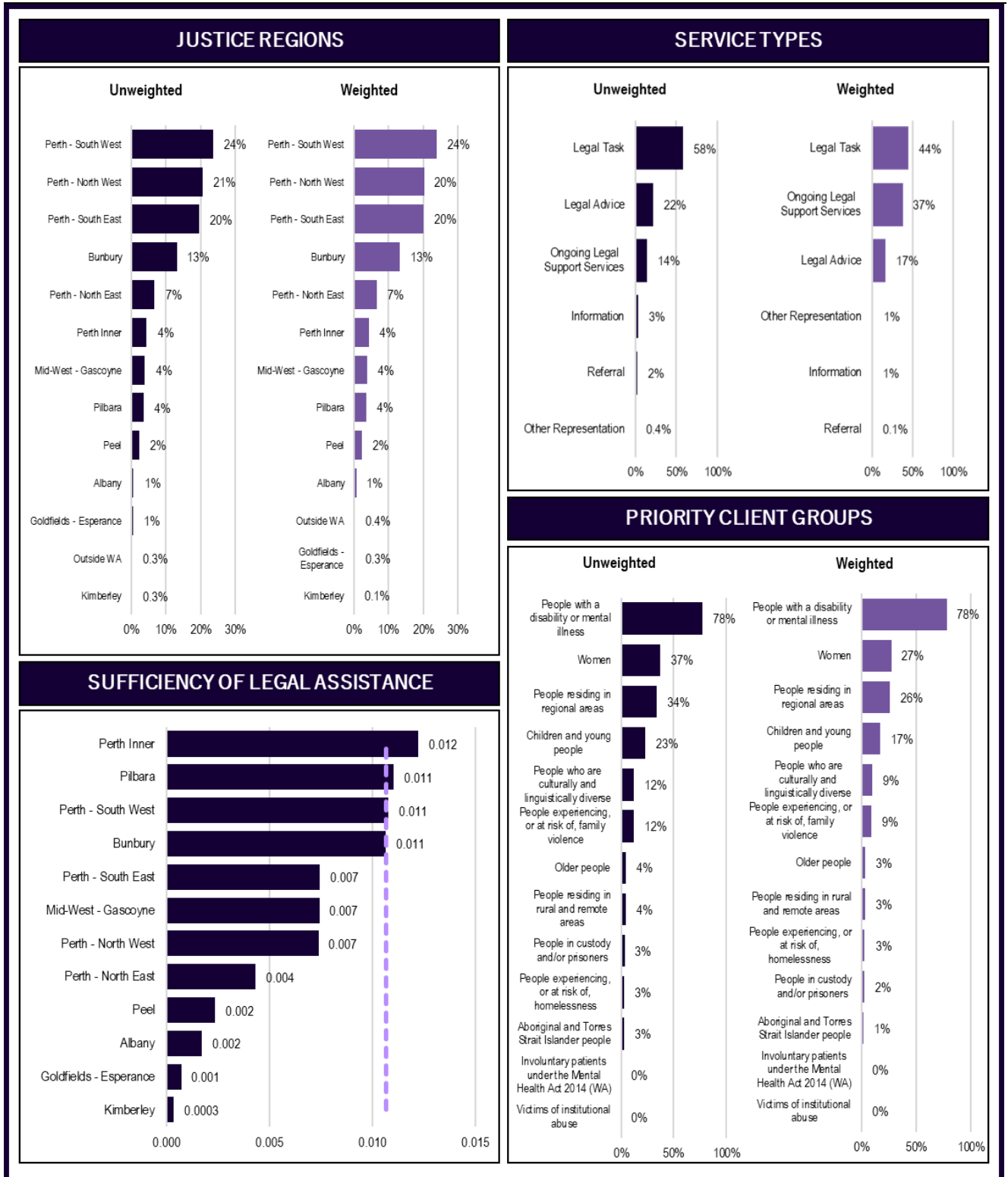
More broadly, Perth metropolitan and Peel regions recorded some of the largest service rates in Western Australia. There is some dispersion in service-to-need ratios, which indicates that there may be relative unmet legal need. Areas with relatively low service levels include the Peel and Perth – South 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.

### 3.5 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.

**Figure 3.4** Service Summary – Human rights and anti-discrimination matters



Source: Service Data Tool, 2022



### 3.5.1 Service types

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*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.

### 3.5.2 Priority Client Groups

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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.

### 3.5.3 Justice Regions

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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.

### 3.5.4 Sufficiency of Legal Assistance

---

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>9</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>10</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.

In FY21, the 75<sup>th</sup> percentile corresponded to 0.011 weighted services per NLAS (Capability) person.

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.

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<sup>9</sup> WA Equal Opportunity Commission. 2022. [Annual Report 2021-22](#)

<sup>10</sup> Australian Human Rights Commission. 2021. [2020-21 Complaint Statistics](#)

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.

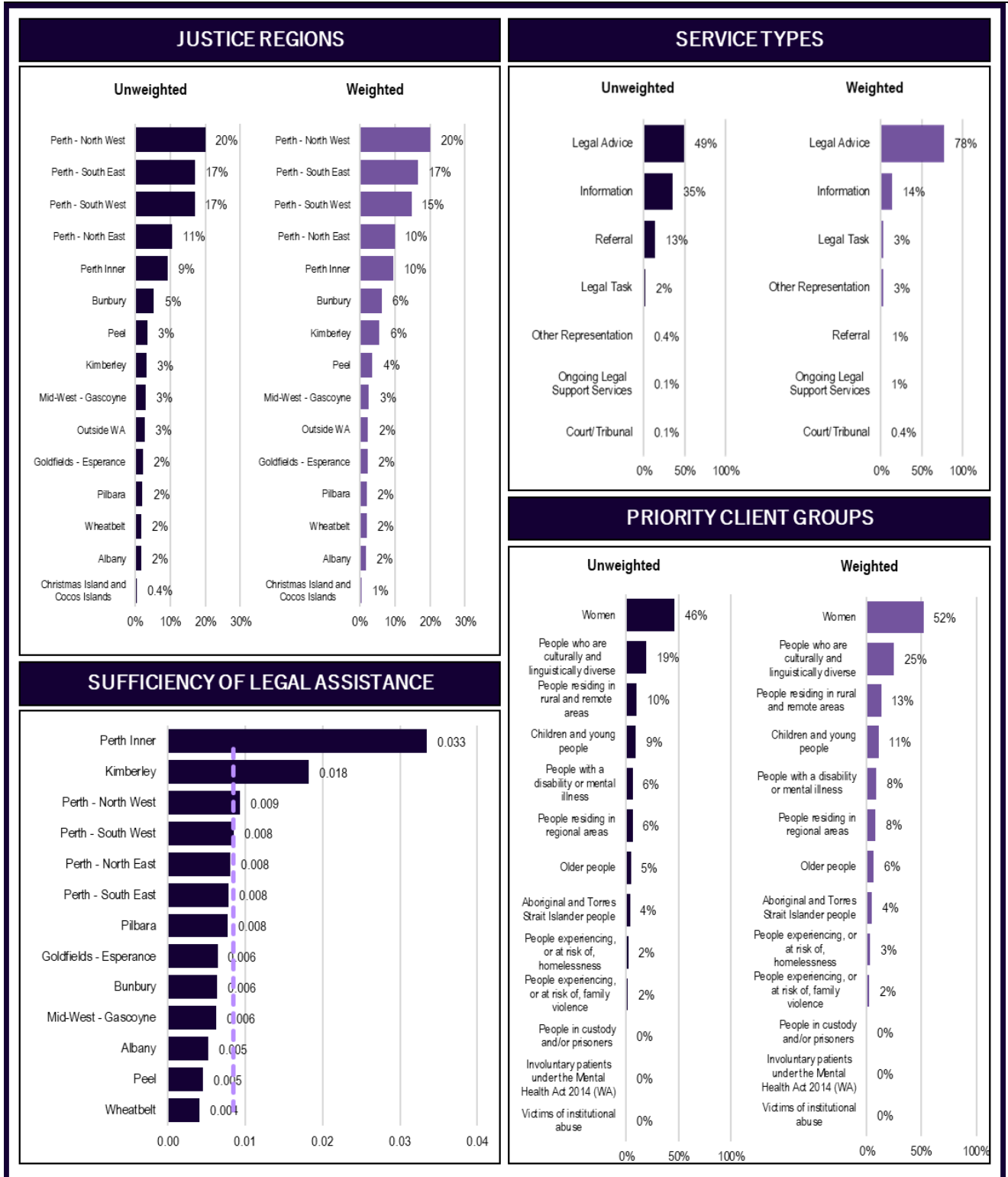
The second cluster is comprised of Perth – South East, Perth – North West and Perth – North East. These regions have broadly similar service-to-need ratios, ranging from 0.007 to 0.11 weighted services per NLAS (Capability) person.

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.

### 3.6 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.

Figure 3.5 Service Summary – Employment matters



Source: Service Data Tool, 2022

### **3.6.1 Service types**

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*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.

### **3.6.2 Priority Client Groups**

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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.

### **3.6.3 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.

### **3.6.4 Sufficiency of Legal Assistance**

---

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>11</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.

In FY21, the 75<sup>th</sup> percentile corresponded to 0.008 weighted services per NLAS (Capability) person.

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.

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<sup>11</sup> WA Industrial Relations Commission, 2021. [Annual Report 2020-21](#)

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.

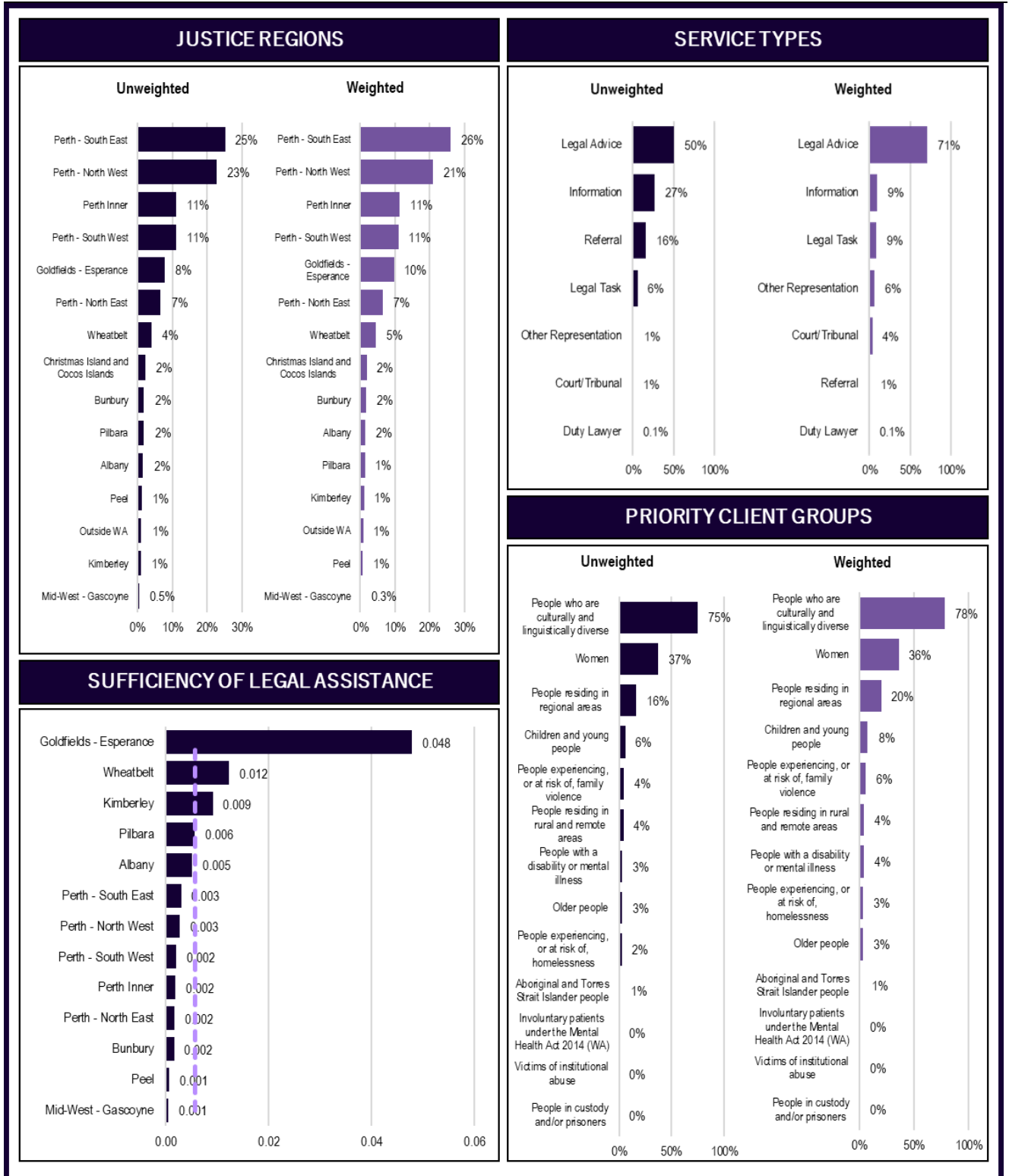
The only exception is the Peel region, which recorded one of the lowest service rates in the State. This suggests that there is relative unmet legal need in the region.

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.

### 3.7 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.

Figure 3.6 Service Summary – Migration matters



Source: Service Data Tool, 2022

### **3.7.1 Service types**

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*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.

### **3.7.2 Priority Client Groups**

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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.

### **3.7.3 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.

### **3.7.4 Sufficiency of Legal Assistance**

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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>12</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.

In FY21, the 75<sup>th</sup> percentile corresponded to 0.006 weighted services per eligible person.

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.

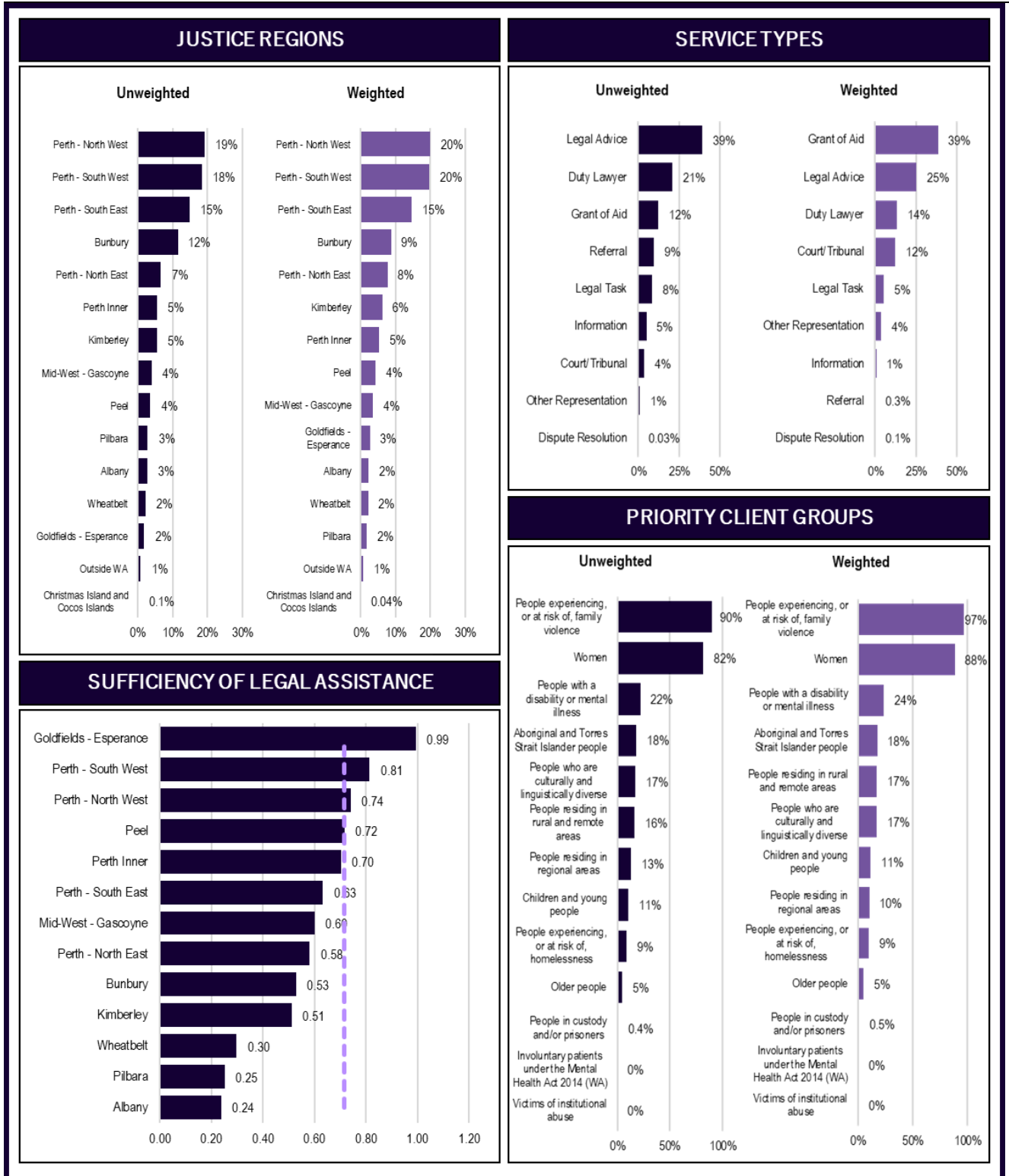
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<sup>12</sup> Administrative Appeals Tribunal. 2021. [Migration and Refugee Division Caseload Report](#)

### 3.8 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.

Figure 3.7 Service Summary – Restraining order matters



Source: Service Data Tool, 2022



### **3.8.1 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.

### **3.8.2 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.

### **3.8.3 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.

### **3.8.4 Sufficiency of Legal Assistance**

---

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.

In FY21, the 75<sup>th</sup> percentile corresponded to 0.72 weighted services per eligible person.

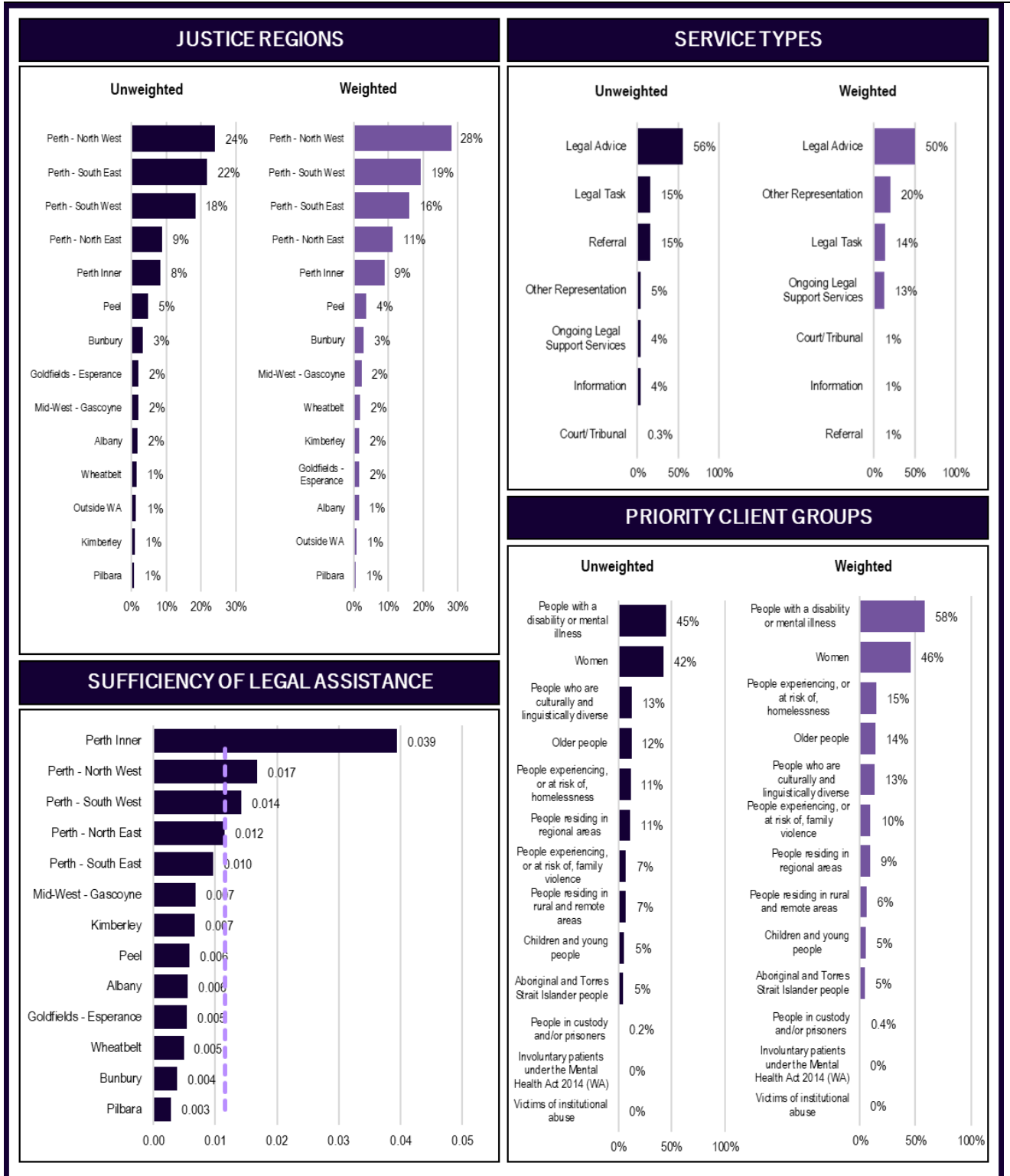
With the exception of Goldfields – Esperance, Justice Regions in regional WA are concentrated in the bottom half of the service rate distribution. Among regional areas, three Justice Regions have comparatively low service-to-need ratios, namely the Albany, Pilbara and Wheatbelt regions. This suggests 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.

### 3.9 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.

Figure 3.8 Service Summary – Social security matters



Source: Service Data Tool, 2022

### **3.9.1 Service types**

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*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.

### **3.9.2 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 as on an unweighted basis. However, these proportions are higher than their unweighted counterparts, indicating that these cohorts use more resource-intensive services to address their legal problem.

### **3.9.3 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.

### **3.9.4 Sufficiency of Legal Assistance**

---

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>13</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.

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<sup>13</sup> Australian Department of Social Services. 2021. [DSS Payment Demographic Data](#)

In FY21, the 75<sup>th</sup> percentile corresponded to 0.012 weighted services per NLAS (Capability) person.

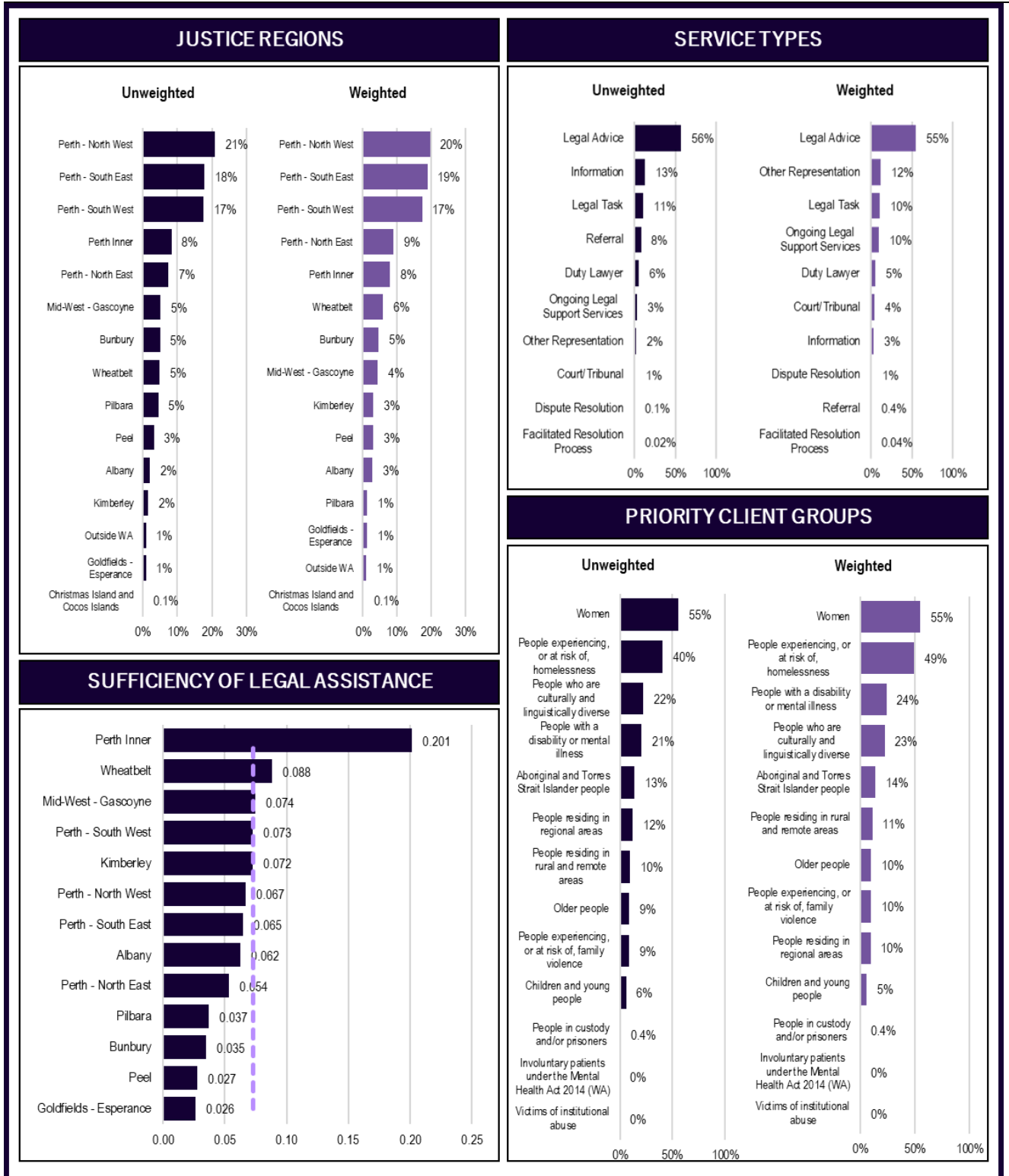
Perth metropolitan and Peel regions recorded some of the largest service rates in Western Australia. There is some dispersion in service-to-need ratios, which indicates that there may be relative unmet legal need. Areas with relatively low service levels include the Peel and Perth – South East regions.

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.

### 3.10 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.

Figure 3.9 Service Summary – Tenancy matters



Source: Service Data Tool, 2022

### **3.10.1 Service types**

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*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.

### **3.10.2 Priority Client Groups**

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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.

### **3.10.3 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.

### **3.10.4 Sufficiency of Legal Assistance**

---

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>14</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>15</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.

In FY21, the 75<sup>th</sup> percentile corresponded to 0.073 weighted services per NLAS (Capability) person.

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-serviced, in comparison to other locations. Specifically, Peel, Bunbury and Goldfields – Esperance reported some of the lowest service rates in the State.

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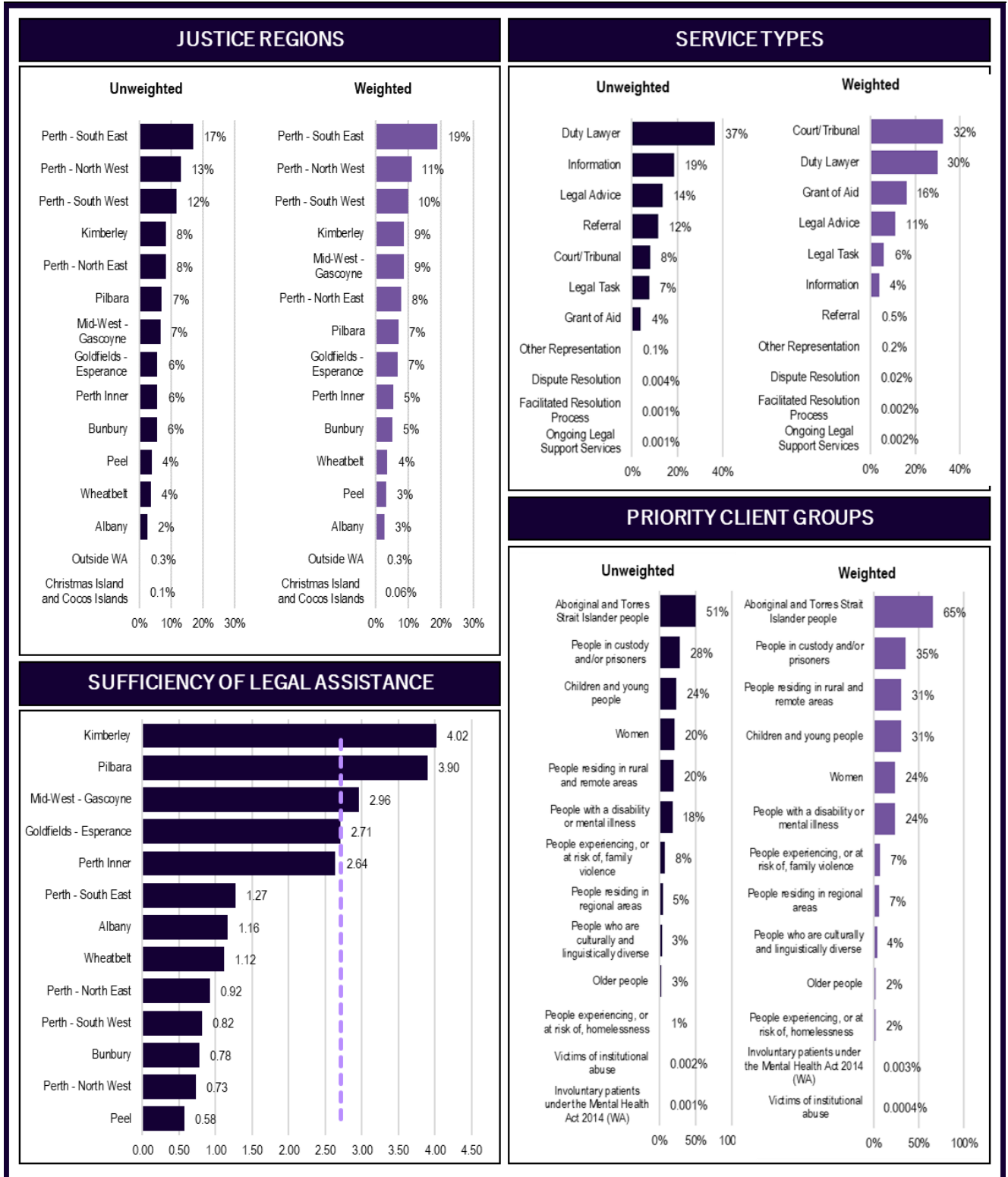
<sup>14</sup> WA Department of Communities. 2021. [Annual Report 2020-21](#)

<sup>15</sup> Australian Bureau of Statistics. 2022. [Snapshot of Western Australia](#)

### 3.11 Criminal law

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.

Figure 3.10 Service Summary – Criminal Law



Source: Service Data Tool, 2022

### **3.11.1 Service types**

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*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 advice* (14 per cent).

On a weighted service basis, the three largest services are *court / tribunal services*, *duty lawyer services* and *grants of legal 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.

### **3.11.2 Priority Client Groups**

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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.

### **3.11.3 Justice Regions**

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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.

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.

### **3.11.4 Sufficiency of Legal Assistance**

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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.

In FY21, the 75<sup>th</sup> percentile corresponded to 2.71 weighted services per NLAS (Capability) person.

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.

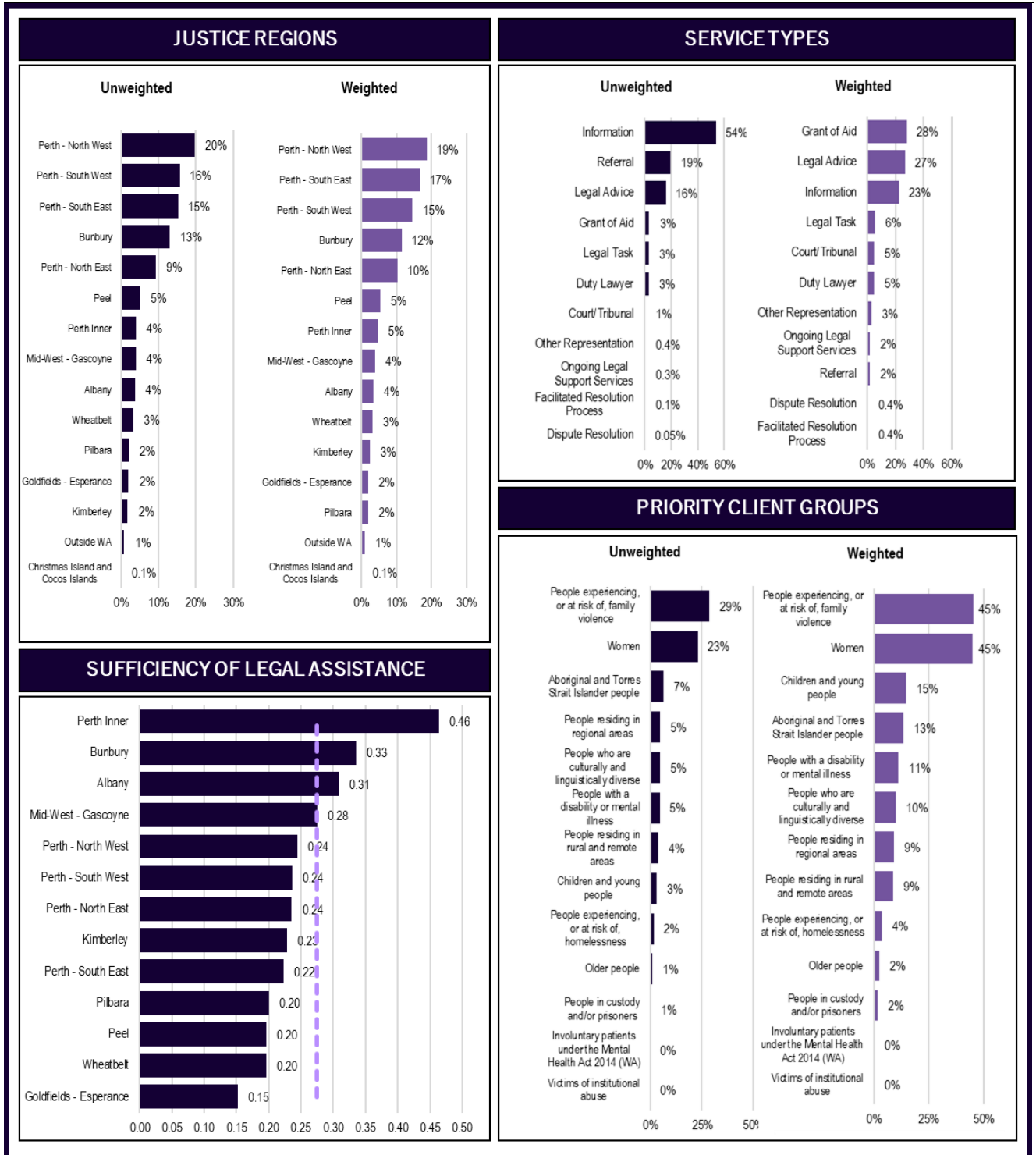
The remaining metropolitan areas have relatively low service rates. However, there are two Justice Regions (i.e., Perth – North West and Peel) that have particularly low service-to-need ratios. This means that on a need-adjusted basis, service delivery is relatively low in these regions.



### 3.12 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.

Figure 3.11 Service Summary – Family Law



Source: Service Data Tool, 2022

### **3.12.1 Service types**

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*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.

### **3.12.2 Priority Client Groups**

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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 its 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.

### **3.12.3 Justice Regions**

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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.

### **3.12.4 Sufficiency of Legal Assistance**

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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.

In FY21, the 75<sup>th</sup> percentile corresponded to 0.27 weighted services per NLAS (Capability) person.

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.

# Priority Client Groups

# 4

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.

## 4.1 Overview

Among individuals that accessed legal assistance in Western Australia, *Aboriginal and Torres Strait Islander people* was the most common population vulnerability (29.4 per cent). This is followed by *women* (24.7 per cent) and *people experiencing or at risk of family violence* (16.1 per cent). On a weighted service basis, *Aboriginal and Torres Strait Islander people* and *women* still account for the largest share of services. However, *people residing in rural and remote areas* is now the third largest population vulnerability.

More broadly, changes in proportion relative to their unweighted counterparts are observed across all population vulnerabilities, which reflects the relative resource intensity of legal assistance accessed by these cohorts.

**Table 4.1** Services delivered, by count and percentage of total

Priority Client Groups	Service count	Percentage of services:	
		Unweighted	Weighted
Aboriginal and Torres Strait Islander people	96,000	29.4%	46.7%
Children and young people	42,000	13%	22.8%
Older people	10,000	3.3%	4.2%
People experiencing, or at risk of, family violence	52,000	16.1%	19.6%
People experiencing, or at risk of, homelessness	11,000	3.3%	5.3%
People in custody and/or prisoners	43,000	13.3%	21.8%
People residing in rural and remote areas	39,000	12.1%	23.2%
People who are culturally and linguistically diverse	17,000	5.3%	7%
People with a disability or mental illness	43,000	13.4%	22.5%
People residing in regional areas	18,000	5.6%	7.9%
Women	80,000	24.7%	34.2%
Victims of institutional abuse	90	0.03%	0.13%
Involuntary patients under the Mental Health Act 2014 (WA)	780	0.2%	0.7%

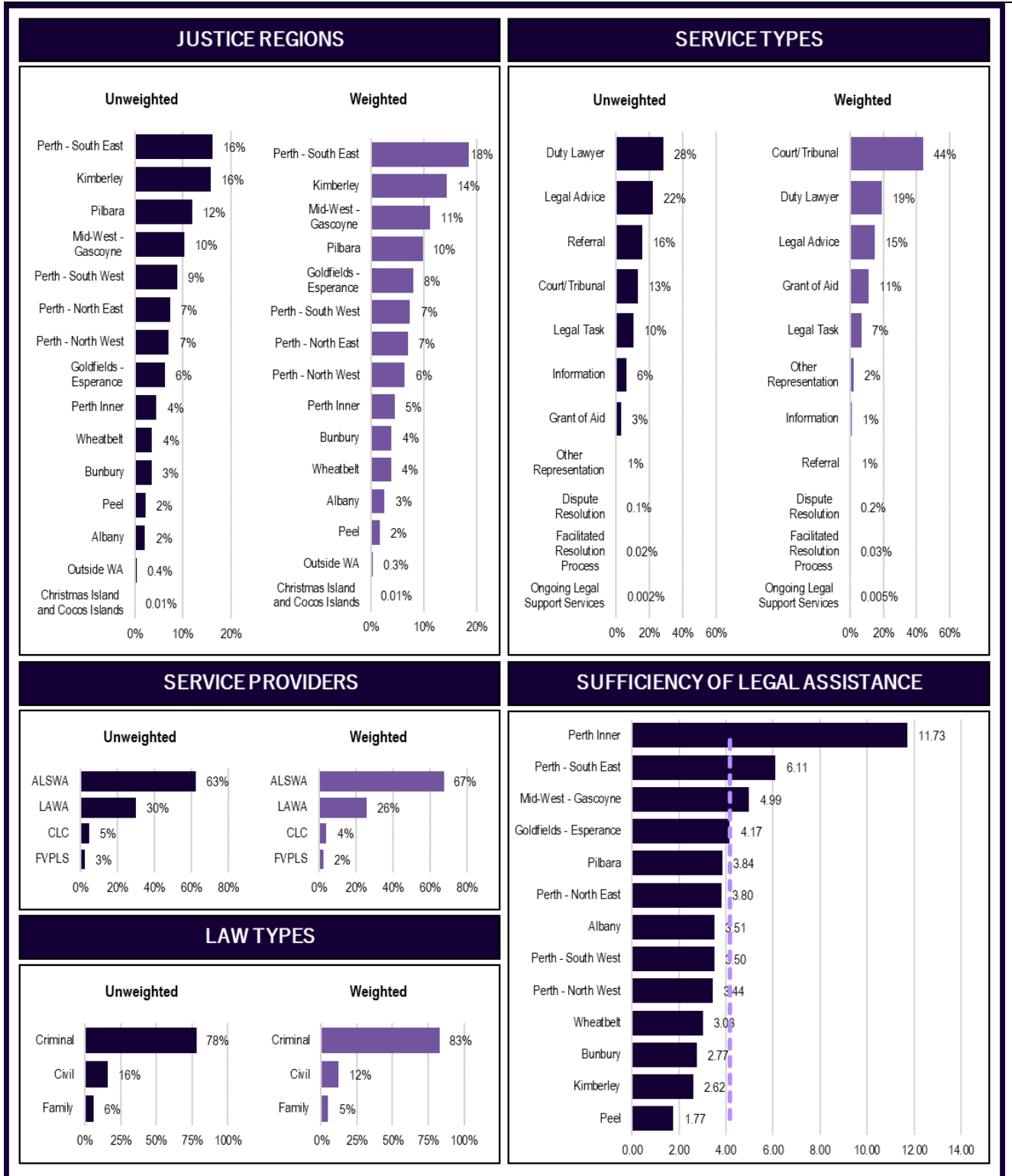
Source: Service Data Tool, 2022

Note: With the exception of victims of institutional abuse and involuntary patients, all service count has been rounded to the nearest 1,000.

## 4.2 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.

**Figure 4.1** Service Summary – Aboriginal and Torres Strait Islander people



Source: Service Data Tool, 2022

#### **4.2.1 Law types**

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The majority of legal assistance accessed by Aboriginal and Torres Islander people are for criminal law matters, with the most common criminal law matters being *miscellaneous offences* are the most common legal problem (52 per cent), 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 (64 per cent), followed by *other family law problems* (10 per cent) and *abduction* (eight per cent).

#### **4.2.2 Provider types**

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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, 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.

#### **4.2.3 Service types**

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*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.

#### **4.2.4 Justice Regions**

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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.

#### **4.2.5 Sufficiency of Legal Assistance**

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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.

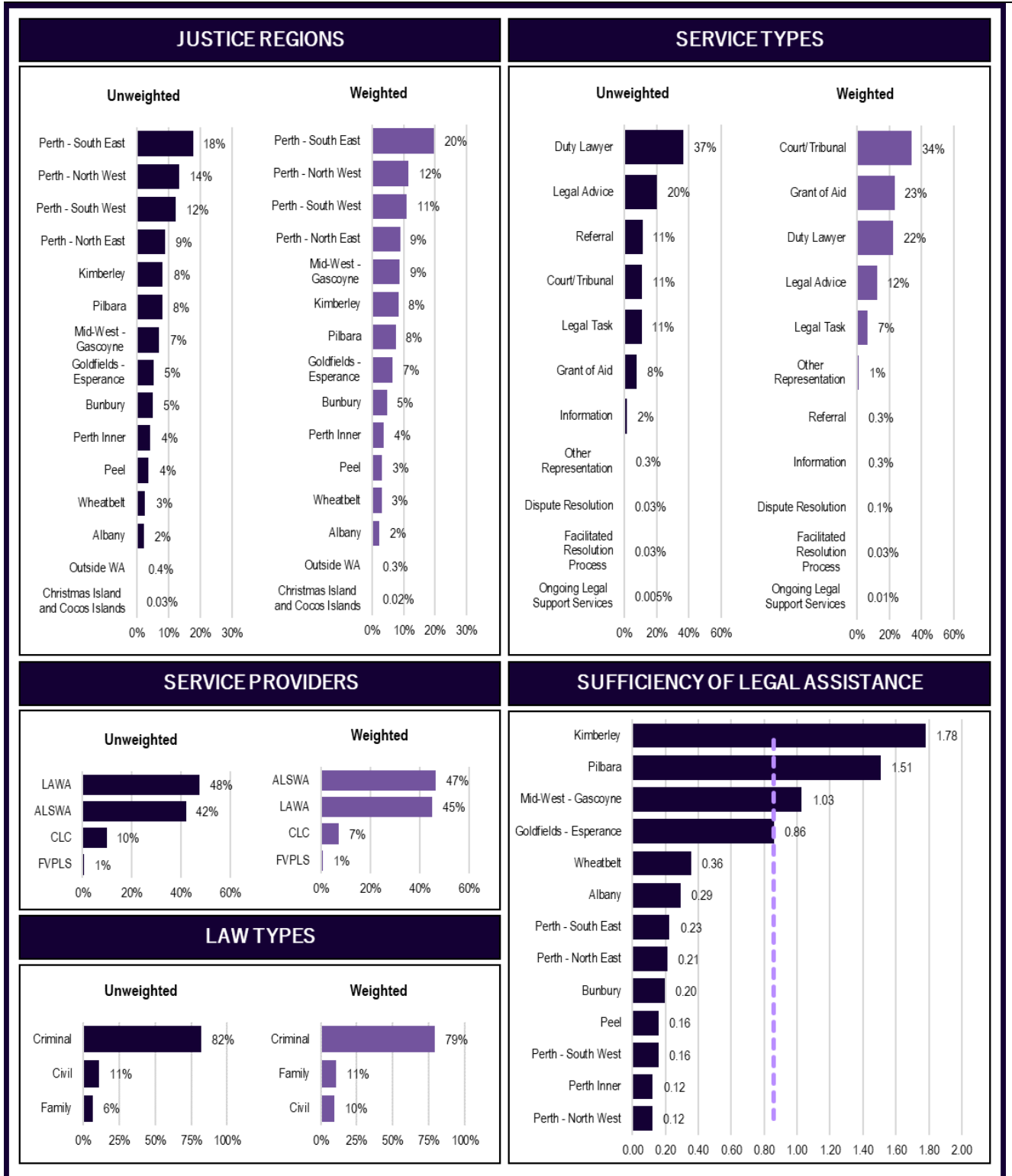
In FY21, the 75<sup>th</sup> percentile corresponded to 4.17 weighted services per eligible Aboriginal and Torres Strait Islander person. Perth Inner and to a lesser extent, Perth – South East reported substantially higher levels of legal assistance, relative to estimated underlying demand. Legal assistance 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. Kimberley, Bunbury and Wheatbelt have lower service levels, which may indicate relative unmet legal need in these regions.

### 4.3 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.

Figure 4.2 Service Summary – Children and young people



Source: Service Data Tool, 2022

### **4.3.1 Law types**

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The majority of legal assistance accessed by children and young people are for criminal law matters, with the most common criminal law matters being *miscellaneous offences* (36 per cent), 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 most 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).

### **4.3.2 Provider types**

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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.

### **4.3.3 Service types**

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*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.

### **4.3.4 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.

### **4.3.5 Sufficiency of Legal Assistance**

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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.

In FY21, the 75<sup>th</sup> percentile corresponded to 0.86 weighted services per eligible child and young person. 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.

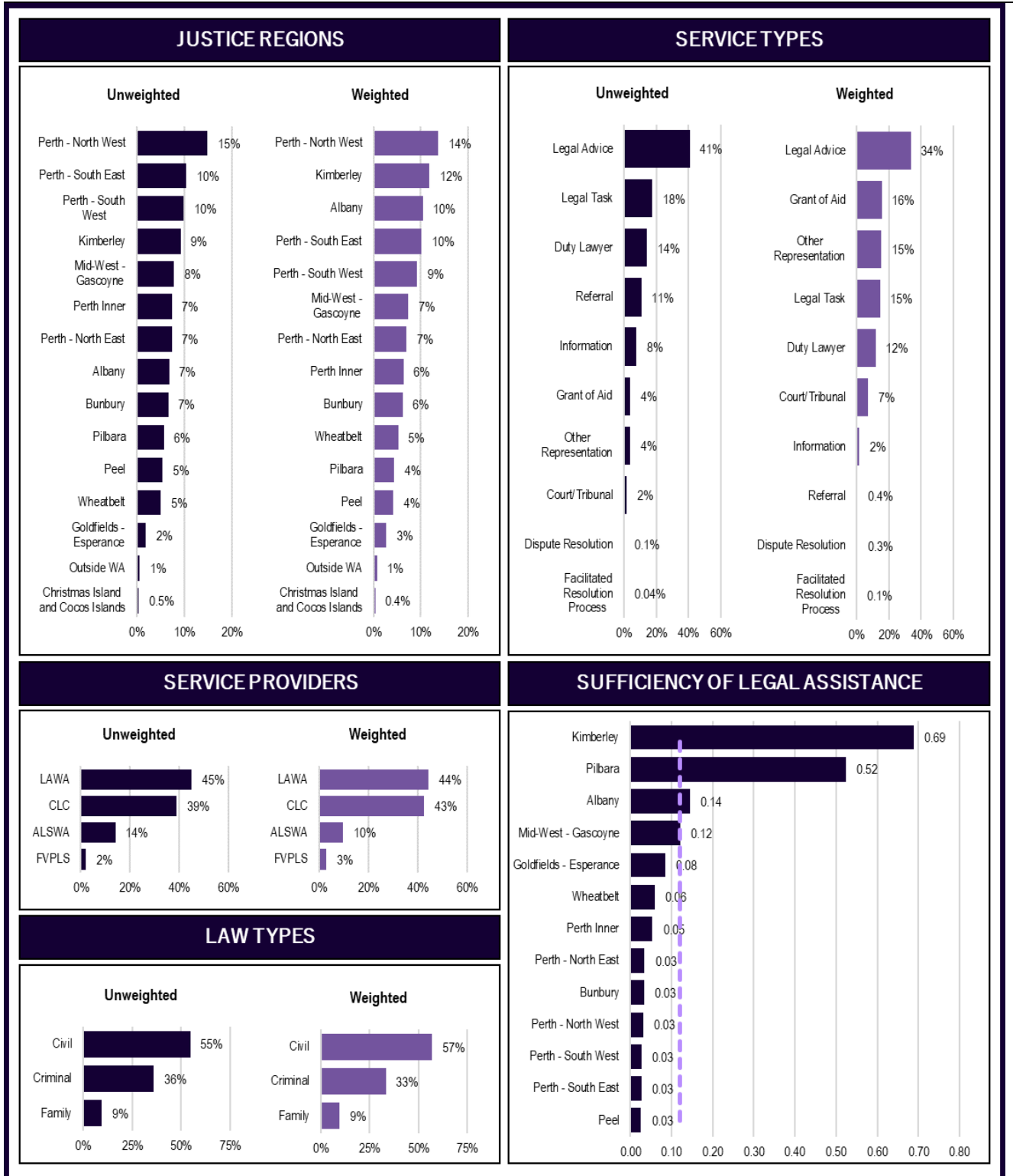
Wheatbelt, Albany and Bunbury fall within the second cluster, and are characterised by their relatively low service rates. This indicates that there is relative unmet legal need in these areas. Metropolitan areas are concentrated in the bottom half of the service rate distribution. Among these areas, there are several Justice Regions with low levels of service delivery relative to their underlying at-risk population. This includes the Perth – North West and Perth Inner regions.



## 4.4 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.

Figure 4.3 Service Summary – Older people



Source: Service Data Tool, 2022

#### **4.4.1 Law types**

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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).

#### **4.4.2 Provider types**

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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.

#### **4.4.3 Service types**

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*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.

#### **4.4.4 Justice Regions**

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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.

#### **4.4.5 Sufficiency of Legal Assistance**

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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.

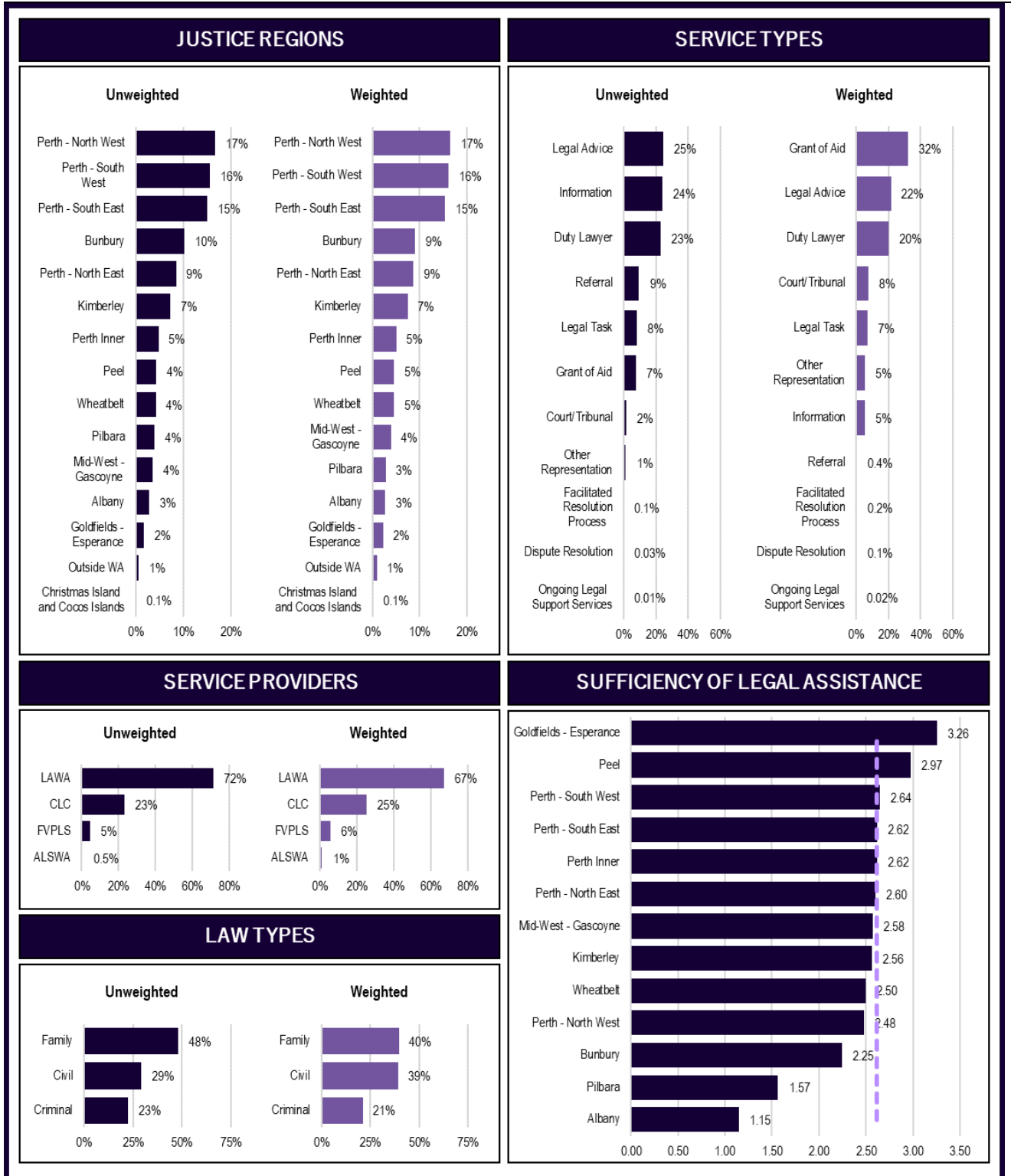
In FY21, the 75<sup>th</sup> percentile corresponded to 0.121 weighted services per eligible older person. Two Justice Regions, namely Kimberley and Pilbara reported substantially higher levels of legal assistance, relative to underlying demand. Service-to-need ratios for these areas are at least 10 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.

## 4.5 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.

**Figure 4.4** Service Summary – People experiencing, or at risk of, family violence



Source: Service Data Tool, 2022

#### **4.5.1 Law types**

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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).

#### **4.5.2 Provider types**

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For *people experiencing, or at risk of, family violence*, more than two thirds 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.

#### **4.5.3 Service types**

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*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 legal 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.

#### **4.5.4 Justice Regions**

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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.

#### **4.5.5 Sufficiency of Legal Assistance**

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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.

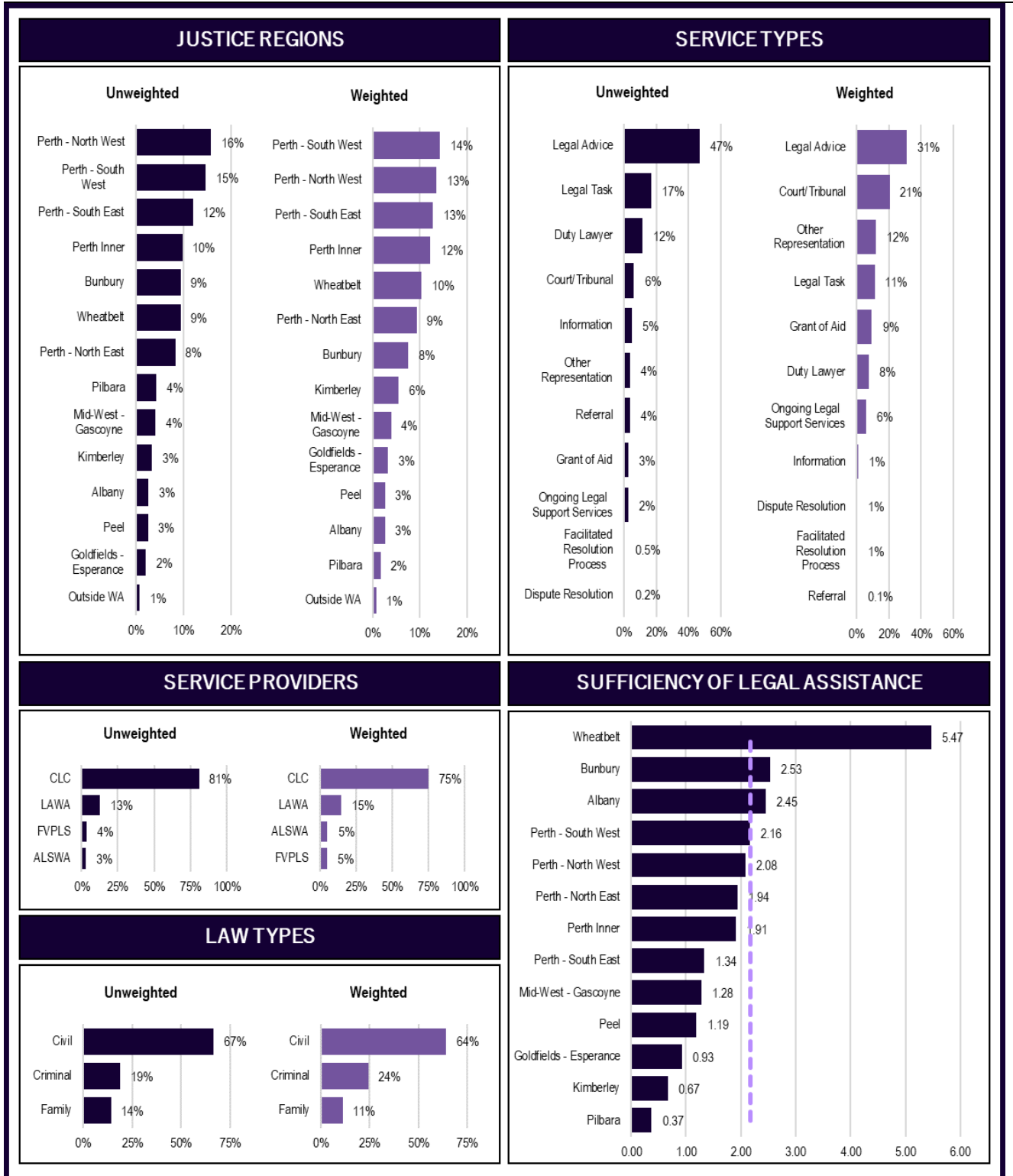
In FY21, the 75<sup>th</sup> percentile corresponded to 2.62 weighted services per eligible person. There is some dichotomy across regional WA. Specifically, there are Justice Regions on both extremes of the distribution for service rates. Pilbara and Albany reported the lowest service-to-need ratios 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.

## 4.6 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.

**Figure 4.5** Service Summary – People experiencing, or at risk of, homelessness



Source: Service Data Tool, 2022

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**4.6.1 Law types**

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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 (41 per cent), followed by *parenting arrangements* (38 per cent) and *divorce, de-facto separations and/or annulment* (11 per cent).

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**4.6.2 Provider types**

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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.

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**4.6.3 Service types**

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*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.

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**4.6.4 Justice Regions**

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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.

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**4.6.5 Sufficiency of Legal Assistance**

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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.

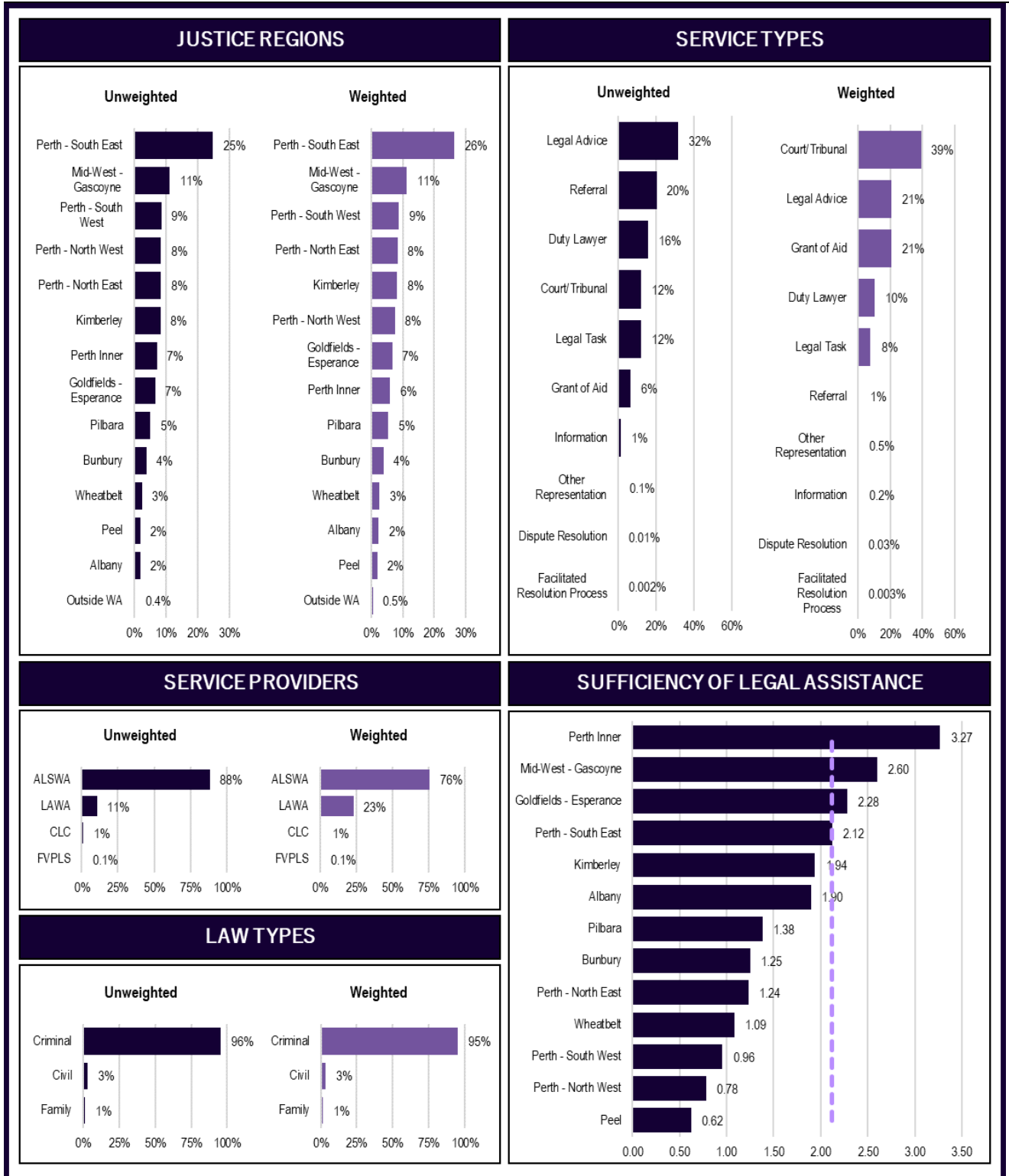
In FY21, the 75<sup>th</sup> percentile corresponded to 2.16 weighted services per eligible person. Pilbara and to a lesser extent, Goldfields – Esperance and Mid-West – Gascoyne have relatively low service-to-need ratios, indicating that there is relative unmet legal need in these regions.

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.

## 4.7 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.

Figure 4.6 Service Summary – People in custody and/or prisoners



Source: Service Data Tool, 2022

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**4.7.1 Law types**

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The majority of legal assistance accessed by *people in custody and/or prisoners* are for criminal law matters, with the most common criminal law matters being *miscellaneous offences* (82 per cent), *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 (84 per cent), followed by *other family law problems* and *family law property*, each representing five per cent of services delivered.

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**4.7.2 Provider types**

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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 accounts for 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.

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**4.7.3 Service types**

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*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.

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**4.7.4 Justice Regions**

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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.

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**4.7.5 Sufficiency of Legal Assistance**

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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.

In FY21, the 75<sup>th</sup> percentile corresponded to 2.12 weighted services per eligible person. 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.

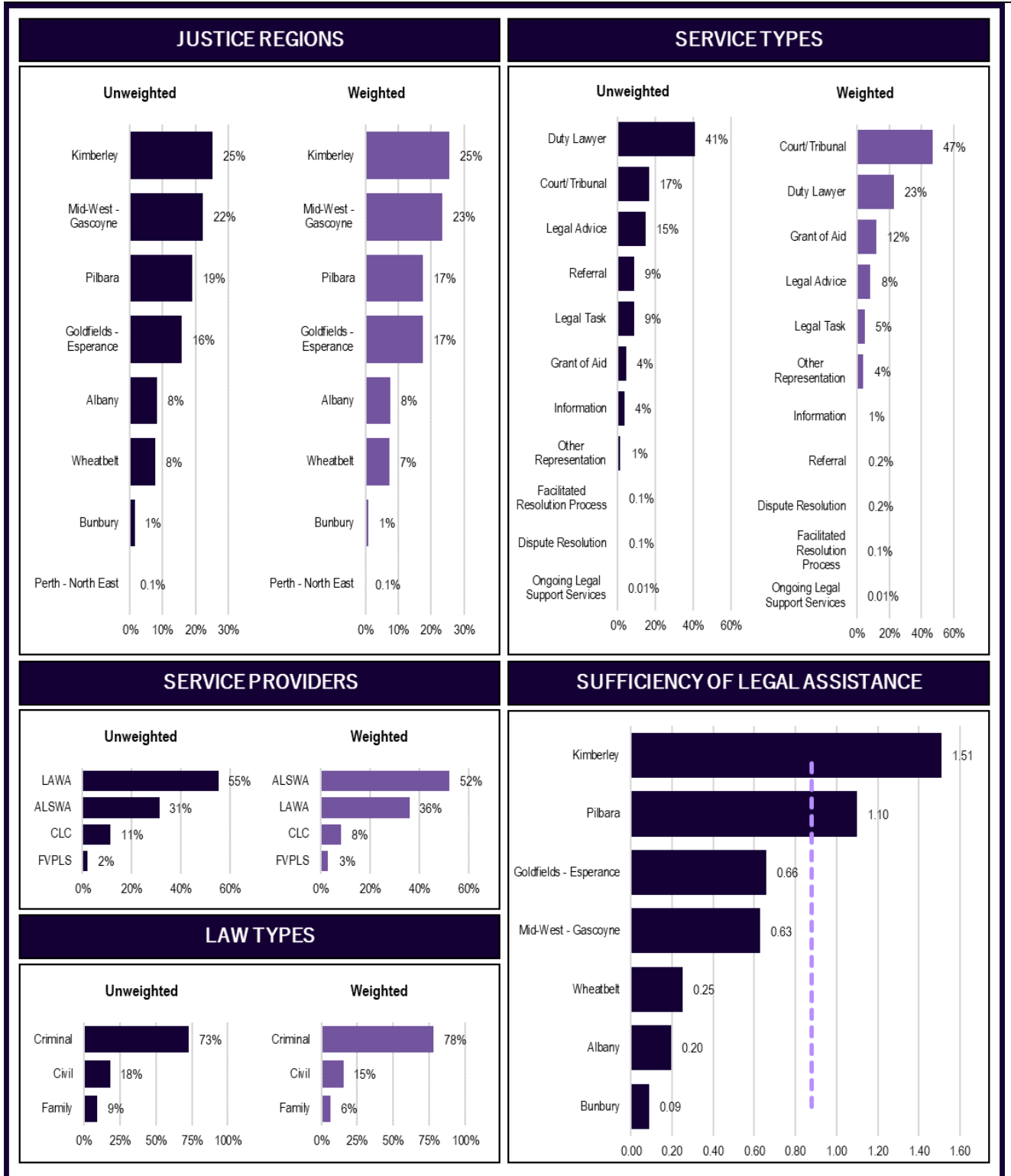
More broadly, metropolitan areas are mostly concentrated in bottom half of the service rate distribution. Of which there are several Justice Regions with comparatively low service-to-need ratios. This includes the Peel, Perth – North West and Perth – South West regions. In contrast, regional areas have 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.



## 4.8 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.

**Figure 4.7** Service Summary – People residing in rural and remote areas



Source: Service Data Tool, 2022

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**4.8.1 Law types**

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The majority of legal assistance accessed by *people residing in rural and remote areas* are for criminal law matters, with the most common criminal law matters being *acts intended to cause injury* (23 per cent), *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).

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**4.8.2 Provider types**

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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 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.

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**4.8.3 Service types**

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*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.

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**4.8.4 Justice Regions**

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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.

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**4.8.5 Sufficiency of Legal Assistance**

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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.

In FY21, the 75<sup>th</sup> percentile corresponded to 0.88 weighted services per eligible person. Importantly, the distribution of service rates is closely related to the proportion of residents in rural and remote areas.<sup>16</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.

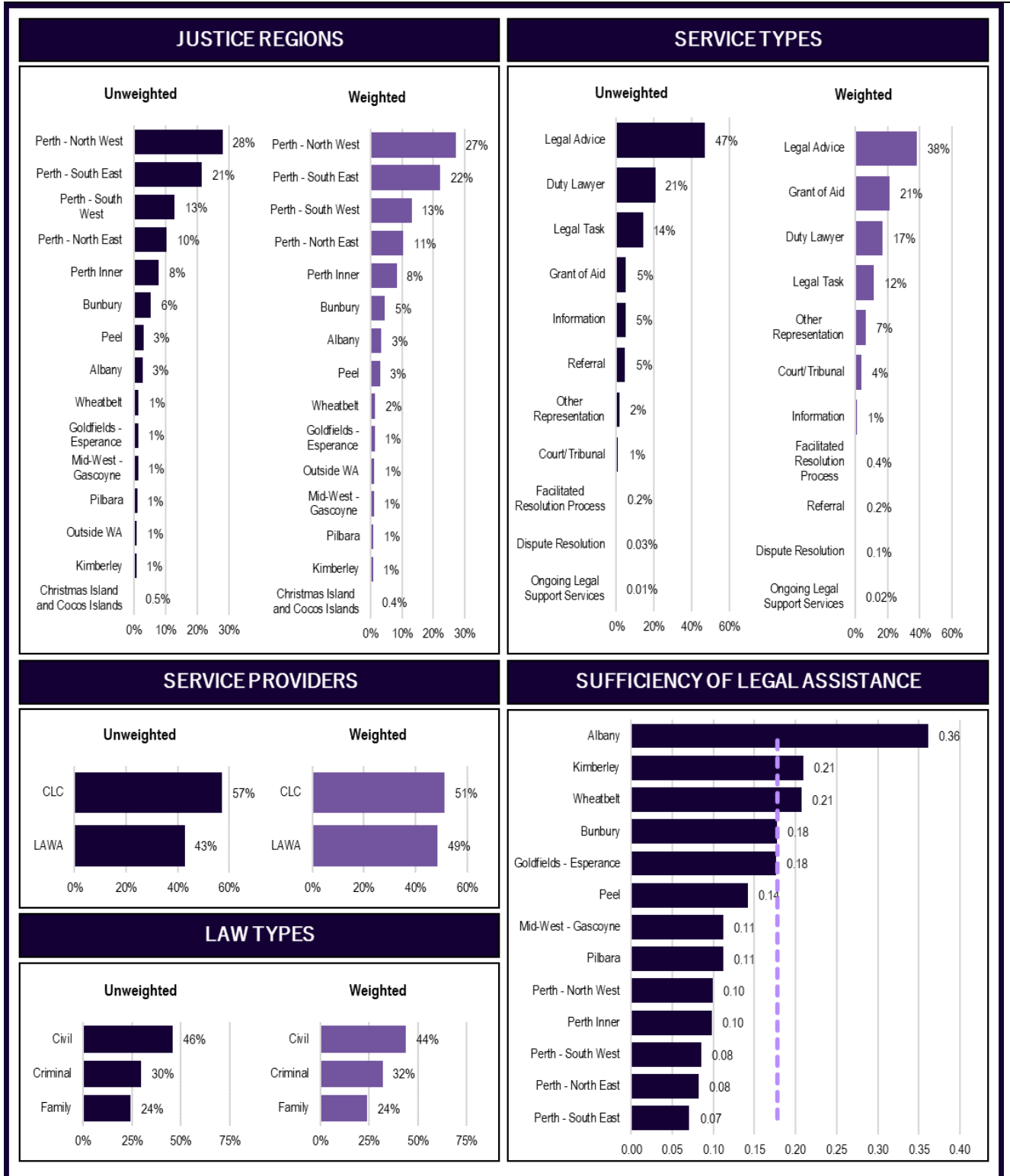
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<sup>16</sup> At the Justice Region level, regions like Bunbury are typically classified under regional areas. However, since our approach encodes remoteness at the SA2-level (i.e., more granular), there are some SA2s within these Justice Regions that more closely resemble rural and remote areas.

## 4.9 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.

**Figure 4.8** Service Summary – People who are culturally and linguistically diverse



Source: Service Data Tool, 2022

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**4.9.1 Law types**

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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).

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**4.9.2 Provider types**

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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.

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**4.9.3 Service types**

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*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.

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**4.9.4 Justice Regions**

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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.

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**4.9.5 Sufficiency of Legal Assistance**

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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.

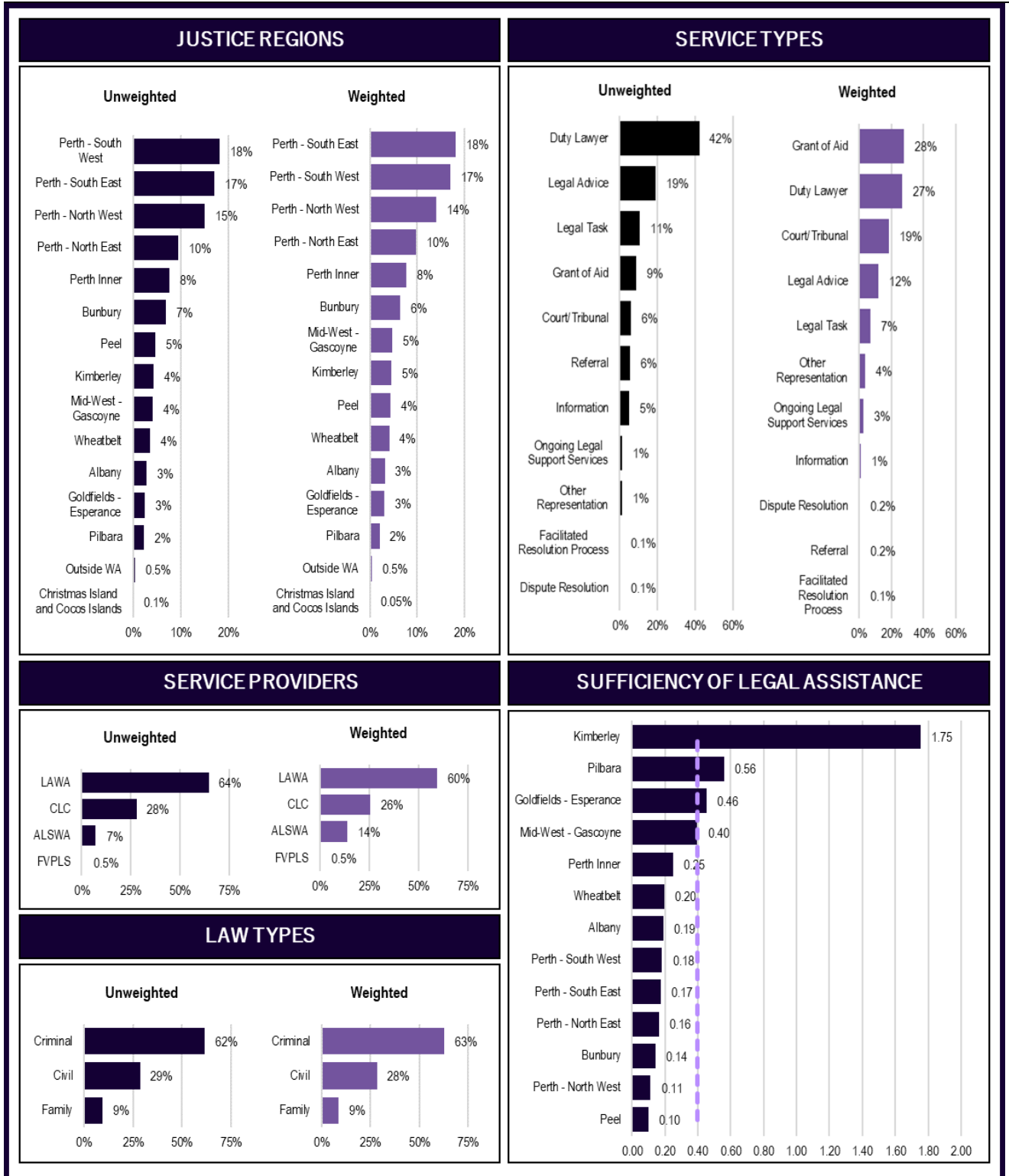
In FY21, the 75<sup>th</sup> percentile corresponded to 0.18 weighted services per eligible older person. Justice Regions in regional WA have reported some of the highest service rates in Western Australia. However, there is some dispersion in service-to-need ratios, indicating that the possibility of 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.

### 4.10 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.

Figure 4.9 Service Summary – People with a disability or mental illness



Source: Service Data Tool, 2022

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**4.10.1 Law types**

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The majority of legal assistance accessed by *people with a disability or mental illness* are for criminal law matters. The most common identifiable criminal law matter is *acts intended to cause injury* are legal problem, (23 per cent of services delivered), followed by *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* (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).

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**4.10.2 Provider types**

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For people with a disability or mental illness, almost two thirds of services (64 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.

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**4.10.3 Service types**

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*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.

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**4.10.4 Justice Regions**

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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.

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**4.10.5 Sufficiency of Legal Assistance**

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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.

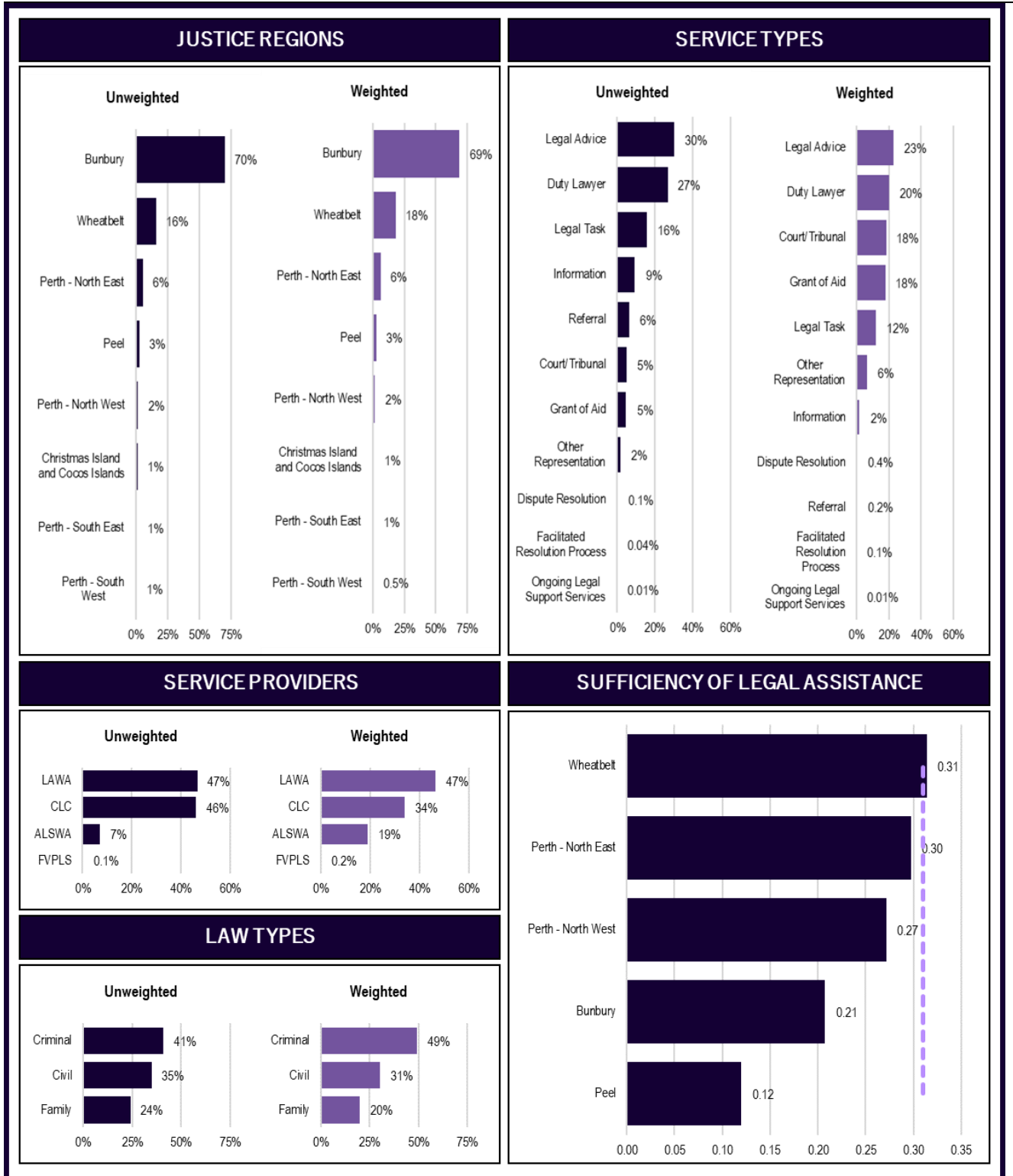
For every eligible individual, there were approximately 0.18 weighted services delivered. The distribution of service rates indicates that there are some differences between metropolitan and regional areas. Specifically, regional WA reported higher service-to-need ratios, as compared to Perth metropolitan and Peel regions. In FY21, the 75<sup>th</sup> percentile corresponded to 0.4 weighted services per eligible person.

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 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.

### 4.11 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.

Figure 4.10 Service Summary – People residing in regional areas



Source: Service Data Tool, 2022

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#### 4.11.1 Law types

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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).

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#### 4.11.2 Provider types

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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.

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#### 4.11.3 Service types

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*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.

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#### 4.11.4 Justice Regions

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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>17</sup>

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#### 4.11.5 Sufficiency of Legal Assistance

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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.

In FY21, the 75<sup>th</sup> percentile corresponded to 0.30 weighted services per eligible person. 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>18</sup>

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<sup>17</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.

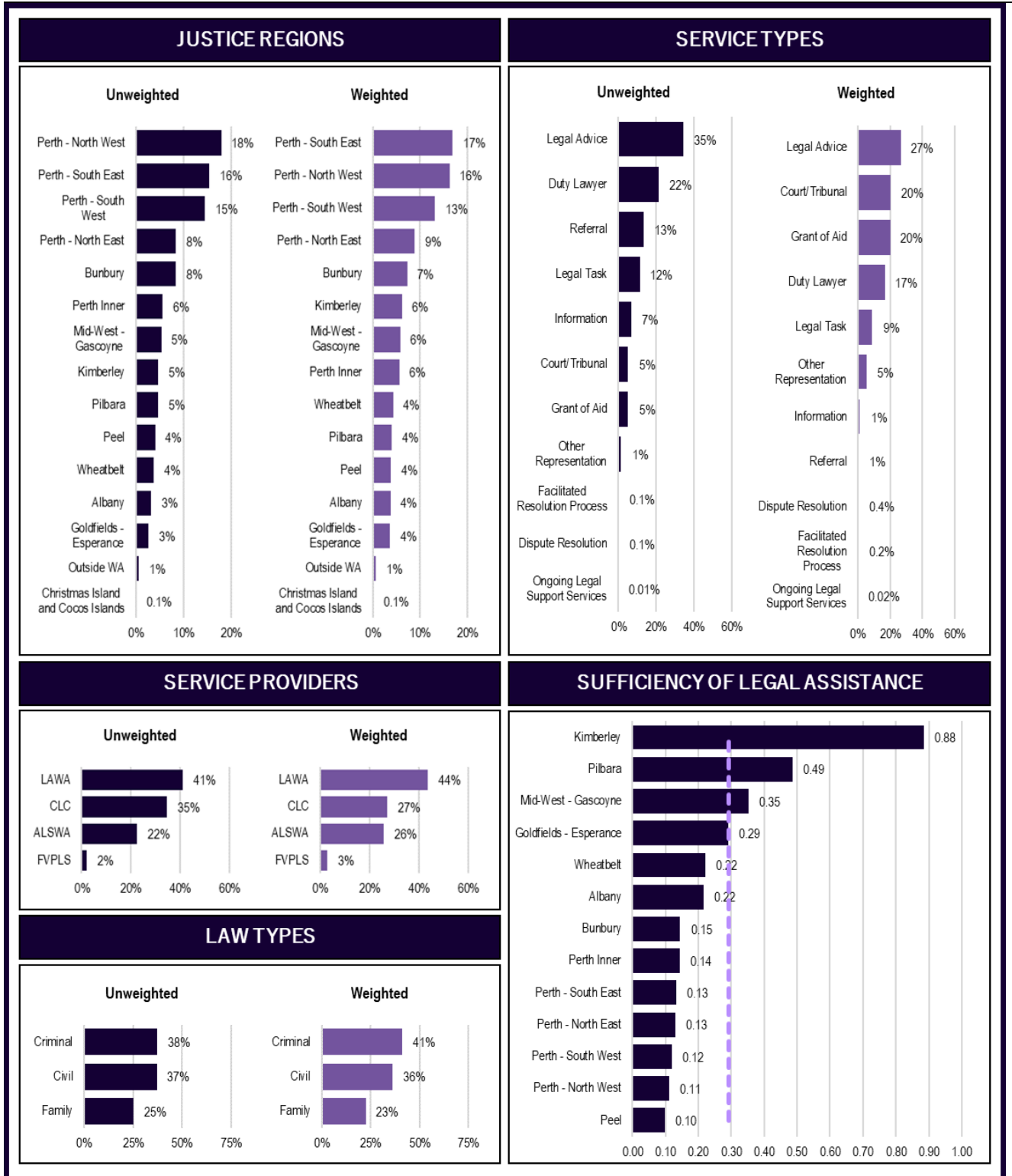
<sup>18</sup> At the Justice Region level, regions like the Perth – North East are typically classified under metropolitan areas. However, since our approach encodes remoteness at the SA2-level (i.e., more granular), there are some SA2s within these Justice Regions that more closely resemble regional areas.



4.12 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.

Figure 4.11 Service Summary – Women



Source: Service Data Tool, 2022

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#### **4.12.1 Law types**

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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).

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#### **4.12.2 Provider types**

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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 23 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.

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#### **4.12.3 Service types**

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*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.

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#### **4.12.4 Justice Regions**

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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, suggesting resource allocation is directly proportional to service utilisation.

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#### **4.12.5 Sufficiency of Legal Assistance**

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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.

In FY21, the 75<sup>th</sup> percentile corresponded to 0.29 weighted services per eligible women.

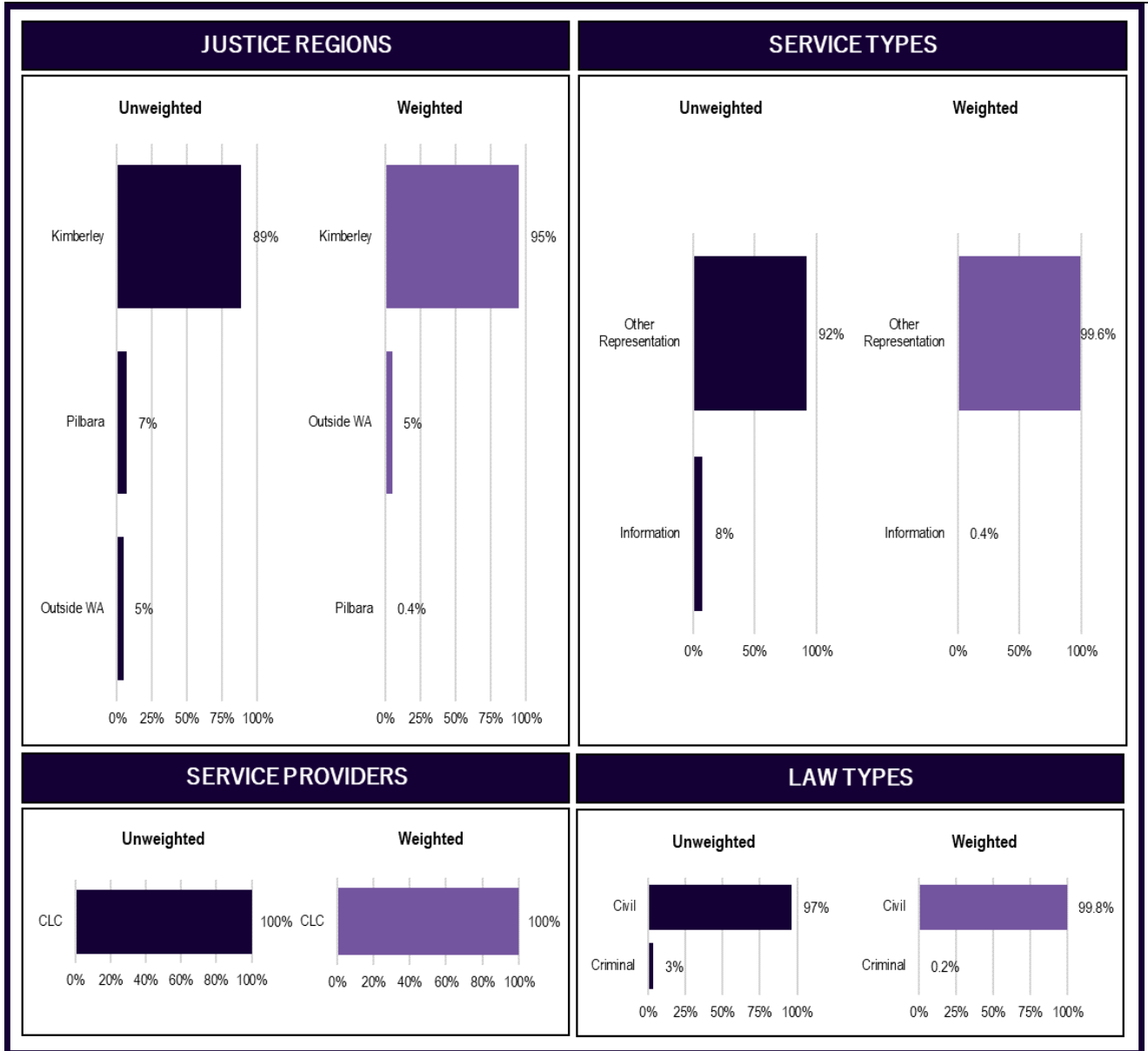
Kimberley and to a lesser extent, Pilbara reported substantially higher service levels, relative to other Justice Regions. More broadly, regional WA has some of the highest service rates in Western Australia. However, there are some Justice Regions with comparatively low service-to-need ratios, namely the Bunbury, Albany and Wheatbelt regions.

In contrast, Perth metropolitan and Peel regions reported some of 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.

### 4.13 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.

Figure 4.12 Service Summary – Victims of institutional abuse



Source: Service Data Tool, 2022

#### 4.13.1 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.

Notably, there were no recorded services in relation to family law matters.

#### **4.13.2 Provider types**

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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.

#### **4.13.3 Service types**

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*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.

#### **4.13.4 Justice Regions**

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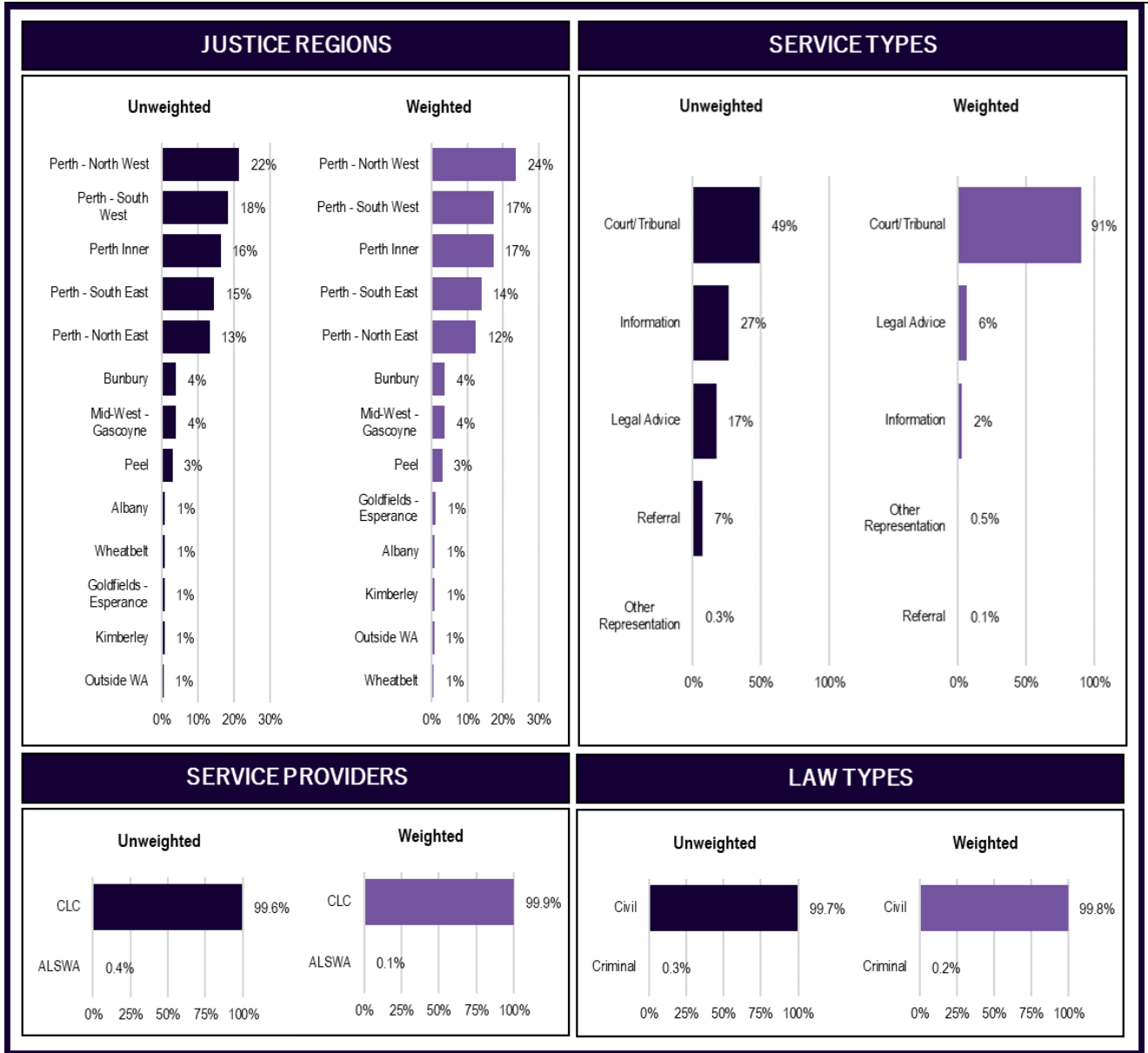
Legal assistance is mostly accessed by residents from the Kimberley region. There are some services delivered to the Pilbara region and outside Western Australia, albeit it is relatively small.

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.

### 4.14 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.

**Figure 4.13** Service Summary – Involuntary patients under the Mental Health Act 2014 (WA)



Source: Service Data Tool, 2022

#### 4.14.1 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.

Notably, there were no recorded services in relation to family law matters.

#### **4.14.2 Provider types**

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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.

#### **4.14.3 Service types**

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*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* remain 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.

#### **4.14.4 Justice Regions**

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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.

# Justice Regions

# 5

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.

## 5.1 Overview

In Western Australia, legal assistance is mostly accessed by residents in the Perth metropolitan and Peel regions (30.2 per cent). This compares with regional WA, which accounts for 16.7 per cent of services delivered.

Notably, roughly half of the services (52.8 per cent) did not include any geographical information; hence, were not mapped against any Justice Regions. However, these services are predominantly discrete legal assistance such as information and referral services, and are not limited to any particular service provider.

On a weighted basis, service proportions have broadly increased for all Justice Regions. This further demonstrates that the more resource intensive services typically have better geographical information, and vice versa.

**Table 5.1** Services delivered, by count and percentage of total

Justice Regions	Service count	Percentage of services:	
		Unweighted	Weighted
Albany	4,500	1.4%	2.5%
Bunbury	10,800	3.3%	4.9%
Goldfields – Esperance	6,300	1.9%	4.1%
Kimberley	10,000	3.1%	5.9%
Mid-West – Gascoyne	9,000	2.8%	5.5%
Peel	6,400	2.1%	2.8%
Perth – North East	13,200	4.1%	6.7%
Perth – North West	24,100	7.4%	10.6%
Perth – South East	25,000	7.7%	13.9%
Perth – South West	20,400	6.3%	9.1%
Perth Inner	9,000	2.8%	4.4%
Pilbara	8,300	2.6%	4.2%
Wheatbelt	5,400	1.7%	2.9%
Christmas Island and Cocos (Keeling) Islands	210	0.07%	0.07%
Outside WA	950	0.3%	0.4%

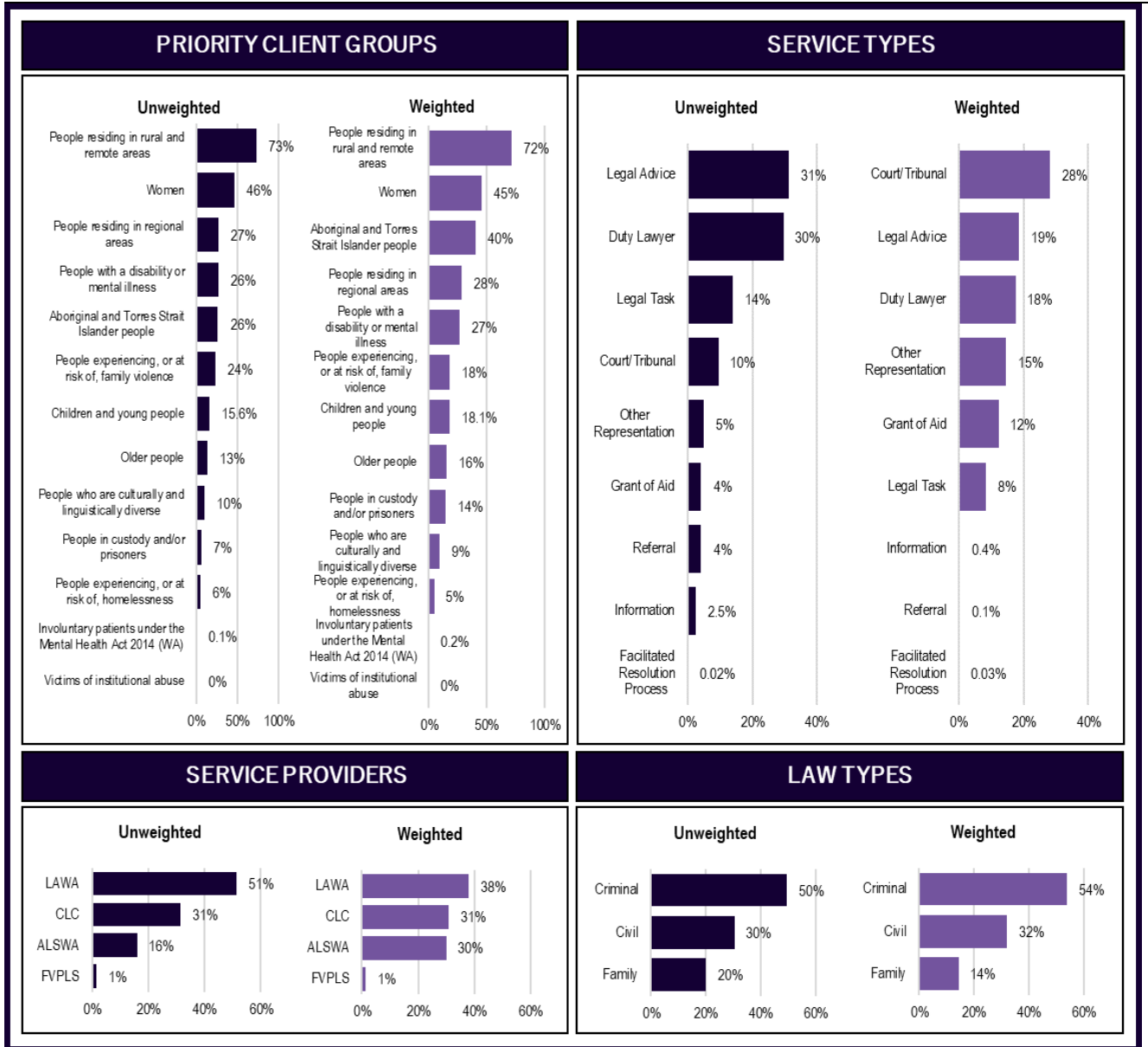
Source: Service Data Tool, 2022

Note: Service counts have been rounded to the nearest 10 for Christmas Island and Cocos (Keeling) Islands and Outside WA and to 100 for all other locations.

5.2 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.

Figure 5.1 Service Summary – Albany



Source: Service Data Tool, 2022

5.2.1 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).

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### **5.2.2 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.

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### **5.2.3 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.

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### **5.2.4 Priority Client Groups**

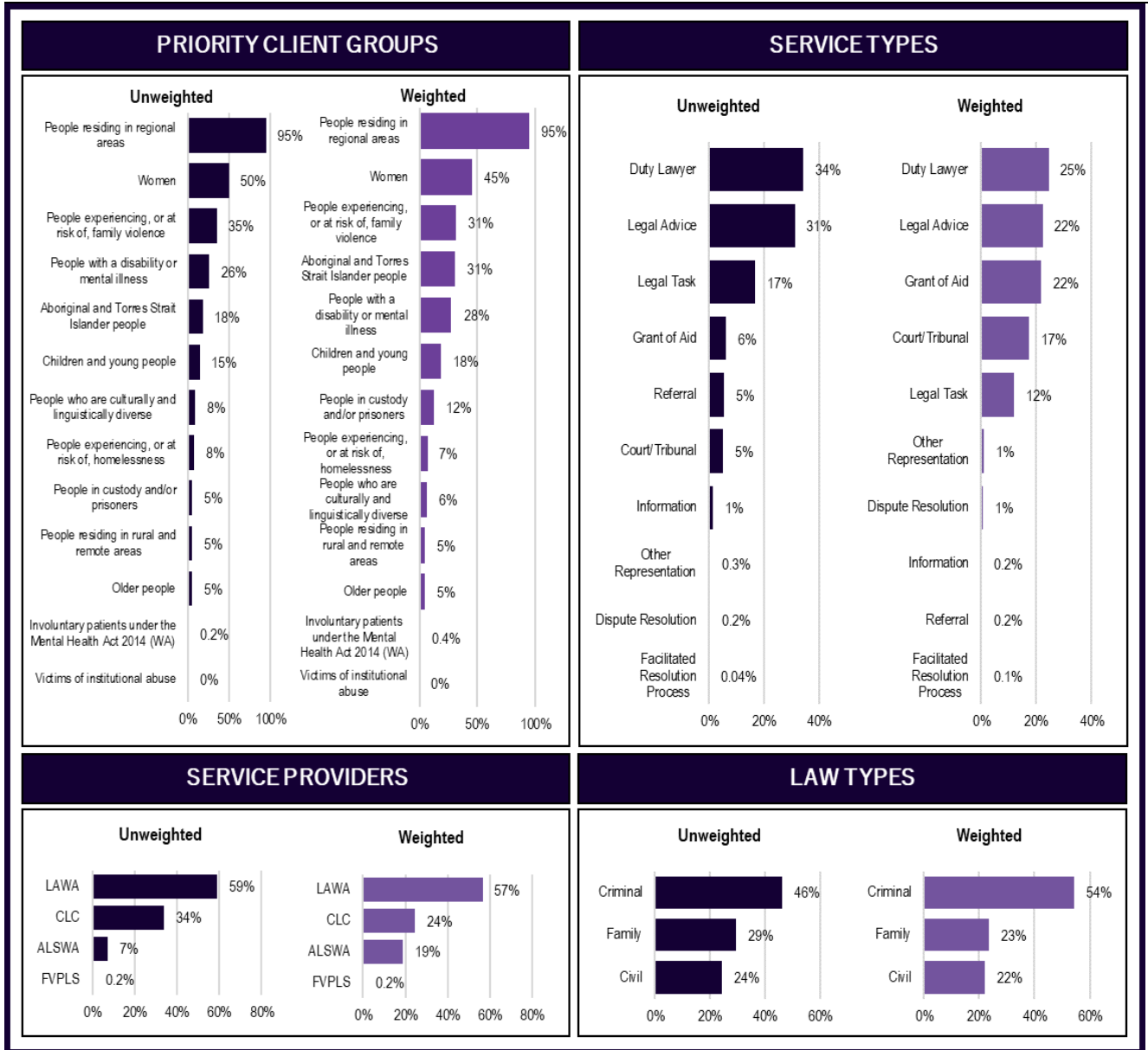
For service users residing in the Albany region, *people residing in rural and remote areas* (73 per cent) is the most common characteristic. This is followed by *women* (46 per cent) and *people residing in regional areas* (27 per cent).

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.

### 5.3 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.

Figure 5.2 Service Summary – Bunbury



Source: Service Data Tool, 2022

#### 5.3.1 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).

### **5.3.2 Service types**

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*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 legal 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.

### **5.3.3 Provider types**

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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.

### **5.3.4 Priority Client Groups**

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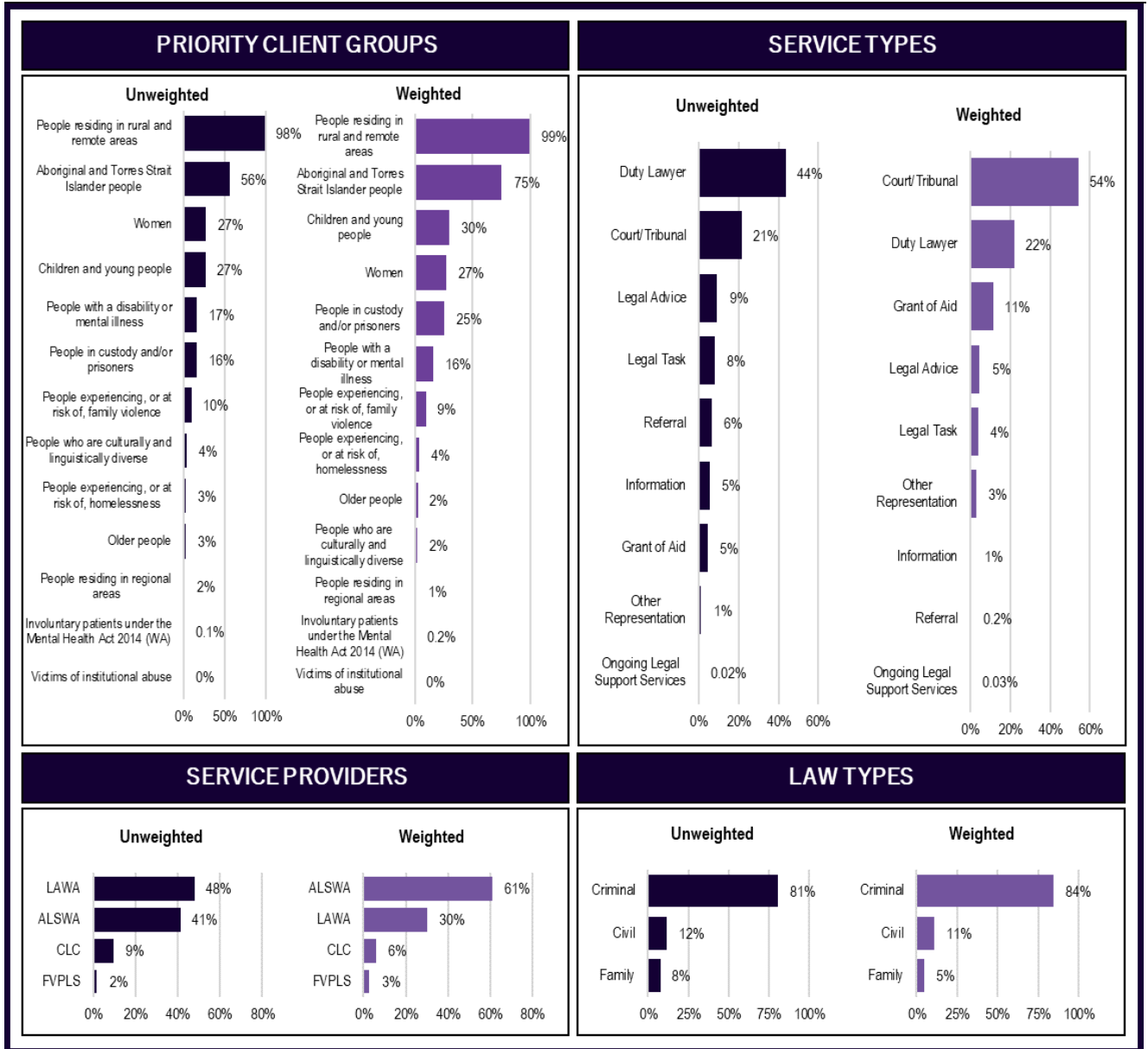
For service users residing in the Bunbury region, *people residing in rural and remote areas* (95 per cent) are the most common characteristic. This is followed by *women* (50 per cent) and *people experiencing, or at risk of, family violence* (35 per cent).

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.

5.4 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.

Figure 5.3 Service Summary – Goldfields – Esperance



Source: Service Data Tool, 2022

5.4.1 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).

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#### **5.4.2 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.

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#### **5.4.3 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.

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#### **5.4.4 Priority Client Groups**

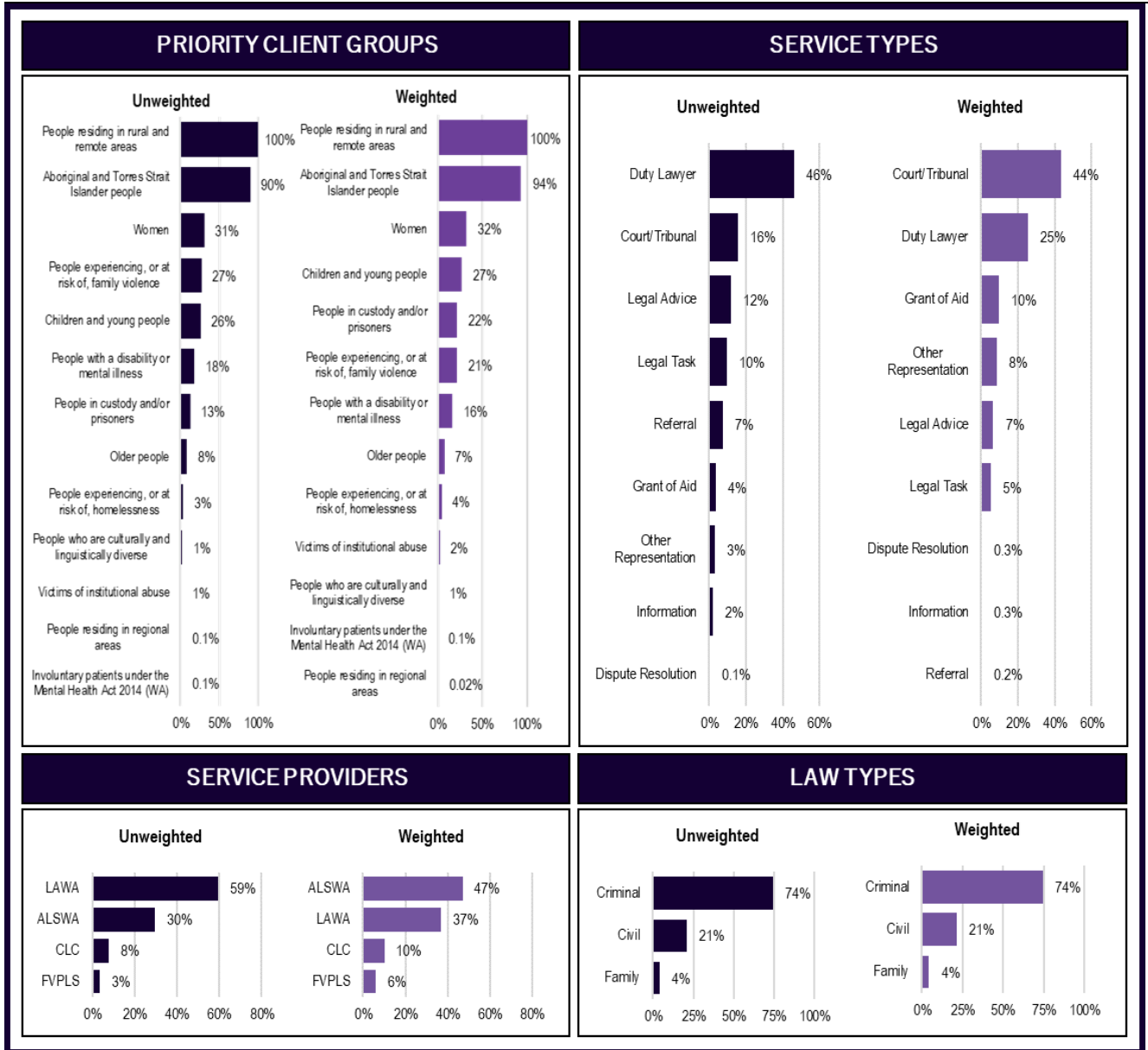
For service users residing in the Goldfield – Esperance region, *people residing in rural and remote areas* (98 per cent) are the most common characteristic. This is followed by *Aboriginal and Torres Strait Islander people* (56 per cent) and *women* (27 per cent).

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.

## 5.5 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.

Figure 5.4 Service Summary – Kimberley



Source: Service Data Tool, 2022

### 5.5.1 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).

### **5.5.2 Service types**

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*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.

### **5.5.3 Provider types**

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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. Marninwarantikura 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.

### **5.5.4 Priority Client Groups**

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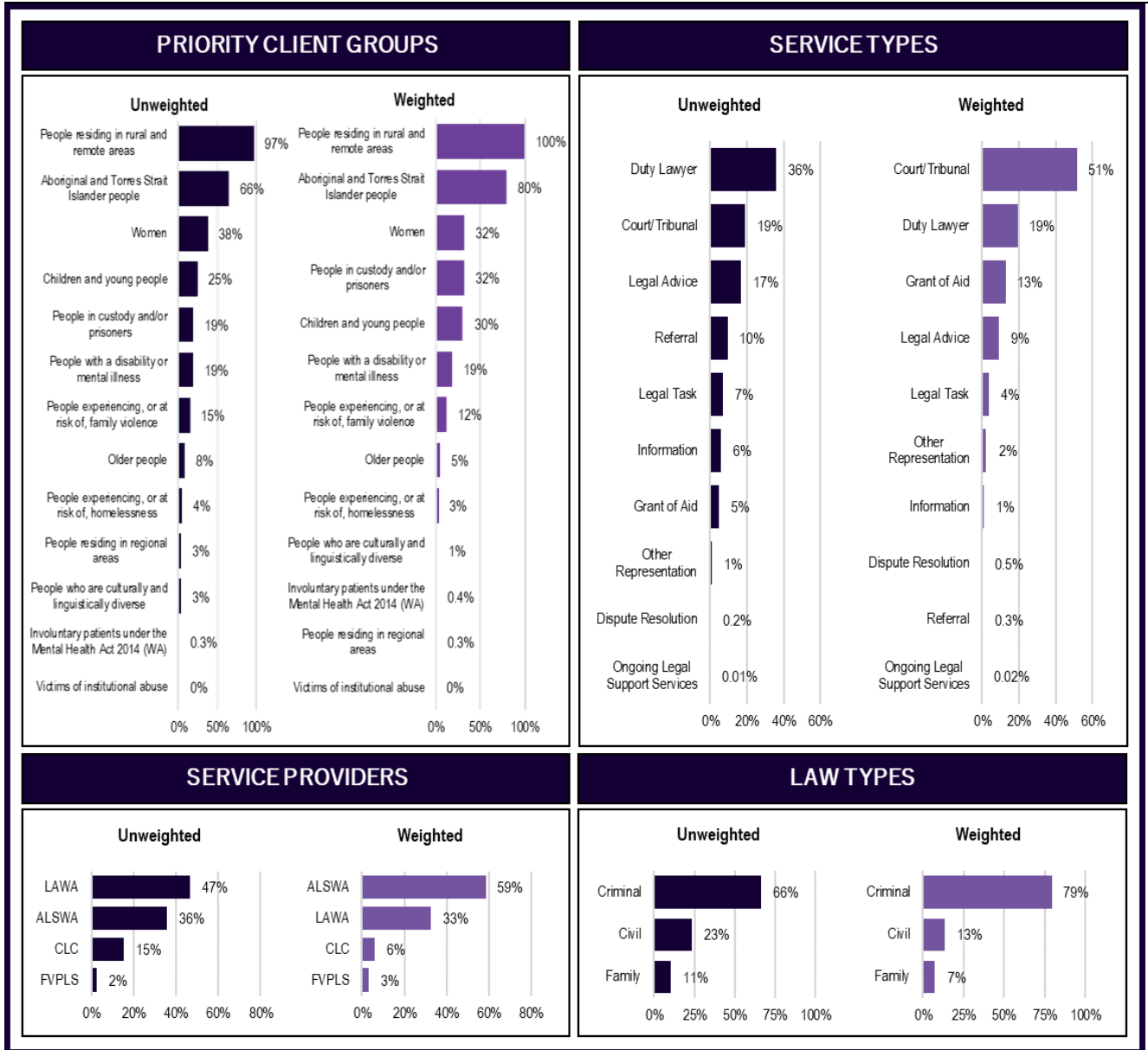
For service users residing in the Kimberley region, *people residing in rural and remote areas* (100 per cent) are the most common characteristic. This is followed by *Aboriginal and Torres Strait Islander people* (90 per cent) and *women* (31 per cent).

On a weighted service basis, while the proportions are broadly similar across each priority client group, suggesting a proportional complexity of legal problems.

## 5.6 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.

Figure 5.5 Service Summary – Mid-West – Gascoyne



Source: Service Data Tool, 2022

### 5.6.1 Law types

Almost two thirds of the legal assistance accessed by Mid-West – Gascoyne residents is for criminal law matters (66 per cent). 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).

### **5.6.2 Service types**

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*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.

### **5.6.3 Provider types**

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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.

### **5.6.4 Priority Client Groups**

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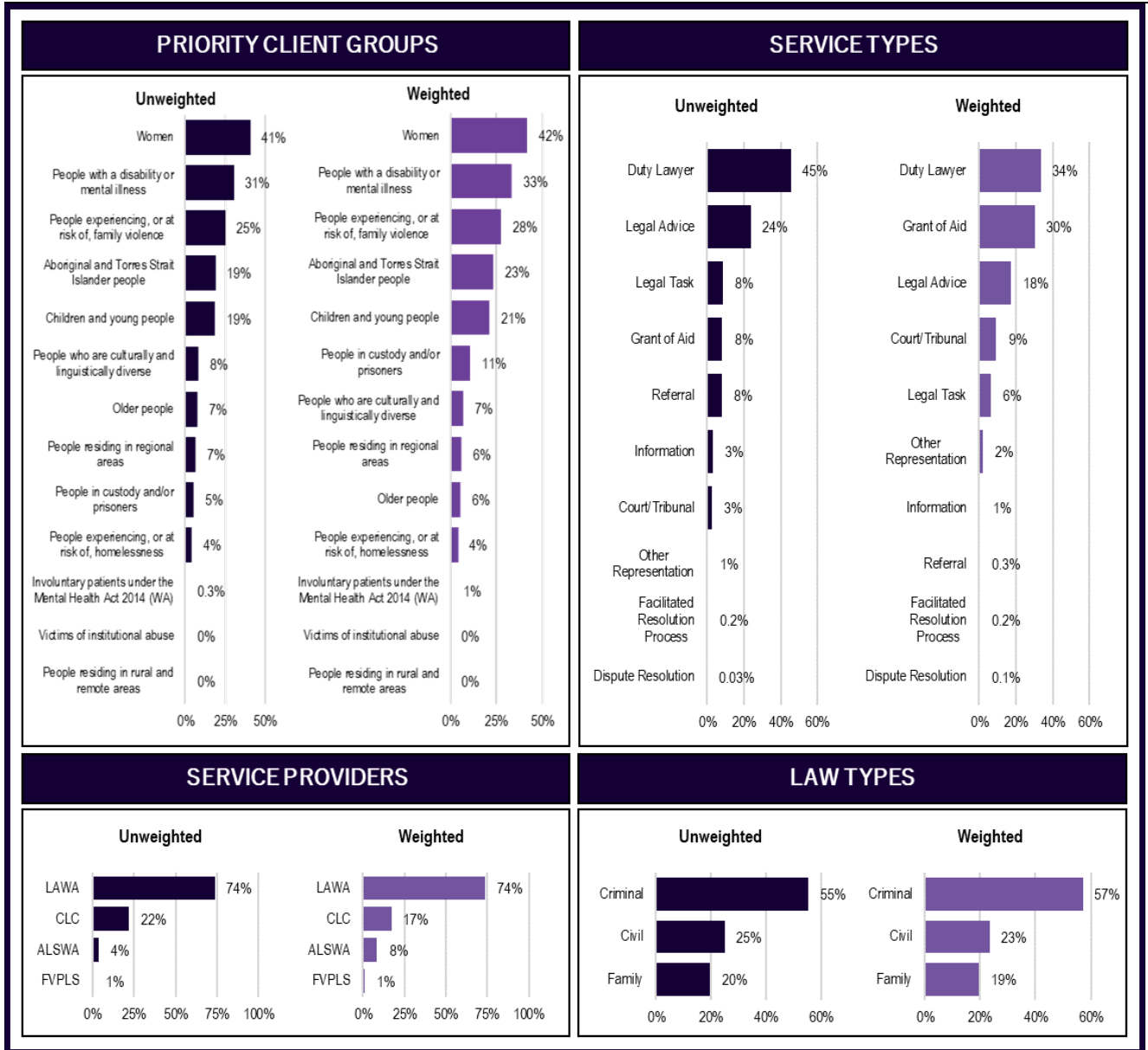
For service users residing in the Mid-West – Gascoyne region, *people residing in rural and remote areas* (97 per cent) are the most common characteristic. This is followed by *Aboriginal and Torres Strait Islander people* (66 per cent) and *women* (38 per cent).

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.

5.7 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.

Figure 5.6 Service Summary – Peel



Source: Service Data Tool, 2022

5.7.1 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).

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### **5.7.2 Service types**

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*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.

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### **5.7.3 Provider types**

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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.

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### **5.7.4 Priority Client Groups**

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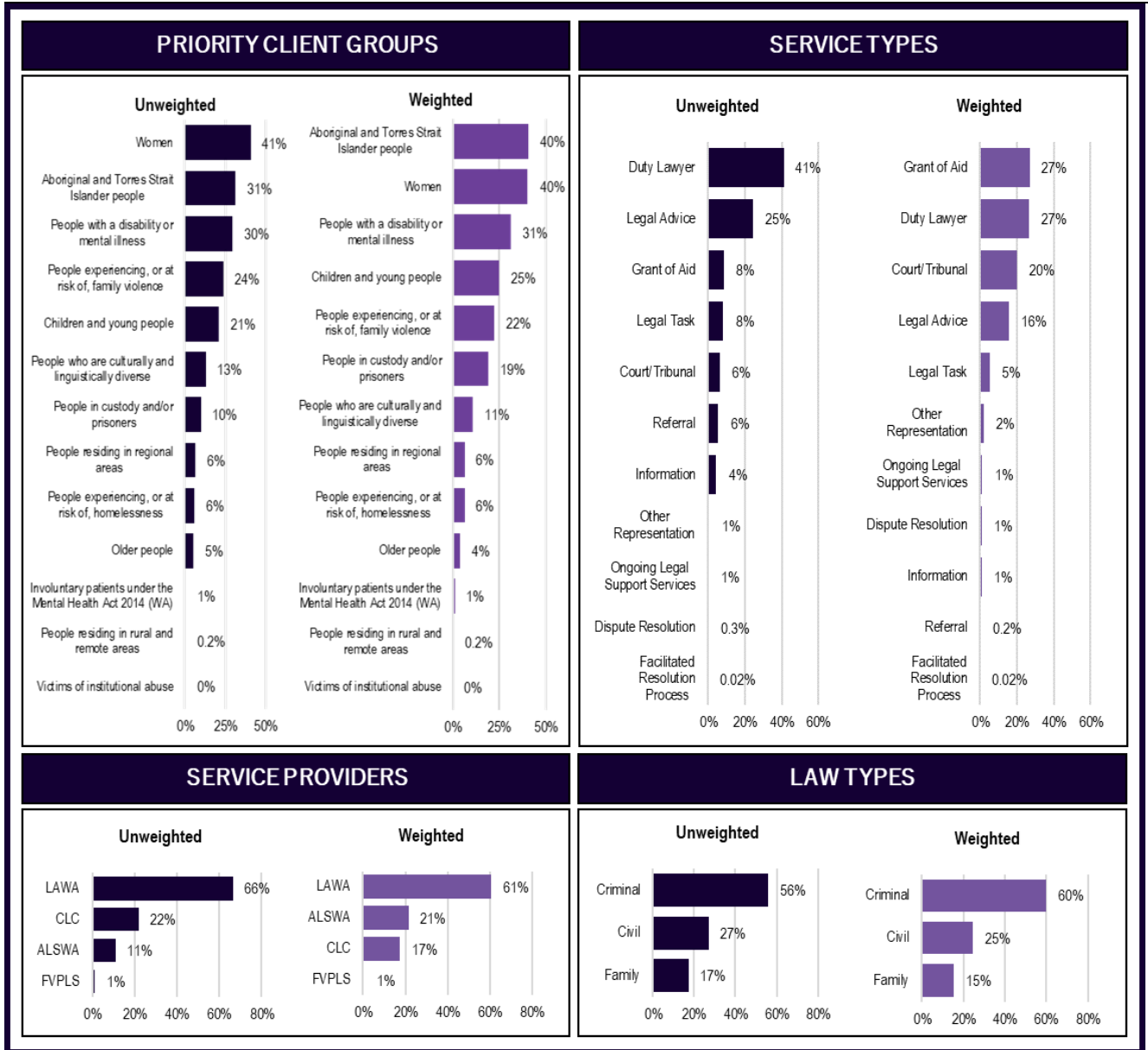
For service users residing in the Peel region, *women* (41 per cent) were the most common characteristic. This is followed by *people with a disability or mental illness* (31 per cent) and *people experiencing, or at risk of, family violence* (25 per cent).

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).

5.8 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.

Figure 5.7 Service Summary – Perth – North East



Source: Service Data Tool, 2022

5.8.1 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).

### **5.8.2 Service types**

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*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.

### **5.8.3 Provider types**

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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.

### **5.8.4 Priority Client Groups**

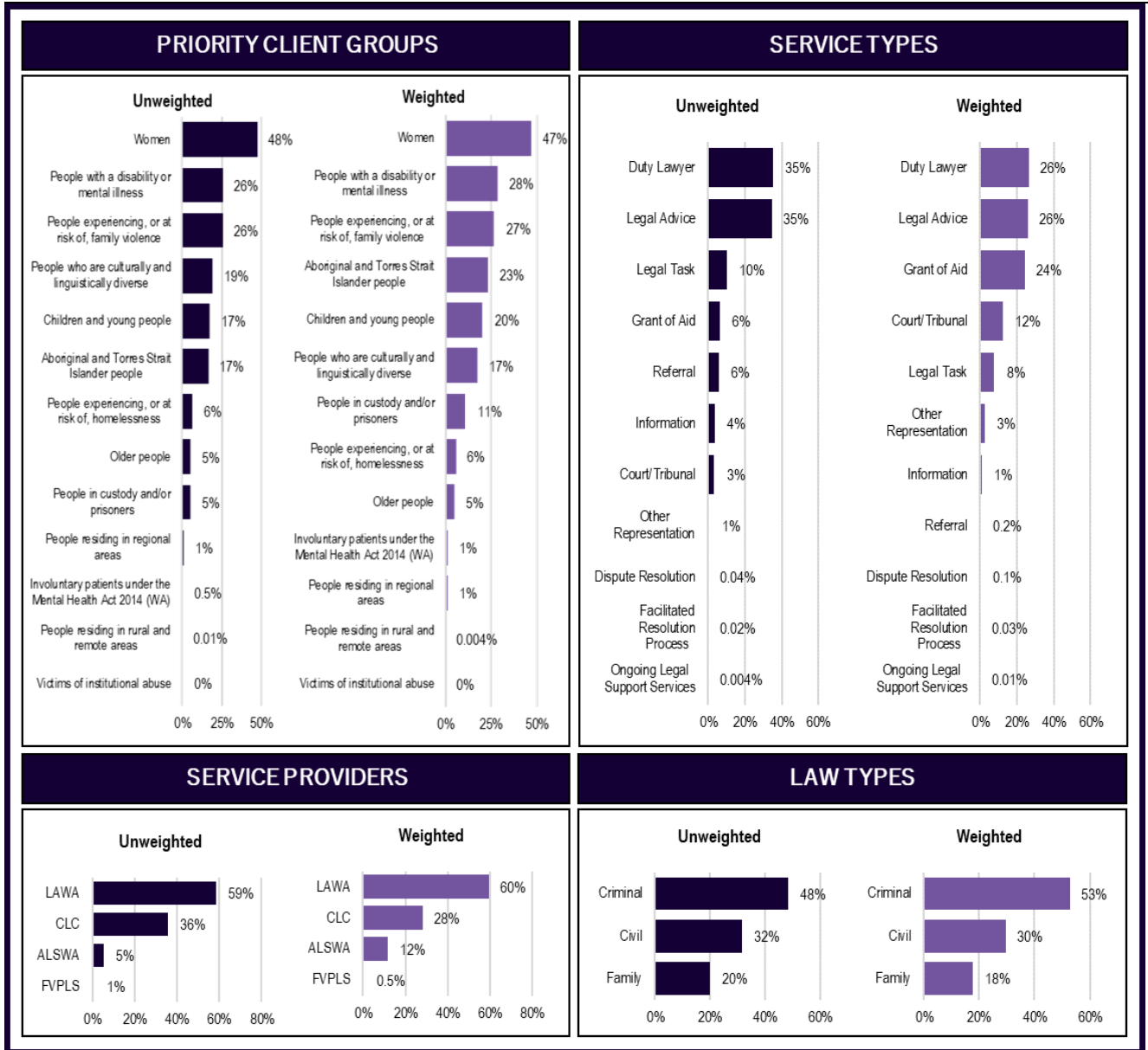
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For service users residing in the Perth – North East region, *women* (41 per cent) are the most common characteristic. This is followed by *Aboriginal and Torres Strait Islander people* (31 per cent) and *people with a disability or mental illness* (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.

## 5.9 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.

Figure 5.8 Service Summary – Perth – North West



Source: Service Data Tool, 2022

### 5.9.1 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).

### **5.9.2 Service types**

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*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.

### **5.9.3 Provider types**

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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.

### **5.9.4 Priority Client Groups**

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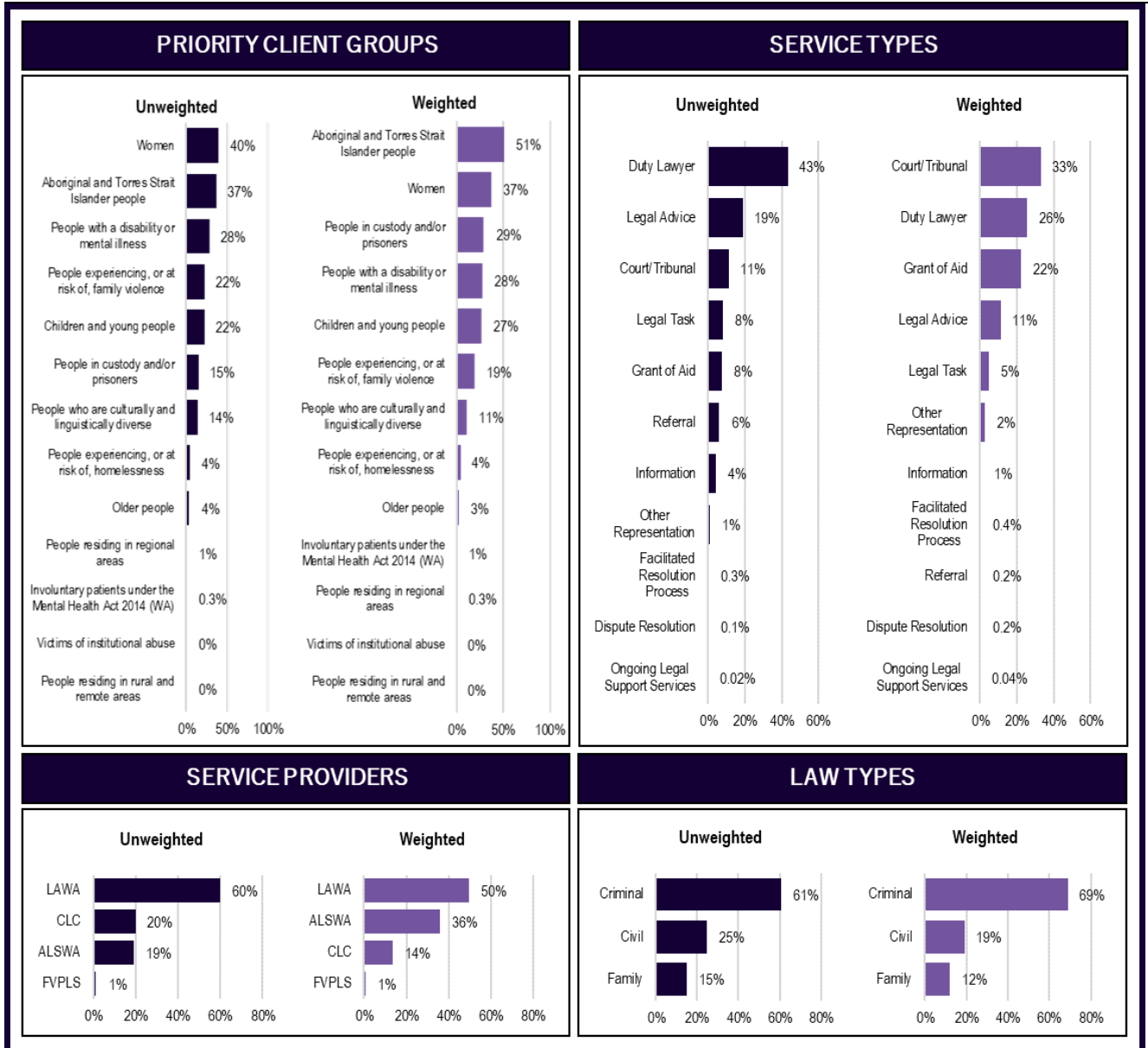
For service users residing in the Perth – North West region, *women* (48 per cent) are the most common characteristic. This is followed by *people with a disability or mental illness* (26 per cent) and *people experiencing, or at risk of, family violence* (26 per cent).

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.

## 5.10 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.

Figure 5.9 Service Summary – Perth – South East



Source: Service Data Tool, 2022

### 5.10.1 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, 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).

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### **5.10.2 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.

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### **5.10.3 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 second largest provider type, at 19 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 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.

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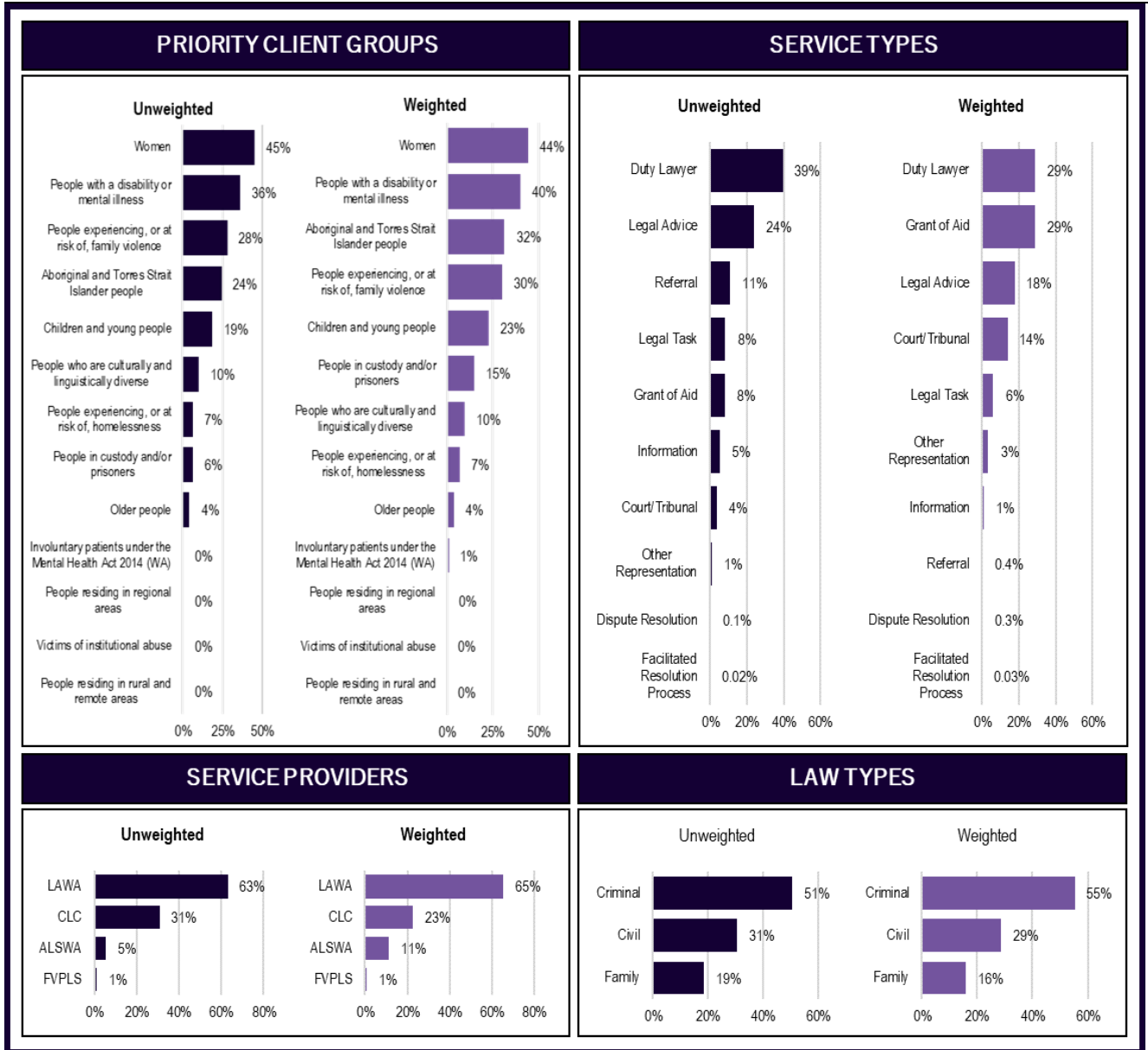
### **5.10.4 Priority Client Groups**

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.

5.11 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.

Figure 5.10 Service Summary – Perth – South West



Source: Service Data Tool, 2022

5.11.1 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).

### **5.11.2 Service types**

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*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.

### **5.11.3 Provider types**

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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 second 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.

### **5.11.4 Priority Client Groups**

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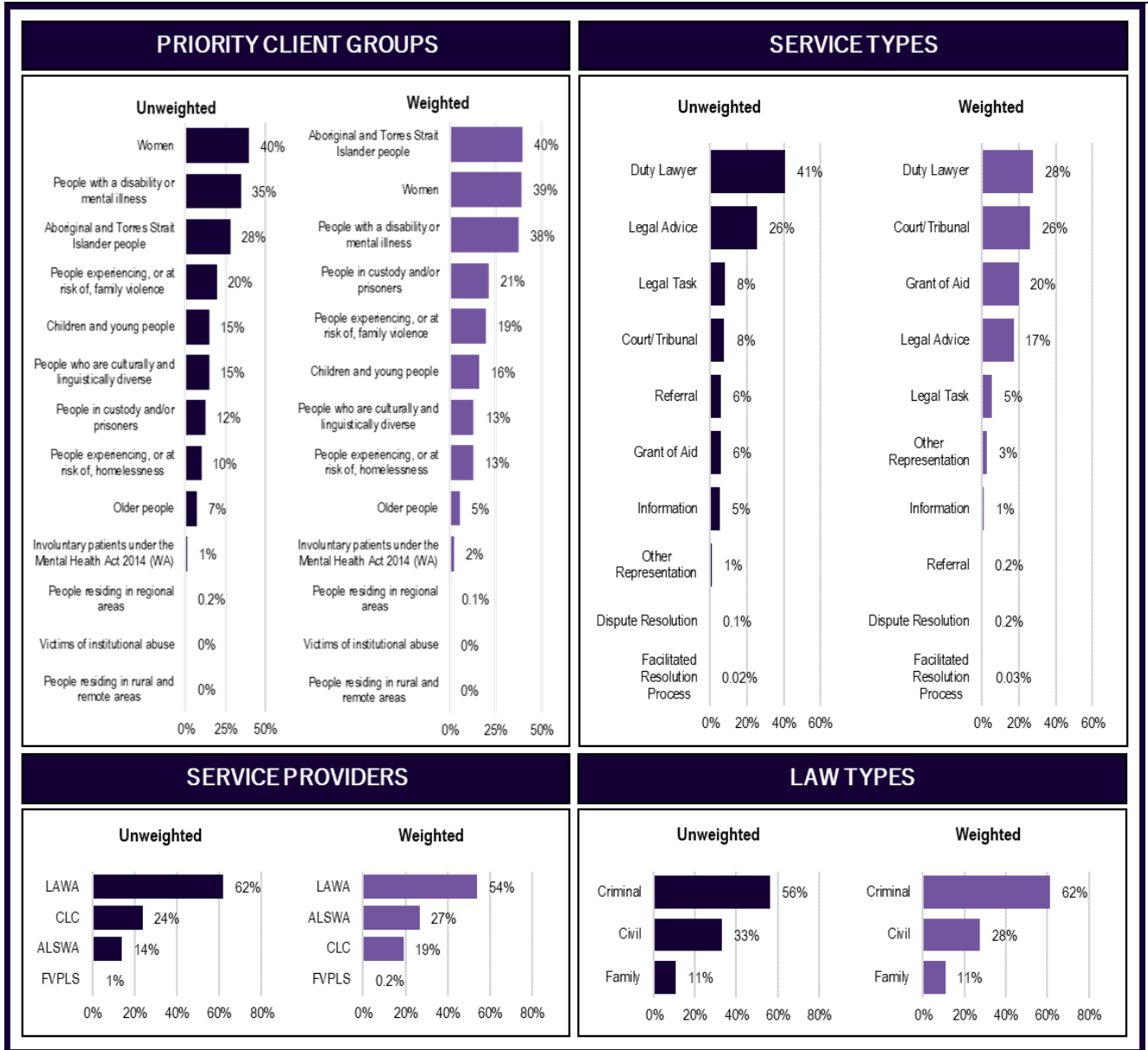
For service users residing in the Perth – South West region, *women* (45 per cent) are the most common characteristic. This is followed by *people with a disability or mental illness* (36 per cent) and *people experiencing, or at risk of, family violence* (28 per cent)

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.

5.12 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.

Figure 5.11 Service Summary – Perth Inner



Source: Service Data Tool, 2022

5.12.1 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).

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### 5.12.2 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.

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### 5.12.3 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 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 second 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.

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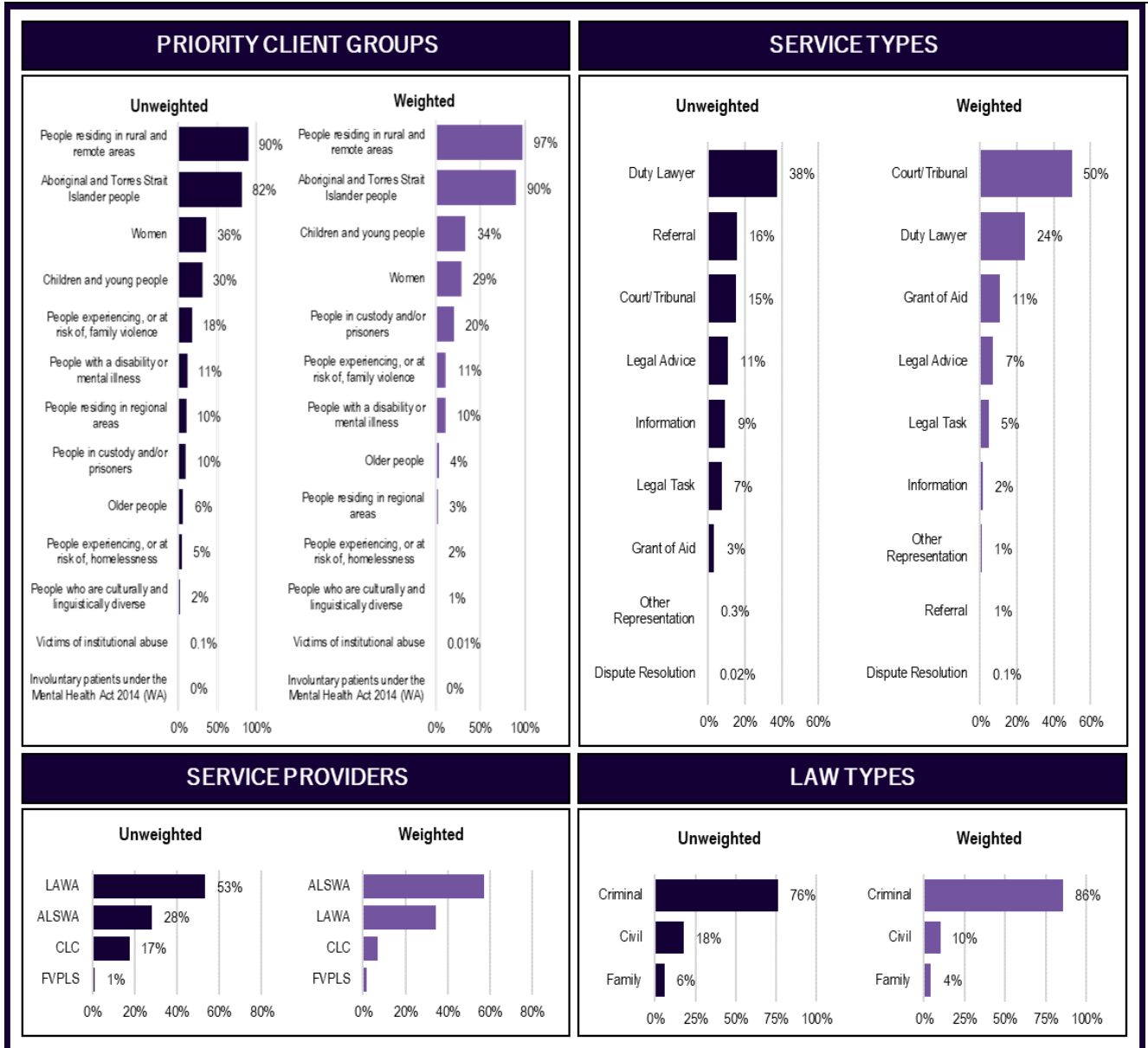
### 5.12.4 Priority Client Groups

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.

5.13 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.

Figure 5.12 Service Summary – Pilbara



Source: Service Data Tool, 2022

5.13.1 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).

### **5.13.2 Service types**

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*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.

### **5.13.3 Provider types**

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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 Marninwarrtikura 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.

### **5.13.4 Priority Client Groups**

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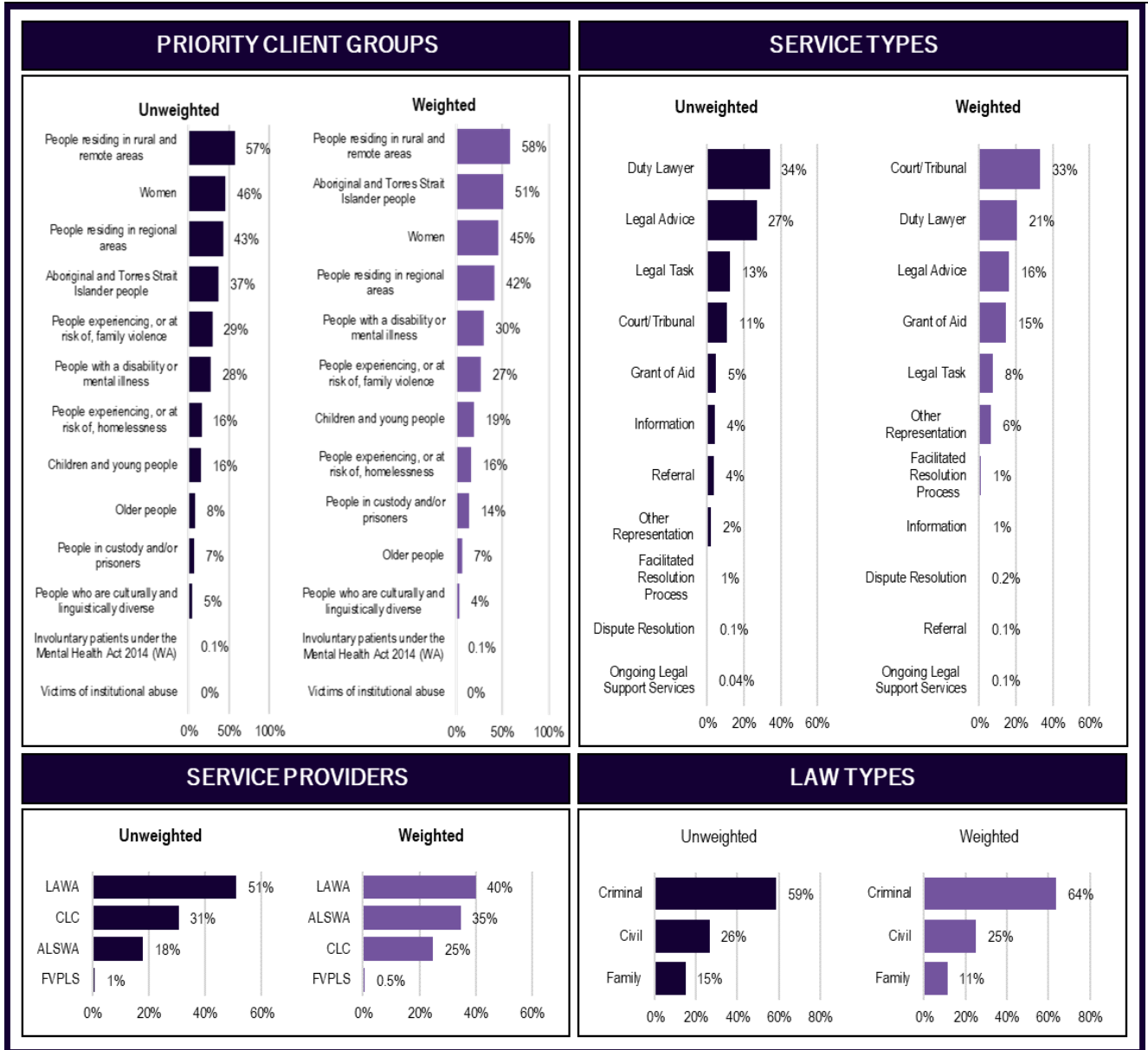
For service users residing in the Pilbara region, *people residing in rural and remote areas* (90 per cent) are the most common characteristic. This is followed by *Aboriginal and Torres Strait Islander people* (82 per cent) and women (36 per cent).

On a weighted service basis, groups with a higher service proportion include *people in custody and/or prisoners* (2.0 times larger than its unweighted counterpart), reflecting the relatively more complex legal problems encountered by this cohorts.

5.14 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.

Figure 5.13 Service Summary – Wheatbelt



Source: Service Data Tool, 2022

5.14.1 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).

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#### **5.14.2 Service types**

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*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 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.

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#### **5.14.3 Provider types**

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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.

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#### **5.14.4 Priority Client Groups**

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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 this cohorts.

## 5.15 Other Regions

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### 5.15.1 Christmas Island and Cocos (Keeling) Islands.

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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.

#### 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).

#### 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.

### 5.15.2 Outside WA

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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.

#### 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).

#### 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.

Appendices

IV

# Priority Client Groups

# A

This chapter 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 A.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 A.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.
People experiencing, or at risk of, homelessness	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.  This categorisation has been applied to general population estimates from the ABS, and generally reflects the definition used by legal assistance service providers.

Priority Client Group	Description
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> <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>

Priority Client Group	Description
People with a disability or mental illness	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.
People with low education levels	This report defines this Priority Client Group as people whose highest educational attainment is Year 12 and below. 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.
Single parents	This report defines this Priority Client Group as people who are raising their children without a partner/spouse. 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.
Victims of institutional abuse	This report defines this Priority Client Group as sexual abuse victims in WA and are eligible to participate in the National Redress Scheme. 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.
Women	This report defines this Priority Client Group as people who are female. This categorisation has been applied to general population estimates from the ABS, and is currently used by service providers.

# Priority Areas of Law

# B

*This chapter 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.



# Legal Need – Key Concepts

## C

### C.1 Service Weights

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.

### C.2 Service-to-need ratio

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 C.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 C.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)

Source:

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.

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.

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