

AGENCY INFORMATION GUIDE

AGENCY INFORMATION GUIDE

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FOREWORD

This is the Information Guide of the Legal Aid Commission of New South Wales (Legal Aid NSW). It is published in accordance with the requirements of Section 20 of the *Government Information (Public Access) Act 2009* (NSW) ("GIPA Act"). The information contained in this document is correct as at September 2023 and will be updated every twelve months.

You may obtain a free copy of this document, or more information, from:

The Right to Information Officer
Legal Aid New South Wales
323 Castlereagh Street
SYDNEY NSW 2000

PO Box K847
HAYMARKET NSW 1238

Internet: www.legalaid.nsw.gov.au
Email: inhousecounselunit@legalaid.nsw.gov.au

Monique Hitter
Chief Executive Officer

PART ONE - INFORMATION ABOUT LEGAL AID NSW

STRUCTURE & FUNCTIONS

What is Legal Aid NSW?

Legal Aid NSW is a corporation established by the *Legal Aid Commission Act 1979* (the Act). Legal Aid NSW provides legal representation and assistance in State and Commonwealth matters.

The main function of Legal Aid NSW is to provide legal aid and other legal services to the New South Wales community. Legal Aid NSW provides free legal information and advice on a broad range of legal issues, and provides legal representation to people who satisfy eligibility tests.

Legal Aid NSW has a Central Sydney office located at 323 Castlereagh Street, Sydney and 25 regional offices, in the Sydney metropolitan area and country areas.

Who is in charge of Legal Aid NSW?

The principal officer of Legal Aid NSW is the Chief Executive Officer who is responsible for the management and administration of the organisation and its staff.

Decisions regarding the broad policies of Legal Aid NSW are made by the Board. There are nine Board members, consisting of the Chief Executive Officer Monique Hitter and nine part-time members, namely:

Craig Smith (Chair)
Monique Hitter (CEO)
Dr. Peggy Dwyer
Ainslie van Onselen
Michael Coleman
Emeritus Professor Richard Leigh Henry
Sue Gilchrist
Professor Anna Cody
Alison McRobert
Brett McGrath
Jacqueline Dawson

Legal Aid NSW is part of the NSW Department of Communities and Justice and the Minister responsible for Legal Aid NSW is the Attorney General, The Honourable Michael Daley MP.

The senior management team consists of:

- Monique Hitter Chief Executive Officer
- Trent Wilson, Executive Director, Digital Transformation
- Michael Brodie, Director, Finance
- Cherie Pittman, Director, Legal Service and In-house Counsel
- Alexandra Colquhoun, Director, Family Law
- Robert Hoyles, Director, Criminal Law
- Meredith Osborne, Director, Civil Law
- Jocelyn Flanagan, Director, Grants
- Wayne Gale, Director, Information and Communications Technology
- Jane Cipants, Director, Client Services
- Michelle Jones, Director, Human Resources
- Kimberley Wilson, Director, Aboriginal Services
- Koshala Nishaharan, Director, Enterprise Project Management
- Melissa Burgess, Deputy Director, Criminal Law
- Katie Kelso, Deputy Director, Family Law
- Jackie Finlay, Deputy Director, Civil Law

Legal Aid NSW offices are situated at the following locations:

All Offices are open from 9am - 5pm Monday to Friday, except for the Central Sydney office which is open from 8.30 am to 5.30 pm Monday to Friday.

METROPOLITAN

Bankstown: Level 7, Civic Tower 66-72 Rickard Road, BANKSTOWN NSW 2200
Ph: (02) 9707 4555 Fax: (02) 9708 6505
Email: bankstownoffice@legalaid.nsw.gov.au

Blacktown: Suite 36-37 Kildare Road, BLACKTOWN NSW 2148
Ph: (02) 9621 4800 Fax: (02) 9831 5597
Email: blacktown@legalaid.nsw.gov.au

Burwood: Level 4, 74-76 Burwood Road, BURWOOD NSW 2134
Ph: (02) 9747 6155 Fax: (02) 9744 6936 TTY: (02) 9747 0214
Email: burwoodoffice@legalaid.nsw.gov.au

Campbelltown: Suite 1, Level 4, City Centre, 171-179 Queen Street, CAMPBELLTOWN 2560
Ph: (02) 4628 2922 Fax: (02) 4628 1192
Email: campbelltownoffice@legalaid.nsw.gov.au

Central Sydney Office: 323 Castlereagh Street SYDNEY NSW 2000
Ph: (02) 9219 5000 Fax: (02)9219 5935 TTY: (02) 9219 5126
Email: clientcommunication@legalaid.nsw.gov.au

Fairfield: Suite1, Level 2, 25 Smart Street, FAIRFIELD NSW 2165
Ph: (02) 9727 3777 Fax: (02) 9724 7605
Email: fairfield@legalaid.nsw.gov.au

Liverpool: Level 4, Interdell Centre, 47 Scott Street, LIVERPOOL NSW 2170
Ph: (02) 9601 1200 Fax: (02) 9601 2249
Email: liverpooloffice@legalaid.nsw.gov.au

Parramatta - Civil & Family Law: Level 4, 128 Marsden Street, PARRAMATTA NSW 2150
Ph: (02) 9891 1600 Fax: (02) 9689 1082
Email: parra.family@legalaid.nsw.gov.au

Parramatta – Criminal Law: Parramatta Justice Precinct, Level 1, 160 Marsden Street PARRAMATTA NSW 2150
Ph: (02) 9066 6000 Fax: (02) 9066 6002
Email: pjp@legalaid.nsw.gov.au

Penrith: Level 4, 2-6 Station Street, PENRITH NSW 2750
Ph: (02) 4732 3077 Fax: (02) 47210572
Email: penrith@legalaid.nsw.gov.au

Sutherland: Ground Floor, Endeavour House, 3-5 Stapleton Avenue, SUTHERLAND NSW 2232
Ph: (02) 9521 3733 Fax: (02) 9521 8933
Email: sutherland@legalaid.nsw.gov.au

REGIONAL

Albury: Suite 1A, Level 1, 520 Swift Street, ALBURY NSW 2650
Ph: (02) 6020 7200 Fax: (02) 6041 1570
Email: albury@legalaid.nsw.gov.au

Bourke Legal Aid Satellite Office: 41B Mitchell Street, BOURKE NSW 2840

Ph: (02) 6808 2155
Email: bourkeoffice@legalaid.nsw.gov.au

Broken Hill: 2/32 Sulphide Street, BROKEN HILL NSW 2880
Ph: (02) 6885 4233
Crime Email: brokenhillcrime@legalaid.nsw.gov.au
Civil Email: brokenhillcivil@legalaid.nsw.gov.au
Family Email: familybrokenhill@legalaid.nsw.gov.au

Coffs Harbour: 41 Little Street, COFFS HARBOUR NSW 2450
Ph: (02) 6651 7899
Email: coffsharbour@legalaid.nsw.gov.au

Dubbo: 64 Talbragar Street, DUBBO NSW 2830
Ph: (02) 6885 4233 Fax: (02) 6885 4240
Email: dubbooffice@legalaid.nsw.gov.au

Gosford: 90-100 Donnison Street, GOSFORD NSW 2250
Ph: (02) 4324 5611 Fax: (02) 4324 3503
Email: gosfordoffice@legalaid.nsw.gov.au

Lismore: Suite 6, Level 4, Westlawn Building, 29 Molesworth Street, LISMORE NSW 2480
Ph: (02) 6621 2082 Fax: (02) 6621 9874
Email: lismore@legalaid.nsw.gov.au

Newcastle: Level 2, 51-55 Bolton Street, NEWCASTLE NSW 2300
Ph: (02) 4929 5482 Fax: (02) 4929 3347
Email: newcastle@legalaid.nsw.gov.au

Newcastle – Crime: Level 3, 400 Hunter Street, NEWCASTLE NSW 2300
Ph: (02) 4929 5482 Fax: (02) 4929 3347
Email: newcastlecrime@legalaid.nsw.gov.au

Nowra: Level 2, 59 Berry Street, NOWRA NSW 2541
Ph: (02) 4422 4351 Fax: (02) 4422 4340
Email: nowra@legalaid.nsw.gov.au

Orange: Suite 4, 95 Byng Street, ORANGE NSW 2800
Ph: (02) 6362 8022 Fax: (02) 6361 3983
Email: orangeoffice@legalaid.nsw.gov.au

Port Macquarie: 107 William Street, PORT MACQUARIE NSW 2444
Ph: (02) 5525 1600 Fax: (02) 6584 9646
Email: portmacquarieadmin@legalaid.nsw.gov.au

Tamworth: Suite 3, Level 1, 155 Marius Street TAMWORTH NSW 2340
Ph: (02) 6766 6322 Fax: (02) 6766 8303
Email: tamadmin@legalaid.nsw.gov.au

Wagga Wagga: Ground floor, 74-76 Fitzmaurice Street, WAGGA WAGGA NSW 2650
Ph: (02) 6921 6588 Fax: (02) 6921 7106
Email: wagga@legalaid.nsw.gov.au

Walgett Legal Aid Satellite Office: 44 Fox Street, WALGETT NSW 2832
Ph: (02) 6857 8122
Email: walgettoffice@legalaid.nsw.gov.au

Wollongong: 73 Church Street, WOLLONGONG NSW 2500
Ph: (02) 4228 8299 Fax: (02) 4229 4027

Email: wollongongoffice@legalaid.nsw.gov.au

SPECIALIST SERVICES

Legal Aid NSW has a number of specialist services. The locations of the major specialist services are set out below:

Care and protection - Parramatta: Level 4, 128 Marsden Street, PARRAMATTA NSW 2150
Ph: (02) 9891 1600 Fax: (02) 9689 1082

Care and Protection - Central Sydney Office: 323 Castlereagh Street SYDNEY NSW 2000 Ph: (02) 9219 5000 Fax: (02) 9219 5935

Child Support Service: Level 4, 128 Marsden Street, PARRAMATTA NSW 2150
Ph:(02) 9633 9916 or 1800 451 784

Children's Legal Service & Hotline Service: Sydney: 9219 5120 (Surry Hills Children's Court), Parramatta: 8688 3800 (Parramatta Children's Court), Campbelltown: 4628 2922 (Campbelltown Children's Court), Wollongong: 4228 8299 (Sutherland, Port Kembla and Nowra Children's Courts), Newcastle: 4929 5482 (Broadmeadow, Raymond Terrace, Wyong, Singleton and Woy Woy Children's Courts); Email: clspjp@legalaid.nsw.gov.au

Civil Law Service for Aboriginal Communities: Freecall 1800 793 017 or (02) 9219 5057

Consumer Law Team: Ph: (02) 9219 5790; Email: consumer@legalaid.nsw.gov.au

Coronial Inquest Unit: Level 20, 323 Castlereagh Street, SYDNEY NSW 2000
Ph: (02) 9219 5156

Disaster Response Legal Service: Ph: (02) 1800 801 529

Domestic Violence Unit - Central Sydney Office: 323 Castlereagh Street SYDNEY NSW 2000
Ph: (02) 9219 6300

Driver Disqualification Reforms: To find your closest office call 1300 888 529

Drug Court: Sydney or Parramatta: Ph (02) 9685 8020; Toronto or Hunter: Ph (02) 4935 8392

Elder Abuse Service: Ph: 1300 888 529 (operated by LawAccess) or email: elderservice@legalaid.nsw.gov.au.

Employment Law Team: All Legal Aid Offices that provide Civil Law. Ph: (02) 9219 5790; Email: employmentlaw@legalaid.nsw.gov.au

Family Dispute Resolution Service: Ph: (02) 9219 5118 or (02) 9219 5119 or email: FDR.UnitInbox@legalaid.nsw.gov.au.

Family Law Early Intervention Unit: Parramatta Justice Precinct, Legal Aid NSW Office, Level 1, 160 Marsden Street Ph: 1800 551 589

Homeless Legal Outreach Program: Coordinator, Specialist Homeless Outreach Clinics Ph: (02) 9219 5809

Human Rights Group: Advice locations: ALS Redfern (Every Friday 9:30am – 1:00pm); ADB Parramatta (Third Wednesday of every month 1:00pm – 4:00pm) Contact Human Rights Committee coordinator on 02 9219 5790 Email: human.rights@legalaid.nsw.gov.au

Immigration Team:

Ph: (02) 9219 5790

Outreach appointments at: Auburn Diversity Services (02) 8737 5500; Blacktown SydWest Multicultural Services (02) 9621 6633; Liverpool Western Sydney Migrant Resources Centre (02) 8778 1200; CORE

Fairfield (02) 9727 0477

Mental Health Advocacy Service: Level 4, 74 - 76 Burwood Road, BURWOOD 2134
Ph: (02) 1300 888 529 (operated by LawAccess)

Mortgage Hardship Service: To make an appointment please contact your closest Legal Aid NSW office or Call the Financial Rights Legal Centre Credit and Debt Hotline on 1800 007 007 for help over the phone and to make an appointment.

National Disability Insurance Scheme Service: Call LawAccess NSW on 1300 888 529 to find your closest Legal Aid office.

NCAT housing appeals service: Ph: (02) 9219 5800

Older Persons Legal & Education Program: Older Persons Legal Unit, Head Office Ph: (02) 9219 5924

Prisoners Legal Service (Civil): Prisoners can contact the Prisoners Legal Service on the gaol CADL phone system as a free call - just press 11# (Legal Aid) and ask for PLS. Prisoners Legal Service, PO Box 695, Parramatta NSW 2124. Friends and family of prisoners can contact the Prisoners Legal Service on 02 9219 5000 between 9am and 5pm.

Refugee Service: Ph: (02) 8713 6725 Email: refugeeservice@legalaid.nsw.gov.au.

Sexual Assault Communications Privilege Service: Email: sacps@legalaid.nsw.gov.au Ph: (02) 9219 5888

Social Security Team: Ph: (02) 9219 5790, Email: socialsecurityreferrals@legalaid.nsw.gov.au. Clients who have appealed to the Administrative Appeals Tribunal can make an appointment to see a Legal Aid lawyer at the AAT on Tuesdays and Wednesdays. Contact 1800 228 333 for appointment.

Veterans Advocacy Service: Level 3, 323 Castlereagh Street, SYDNEY 2000
Ph: (02) 9219 5790 Email: veterans@legalaid.nsw.gov.au

Women's Domestic Violence Court Advocacy Program: 1800 WDV CAS or 1800 938 227

Work and Development Order Scheme: Email WDO@legalaid.nsw.gov.au

Your Story Disability Legal Support: Freecall: 1800 77 1800

Youth Hotline: Ph: 1800 10 18 10. The Hotline provides legal advice and information to young people under 18, and operates 9am to midnight weekdays, with a 24-hour service from Friday 9am to Sunday midnight and also on public holidays. Email: clspjp@legalaid.nsw.gov.au

What are the functions of Legal Aid NSW?

The Act sets out the functions, duties, powers and obligations of Legal Aid NSW. Section 10 contains a detailed description of the functions of Legal Aid NSW and states that the principal function is to provide legal aid and other legal services.

Legal Aid NSW as a public agency is also required to formulate strategic plans, which may include a corporate plan and business plans.

Section 10 provides that Legal Aid NSW, in the exercise of its principal function, may decide who will be eligible for legal aid, decide the types of matters for which legal aid will be available, decide the means test to be applied and specify the circumstances in which an applicant for legal aid should be required to pay a contribution to the costs of the legal service provided.

How does Legal Aid NSW perform these functions?

Legal Aid NSW performs its functions by providing the following services:

- legal information and advice services;
- legal representation by salaried staff and private practitioners;
- provision of alternative dispute resolution services;
- funds and assistance to community organisations which provide legal services; and
- community legal education and social work support services.

As the primary function of Legal Aid NSW is to provide legal aid and other legal services in accordance with the Act, one of the most important aspects of its decision-making functions is the determination of applications for legal aid and making grants of legal aid.

Grants of Legal Aid

Most grants of legal aid are subject to a means test, merit test and policies on the availability of aid. Legal Aid NSW has determined, as a matter of policy, the types of matters for which legal aid is available. These fall under the three main headings of criminal law, civil law and family law. Legal Aid NSW policies are available via the Policy Online tab on the Legal Aid NSW website, www.legalaid.nsw.gov.au.

Appeals against decisions relating to legal aid applications and grants of legal aid are considered by Legal Aid Review Committee Secretariat. There are six Legal Aid Review Committees, three of which deal specifically with family law matters and three which deal with criminal and civil matters.

Funding for legal assistance in Commonwealth law matters is provided through a National Partnership Agreement between the Australian Government and New South Wales Government. Legal representation can only be provided for matters that fall within the Commonwealth legal aid priorities, set out in the Agreement.

What are the duties of Legal Aid NSW?

Section 12 of the Act sets out the duties of Legal Aid NSW in the provision of legal aid.

All the duties required of Legal Aid NSW are equally important but the following duties may be of particular interest to members of the public. Section 12 states that it is the obligation of Legal Aid NSW to:

- ensure that legal aid is provided in the most effective, efficient and economical manner;
- have regard to the need for legal aid to be readily available and easily accessible to disadvantaged persons in NSW;
- keep under review community needs for legal aid;
- use, where appropriate, the services of private legal practitioners; and
- ensure, so far as is reasonably practicable, that a legally assisted person who has been granted legal aid obtains the services of a lawyer (either an in-house employed solicitor, an assigned private legal practitioner or a Public Defender) .

What are the objectives of Legal Aid NSW?

Copies of the 2018 - 2023 Strategic Plan may be accessed through the Legal Aid website at <https://www.legalaid.nsw.gov.au/about-us/who-we-are/legal-aid-nsw-2018-2023-detailed-plan>. The plan identifies the following strategic outcomes:

- High quality, targeted services that meet our clients' needs
- Partnerships that deliver the best possible outcomes for our clients
- Our work improves the legal and justice systems
- A highly capable workforce that is flexible, developed and equipped
- Business processes that are responsive to our business needs

How does Legal Aid NSW measure its performance?

Legal Aid NSW sets objectives and key performance indicators against its corporate objectives. It reports specifically and publicly against its corporate objectives in its Annual Report. The 2021-2022 Annual Report can be accessed at: [Annual reports \(nsw.gov.au\)](https://www.legalaid.nsw.gov.au/annual-reports) .

Effect of Functions of Legal Aid NSW on Members of the Public

By providing public legal information, education and individual advice services, Legal Aid NSW seeks to address problems at a stage when they may be resolved quickly and with a minimum of stress and financial cost. Legal Aid NSW encourages and provides alternative dispute resolution processes. Where court action is taken, Legal Aid NSW may provide legal representation to persons who satisfy the eligibility tests for the particular type of matter.

Legal Aid NSW works with the private legal profession to ensure legal services are available across the State. Legal Aid NSW recommends and comments on possible changes to the law and legal procedures, based on the observations of staff and feedback from clients.

Legal Aid NSW liaises with federal bodies and other providers of legal services to ensure the availability of legal aid in New South Wales is at least comparable with that in other states and territories.

Public Participation in Legal Aid NSW Board Meetings

The Board is appointed by the Attorney General of New South Wales and includes nominees of the Bar Association, the Law Society and Unions NSW, as well as members specifically chosen to represent consumer and community welfare interests and Community Legal Centres.

There are nine part-time members, including the Chair, and one full-time member, who is the Chief Executive Officer. The Chair is appointed for a maximum of five years, and the other part-time members are appointed for a maximum of three years. The Board meets six times a year.

Consultative and Advisory Committees

Section 68 of the Act enables Legal Aid NSW to establish standing or special consultative committees for the purpose of advising it on the exercise of its functions under the Act.

In addition, a number of advisory committees consisting of staff, partners and community representatives have been established to advise on specific activities of Legal Aid NSW. The current committees are:

Consultative Committees

1. Community Legal Centres Sub-Committee: The Committee advises on and oversees the funding programs for external agencies, including the Community Legal Centres Funding Program. The Committee includes two Board and representatives of the Community Legal Centres.
2. Audit and Risk Committee: The Audit and Risk Committee assists the members of the Board in discharging their responsibilities relating to financial reporting practices, business ethics, policies and practices, accounting policies and management and internal controls.
3. Civil Law and Grants Committees: The Civil Law Committee advises on issues relating to civil law matters and the Grants Committee makes recommendations in relation to the work of the Grants Division.
4. Peak Consultive Committee: The Peak Consultive Committee meets every two months to discuss issues affecting Legal Aid NSW in accordance with the Premier's Consultive Arrangements including organisational reviews, state wages, Aboriginal Employment Strategy, and reports from sub committees including the IT Consultive Committee, Human Resources Sub Committee, & OH&S Committee and Access & Equity Committee.

Advisory Committees

1. Aboriginal Justice Committee: Advises the CEO on Aboriginal justice initiatives, service delivery, employment strategies and partnerships with external agencies.
2. Co-operative Legal Service Delivery Program Steering Committee: Provides guidance on the CLSD program.
3. Green Committee: Advises and makes recommendations to Legal Aid NSW on applications for legal aid in public interest environmental matters in accordance with the Legal Aid NSW guidelines.
4. Human Rights Committee: Advises and makes recommendations to Legal Aid NSW on applications for legal aid in public interest human rights matters.
5. Domestic and Family Violence Committee: Advises the CEO on the implementation, administration and Guidelines for the WDV CAP including funding priorities.
6. Diversity, Equity, and Inclusion Committee: It is the responsibility of the Diversity, Equity, and Inclusion Committee to advocate for and promote awareness of the value of diversity, equity, and inclusion; recognise and raise diversity, equity and inclusion issues; support the delivery of inclusion and diversity initiatives and events, and provide expert advice through lived and/or professional experience on building delivery models.
7. Health and Safety Committee: The main functions of the health and safety committee are to facilitate co-operation in developing and carrying out measures to improve the safety of workers, and help develop health and safety standards, rules, and procedures

Legal Aid Review Committee Secretariat

There are six Legal Aid Review Committees that determine appeals in respect of legal aid applications and grants of legal aid. These meetings are not open to members of the public due to provisions in the Act that protect the confidentiality of applicants for legal aid.

Each Committee has three members who serve in a voluntary capacity, one nominated by the Minister, one by the Bar Association and Law Society jointly, and one being a person who is not a legal practitioner.

The Legal Aid Review Committee Secretariat can be contacted by telephone at 9219 5880 (select option 5) or by email at larc@legalaid.nsw.gov.au or by post at:

Legal Aid Review Committee Secretariat
PO Box K847
HAYMARKET NSW 1238

In addition to the forms of public participation referred to above, Legal Aid NSW is often required to respond to issues concerning legal aid raised by members of the public with the Attorney General or directly with Legal Aid NSW.

PART TWO - INFORMATION HELD BY LEGAL AID NSW

What types of information are held by Legal Aid NSW?

As a large legal practice, Legal Aid NSW holds a large number of legal files and documents. As a public sector agency, Legal Aid NSW also holds a large number of administrative and management documents, including policy documents. Information held by Legal Aid NSW can be divided into four main categories, namely: legal, management, policy and reference materials.

LEGAL INFORMATION

This category includes:

- client files that relate to applications and grants of legal aid and legal representation provided by employed solicitors;
- records of the referral of a matter to a private practitioner, where this has occurred;
- advices, opinions, research materials, legal precedents and other documents relating to individual clients or for the general information of legal practitioners;
- files of Legal Aid NSW relating to debt recovery, offences against the Act, legal action involving Legal Aid NSW and advices sought in that regard; and
- accounts and procedural and organisational memoranda if case-related.

Can anyone have access to this information?

As a legal practice, Legal Aid NSW is obliged to protect the confidentiality of its clients. Applicants for legal aid and legally assisted persons can generally have access to documents on their own files.

Sub-sections 25(1) and (2) of the Act provide that the protection of legal professional privilege applies to applicants for legal aid or persons to whom legal aid is granted. Legal professional privilege also applies to legal advice sought by Legal Aid NSW. A conclusive presumption of an overriding public interest against disclosure exists in relation to documents subject to legal professional privilege pursuant to section 14(1) and Schedule 1 clause 5 of the GIPA Act.

Section 26 of the Act prohibits a person engaged in the administration of the Act from divulging any information or document obtained in connection with the administration of legal aid (including an application for legal aid) except in the circumstances set out in section 25(4) of the Act. These exceptions include:

- the conduct of any matter necessary for the proper administration of the Act;
- proceedings for an offence under the Act;
- disciplinary proceedings under the *Legal Profession Uniform Law*;
- an investigation or inquiry by the Ombudsman;

- with the consent of the person providing the information;
- limited information to a court or tribunal as to the processing of a legal aid application.

Section 26 is often referred to as the Act's "secrecy provision" and is designed to protect from disclosure confidential information obtained in relation to the provision of legal aid.

Section 11 of the GIPA Act provides that the GIPA Act overrides such secrecy provisions but the secrecy provision is to be taken into account as one of the considerations against disclosure in determining whether there is an overriding public interest against disclosure under s 14 of the GIPA Act.

Further, in accordance with s 18 of the *Privacy and Personal Information Protection Act 1998*, Legal Aid NSW is generally limited in disclosing personal information to any person other than the individual to whom the information relates, unless we have their authority to do so. This is also a consideration against disclosure in determining whether there is an overriding public interest against disclosure under s 14 of the GIPA Act. Further information explaining how Legal Aid NSW complies with the privacy legislation is provided in the Legal Aid NSW Privacy Management Plan and Privacy Policy, which are available on the Legal Aid NSW website.

Legal Aid NSW has formulated Guidelines for Staff in dealing with requests for information. More information about access to legal documents may be obtained from the Right to Information Officer at (02) 9134 9383.

MANAGEMENT INFORMATION

Legal Aid NSW as a public agency is accountable to the Government for its management. Information relating to recruitment and training procedures, policy and processing, accounting procedures and general administrative procedures all fall under this category. Any queries about management information may be made to the Right to Information Officer at inhousecounselunit@legalaid.nsw.gov.au.

POLICY INFORMATION

Legal Aid NSW policies on eligibility for legal aid are published in Policy Online which can be accessed via the Legal Aid NSW website at www.legalaid.nsw.gov.au. These policies include the Means test, the Merit test and the types of matters for which legal aid is available. It includes the policies relating to the administration of grants of aid, such as the Contributions Policy. The eligibility policies for Early Resolution Assistance are also available in Policy Online.

Other sources of information in this category include ministerial and executive correspondence, submissions, reports and general correspondence relating to legislative reforms, correspondence between interstate and Commonwealth legal aid bodies, statistical information, reports on Legal Aid NSW, and procedural and organisational memoranda.

Further information about legal aid policies may be obtained by contacting:

Manager, In house Counsel Unit
Legal Aid NSW
Email: inhousecounselunit@legalaid.nsw.gov.au
Telephone (02) 9134 9383
PO Box K847 HAYMARKET NSW 1238.

REQUESTS FOR INFORMATION UNDER THE GIPA ACT

Access to documents

Legal Aid NSW is committed to openness and transparency in line with the spirit of the GIPA Act.

There are four ways in which information may be accessed under the GIPA Act:

1. Open access
2. Proactive release
3. Informal release; and
4. Formal access applications (formal access applications are considered as the last resort after all

the other avenues have been attempted).

Mandatory open access information about Legal Aid NSW is available on the Legal Aid NSW website.

Applicants for legal aid or persons to whom legal aid is granted may also contact the solicitor or business area within Legal Aid NSW handling their matter to make initial enquiries for access to information. Such information may be made available by informal release directly to the applicant.

If it appears that the information requested may not be available informally, applicants are encouraged to make a formal application for access to such information under the GIPA Act. Applicants may contact the Right to Information Officer at inhousecounselunit@legalaid.nsw.gov.au for assistance.

Applicants for legal aid or persons to whom legal aid is granted can also request access to their personal information held by Legal Aid NSW under s 14 of the *Privacy and Personal Information Protection Act 1998* by contacting the Privacy Officer at inhousecounselunit@legalaid.nsw.gov.au.

Amendment of Records

Applicants for legal aid and persons to whom aid is granted are required to notify Legal Aid NSW of any relevant change in their circumstances, particularly their financial circumstances. They should inform the solicitor who has the conduct of the matter, whether an in-house solicitor or assigned private practitioner, of any changes in personal details.

As most of the information concerning applications for legal aid is usually provided by the applicant or his or her solicitor, there is generally no need to separately apply for amendment of Legal Aid NSW records concerning a person's personal details. These details are entered on the Legal Aid NSW computer system and can be readily amended, if required.

In the event that applicants for legal aid and persons to whom aid is granted seek to have information removed from their Legal Aid NSW file, they can contact Legal Aid NSW in writing explaining what they want removed and why. Legal Aid NSW will remove any document that has been incorrectly placed on the file. Otherwise, the written request will be placed on the file indicating the objection to the document being held.

Lodging a Formal Access Application under the GIPA Act

Legal Aid NSW has created a formal access application form and applicants are encouraged to use this form. A copy of the form can be downloaded and printed from the Legal Aid NSW website. Applicants can also make an application by letter.

Requests under the GIPA Act must be in writing and must be accompanied by an application fee of \$30. Details of the process for making a formal application are on the Legal Aid NSW website and processing charges may apply.

All enquiries concerning Right to Information should be referred to:

The Legal Aid NSW Right to Information Officer PO Box K847 HAYMARKET NSW 1238
Email: inhousecounselunit@legalaid.nsw.gov.au.

PUBLICATIONS

Legal Aid NSW produces legal publications and resources for the public to help build knowledge in the community about legal rights and responsibilities, to identify issues as legal problems and to prevent legal problems themselves. We also produce information to help people once they are in the legal system and link them with legal assistance services.

The Communications Unit is responsible for a wide range of internal and external print and online resources. This includes:

- legal resources for the public such as brochures, toolkits, fact sheets, postcards, posters, flyers, and booklets
- translated versions of the above resources
- tip sheets for practitioners

To view online and order print copies visit the Legal Aid NSW website <https://www.legalaid.nsw.gov.au/ways-to-get-help/publications-and-resources> or contact publications@legalaid.nsw.gov.au

We also develop corporate publications that are relevant, engaging, focused and impactful to reach our target audiences. The primary corporate publications include:

- Legal Aid NSW Annual Reports
- Legal Aid newsletters
- Verbals staff magazine

Annual reports and other reports are on our website here: <https://www.legalaid.nsw.gov.au/about-us/annual-reports>

Legal Aid News and other newsletters are here: <https://www.legalaid.nsw.gov.au/about-us/news>

Contact Information:

Communications Unit, Level 8, 323 Castlereagh St Haymarket NSW 2000
communications@legalaid.nsw.gov.au or for information on the website
digitalcommunications@legalaid.nsw.gov.au

More Information

For more information about Right to Information, you may contact the Information and Privacy Commission

- Go to <https://www.ipc.nsw.gov.au>
- Email ipcinfo@ipc.nsw.gov.au
- Mail GPO Box 7011, Sydney NSW 2001
- Visit Level 15, McKell Building, 2-24 Rawson Place, Haymarket NSW 2000
- Call 1800 472 679 between 9am to 5pm, Monday to Friday (excluding public holidays).