

Government Legal Services

Report to Attorney-General

1 July 2003 - 30 June 2004

INDEX

1	EXECUTIVE SUMMARY	1
1.1	Highlights 2003-2004	1
2	BACKGROUND	3
3	ADMINISTRATION.....	3
3.1	Coordination.....	4
3.2	Policy Development and Implementation.....	4
3.2.1	Pro Bono Guidelines	4
3.2.2	Model Litigant Guidelines	4
3.2.3	Equal Opportunity in Employment and Work Allocation Practices.....	4
3.2.4	Equality of Opportunity in the briefing of barristers	4
3.3	Operations	5
3.3.1	Adjustment of Fees for 2003-2004	5
3.3.2	Termination and withdrawal of firms from Specialist Panels	5
3.3.3	New clients of the Panel arrangements	5
3.3.4	Use of Non-Panel firms.....	5
3.3.5	Clayton Utz appointed	5
3.4	Infrastructure	5
3.4.1	Government Legal Services QuickPlace.....	5
3.5	Performance Management.....	6
3.5.1	Standards and Key Performance Indicators	6
3.5.2	Performance Assessment	6
4	LEGAL SERVICES 2003-2004	7
4.1	Expenditure by Clients on Legal Services under the Arrangements.....	7
4.2	Client Expenditure by Component.....	7
4.3	Expenditure by Clients	8
4.4	Number of Firms used by Departments.....	9
4.5	Revenue earned by Firms and the VGSO.....	11
5	SOCIAL JUSTICE OUTCOMES	12
5.1	Putting public goals in private contracts	12
5.2	Pro Bono services provided by firms.....	13

5.3	Attorney-General's Pro Bono Secondment Scheme	14
5.4	Equal Opportunity in employment and work allocation within the workplace	15
5.5	Overall themes in equal opportunity within Panel firms	15
5.6	Firms on the General Panel	15
5.7	Firms on the Specialist Panels	16
5.8	Equality of Opportunity - Briefing of Barristers	16
5.8.1	Introduction	16
5.8.2	Government expenditure on Barristers' Fees	18
5.8.3	Reported Briefing Practices	18
6	LOOKING FORWARD TO 2004/05	19

GRAPHS

Graph 1	Expenditure on All Legal Services Including disbursement on Panel (Including VGSO) by Component.....	8
Graph 2	Total Expenditure on all Legal Services including disbursements by Department.....	9
Graph 3	Total Expenditure on all Legal Services including disbursements by Statutory Authority	9
Graph 4	Allocation of Work by Matter to Legal Service Providers by Dept (Jul-03 - Jun-04).....	10
Graph 5	Allocation of Work by Expenditure to Legal Service Providers by Dept (Jul-03 - Jun-04)	11
Graph 6	Panel Firms & VGSO: Total Fee Revenue by Component 2002/03 & 2003/04	12
Graph 7	General & Specialist Panel Firms: Fee Revenue by Component 2002/03 & 2003/04.....	13
Graph 8	Total Expenditure on Barristers' Fees in Litigation & Advice Matters by Gender.....	19
Graph 9	Total Expenditure on Barristers' Fees by Jurisdiction & Gender.....	20

TABLES

Table 1	Number of Briefs and Percentage of Fees Going to Women Barristers	19
Table 2	Briefing by Seniority and Major Component Areas of Law	19

APPENDICES

Appendix A - Government Legal Services - areas of Law

Appendix B - Total Expenditure across Components and Sub-components

Appendix C - Individual Client Expenditure by Component

Purpose of the Report

The purpose is to report to the Attorney-General on the operation of the Legal Services to Government Panel Contract and associated arrangements for the financial year 2003-2004.

This report includes the following:

- Executive Summary
- Background
- Administration
- Legal services 2003-2004
- Social justice outcomes
- Looking forward in 2004-2005.

1 Executive Summary

As at 30 June 2004, the Panel arrangements have been operating for two years out of the initial three year contract.

Under the Panel arrangements, ten law firms constitute the General Panel and provide a range of legal services across at least six of the component areas of law and twenty two specialist law firms provide services in one or more subcomponent areas in the Specialist Panels. The fee rates were set in 2002 and are adjusted for inflation by the Consumer Price Index. The Victorian Government Solicitor's Office (VGSO) may compete with the private law firms across all component areas and it is entitled to provide on an exclusive basis certain government legal services centred on constitutional matters and matters of whole of government importance.¹

The Panel Contracts include a performance management system, with clear service delivery standards, key performance indicators and an agreed performance measurement system. The performance of the firms is assessed annually with the Government having the power to terminate a firm's membership of a panel for unsatisfactory performance. By agreement, the VGSO is subject to the same performance management regime as the firms when delivering legal services to government.

Each firm and the VGSO have committed to furthering equal opportunity in their employment, work allocation and in briefing practices and the observance of model litigant principles when acting on behalf of government clients. Additionally, each Panel firm has agreed to provide pro bono services equivalent in value to a nominated percentage (5% - 15%) of the fees they derive under the Panel arrangements.

The Panel arrangements are managed by the Government Legal Services Unit in the Department of Justice assisted by a Legal Services Contract Manager in each Department, who collectively form the Government Lawyers Forum.

1.1 Highlights 2003-2004

The second year of operation consolidated the benefits to both departments, participating statutory authorities (together the 'Clients') and to government more generally.

¹ References to expenditure on 'components' throughout this Report will mean all work across the 9 areas of law which the 32 panel firms and the VGSO could compete for. References to 'exclusive' VGSO work means all work reserved for the VGSO pursuant to Schedule 6 of the Panel Contract.

- **Surveys of the Performance of Panel firms and VGSO** The contract management and performance management systems have continued to provide for a significantly higher level of monitoring of services provided to government than under previous departmental arrangements. For legal services provided in 2003/04, one or more survey responses were received for the VGSO and 29 out of the 32 Panel firms that provided legal services to government. Fifty nine surveys were received in total, with only one survey indicating an overall level of dissatisfaction with the level of service received. Of the remaining 58 surveys, all indicated a level of satisfaction in the satisfactory to highly satisfactory range.
- **Competitive rates** The firms generally tendered at rates discounted from those normally charged for corporate clients. Feedback from Clients indicates they consider they have received value for money services from the firms and the VGSO.
- **Pro bono services** During the 18 months to 31 December 2003 the equivalent of \$2.6m in pro bono legal services was accrued by Panel firms and is being applied to improve access to justice for disadvantaged members of the community within the firms' pro bono programs consistent with the Attorney-General's Guidelines.
- **Equal opportunity in the workplace and work practices** Each firm committed to equal opportunity in employment and work allocation practices, and there were a range of notable achievements reported in 2003-2004 which indicated growing support of flexible employment policies.
- **Equal opportunity in briefing barristers, Model Briefing Policy** Each firm and the VGSO have adopted the Victorian Bar's Equality of Opportunity in Briefing Practices Policy as a minimum in relation to their briefing of barristers to undertake government work.
- **Model Litigant Guidelines** Each firm and the VGSO have adopted the Government's Model Litigant Guidelines designed to ensure that the State, while entitled to act firmly, also acts fairly in litigation.
- **New whole of government information** The Panel arrangements provide government with a detailed breakdown on the Client expenditure of \$34.76M on legal services under the arrangements in 2003-2004².
- **Increasing number of clients of the Panel arrangements** During 2003-2004, a further two statutory authorities, Victoria Police and Emergency Services Superannuation, recognised the commercial value and social justice outcomes of the new arrangements and became clients of the arrangements.

² Note that the total of \$34.76M includes money spent on Panel firms and VGSO, the VGSO exclusive work and payments to barristers briefed by firms and VGSO. It does not include payments made to barristers where they were directly briefed by Departments or other agencies

2 Background

The new arrangements commenced on 1 July 2002, when thirty-three private sector legal firms were appointed to the Legal Services Panel arrangements entitling them to compete with the Victorian Government Solicitor's Office (VGSO) for the provision of legal services⁽¹⁾ to government clients (all Departments and some agencies and authorities). There was no guarantee of any minimum level of work being given to any firm. The legal services required by government from the firms are divided into nine broad Component areas of law, each comprised of several specialised Subcomponent areas of law as set out in Appendix A to this Report.

The composition of the Panel altered slightly in 2003-2004, with one firm being terminated under the contract for a material non-disclosure under the contract, a second firm voluntarily withdrew from the Panel arrangements and Clayton Utz had its membership of the Panel confirmed upon resolution of the BATAS litigation. The Panel arrangements comprise a General Panel and nine Specialist Panels. The current composition of the Panels is made up from ten firms on the General Panel, VGSO and twenty two firms on the Specialist Panels. In addition to its exclusive work, the VGSO provides legal services across the Components.

The firms on the General and Specialist Panels were selected to provide legal services based on a combination of their demonstrated legal expertise, capability and capacity and competitive fees.

Since 1 July 2002, all new engagements of legal services must be secured from the Panel firms or the VGSO in accordance with the terms of the Panel arrangements, unless prior authorisation to go beyond them is given by the Secretary to the Department of Justice as an exemption.

Each firm and the VGSO have remained committed to the furtherance of equal opportunity in their employment, work allocation and in briefing practices and the observance of model litigant principles when acting on behalf of government clients. Additionally, each firm has committed to provide pro bono services equivalent in value to a nominated percentage of the fees derived under the Panel arrangements.

The arrangements apply for an initial three-year term expiring on 30 June 2005 with a right reserved by the State to extend them for two further periods each of two years duration. After the end of the reporting period, June 2004, Government decided to exercise its option to extend the Panel arrangements for two years from July 2005 to June 2007.

Clients engage the firms and the VGSO on the basis of the nature and extent of the legal services required, the expertise, skills and capacity of the providers and the value for money they offer. Firms are not engaged where there is a known or likely conflict of interest in relation to the required legal services.

3 Administration

The second year of operation of the Panel arrangements has been one of consolidating the significant policy, operational and infrastructure challenges and achievements of Government Legal Services in its first year of operation.

⁽¹⁾ Excluding the services provided by the Solicitor-General, the Chief Parliamentary Counsel, the Director of Public Prosecutions, Victoria Legal Aid and certain exclusive government legal services reserved exclusively to the Victorian Government Solicitor.

3.1 Coordination

At a whole of government level, the Government Legal Services Unit coordinates the arrangements and manages and monitors the delivery of legal services according to the provisions of the Service Level Agreement under the Panel Contract.

At a departmental level, the arrangements are managed by departmental Legal Services Contract Managers who coordinate access to the firms and the VGSO in their Departments. These Contract Managers comprise the majority of members of the Government Lawyers Forum which meets regularly to consider the operation of the arrangements, consider any work allocation and service delivery issues, and matters of whole of government importance or interest.

3.2 Policy Development and Implementation

3.2.1 Pro Bono Guidelines

The Attorney-General's Guidelines for the provision of pro bono services for approved causes by firms under the Panel arrangements were developed and released in March 2003. Since then, the firms have developed and implemented plans, in consultation with Government Legal Services, for the provision of pro bono services for approved causes consistent with those Guidelines. The pro bono outcomes under the Panel arrangements are discussed in the Social Justice Outcomes section of this report.

3.2.2 Model Litigant Guidelines

The Government published Model Litigant Guidelines to ensure that the Departments, while entitled to act firmly, also act fairly in litigation in accordance with generally accepted principles. Government Legal Services monitors and investigates the application of Guidelines as they relate to the conduct of the Panel firms and Departments. In 2003-2004, no allegations concerning a possible breach of the Guidelines were made against any Panel firm or Department.

3.2.3 Equal Opportunity in Employment and Work Allocation Practices

Since the Panel arrangements have been in operation, all firms have continued to commit to, and are applying, equal opportunity principles in their employment and work allocation practices commensurate with the size of the firm.

Firms have been encouraged to document their equal opportunity policies and procedures and ensure that they are kept current and relevant throughout the term of the Panel arrangements. Their ongoing compliance with equal opportunity principles is integral to their annual reporting obligations and their progress is discussed further in the Equal Opportunity section of this report.

3.2.4 Equality of Opportunity in the briefing of barristers

During the first year of the arrangements, Government Legal Services developed the reporting framework to be used when monitoring the briefing of barristers that undertake government work and sought feedback on it from Panel firms and Departments. The reporting framework was finalised for use in the 2003-2004 financial year. In summary, 2003-2004 is the first year to produce more detailed information on briefing patterns across Government (excluding statutory agencies). The data has shown an increase in the overall level of briefing of women barristers and an increase in their share of income in relation to the amount of fees paid to barristers undertaking government legal work compared to the 2002-2003 baseline. The briefing patterns of the Panel firms, Government Departments and the VGSO is discussed more comprehensively in the Equal Opportunity section of this report.

3.3 Operations

3.3.1 Adjustment of Fees for 2003-2004

The annual Consumer Price Index adjustment of the hourly rates chargeable by the firms and the VGSO provided for in the Panel Contract, was introduced smoothly with the rates settled with each firm and advised to all clients in advance of the due date of 1 July 2004.

3.3.2 Termination and withdrawal of firms from Specialist Panels

During the year, one firm on a Specialist Panel breached a material non-disclosure clause of the contract and was terminated. A further Specialist Firm lost a number of its key personnel nominated to provide services under the terms of the Panel Contract. It initially voluntarily suspended itself from the Panel arrangements and has since voluntarily withdrawn from the Panel.

3.3.3 New clients of the Panel arrangements

Two new clients (Victoria Police and Emergency Services Superannuation) were added as clients of the arrangements during the year.

3.3.4 Use of Non-Panel firms

Non-Panel firms have been used by Departments to complete engagements and binding contracts for the provision of legal services in existence prior to 1 July 2002 as provided for in the Panel Contract as part of the transition to the new arrangements.

The Secretary to the Department of Justice, as the Executive Contract Manager, can approve the engagement of a non-Panel firm in certain circumstances. Prior to engaging any non-Panel firm, permission from the Secretary of Department of Justice to use a non-Panel firm is required.

In 2003/04, two exemptions to engage non-Panel firms were granted.

3.3.5 Clayton Utz appointed

When the Panel arrangements commenced on 1 July 2002 the tender process remained incomplete for Clayton Utz pending the outcome of an application to the High Court for leave to appeal against the decision of the Victorian Court of Appeal's decision in the BATAS case. Upon special leave being denied, Clayton Utz was appointed to the General Panel effective from 1 May 2004.

3.4 Infrastructure

3.4.1 Government Legal Services QuickPlace

A QuickPlace was developed in 2002 and has since been upgraded, providing:

- all government clients, firms and the VGSO with access to common information (e.g. contact information, copies of the Panel Contract, panel tables);
- all government clients with the capacity to search for lawyers based on their legal expertise and experience; and
- the firms and the VGSO with the capacity to provide information and update entries online.

The online connection of Departments, agencies and statutory authorities, the firms and the VGSO through the QuickPlace is understood to be first of its kind for government in Victoria. The site is available 24 hours a day and is accessible by authorised users from any location with Internet access.

3.5 Performance Management

3.5.1 Standards and Key Performance Indicators

The firms are required to meet minimum standards in the delivery of legal services based on standards published by the Victorian Government Purchasing Board. They include:

- the provision of comprehensive advice;
- effective management of litigation;
- preparation of comprehensive but succinct documents;
- active management of costs;
- timeliness;
- understanding and meeting client needs;
- dealing with conflicts of interest; and
- resolving complaints.

The performance of each firm and VGSO in delivering legal services under the arrangements is assessed against key performance indicators which included:

- the level of satisfaction of Legal Services Contract Managers and clients with the services provided by reference to the minimum legal services standards;
- the provision of pro bono services in accordance with the terms of the Panel Contract;
- compliance with equal opportunity in employment and work allocation practices;
- compliance with the Model Briefing Policy of the Victorian Bar when briefing barristers on behalf of government;
- retention of key personnel;
- no adverse audit finding; and
- no unresolved conflicts of interest.

3.5.2 Performance Assessment

Client satisfaction surveys were distributed to all departments and other clients to assess legal services delivered in 2003/04, with each firm and the VGSO subject to at least one survey result. 59 surveys were received and in all but one instance the respondents advised that they were satisfied or very satisfied with the services provided and that they considered they had received value for the money spent.

In relation to one aspect of the surveys received, there was relative dissatisfaction expressed by a small percentage of respondents in relation to the issue of firm's not advising when a fee cap was being reached. However, even in relation to this one aspect, most of the survey responses were at least in the satisfactory range.

There were no ongoing service delivery concerns with a firm or the VGSO raised by any client during the year which required the need to escalate the matter for the attention of Government Legal Services as provided for in the Service Level Agreement.

Respective client satisfaction survey responses were discussed with each firm and the VGSO in their individual performance feedback sessions.

No audits of any firm were necessary. There was one unresolved conflict of interest issue in 2003/04 that was not resolved by 30 June 2004.

In 2004/05 Government Legal Services will modify the survey system, aiming to streamline the survey and increase the number of surveys received. This will be done by more accurately targeting departmental instructing officers through the information obtained in the revised monthly activity

statements. Surveys will also be done throughout the year, rather than at the end of each financial year, when the matter is still fresh in the minds of those who have instructed the relevant firm.

4 Legal Services 2003-2004

4.1 Expenditure by Clients on Legal Services under the Arrangements

The overall expenditure by Clients on legal services under the Panel arrangements increased 73% in 2003/04, to \$34.76m, up from \$20.1m in 2002/03.³

The total expenditure by Clients of \$34.76M was broken down into legal fees or firms' revenue (\$29M), barristers' fees \$3.46M⁴, and disbursements and out of pocket and other expenses (\$2.3M).

In addition to the \$3.46M of barristers' fees under the Panel arrangements, a further \$2.3M was spent by Departments as direct briefs. These are not formally part of the Panel arrangements.

The expenditure by Clients comprises \$32.6M in Component work and \$2.1M for exclusive government legal services provided by VGSO.⁵

Out of the expenditure of \$32.6M in component areas (ie not including that work which goes exclusively to VGSO), \$30.7M went to firms and the VGSO on the General Panel and \$1.9M went to firms on the Specialist Panels. This division of expenditure increased the concentration of spending on the General Panel. Further analysis of these figures is undertaken at 4.5 below in the discussion of fee revenue.

4.2 Client Expenditure by Component

As shown in Graph 1 below, in 2003/04 there were very large increases in spending in the Commercial (235%) and Project and Finance (491%) components. These alone account for approximately \$10.45m of the overall \$14.6m increase in Client spending under the arrangements.⁶ There were also very large increases in the Employment (101%) and IP & IT (273%) components.

Commercial Law, Litigation and Project & Finance were the three components which accounted for the majority of Client expenditure, accounting for \$20.2m (or 62%) of the total \$32.6m expenditure in component areas. The remaining components in order of Client expenditure were Employment Law, Administrative & Government Law, Property, IP & IT, Other Legal Services and Resources.

The expenditure by Clients of \$2.1m on VGSO's exclusive services increased comparatively moderately, up approximately 11% on the previous year.

³ Note, all figures contained in this Report are based a compilation of the activity statements received on a monthly basis of all billings and disbursements by law firms and the VGSO. These figures are then validated with the Clients. Further, the figures were then all cross checked in the annual firm feedback sessions. In the one instance where the figures did not initially reconcile, they were subsequently fully reconciled. For a detailed breakdown of the total expenditure, by component and subcomponent refer to Appendix B.

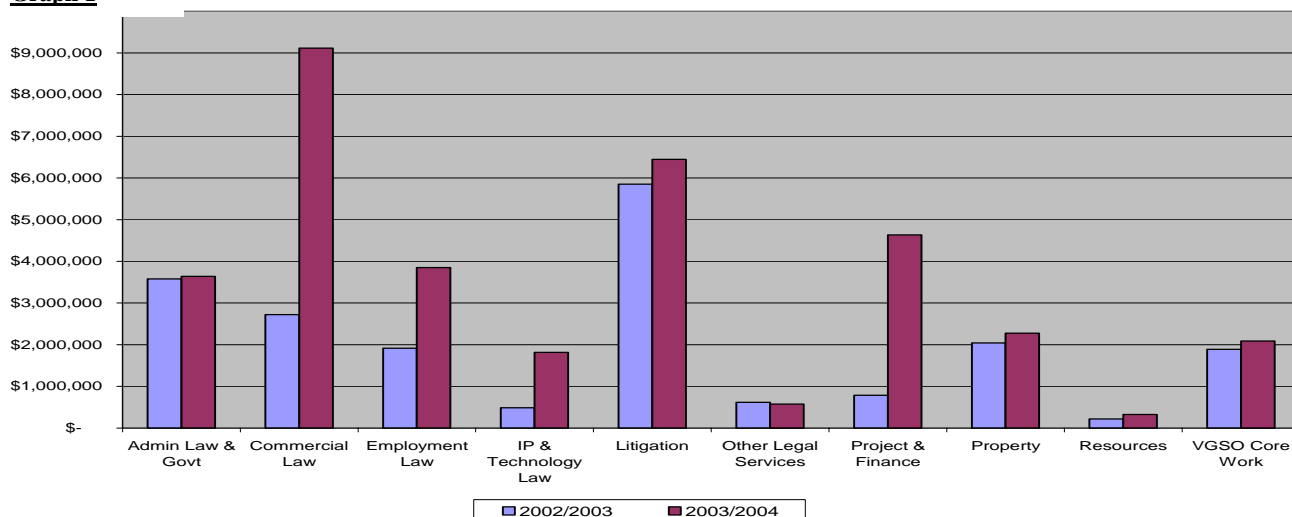
⁴ \$3.46M is the value of barristers' fees reported through the monthly activity statements from the firms and VGSO. When client departments reported barristers' fees to show the distribution of briefs by gender, the total was slightly higher at \$3.69M. The discrepancy is likely to result from briefs by agencies that are associated with Departments but which are not formally part of the Panel arrangements

⁵ Clients are obliged under the Panel arrangements to exclusively use VGSO for certain work. The definition is contained at Schedule 6 to the Panel Contract. VGSO is eligible to compete for all component work.

⁶ This does not include expenditure on legal services: (a) by statutory authorities not under the Panel arrangements (Eg. SEITA, VWA, TAC, VicRoads, MFB, CFA, Spencer St Rail Authority); (b) pursuant to any of the Exemptions granted to date; (c) under pre-existing and continuing contracts and engagements with both panel and non-panel firms; or (d) fees paid in direct briefs to barristers by Departments.

Expenditure on All Legal Services including disbursements on Panel (including VGSO) by Component

Graph 1



In Commercial Law, the Contract subcomponent alone amounted to over \$7.5m, resulting from some significant commercial projects undertaken by the Department of Infrastructure and Department of Justice.

In Litigation, the Personal Injury subcomponent saw a threefold increase, a direct result of the Government's tort law reform changes which resulted in a large number of writs being issued prior to the tort law reform start date on 1 September 2003.

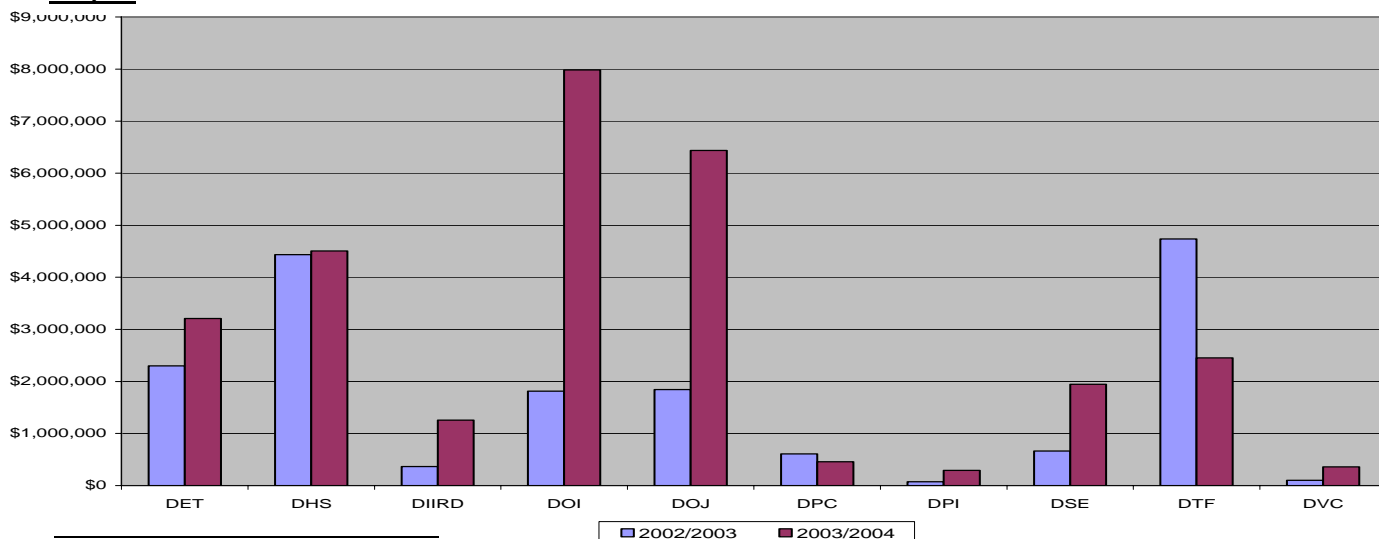
In Project & Finance, the infrastructure sub-component accounted for over \$3m of the total component expenditure, also resulting from some of the significant infrastructure projects undertaken by the Department of Infrastructure and Department of Justice.⁷

4.3 Expenditure by Clients

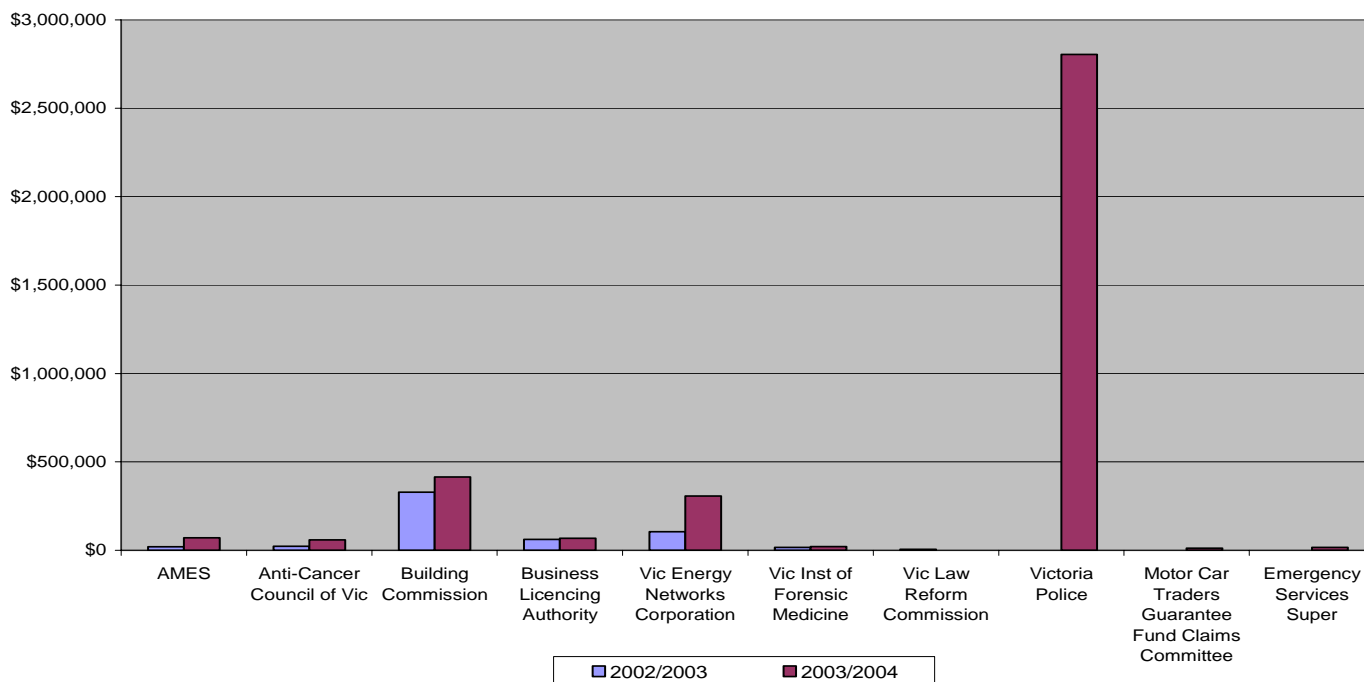
The Departments of Infrastructure (DOI), Justice (DOJ) Human Services (DHS), and Education, and Training (DET) (formerly the Department of Education, Employment and Training (DEET)) were the major purchasers of legal services, all purchasing over \$3m of legal services as shown in Graph 2 below. Victoria Police was by far the largest purchaser of legal services of any of the Statutory Authorities utilizing the Panel arrangements, as shown in Graph 3 below.

Total Expenditure on all Legal Services including disbursements by Department

Graph 2



⁷ For a detailed breakdown of the total expenditure, by component and sub-component refer to Appendix B.

Graph 3**Total Expenditure on all Legal Services including disbursements by Statutory Authority**

A more detailed breakdown of each Client's expenditure by component, is contained at Appendix C to this Report.

4.4 Number of Firms used by Departments

While acknowledging that the Panel Contract states that no minimum level of work is guaranteed to any firm under the Panel arrangements, some firms expressed concern that the possibility of using them may not always have been adequately considered when Clients required legal services. This complaint was made in particular by a number of the firms on the Specialist Panels, which is unsurprising given that these firms received in total 5.61% of all component fee revenue. The departmental Legal Services Contract Managers are alert to the requirement of equality of opportunity when engaging, or advising business units intending to engage, firms or the VGSO. However, ultimately the choice of provider is driven by the nature and extent of the legal services required and the legal expertise, capability and capacity needed to provide them efficiently and effectively and, as has been highlighted earlier, much of the component work in 2003/04 naturally tended by its nature towards the large firms on the General Panel.

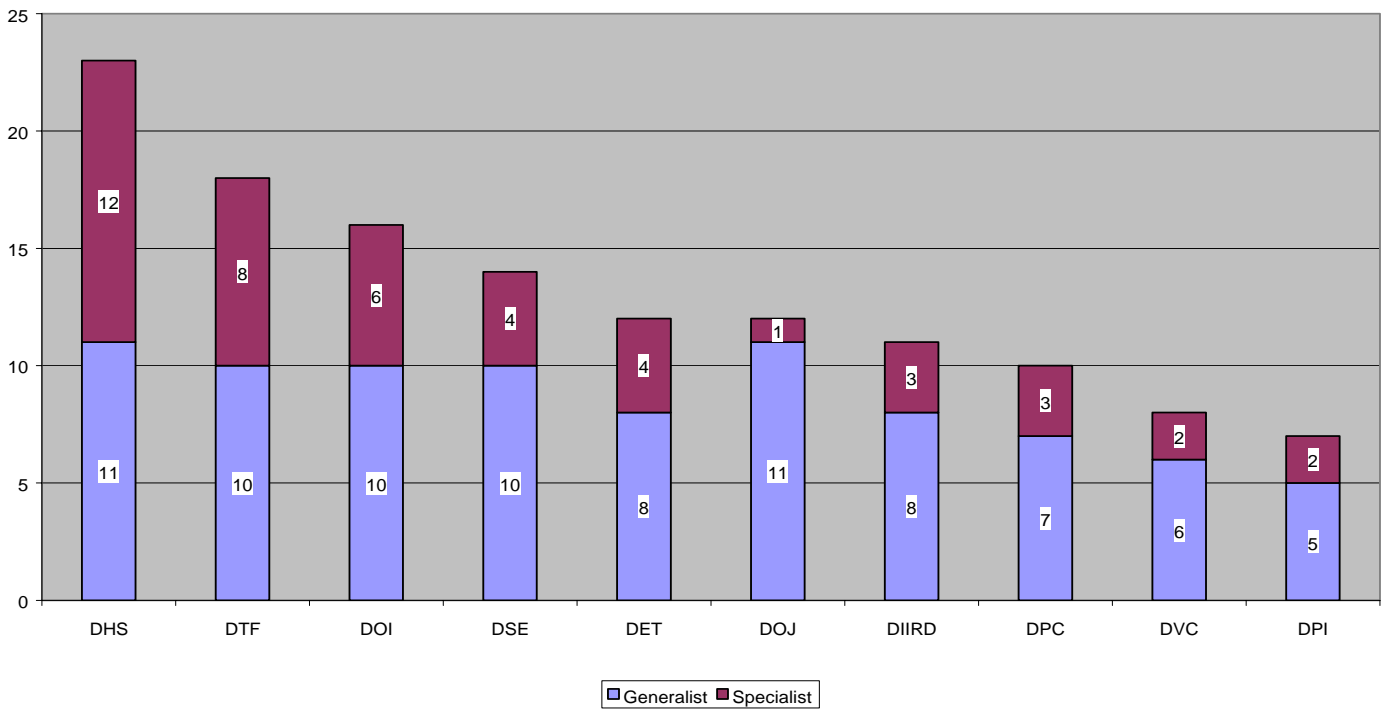
In considering the apportionment among firms of Client expenditure, it should be noted that a significant part of the increased expenditure on legal services was accounted for by complex infrastructure and technology projects which, by their scale and complexity, tended to require the full service capacity of the larger firms on the General Panel. All of the General Panel firms cover each one of the sub-components for the six or more component areas of law for which they are approved. As a result, any matter with multiple aspects can be covered by the one point of contact.

By contrast, of the twenty two firms on the Specialist Panels, only three covered all of the sub-components in the component area of law for which they were approved. However, in some sub-components where they had established their niche presence, in Real Property and Conveyancing, FOI, Personal Injuries, some firms on the Specialist Panels were more extensively used.

As the buyers of the legal services, Departments did make an effort to give firms opportunities to provide services and all General Panel firms, the VGSO and 19 of the 23 Specialist Panel firms were engaged to provide legal services. Each Department engaged the VGSO to provide legal services and most also engaged General Panel firms and Specialist Panels firms as shown in Graph 4 below. However, as Graph 5 shows, when each Department's engagements are analysed in terms of their value, a different picture emerges and the fees going to Specialist Panel firms are a small proportion of departmental totals.

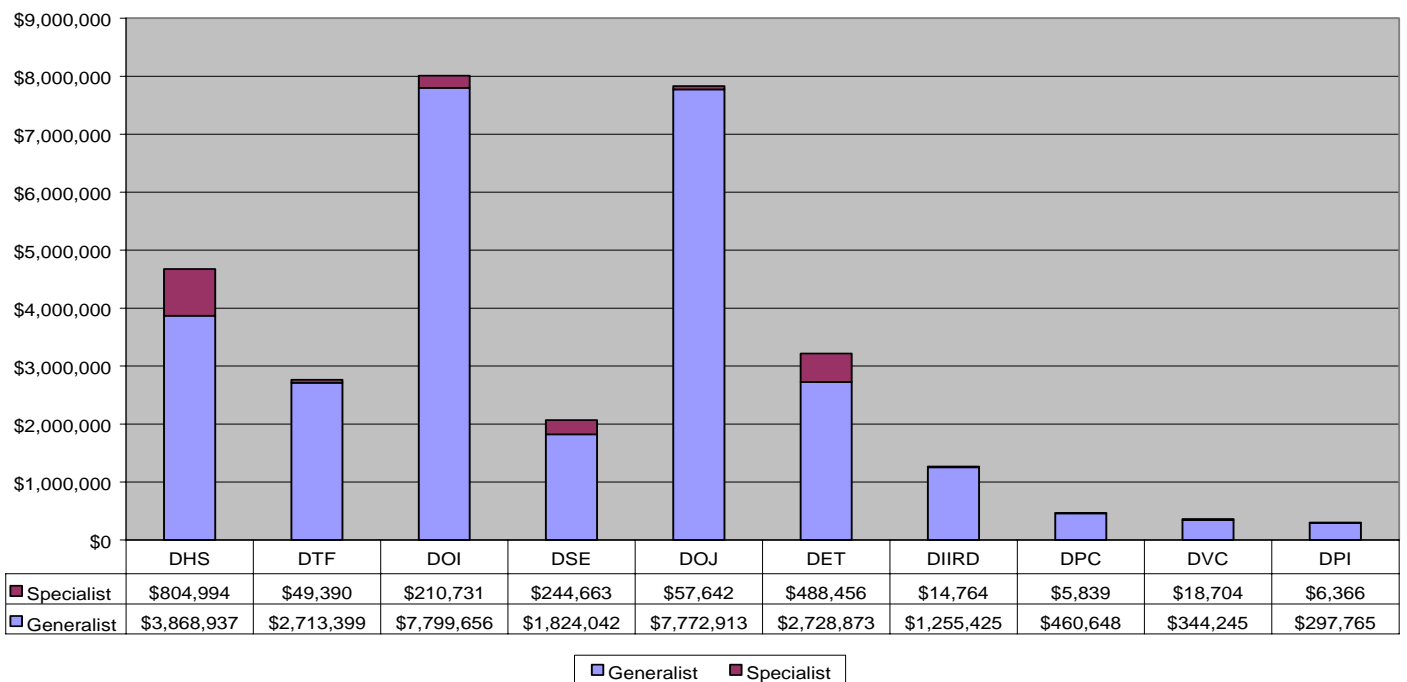
Graph 4

Allocation of Work by Matter to Legal Service Providers by Depts (Jul-03 - Jun-04)



Graph 5

Allocation of Work by Expenditure to Legal Service Providers by Department (Jul-03 - Jun-04)



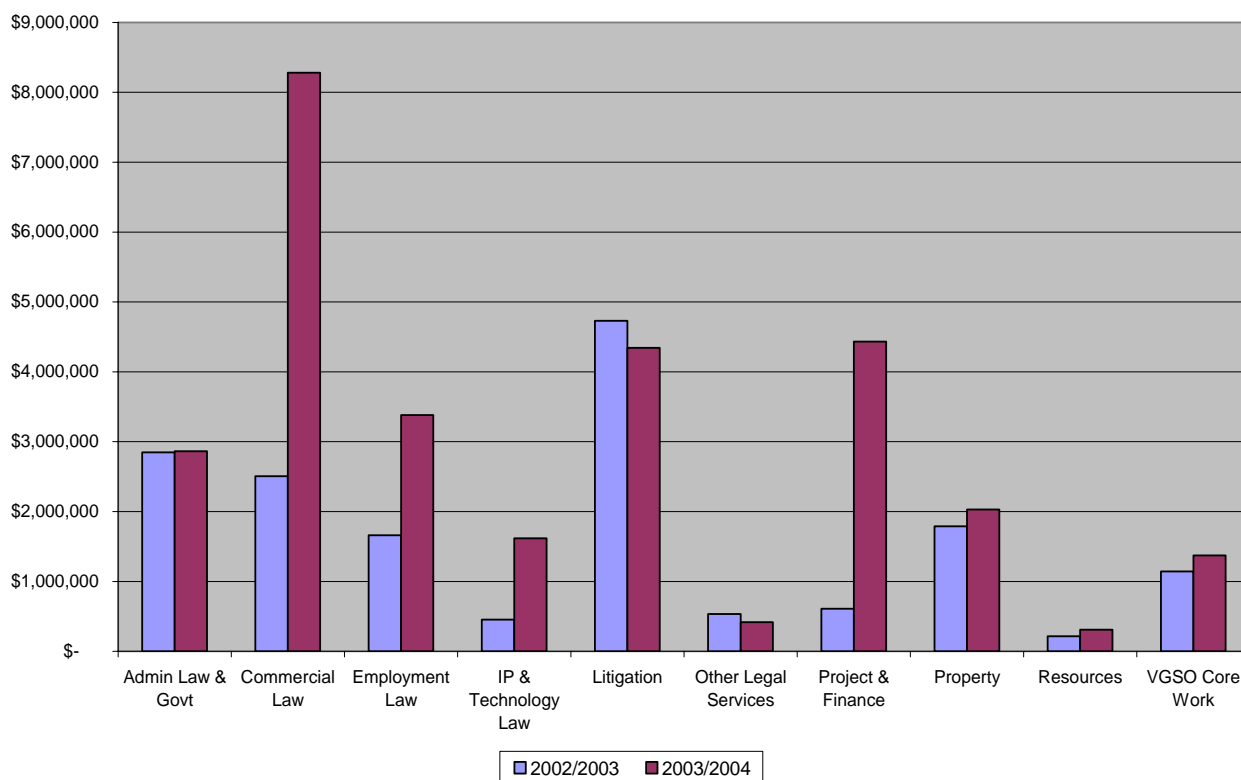
As the manager of the Panel arrangements, the Government Legal Services unit organised three forums to promote the opportunities to firms to provide legal services to government. In August 2003 and March 2004, forums were hosted by the Law Institute of Victoria where presentations were made to Panel firms explaining where government had made its expenditures on legal services. The third forum was held in June 2004. The purpose was to assist Panel firms in navigating the government environment and it was opened by the Attorney-General Rob Hulls. The Legal Services Contract Manager from each government Department spoke about the specific requirements for legal services in terms of the work of the Department and identified emerging future opportunities. The aim was to facilitate a fair spread of work among the Panel firms by showing them where these opportunities lay.

4.5 Revenue earned by Firms and the VGSO

As discussed earlier, the General Panel firms tended to secure work because of their expertise and capacity to provide the range of legal services required to support larger engagements and substantial government projects and litigation. The VGSO has tended to secure work across the components. In Graph 6 below, the total fee revenue earned by all of the Panel firms and the VGSO in each of the component areas of work for 2003/04 is compared with the previous year.

Graph 6

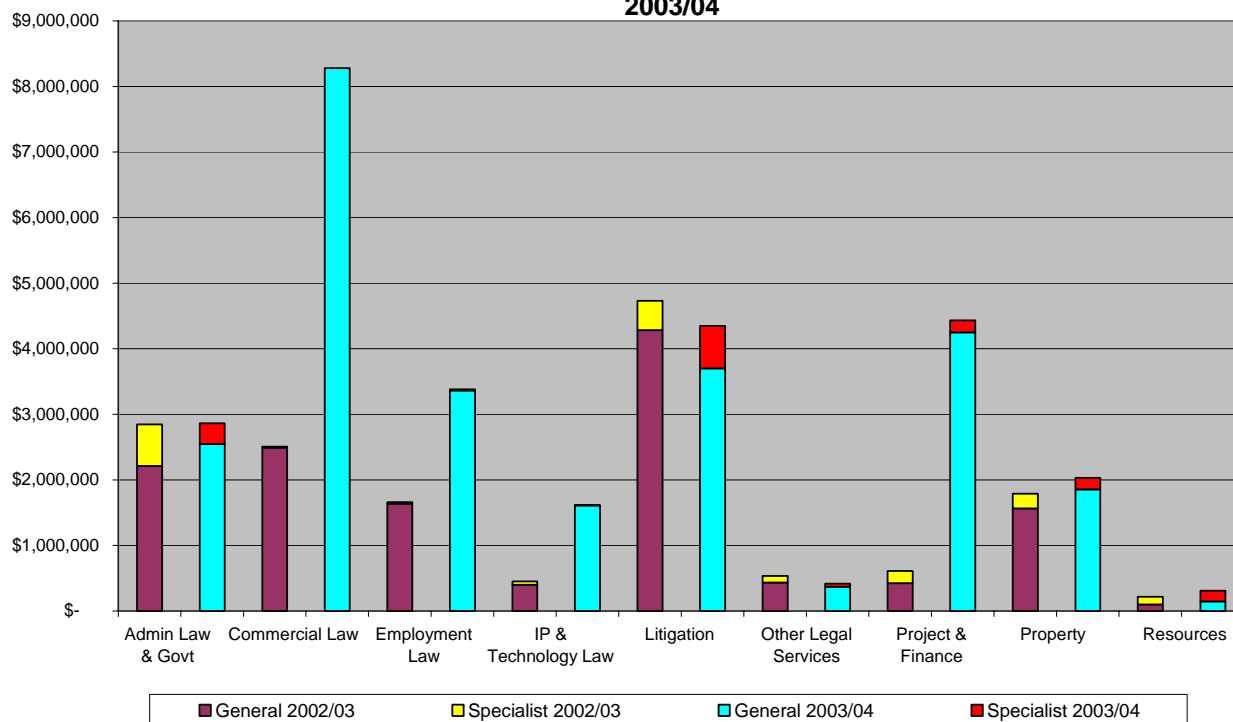
Panel Firms & VGSO: Total Fee Revenue by Component 2002/03 & 2003/04



Once broken down into fees earned, excluding all disbursements and the VGSO's exclusive revenues, the total fees earned by firms totaled \$27.67M. Of this, the General Panel firms and the VGSO earned \$26.12M in legal fees across the nine Components and the firms in the Specialist Panels earned \$1.55M in legal fees across the nine Components. Graph 7 below shows the split in fee revenue between General Panel firms and firms in the Specialist Panels, comparing 2003/04 with the previous year.

Graph 7

General & Specialist Panel Firms: Fee Revenue by Component 2002/03 & 2003/04



An analysis of the firms' fee revenues demonstrates an increasing trend to concentration of Client spending in the larger firms. In 2003/04, the apportionment of fees going to General Panel firms was 94.75% and 5.25% to Specialist Panel firms. This compared to 2002/03, where the split of fees going General or Specialist Panel firms was 88.3% to General Panel firms and 11.7% to Specialist Panel firms.

The Specialist Panel firms have tended to secure work where their particular knowledge and attractive rates have given them a commercial advantage, such as in the FOI sub-component and Resources component.

The Specialist Panel firms earned comparatively significant revenue (more than 10% of the component) in the component areas of Other Legal Services, Resources and Litigation. However, once again, even amongst the Specialist Panel firms, the major earners were the medium to large firms with the exception of the fees earned in the sub-components FOI, Personal Injury and Property, where smaller firms were very competitive.

5 Social Justice Outcomes

5.1 Putting public goals in private contracts

The Panel Contract with the 32 law firms, in addition to providing the State value for money in the supply of legal services, builds on the Government's commitment to protecting rights and addressing disadvantage through the promotion of social policy outcomes that form part of the Panel firm's contractual obligations.

Since the inception of the Panel arrangements, law firms have responded to and reported on equal opportunity and diversity in their work and briefing practices, and delivered on the pro bono

commitment they made in the tender. Additionally, the professional obligations of lawyers beyond ethical rules have been strengthened through the adoption of the Model Litigant Guidelines.

These broader policy objectives are consistent with Growing Victoria Together and the Attorney-General's Justice Statement with an emphasis on protecting rights, building cohesive communities, reducing inequality and initiatives to modernise the justice system.

5.2 Pro Bono services provided by firms

The primary objective of the pro bono legal services rendered under the contract is to enhance access to justice for disadvantaged persons and/or promote the public interest. It is not a substitute for a funded legal aid system; rather it builds upon the professional obligation of lawyers to provide legal representation to those who cannot afford it.

Under the Panel Contract, each firm has a continuing commitment to provide pro bono legal services equivalent in value to a nominated percentage of the fees derived under the arrangements. The Government, after consultation with stakeholders, adopted Guidelines for the delivery of those services, which emphasise the provision of pro bono services that are socially responsible, without expectation of fee or where payment is considered inappropriate.

Government Legal Services has adopted a simple regulatory approach to the delivery of the pro bono outcomes that has focussed on encouraging law firms to deliver services that advance access to justice. This has been most easily accomplished when firms participate in formalised schemes such as Public Interest Law Clearing House (PILCH), the Law Institute of Victoria Legal Assistance Scheme or in partnership arrangements with Community and Specialist Legal Centres or secondments through the Attorney-General's Pro Bono Secondment Scheme. These arrangements clearly meet the Pro Bono Guidelines.

Under the Guidelines, the Government understands "pro bono" to mean the provision of legal services that are:

- legal services provided to disadvantaged persons who seek assistance from them directly or who are referred by PILCH and the Law Institute of Victoria under its Legal Assistance Scheme;
- secondments of staff and legal support to a range of organisations including the Homeless Persons Legal Clinic, PILCH, YouthLaw and Legal Centres participating in the Attorney-General's Pro Bono Secondment Scheme;
- services to charitable organisations or public interest groups where the objectives of the organisation can be characterised as promoting access to justice; and
- services to support human rights and refugees.

To date, all Panel firms have provided a framework for how they intend to meet their pro bono obligations:

- the firms' plans have been approved by Government Legal Services
- from the start of the Panel arrangements to December 2003⁸, the Panel firms should have delivered pro bono legal services to the value of \$ 2.6m that enhance access to justice for disadvantaged persons or organisations and/or promote the public interest.

⁸ The Panel contract has a 6 month delay in the requirement to deliver on revenue accrued, therefore the pro bono commitment to the end of the 2003-2004 financial year is based on revenue earned up to 31 December 2003.

Highlights

The majority of the largest Panel firms are tending to discharge their pro bono obligations by secondments either to PILCH or community legal centres under the Attorney General's Pro Bono Secondment Scheme or by case work supporting the Homeless Persons Legal Clinic. The Homeless Persons' Legal Clinic established in October 2001 provides free legal assistance to people who are homeless or at risk of homelessness.

Lawyers are rostered to attend clinics at welfare services in Melbourne. Nearly all Panel firms have provided some form of pro bono legal advice through PILCH referrals.

PILCH co-ordinates the Pro Bono Legal Assistance Schemes of the Victorian Law Institute and Victorian Bar and offers a central access point to all firms willing to undertake pro bono work and individuals and organisations seeking pro bono legal work. The screening of matters and the means and merit testing and subsequent advice on the result are all important benefits of participation in the PILCH schemes. The smaller specialist Panel firms have especially gained from participation in the Law Institute of Victoria Scheme and have been able to provide legal services in civil matters for which there is no eligibility for legal aid but are clearly meritorious.

Pro bono legal services to community and specialist legal centres are within the terms of the Pro Bono Guidelines and there is evidence of growing support for their services. The contractual pro bono commitment is an organisational obligation of Panel firms and is separate from an individual lawyer's pro bono activities.

Firms on the General and Specialist Panels are providing legal services and resources, of varying degrees, to legal centres including Footscray Legal Service, Fitzroy Legal Service, Western Suburbs Legal Service, Mental Health Legal Service, YouthLaw, Women's Legal Service, North Melbourne Legal Service, Springvale Legal Service, Peninsula Legal Service and the Environment Defenders Office.

For example, two Panel law firms have developed partnerships with a community legal centre and a specialist legal centre that owe their impetus to the Panel arrangements. The partnerships involve providing the firms' lawyers to give advice or take matters on referral and use the firms' facilities for litigation and training. The informal feedback is that these relationships will continue to expand as both sides grow in understanding each others needs and develop a mutual sense of trust that stems from shared interests and tangible benefits.

Whilst the majority of the pro bono legal services are provided by lawyers, the Guidelines envisage that pro bono legal services may be provided by paralegal staff. Some firms are using paralegal staff to provide word processing support to community legal centres, others have assisted in the design and printing of their publications and one firm is rostering its secretarial staff to assist a community legal centre in improving its internal administration one afternoon per fortnight.

5.3 Attorney-General's Pro Bono Secondment Scheme

The Attorney-General's Pro Bono Secondment Scheme ran as a pilot program from March 2002 to December 2003. In this period, a total of ten secondees were sent by six of the large Panel firms, working on average for six months in community and specialist legal centres or at Victoria Legal Aid. A Report on the Pro Bono Secondment Scheme: 2002-2003 Pilot was released in April 2004 and recommended the ongoing operation of the Scheme as a valuable initiative to direct legal services to community and specialist legal centres. Participation in the Scheme meets pro bono obligations under the Panel contract.

5.4 Equal Opportunity in employment and work allocation within the workplace

All Panel firms have committed to equal opportunity principles in their employment and work allocation practices.

As in 2002-2003, the firms were provided with a list of best practice examples of the application of equal opportunity principles in the workplace and were requested to report on their progress in the application of those principles in their employment and work allocation practices for 2003-2004. In particular, they were asked to advise as to their:

- compliance with equal opportunity principles;
- progress in documenting equal opportunity policies and practices and the mechanisms in place to ensure their ongoing currency; and
- three most significant equal opportunity outcomes achieved in the reporting period.

5.5 Overall themes in equal opportunity within Panel firms

Reporting in 2003-2004 reflects a development in policies initiated or referred to in the previous year. All firms reported compliance with federal and state policies in the areas of equal opportunity, discrimination, harassment and workplace bullying. In relation to discrimination and employment issues, almost all of the firms on the General Panel also report pursuant to their statutory obligations under Commonwealth Equal Opportunity legislation.

The notable examples in the reported achievements for 2003-2004 include:

- Increased use of flexible work practices to allow greater work/life balance for employees, most typically this enabled flexible work hours for women returning from maternity leave or balancing family responsibilities
- Increased mention of options that allow staff to work from home
- Development (for smaller firms) and review (for larger firms) of Equal Opportunity policies and practices to ensure currency and relevance

All firms were conscious of gender in the workplace profile. Several firms mentioned the appointment of female lawyers to partnerships during the year and one firm appointed a part time female partner. A number of firms on the General Panel noted the provision of paid maternity leave. Overall, firms expressed the use of flexible work practices as a means of increasing the participation of women in the workforce. Many firms noted efforts to balance the firms' recruitment practices.

5.6 Firms on the General Panel

The firms on the General Panel reported having analysed a wide number of diversity and equal opportunity issues in their practices including wage segmentation, staff satisfaction, professional learning and development, recruitment, and promotion and retention of staff. These firms reported directly and regularly on these matters to their boards and/or senior partners.

Firms on the General Panel reported the existence of specific affirmative action and gender awareness committees identifying issues and influencing policy development and work practices. Several firms noted their focus on people development initiatives, one firm initiated a project to address barriers to attracting and retaining female partners and assist in their promotion at the firm.

5.7 Firms on the Specialist Panels

Firms on the Specialist Panels presented a lesser level of analysis of equal opportunity issues commensurate with their size and resource constraints. Nonetheless, these firms reported a strong emphasis on flexible work practices and the recruitment of staff reflecting the gender balance of the community. These firms either reported completion or progress on their documentation of equal opportunity policies and practices. As with the firms on the General Panel, they all mentioned their use of flexible work practices and or job share arrangements for staff across the firm.

5.8 Equality of Opportunity - Briefing of Barristers

5.8.1 Introduction

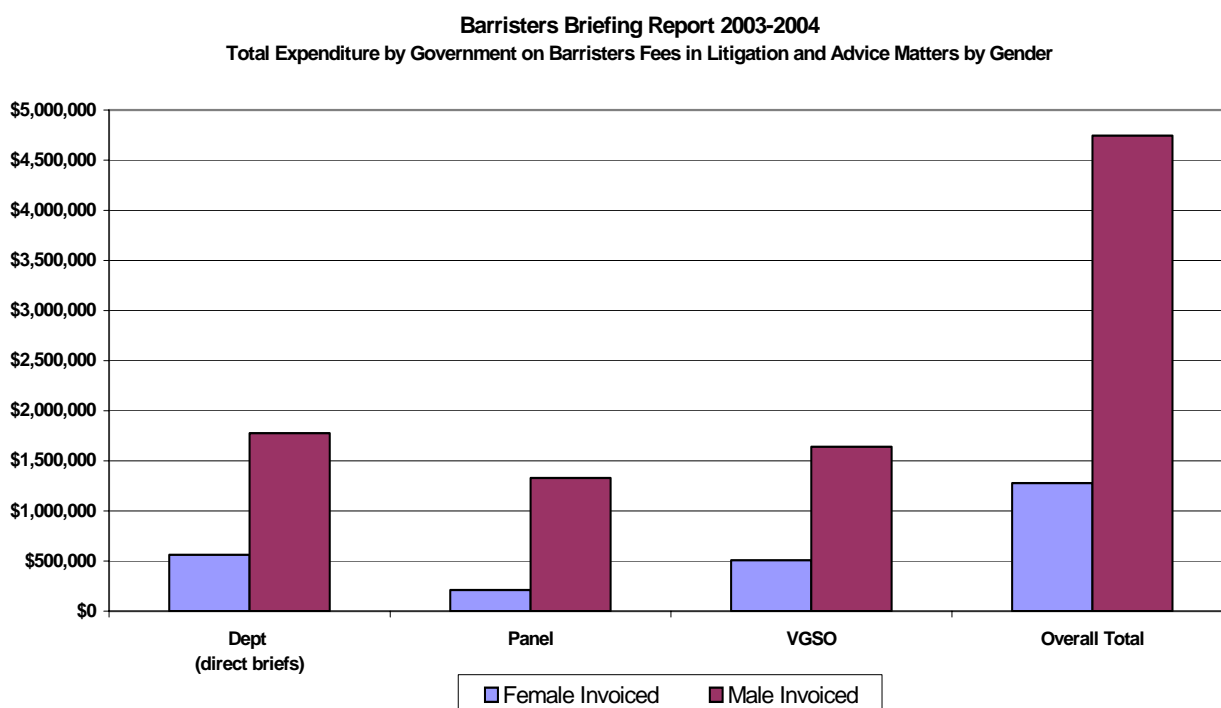
Under the Panel Contract, the firms and the VGSO have committed to the Victorian Bar Equality of Opportunity Briefing Policy when briefing barristers on behalf of government clients and have reported the adoption of practices to ensure compliance with this commitment.

The policy endorsed by the Victorian Government changed with the adoption by the Victorian Bar of the Model Policy developed by the Law Council of Australia. The Policy, which now applies, is a national policy and reflects a whole of profession approach to the problem of discriminatory briefing practices.

The Equality of Opportunity Briefing Policy anticipates regular monitoring, review and periodic reporting on the rate and nature of engagement of female counsel and requires care to ensure that privacy principles are not breached. However Panel firms and the VGSO have been monitoring their briefing practices in this manner prior to the development of the national policy. The 2003-2004 report is the first year where data has been collated that provides a picture of practices in the engagement of barristers on behalf of government clients.

Graph 8 below compares the relative shares of fees earned by female and male barristers.

Graph 8



There are limitations to the data presented in this part of the Report as it does not cover expenditure by statutory authorities and organisations outside central government control. The Government Legal Services Unit has liaised with large briefing agencies such as the Office of Public Prosecutions, Victoria Legal Aid, TAC and WorkCover to assist in the adoption of the Equal Opportunity Briefing Practice but their data has not been included in this Report. The analysis of briefing patterns across government is confined to data supplied by Panel law firms, the VGSO and Departments only where they have directly briefed. There may be inconsistencies in the manner in which Departments have interpreted the reporting requirements and the data should not be regarded as an exhaustive list of Departmental expenditure on briefs to barristers. It is most useful if interpreted as indicative of trends and used to encourage cultural change on the basis that it is unethical that a percentage of the population may be excluded from consideration on the basis of their gender. The policy is not an affirmative action policy but encourages briefing people on the basis of merit.

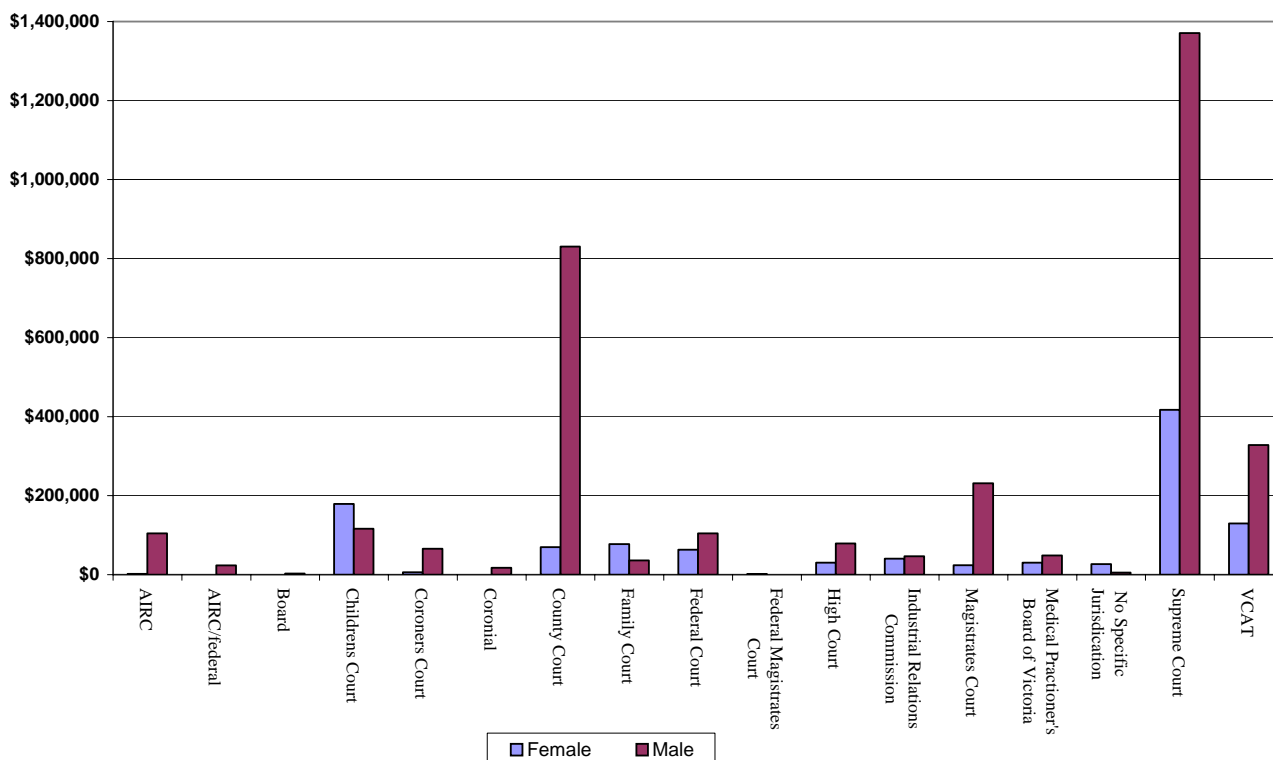
As reported in the July 2003 edition of the Law Institute Journal there were 278 female barristers practising in Victoria in 2003, comprising 18.6 % of the total number of barristers. The percentages have not significantly changed in 2004. According to the Victorian Bar website, there are now 287 female barristers; approximately 20% of the junior bar are women and the number of female senior counsel increased from 7.1% in 2003 to 8% in 2004.

The VGSO and 14 of the 32 Panel firms and 10 Departments briefed barristers to undertake legal work for government during the 2003 -2004 year.

Graph 9 below compares the fees earned by female and male barristers according to the jurisdiction. Women did well in the Children’s Court and Family Court and, in the Supreme Court, they earned more fees than their percentage representation in the profession.

Graph 9

Barristers Briefing Report 2003-2004
Total Expenditure by Government on Barristers Fees by Jurisdiction and Gender



5.8.2 *Government expenditure on Barristers' Fees*

In 2003-2004 the Government spent \$3.46M on barristers' fees under the Panel arrangements and a further \$2.3M on direct briefs by Departments⁹ compared with total expenditure of \$34.76M on legal services across Administrative Law and Government; Commercial Law; Employment Law; Intellectual Property and Technology Law; Litigation, Project & Finance; Property; Resources; Other Legal Services and the VGSO exclusive services.

The major expenditure on barristers' fees occurred in Litigation, Administrative Law and Government and the VGSO exclusive services. The expenditure in each of the other Components was substantially lower.

5.8.3 *Reported Briefing Practices*

Each year each Panel firm and the VGSO advise under each Component/Subcomponent as to:

- the percentage of fees paid to female and male barristers;
- the percentage of matters briefed to female and male barristers;
- the percentage of each type of matter briefed to female and male barristers; and
- for litigation, the stage at which matters were briefed to female and male barristers.

Table 1 shows the total number of briefs going to women and compares that to the total number of barristers briefed. Direct briefs from Departments show the highest proportion of briefs to women with the great majority of these being from the Department of Human Services for hearings in the Children's Court and Family Court.

Table 1: Number of Briefs and Percentage of Fees Going to Women Barristers

Area	Total number of briefs to women	Total briefed	Percentage of briefs to women	Percentage of fees invoiced by women
Panel Firms	67	270	25%	14%
VGSO	129	481	27%	24%
Departments	555	1,034	54%	24%
OVERALL	751	1,785	42%	20%

There are some minor inconsistencies in the total numbers recorded which were not verifiable. The chance of such anomalies will be reduced in 2004-2005 by improving the reporting template.

In order to develop the capacity of women in a wider range of jurisdictions one could expect an increase in the number of junior briefs to women in areas of law where there is significant expenditure by government on barristers' fees. These are listed in Table 2.

⁹ Better capture of data on direct briefs by Departments in 2003/04 prevents meaningful comparison with the 2002/03 figures

Table 2: Briefing by Seniority and Major Component Areas of Law

Area	No. of briefs to females alone	No. of briefs to females as junior	No. of briefs to females as QC/SC	No. of briefs to males alone	No. of briefs to males as junior	No. of briefs to males as QC/SC
Admin Law & Government	67(26%)	16 (6%)	7 (3%)	84 (33%)	53 (21%)	28 (11%)
Employment Law	18 (23%)	3 (4%)	2 (3%)	44(57%)	3 (4%)	7 (9%)
Litigation	57 (16%)	14 (4%)	0	240 (63%)	39 (11%)	25 (7%)
VGSO ExclusiveWork	30 (36%)	6 (7%)	2 (2%)	28 (33%)	7 (8%)	11 (13%)

6 Looking forward to 2004/05

Now in its third year of operation, the Panel arrangements have enabled better tracking and monitoring of the purchase of legal services across government Departments and other participating agencies. The Panel arrangements will be renewed with effect from 1 July 2005. Further improvements have been planned to track performance data on the provision of legal services, thus enabling more timely responses to law firms of clients' views on the quality and the value for money of the legal services provided.

For 2004/05, the Government Legal Services Unit anticipates that there will also be better tracking of the data on the briefing of barristers and corresponding support for the government's encouragement of briefing women barristers in line with the policy developed by the Law Council of Australia.

In 2003/04, government purchased substantially more legal services than in the previous year. Because of the six month lag in discharging the pro bono commitments, there will therefore be a substantially increased level of pro bono activity in 2004/05 in legal services which directly assist disadvantaged people to access justice and are in the public interest.

Government is aware of the increased concentration of services provided by firms from the General Panel, albeit largely because of major contracts requiring both extensive and highly specialised resources from large firms. In 2004/05, the Government Legal Services will provide new opportunities for a wider awareness among client Departments and other agencies of the range of skills across the Panels, particularly the Specialist Panels.

Government Legal Services
Department of Justice
March 2005

Government Legal Services - areas of law

Component 1 – Property	Real Property and Conveyancing Leases and Licences	Crown Land Planning Wills and Estates
Component 2 – Commercial Law	Contract Trusts Taxation & Stamp Duty	Government Tendering Trade Practices/ Competition Corporations Law
Component 3 – Project and Finance	Infrastructure Construction & Project Management Risk Management	Insurance Banking & Finance Joint Ventures
Component 4 – Litigation	<i>Particular Sub-Components are:</i> Personal Injury Building Disputes	Coronial Inquests Prosecutions
Component 5 – Employment Law	Employment Industrial Relations Discrimination/Equal Opportunity (incl. Sexual Harassment)	Occupational Health & Safety Superannuation
Component 6 – Administrative Law and Government	Freedom of Information Government/Public Law	Privacy Natural Justice Corporate Governance
Component 7 – Intellectual Property and Technology Law	Intellectual Property (Copyright, Patents, Trademarks)	Biotechnology Information Technology
Component 8 – Resources	Environmental, Water & Energy Minerals & Petroleum Agriculture	Fisheries/Marine Genetic Modification
Component 9 – Other Legal Services	Public transport franchising arrangements. Criminal law Migration	Family & child welfare law, Hague Convention including abduction matters.

Total Expenditure across Components and Sub-components				
CompName	SubCompName	2002/2003	2003/2004	% Change
Admin Law & Govt	Govt/Public Law	\$2,105,875	\$2,717,009	
	FOI	\$780,322	\$658,021	
	Natural Justice	\$418,619	\$116,660	
	Corp Governance	\$112,816	\$92,489	
	Privacy	\$158,309	\$53,447	
Admin Law & Govt Total		\$3,575,941	\$3,637,625	1.7%
Commercial Law	Contract	\$1,858,913	\$7,553,415	
	Trusts	\$51,027	\$53,982	
	Govt Tendering	\$442,656	\$1,090,945	
	Taxation & Stamp Duty	\$26,121	\$121,505	
	Trade Practices/Competition	\$290,291	\$165,776	
	Corporations Law	\$51,738	\$129,914	
Commercial Law Total		\$2,720,747	\$9,115,537	235.0%
Employment Law	Industrial Rels	\$632,564	\$1,360,913	
	Employment	\$814,844	\$1,635,576	
	Disc/Equal Op (inc Sexual Harass)	\$408,841	\$699,211	
	Occ Health & Safety	\$28,474	\$102,762	
	Superannuation	\$28,304	\$53,636	
Employment Law Total		\$1,913,027	\$3,852,098	101.4%
IP & Technology Law	Information Technology	\$368,557	\$1,635,262	
	Intellectual Property (Copyrights, Patents, Trademarks)	\$127,131	\$178,210	
IP & Technology Law Total		\$485,689	\$1,813,471	273.4%
Litigation	Building Disputes	\$166,703	\$176,585	
	Prosecutions	\$4,095,571	\$1,457,886	
	Personal Injury	\$1,373,804	\$3,968,149	
	Coronial Inquests	\$213,607	\$542,510	
	General	\$0	\$301,323	
Litigation Total		\$5,849,685	\$6,446,454	10.2%
Other Legal Services	Public Trans franchising arrangements	\$341,665	\$222,728	
	Hague Convention (inc abduction matters)	\$135,336	\$65,777	
	Family & Child Welfare Law	\$113,742	\$73,606	
	Criminal Law	\$26,205	\$210,148	
	Migration	\$0	\$2,547	
Other Legal Services Total		\$616,949	\$574,807	-6.8%
Project & Finance	Construction & Proj Mgmt	\$200,472	\$1,059,808	
	Infrastructure	\$147,724	\$3,140,692	
	Banking & Finance	\$336,168	\$302,665	
	Risk Mgmt	\$65,458	\$33,749	
	Insurance	\$34,048	\$96,348	
Project & Finance Total		\$783,869	\$4,633,262	491.1%
Property	Planning	\$148,684	\$329,632	
	Real Property & Conveyancing	\$1,287,384	\$1,465,007	
	Crown Land	\$239,171	\$150,154	
	Leases & Licences	\$366,814	\$332,977	
	Will & Estates	\$384	\$384	
Property Total		\$2,042,437	\$2,277,770	11.5%
Resources	Environ, Water & Energy	\$203,414	\$285,133	
	Minerals & Petroleum	\$5,803	\$17,673	
	Agriculture	\$5,365	\$12,338	
	Fisheries/Marine	\$2,278	\$8,063	
Resources Total		\$216,859	\$323,207	49.0%
Grand Totals		\$18,205,203	\$32,674,231	
VGSO Core Work		\$1,886,688	\$2,090,026	
Total (Including Core Work)		\$20,091,892	\$34,764,258	

Individual Client Expenditure by Component

Department	Component	2002/03	2003/04
DET	Admin Law & Govt	\$ 381,540	\$ 298,568
	Commercial Law	\$ 81,053	\$ 209,854
	Employment Law	\$ 835,079	\$ 1,502,709
	IP & Technology Law	\$ 63,312	\$ 78,218
	Litigation	\$ 704,213	\$ 769,894
	Other Legal Services	\$ -	\$ 9,949
	Project & Finance	\$ 14,123	\$ 31,990
	Property	\$ 219,206	\$ 306,885
Total	\$ 2,298,526	\$ 3,208,067	
DHS	Admin Law & Govt	\$ 761,268	\$ 479,040
	Commercial Law	\$ 520,577	\$ 508,853
	Employment Law	\$ 648,289	\$ 796,577
	IP & Technology Law	\$ 193,180	\$ 205,494
	Litigation	\$ 833,847	\$ 949,575
	Other Legal Services	\$ 249,045	\$ 139,383
	Project & Finance	\$ 314,994	\$ 747,306
	Property	\$ 914,691	\$ 680,952
Total	\$ 4,435,890	\$ 4,507,182	
DIIRD	Admin Law & Govt	\$ 112,344	\$ 49,955
	Commercial Law	\$ 75,794	\$ 349,760
	Employment Law	\$ 132,261	\$ 445,033
	IP & Technology Law	\$ 11,934	\$ 10,616
	Litigation	\$ 12,309	\$ -
	Project & Finance	\$ 12,334	\$ 227,631
	Property	\$ 7,389	\$ 174,231
Total	\$ 364,365	\$ 1,257,227	
DOI	Admin Law & Govt	\$ 290,504	\$ 275,603
	Commercial Law	\$ 584,392	\$ 3,904,392
	Employment Law	\$ 8,787	\$ 29,113
	IP & Technology Law	\$ 28,185	\$ 1,150,623
	Litigation	\$ 179,223	\$ 105,585
	Other Legal Services	\$ 341,665	\$ 222,728
	Project & Finance	\$ 116,550	\$ 1,936,445
	Property	\$ 172,799	\$ 196,060
Resources	\$ 92,329	\$ 163,908	
Total	\$ 1,814,434	\$ 7,984,458	
DOJ	Admin Law & Govt	\$ 714,954	\$ 756,420
	Commercial Law	\$ 685,769	\$ 2,993,004
	Employment Law	\$ 39,673	\$ 372,977
	IP & Technology Law	\$ 51,564	\$ 60,551
	Litigation	\$ 243,598	\$ 690,854
	Other Legal Services	\$ 16,112	\$ 9,697
	Project & Finance	\$ 78,801	\$ 1,547,154
	Property	\$ 16,012	\$ 5,208
Total	\$ 1,846,482	\$ 6,435,864	
DPC	Admin Law & Govt	\$ 271,988	\$ 130,715
	Commercial Law	\$ 97,368	\$ 150,136
	Employment Law	\$ 104,909	\$ 136,757
	IP & Technology Law	\$ 6,667	\$ 28,124
	Litigation	\$ 108,126	\$ -
	Other Legal Services	\$ -	\$ 2,547
	Project & Finance	\$ 6,280	\$ -
	Property	\$ 10,275	\$ 7,212
Total	\$ 605,612	\$ 455,492	

Department	Component	2002/03	2003/04
DPI	Admin Law & Govt	\$ 39,421	\$ 46,179
	Commercial Law	\$ 3,903	\$ 4,054
	Employment Law	\$ 2,020	\$ 104,040
	IP & Technology Law	\$ 15,907	\$ 13,839
	Litigation	\$ 9,893	\$ 82,297
	Property	\$ 1,726	\$ 11,874
	Resources	\$ 2,121	\$ 31,186
	Total	\$ 74,991	\$ 293,468
DSE	Admin Law & Govt	\$ 306,059	\$ 774,659
	Commercial Law	\$ 61,668	\$ 155,687
	Employment Law	\$ 21,267	\$ 68,113
	IP & Technology Law	\$ 6,728	\$ 36,729
	Litigation	\$ 69,927	\$ 407,014
	Other Legal Services	\$ 10,127	\$ 4,649
	Project & Finance	\$ 57,185	\$ 1,500
	Property	\$ 116,511	\$ 383,401
	Resources	\$ 11,883	\$ 115,731
Total	\$ 661,356	\$ 1,947,483	
DTF	Admin Law & Govt	\$ 155,591	\$ 126,813
	Commercial Law	\$ 370,788	\$ 388,963
	Employment Law	\$ 73,875	\$ 150,018
	IP & Technology Law	\$ 6,616	\$ 10,374
	Litigation	\$ 3,547,206	\$ 1,212,993
	Project & Finance	\$ 180,095	\$ 127,882
	Property	\$ 404,347	\$ 427,238
	Resources	\$ -	\$ 8,335
Total	\$ 4,738,518	\$ 2,452,616	
DVC	Admin Law & Govt	\$ 35,377	\$ 255,965
	Commercial Law	\$ 2,809	\$ 47,329
	Employment Law	\$ 3,933	\$ 18,715
	IP & Technology Law	\$ 39,094	\$ 2,576
	Property	\$ 19,178	\$ 32,651
	Total	\$ 100,392	\$ 357,235
AMES	Admin Law & Govt	\$ -	\$ 4,500
	Commercial Law	\$ -	\$ 32,510
	Employment Law	\$ 16,063	\$ 5,145
	IP & Technology Law	\$ -	\$ 1,635
	Property	\$ 3,506	\$ 26,917
	Total	\$ 19,568	\$ 70,706
Anti-Cancer Council of Vic	Admin Law & Govt	\$ -	\$ 1,142
	Commercial Law	\$ 15,095	\$ 34,428
	Employment Law	\$ 3,250	\$ 7,143
	IP & Technology Law	\$ 2,275	\$ 15,941
	Project & Finance	\$ 1,834	\$ -
	Property	\$ -	\$ 451
Total	\$ 22,454	\$ 59,105	
Building Commission	Admin Law & Govt	\$ 211,783	\$ 215,987
	Commercial Law	\$ 38,480	\$ 16,535
	Employment Law	\$ 6,456	\$ -
	IP & Technology Law	\$ 1,409	\$ -
	Litigation	\$ 69,004	\$ 169,736
	Project & Finance	\$ 1,674	\$ 13,353
	Total	\$ 328,805	\$ 415,613

Department	Component	2002/03	2003/04
Business Licencing Authority	Admin Law & Govt	\$ 61,988	\$ 65,073
	Commercial Law	\$ -	\$ 2,597
	Property	\$ 66	\$ -
	Total	\$ 62,054	\$ 67,670
Vic Energy Networks Corporation	Admin Law & Govt	\$ -	\$ 10,718
	Commercial Law	\$ 73,691	\$ 129,093
	IP & Technology Law	\$ -	\$ 163,663
	Resources	\$ 31,472	\$ 4,047
	Total	\$ 105,163	\$ 307,520
Vic Inst of Forensic Medicine	Admin Law & Govt	\$ 8,202	\$ -
	Commercial Law	\$ 8,583	\$ 4,600
	Litigation	\$ -	\$ 16,453
	Total	\$ 16,785	\$ 21,054
Victoria Police	Admin Law & Govt	\$ -	\$ 144,786
	Commercial Law	\$ -	\$ 183,741
	Employment Law	\$ -	\$ 215,759
	IP & Technology Law	\$ -	\$ 35,089
	Litigation	\$ -	\$ 2,030,019
	Other Legal Services	\$ -	\$ 185,854
	Property	\$ -	\$ 9,390
	Total	\$ -	\$ 2,804,639
Motor Car Traders Guarantee Fund Claims Committee	Litigation	\$ -	\$ 12,032
	Total	\$ -	\$ 12,032
Emergency Services Super	Admin Law & Govt	\$ -	\$ 1,503
	Property	\$ -	\$ 15,299
	Total	\$ -	\$ 16,801
Vic Law Reform Commission	Employment Law	\$ 6,360	\$ -
	Total	\$ 6,360	\$ -
Grand Total		\$ 17,501,755	\$ 32,674,231