

# **AGENCY INFORMATION GUIDE**

## AGENCY INFORMATION GUIDE

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Date closed			

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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 March 2020 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](http://www.legalaid.nsw.gov.au)  
Telephone: (02) 9134 9383  
Email: [inhousecounselunit@legalaid.nsw.gov.au](mailto:inhousecounselunit@legalaid.nsw.gov.au)

**Brendan Thomas**  
**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 Brendan Thomas and nine part-time members, namely:

Craig Smith (Chair)  
Michael Coleman  
Emeritus Professor Richard Leigh Henry  
Sue Gilchrist  
Dr. Peggy Dwyer  
Darryl Browne  
Associate Professor Anna Cody  
Ainslie van Onselen  
Brendan Thomas BA (CEO)

Legal Aid NSW is part of the Department of Attorney –General and Justice and the Minister responsible for Legal Aid NSW is the Attorney General and Minister for Justice, The Honourable Greg Smith, SC MP.

The senior management team consists of:

- Brendan Thomas, Chief Executive Officer
- Monique Hitter, Deputy Chief Executive Officer
- Kylie Beckhouse, Director, Family Law
- Annmarie Lumsden, Director, Criminal Law
- Meredith Osborne, Director, Civil Law
- Jocelyn Flanagan, Director, Grants
- Wayne Gale, Director, Information and Communications Technology
- Cherie Pittman, Acting Director, Policy, Planning and Programs
- Jane Cipants, Director, Client Services
- Michelle Jones, Director, Human Resources
- Mark Brodie, Director, Finance and Facilities

**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**

**Central Sydney Office:** 323 Castlereagh Street SYDNEY NSW 2000  
Ph: (02) 9219 5000 Fax: (02)9219 5935 TTY: (02) 9219 5126

**Bankstown:** Level 7, Civic Tower 66-72 Rickard Road, BANKSTOWN NSW 2200  
Ph: (02) 9707 4555 Fax: (02) 9708 6505

**Blacktown:** Suite 36-37 Kildare Road, BLACKTOWN NSW 2148  
Ph: (02) 9621 4800 Fax: (02) 9831 5597

**Burwood:** Level 4, 74-76 Burwood Road, BURWOOD NSW 2134  
Ph: (02) 9747 6155 Fax: (02) 9744 6936 TTY: (02) 9747 0214

**Campbelltown:** Suite 1, Level 4, City Centre, 171-179 Queen Street, CAMPBELLTOWN 2560  
Ph: (02) 4628 2922 Fax: (02) 4628 1192

**Fairfield:** Suite1, Level 2, 25 Smart Street, FAIRFIELD NSW 2165  
Ph: (02) 9727 3777 Fax: (02) 9724 7605

**Liverpool:** Level 4, Interdell Centre, 47 Scott Street, LIVERPOOL NSW 2170  
Ph: (02) 9601 1200 Fax: (02) 9601 2249 TTY:(02) 9601 7547

**Parramatta - Civil & Family Law:** Level 4, 128 Marsden Street, PARRAMATTA NSW 2150  
Ph: (02) 9891 1600 Fax: (02) 9689 1082 TTY: (02) 9891 5692

**Parramatta – Criminal Law:** Parramatta Justice Precinct, Level 1, 160 Marsden Street PARRAMATTA NSW 2150 Ph: (02) 8688 3800 Fax: (02) 8688 3890

**Penrith:** Level 4, 2-6 Station Street, PENRITH NSW 2750 Ph: (02) 4732 3077 Fax: (02) 4721 0572

**Sutherland:** Ground Floor, Endeavour House, 3-5 Stapleton Avenue, SUTHERLAND NSW 2232  
Ph: (02) 9521 3733 Fax: (02) 9521 8933

**REGIONAL**

**Bourke Legal Aid Satellite Office:** 41B Mitchell Street, BOURKE NSW 2840  
Ph: (02) 6808 2155

**Broken Hill:** 194 Argent Street, BROKEN HILL NSW 2880 Ph: (02) 6885 4233

**Coffs Harbour:** 41 Little Street, COFFS HARBOUR NSW 2450 Ph: (02) 6651 7899 Fax: (02) 6651 7897

**Dubbo:** 64 Talbragar Street, DUBBO NSW 2830 Ph: (02) 6885 4233 Fax: (02) 6885 4240

**Gosford:** 90-100 Donnison Street, GOSFORD NSW 2250  
Ph: (02) 4324 5611 Fax: (02) 4324 3503 TTY: (02) 4324 5611

**Lismore:** Suite 6, Level 4, Westlawn Building, 29 Molesworth Street, LISMORE NSW 2480  
Ph: (02) 6621 2082 Fax: (02) 6621 9874 TTY: (02) 6621 2082

**Newcastle:** Level 2, 51-55 Bolton Street, NEWCASTLE NSW 2300  
Ph: (02) 4929 5482 Fax: (02) 4929 3347 TTY: (02) 4929 4036

**Newcastle – Crime:** Level 3, 400 Hunter Street, NEWCASTLE NSW 2300  
Ph: (02) 4929 5482 Fax: (02) 4929 3347

**Nowra:** Level 2, 59 Berry Street, NOWRA NSW 2541 Ph: (02) 4422 4351 Fax: (02) 4422 4340

**Orange:** Suite 4, 95 Byng Street, ORANGE NSW 2800  
Ph: (02) 6362 8022 Fax: (02) 6361 3983 TTY: (02) 6362 8022

**Port Macquarie:** 107 William Street, PORT MACQUARIE NSW 2444  
Ph: (02) 5525 1600 Fax: (02) 6584 9646

**Tamworth:** Level 1, 424-426 Peel Street, TAMWORTH NSW 2340  
Ph: (02) 6766 6322 Fax: (02) 6766 8303 TTY: (02) 6766 6322

**Riverina Murray (Albury):** Suite 1A, Level 1, 520 Swift Street, ALBURY NSW 2650  
Ph: (02) 6020 7200 Fax: (02) 6041 1570

**Riverina Murray (Wagga Wagga):** Ground floor, 74-76 Fitzmaurice Street, WAGGA WAGGA NSW 2650  
Ph: (02) 6921 6588 Fax: (02) 6921 7106 TTY: (02) 6921 6588

**Tamworth:** Level 1, 424-426 Peel Street, TAMWORTH NSW 2340  
Ph: (02) 6766 6322 Fax: (02) 6766 8303

**Walgett:** 44 Fox Street, WALGETT NSW 2832 Ph: (02) 6857 8122

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

## **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)

**Civil Law Service for Aboriginal Communities:** Freecall 1800 793 017 or (02) 9219 5057 or email [moneycounts@legalaid.nsw.gov.au](mailto:moneycounts@legalaid.nsw.gov.au).

**Coronial Inquest Unit:** Level 20, 323 Castlereagh Street, SYDNEY NSW 2000  
Ph: (02) 9219 5156 or 02 9219 5000 Fax: (02) 9219 5070

**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

**Elder Abuse Service:** Ph: (02) 4324 5611 or email: [elderservice@legalaid.nsw.gov.au](mailto:elderservice@legalaid.nsw.gov.au).

**Employment Law Service:** All Legal Aid Offices that provide Civil Law.

**Family Dispute Resolution Service:** Ph: (02) 9219 5118 or (02) 9219 5119 or email:  
[FDR.UnitInbox@legalaid.nsw.gov.au](mailto: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 Committee:** Contact Human Rights Committee coordinator on 02 9219 5790

**Immigration Service - Central Sydney Office:** 323 Castlereagh Street SYDNEY NSW 2000  
Ph: (02) 9219 5790

**Mental Health Advocacy Service:** Level 4, 74 - 76 Burwood Road, BURWOOD 2134  
Ph: (02) 9745 4277 Fax: (02) 9744 6936 TTY: (02) 9745 4277

**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:** You must call us first to book an appointment. Call LawAccess NSW on 1300 888 529 to find your closest Legal Aid office. If you have appealed to the Administrative Appeals Tribunal you can make an appointment to see a Legal Aid lawyer at the Tribunal on Tuesdays and Wednesdays. Contact the Tribunal on 1800 228 333 for an appointment

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

**Prisoners Legal Service:** 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 8688 3888 or fax 02 8688 3895 between 9am and 5pm.

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

**Sexual Assault Communications Privilege Service:** Email: [sacps@legalaid.nsw.gov.au](mailto:sacps@legalaid.nsw.gov.au) Ph: 9219 5888

**Veterans Advocacy Service:** Level 3, 323 Castlereagh Street, SYDNEY 2000  
Ph: (02) 9219 5148 Fax: (02) 9219 5145 Email: [veterans@legalaid.nsw.gov.au](mailto: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](mailto: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.



### **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](http://www.legalaid.nsw.gov.au).

Appeals against decisions relating to legal aid applications and grants of legal aid are considered by Legal Aid Review Committees. There are six Legal Aid Review Committees, three of which deal specifically with family law 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 2018-2019 Annual Report can be accessed at: <https://www.legalaid.nsw.gov.au/publications/annual-report>.

## **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.

### **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. Environmental Consultative 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. Women's Domestic Violence Court Advocacy Program (WDVCAP) Advisory Committee: Advises the CEO on the implementation, administration and Guidelines for the WDVCAP including funding priorities.

### **Legal Aid Review Committees**

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](mailto:larc@legalaid.nsw.gov.au) or by post at:

Legal Aid Review Committee  
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) 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.

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 on (02) 9134 9383.

## **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](http://www.legalaid.nsw.gov.au). These policies cover a wide range of issues including the means test, merit test, how grants of aid are to be administered, and the types of matters for which legal aid is available as well as a wide variety of administrative matters.

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](mailto:inhousecounselunit@legalaid.nsw.gov.au)  
Telephone (02) 9134 9383  
PO Box K847 HAYMARKET NSW 1238.

## **REFERENCE MATERIALS**

Legal Aid NSW has an extensive legal library for the benefit of its staff and staff of its partners. Legal Aid NSW publishes many documents concerning legal aid and legal matters generally, as well as its Annual Reports. A list of Legal Aid NSW publications appears at the end of this Publication Guide.

Further information regarding publications and other educational resources can be obtained by email to [publications@legalaid.nsw.gov.au](mailto:publications@legalaid.nsw.gov.au) or by writing to:

Publications Officer Executive  
Level 8 Legal Aid NSW  
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 (02) 9134 9383 for assistance.

## **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.

## **Lodging a Formal Access Application**

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.

Applications can be lodged at any office of Legal Aid NSW but it is advisable that applications be forwarded directly to the Right to Information Officer.

## **All enquiries concerning Right to Information should be referred to:**

The Legal Aid NSW Right to Information Officer PO Box K847 HAYMARKET NSW 1238  
Telephone: (02) 9134 9383 Email: [inhousecounselunit@legalaid.nsw.gov.au](mailto:inhousecounselunit@legalaid.nsw.gov.au).

## **PUBLICATIONS**

Legal Aid NSW has produced over 55 publications and some publications are available in almost 30 other languages. The publications are free of charge unless otherwise stated.

The publications can be accessed online: <http://www.legalaid.nsw.gov.au/publications/>

## **How to order**

Use our online ordering system: <http://www.legalaid.nsw.gov.au/publications/order-a-publication>  
Email: [publications@legalaid.nsw.gov.au](mailto:publications@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](mailto:ipcinfo@ipc.nsw.gov.au)
- Mail GPO Box 7011, Sydney NSW 2001
- Visit Level 17, 201 Elizabeth Street, Sydney NSW 2000
- Call 1800 472 679 between 9am to 5pm, Monday to Friday (excluding public holidays).