Annual Report

2012-2013

REPUBLIC OF TRINIDAD AND TOBAGO



LEGAL AID

AND

ADVISORY AUTHORITY

ANNUAL REPORT

AS AT SEPTEMBER, 2012-2013

REPORT

OF THE

LEGAL AID AND ADVISORY AUTHORITY

AS AT SEPTEMBER, 2012-2013



MISSION

"To make our legal services accessible to persons of moderate means through loyal and competent staff, in a timely and professional manner within an environment where staff and clients are highly valued and advancing and fostering linkages and networks with relevant social service providers."

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Legal Aid and Advisory Authority Report As At September, 2013

Introduction

STATUTORY MANDATE

The Legal Aid and Advisory Authority has from its inception, planned its operations based on its Statutory Mandate, which is "...to make legal aid and advice in Trinidad and Tobago readily available for persons of small or moderate means, to enable the cost of legal aid and advice granted to persons to be defrayed wholly or partly out of moneys provided for by Parliament..."

VISION STATEMENT

"The leading, dynamic organization, providing quality and easily accessible legal services to valued clients by dedicated staff."

MISSION STATEMENT

"To make Our Legal Services accessible to persons of moderate means through...

Loyal, Dedicated and Competent Staff,

In A Timely and Professional manner,

Within An Environment in which both Staff and Clients are Highly Valued and Respected and Advancing and Fostering Relationships and Networks with Relevant Stakeholders."

CORE VALUES

Confidentiality, Integrity, Team Work, Client Care, Quality Service and Efficiency.

Chapter 1: Establishment of the Legal Aid and Advisory Authority

1.1 Legal and Social Framework

The Government of the Republic of Trinidad and Tobago, cognisant of its responsibility towards individuals who, because of limited financial means, would be deprived of the principles of justice and due process under the rule of law, established the Legal Aid and Advisory Authority as a body corporate through the Legal Aid and Advice Act, Chapter 7:07 (Act 25 of 1976) and Amendments thereto.

As prescribed in the Legal Aid and Advice Act, Chapter 7:07 of the Laws of Trinidad and Tobago, the Authority is mandated:-

".....to make legal aid and advice in Trinidad and Tobago readily available for persons of small or moderate means, to enable the cost of legal aid or advice granted to persons to be defrayed wholly or partly out of moneys provided by Parliament, and for purposes connected therewith."

Chapter 2: Summary of Review of the Year as At September, 2013

The Legal Aid and Advisory Authority continued to discharge its statutory responsibilities in meeting the needs of persons who, because of limited financial means, would otherwise have been unable to access legal advice and representation.

A Strategic Planning and Organizational Review of the Authority began in November 2012 with the following goals in mind: -

- Finalization of Strategic 3-year plan.
- Finalization of a new Organizational Chart for the LAAA.
- Finalization of new terms and conditions for staff members of LAAA

The Authority functioned up to November 2012, with eight (8) Members, when the term of office of the four nominees of the Law Association expired.

A new Director/Chairman was appointed in May, 2013.

The four new nominees of the Law Association were appointed in May 2013

The Authority requested that it be upgraded as a Board.

The Authority requested that an opinion be sought from the Solicitor General as to whether Members were required to file statements with the Integrity Commission.

The Director/Chairman requested that an opinion be sought from the Solicitor General as to the interpretation of the word 'Authority' and whether if in the absence of all Members being appointed, the Authority existed.

The new Director requested that the minutes of the meetings be taken by a Computer Aided Transcript Reporter.

The Authority received approval for the rental of two floors of the TTMA Building in Barataria for the temporary Head Office of the Authority.

The Authority relocated to TTMA in September 2013.

The Authority continued to look for suitable accommodation in Chaguanas and Sangre Grande to be used as district offices.

The Authority continued to look for suitable accommodation in Port of Spain.

In April, 2013, the Authority approved the employment of an additional nine (9) Legal Officers on contract.

A Head Legal Position was created in the Authority and the position filled.

8 Legal Officers received training in Mediation.

A Legal Officer joined the San Fernando Drug Treatment Court Team.

The Minister of Justice promised to locate a parcel of land in the central area for the construction of a Head Office for the Authority.

The Authority prepared a proposal of revised contributions to be paid by Members of the Public for advice and letters of assistance based on the May 2012 amendment of the Legal Aid and Advice Act.

In March, the Authority agreed that persons with over 100 late minutes for the month be written to and given a gentle reminder to improve punctuality.

In March 2013, the Authority recognized that additional funding would be needed for the balance of the fiscal year.

A further amendment to the Legal Aid and Advice Act was passed allowing for monthly fees to Attorneys in capital matters where there are three or more jointly accused.

Continuation of Data Entry of Manual files. To date most of the applicants' files have been scanned and entered on the open source Case Management System.

The Authority with the assistance of the Ministry of Justice's Information and Communication Technology Department was able to utilize most of the funds released under the PSIP to update its Information Technology level throughout most of its offices and to outfit its new Head Office located at Barataria.

Priority Bus Route Passes were renewed for the Director/Chairman and Secretary. Board Members of the Authority are yet to obtain passes.

The Authority successfully hosted staff activities to celebrate Emancipation Day, Eid-ul-Fitr and Divali.

Responsibility for the Authority was returned to the Minister of Legal Affairs in September 2013.

The Authority approved the preparation of Annual Reports for 2011 and audit of Financial Statements for 2012 by Shaffick Hosein & Company.

The Authority attended two (2) requests for outreach programmes. One held by the Ministry of Community Development Siparia and the other at Charford Court Community Centre, Port of Spain.

The Ministry of Justice started meetings with Stakeholders including the Authority on the amendments to the Preliminary Enquiries (Indictable Offences) Act.

The Director/Chairman expressed his concern with the amount of unserviceable items located at the Port of Spain office and questioned whether it was necessary to go through the public service procedures to dispose of them.

New security arrangements were made for the San Fernando Office of the Authority.

The Authority proposed a Public Awareness programme for the Duty Counsel Scheme.

The Authority proposed the granting of six scholarships to staff members to pursue paralegal studies.

As at September 2013, most persons who received legal aid accessed this facility through the Port of Spain and San Fernando offices and the Golden Grove (Men) Prison. A total of 17,237 persons were granted assistance under the legal aid programme.

The Financial Statement of the Authority for the year as at September 2013 is incorporated in this Report.

Chapter 3: Policy and Management Framework

3.1 Ministerial Responsibility for Legal Aid

From October 2012 to September 2013, responsibility of the Legal Aid and Advisory Authority was with the Minister of Justice.

In September 2013, the responsibility of the Legal Aid and Advisory Authority was transferred to the Minister of Legal Affairs.

3.2 Policy-making

The Legal Aid and Advice Act, Chapter 7:07, states in section 9 that:

"9. In the exercise and performance of its functions under this or any other written law, the Authority shall act in accordance with any general directions of the Minister; but subject to this section, the Authority shall, when exercising and performing its functions, be subject to the control or direction of no other person or authority."

The Authority, therefore, is guided by such provisions in determining policy and executing its responsibilities, as required.

3.3 Composition of the Authority

The composition of the Authority and the appointment of its Secretary, respectively, are provided for under the provisions of sections 3 and 3A, respectively, of the Legal Aid and Advice Act, as provided hereunder:

"3...

- (2) The Authority shall consist of eight members appointed by the President as follows:
 - a) an Attorney-at-Law of not less than seven years standing who shall be designated Director of Legal Aid and Advice and who shall be Chairman of the Authority;
 - b) four Attorneys-at-Law nominated by the Law Association of Trinidad and Tobago, established under the Legal Profession Act, or in default of such nomination, by the Chief Justice, and at least one of whom has a resident practice in Tobago and is also nominated by the Tobago House of Assembly.
 - c) the person for the time being holding the office of Chief Probation Officer;
 - d) a member of the Board established by the National Insurance Act;
 - e) a member, being a public officer attached to the Ministry.

(2A)	In nominating persons for appointments to the Authority due regard shall
	be given to regional representation.

XXX......XXX

(3A) The Authority shall appoint a suitably qualified person to be its Secretary."

3.4 Membership of the Authority

The membership of the Authority for the period October 2012 to May, 2013 was as indicated hereunder:

Mr. Chateram Sinanan (Director/Chairman)

Mrs. Cecilia Greaves-Smith (Member, Representative of Line Ministry)
Ms. Gwendoline McLaren (Member, Representative of the N.I.B)
Ms. Claire Blandin (Ex Officio Member, Chief Probation Officer)

Ms. Nancy Arneaud – Secretary to the Authority

In May, 2013, a new Director/Chairman was appointed along with four Members who were nominees of the Law Association of Trinidad and Tobago. The new members are listed hereunder:

Israel B. Khan S.C.

Mrs. Deborah Moore-Miggins

Mrs. Rhonda Parris-DeFreitas

Mr. Kemrajh Harrikissoon and

Mr. Anand Singh

The existing Members of the Authority as at September 30, 2013 are as follows:

Director/Chairman

Israel B. Khan S.C. Mrs. Deborah Moore-Miggins

Mrs. Ronda-Ann Parris-DeFreitas

Mr. Kemrajh Harrikissoon

Mr. Anand Singh

Ms. Claire Blandin

Ms. Gwendoline McLaren

Mrs. Cecilia Greaves-Smith

Ms. Nancy A. Arneaud – Secretary to the Authority.

A quorum of the Authority consists of four members.

Mr. Richard Ragoobarsingh acted for Ms. Arneaud when she proceeded on leave in March and September, 2013.

3.5 Organizational Structure

The responsibilities of the Authority were effectively and efficiently discharged by the administrative entity comprising the following:

- 1. Legal/Investigations
- 2. Human Resources
- 3. Information and Communications Technology
- 4. Finance and Accounts
- 5. Administration

A copy of the Present Organisational Chart of the Authority, showing the structural relationships, is attached hereto.

For the Present Organisational Charts see Appendix I.

3.6 Issues Pertaining to Staff of the Authority

A. Terms and Conditions of Service

a) Punctuality Reports/Policy

Staff punctuality reports were circulated monthly at meetings of the Authority. In February, 2013, an assessment was requested of all staff members who registered over 150 minutes late for the last six months

In March, 2013 the Members of the Authority felt strongly that punctuality of staff members was of a high importance and agreed that members registering over 100 minutes late monthly, should be written to and given a gentle reminder to improve their punctuality. In June, 2013, the Director/Chairman recommended that when a member of staff was consistently late, his/her immediate Supervisor should attempt to deal with the issue before it came to the Board.

In July, 2013, the Human Resources Department submitted a Policy for Addressing Unpunctuality of Staff Employed by the Legal Aid and Advisory Authority.

The Policy included:

- Official hours of work
- A definition of late arrival and absence from work
- Accountability for absences for duty beyond 150 minutes after the official start of work
- The procedure to be followed for employees who arrive late for work Provision to make good time due to late coming
- Procedures upon the accumulation of late minutes due to late arrival for work

The Authority agreed that the policy should be addressed administratively.

B. A Strategic Plan

In November 2012, the Authority under the direction of DAE Consultant Services Ltd., the selected Consultants, commenced preparations of a 3-year Strategic Plan.

On November 16 - 17, 2012, a Team Building exercise on strategic planning was held with staff members and Members of the Authority.

On March 13, 2013, presentations on the operational plan were made to the Authority.

In April 2013, the final report on the proposed organization structure recommended for the Authority was approved by the Authority. Incoming Members in May, 2013 were updated on the strategic planning exercises.

In August, 2013, the Authority granted approval for the Strategic Plan and the proposed Organizational Structure and the proposal for the reclassification of the positions in the Authority.

The Strategic Plan, Proposed Organizational Chart and the proposal for the reclassification of positions in the Authority were submitted to the Line Minister for forwarding to Cabinet for its consideration.

In September, 2013, the Director/Chairman articulated that the Strategic Plan should clearly apprise the Line Minister of the status of the Authority moving in the direction of a Public Defender's Office.

For further details of the Strategic plan See Appendix II

C. Paralegal Scholarships

In July 2013, the Director/Chairman made a recommendation to the Authority that approximately 6 members of staff be selected for scholarships to be trained as paralegals. The Authority so agreed.

The Scholarship cost per staff member was approximately \$6,000.00 and the selected institution was the Academy of Tertiary Studies.

A clear criteria was suggested for the selection process including that it be considered as part of in-house training and the qualifications be included in the job criteria.

The following members of staff were selected:

Regina Ramdeen Clerical Assistant/Typist – San Fernando Office

Mark Velinor Clerical Assistant Arima Office Simone Gordon Clerical Assistant/Typist Tobago Office Tashmera Bhagwansingh Snr. Clerical Asst. I Couva Office Richard Mahabir Snr. Clerical Asst. II Head Office Rossi Ramdass Clerical Assistant Head Office.

Chapter 4: Operations

4.1 Offices

During the fiscal year 2012/2013 the operations of the Authority were conducted from its Offices in Trinidad and in Tobago at the following locations.

OFFICE	LOCATION	DAY	TIME
Port of Spain	112 Edward Street, Port-of-Spain	Monday to Friday	8:00 a.m. – 4:15 p.m.
Barataria	TTMA Building 42 Tenth Avenue Barataria	(From September 1, 2013)	
San Fernando	6 Harris Street, San Fernando.	Monday to Friday	8:00 a.m. – 4:15 p.m.
Arima	1 st Floor Pennywise Building, 10-10A Devenish Street, Arima	Monday to Friday	8:00 a.m. – 4:15 p.m.
Couva	Couva Social Services Centre, Camden Road, Couva	Monday to Friday	8:00 a.m. – 4:15 p.m.
Sangre Grande	Social Welfare Office, Cor. Savi St. and Boodooville Circular Rd, Sangre Grande	Mondays	8:00 a.m. – 12:00 noon
Tobago	Caribana Building, Bacolet Street, Scarborough, Tobago	Monday to Friday	8:00 a.m. – 4:15 p.m.

4.2 Decentralization of Legal Aid Services

The Authority continued its search for suitable office spaces in Chaguanas, Sangre Grande and Port of Spain

The Authority also requested State Lands at Chaguanas and Couva for the purpose of constructing offices.

The Ministry of Justice, as delete Line Ministry, had previously proposed the purchase of lands at Carsen Field to construct a campus, including a Court building and offices of the Ministry and other Departments, including the Authority.

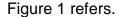
This project was shelved from September, 2013 when the Authority resumed being under the guidance of the Minister of Legal Affairs.

4.3 Services

4.3.1 Number of Persons in Receipt of Legal Aid

During the year 2013 (up to September), the combined number of persons who received legal aid through the Offices of the Authority and the Prison System totalled 17,237.

Of these 16,667 (96.7%) received aid through the Offices, while 570 (3.3%) received aid through the Prison System.



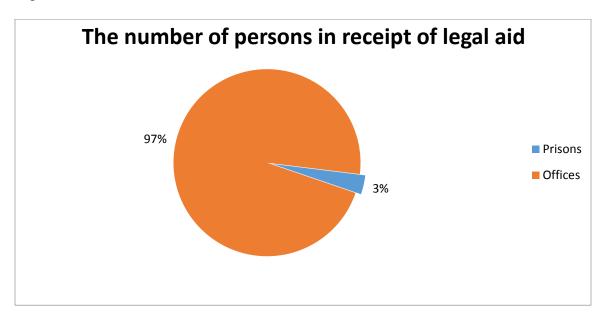
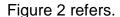


Fig. 1 Number of Persons in Receipt of aid through the Offices of the Authority and the Prison System – October 2012 to September 2013

A. Aid Granted through the Offices of the Authority

Of the 16,667 individuals who received legal aid through the services of the various Offices of the Legal Aid and Advisory Authority in 2013 (up to September), more than half accessed this facility through the Offices located at Port of Spain (24%) and San Fernando (31%). The Arima/Sangre Grande Office attended to 21% of the Applicants; the Couva Office 12% and the Tobago Office 10%.



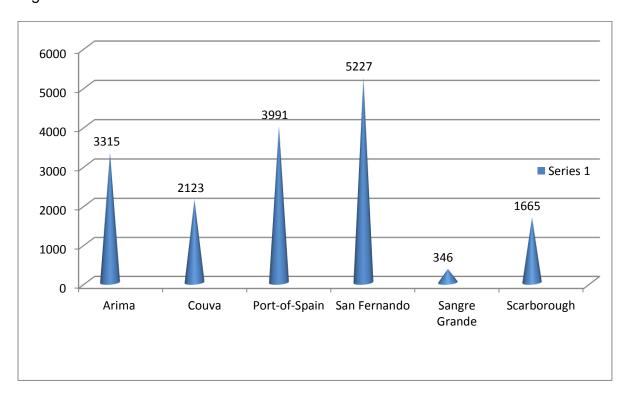


Fig. 2 Number of Persons in Receipt of Legal Aid through the Offices of the Authority – October 2012 to September 2013

B. Aid Granted through the Prison System

Of the 570 persons who received legal aid through the Prison System, most were inmates of the Golden Grove (Men) Prison (GGM) (306 inmates); followed by 127 persons from the Maximum Security Prison, 74 inmates of the Golden Grove (Women) Prison (GGW) and 63 inmates from the Port of Spain and Carrera Prisons.



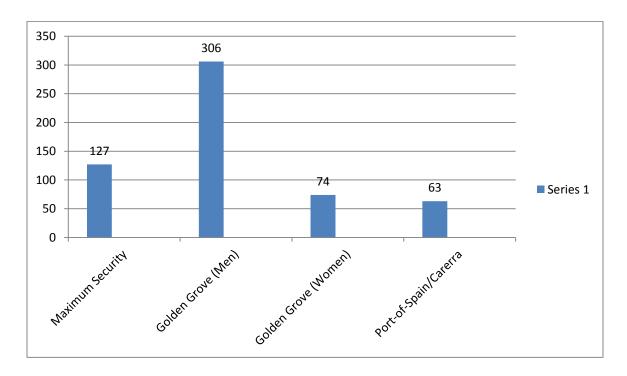


Fig. 3 Number of Persons in Receipt of Legal Aid through the Prison System – October 2012 to September 2013

4.3.2 Consideration of Civil Matters by the Authority

For the year 2012/2013 (up to September), 1120 civil matters were considered by the Authority. Of these, 847 (75.6%) were granted, 163 (14.6%) were refused and 94 (8.4%) were deferred. Four (4) civil matters were withdrawn.



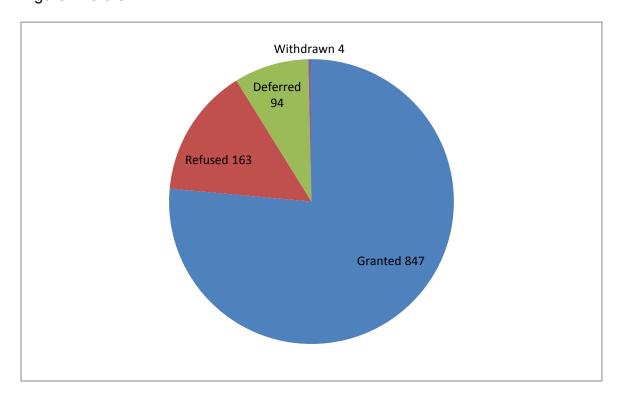


Fig.4 Number of Civil Matters Considered by the Authority – October 2012 to September 2013

BOARD MEETING STATUS REPORT FOR THE PERIOD: October 2012 to September 2013

Month	Board Meeting	No. of	Annuara	Defined	Deferred	Mith drawn	Domoska
Month	No.	Applicants	Approved	Refused	Deferred	Withdrawn	Remarks
October-12	281	91	68	17	6	NIL	
November-12	282	127	97	18	12	NIL	
December-12	283	92	67	14	11	NIL	
January-13	284	88	71	10	7	NIL	
February-13	285	71	53	3	14	NIL	1 - Revoked
March-13	286	92	72	14	6	NIL	
April-13	287	125	90	16	17	1	(1 Revoked)
May-13	288	95	73	10	8	3	(1 Revoked)
June-13	289	104	75	17	12	0	
July-13	290	58	45	7	NIL	NIL	2 - Revoked and 4 to change directive
August-13	291	86	68	17	1	NIL	
September-13	292	91	68	20	0	0	3 returned Based on Contents
	TOTALS	1120	847	163	94	4	

Table 1

4.3.3 Comparison of Number of Applications for Legal Aid

Table 1 shows the decisions taken by the Authority in Applications for legal aid in Civil High Court Matters. Table 1 Comparison of Number of Applications for Legal Aid (October 2012- September 2013).

4.3.4 Special meetings of the Authority

Apart from its monthly meetings, the Authority also met at 3 special meetings:

The first meeting was held on February 13, 2013, for the following reasons:

- (i) To consider a Note for the employment of a Human Resource Specialist.
- (ii) To consider tender applications for the outfitting of the TTMA Building at Barataria as the new Head Office of the LAAA, and
- (iii) To consider, in advance, 50 applications which were due for consideration at the meeting due for the following week.

The second special meeting was held on July 27, 2013 and was arranged to meet with DAE Consultant Services to revisit the proposed Organizational Structure of the Authority before it was passed to the Minister of Justice.

- The Authority also decided at that meeting to create the position of Head Legal and to have it filled as soon as possible.
- The Authority also reconsidered and changed the provider of security services at the San Fernando District Office.
- The Authority considered and deferred a Note submitted for the transfer of funds from the Authority's Abercrombie Fund Account to meet expected shortfall in funds for the fiscal year.

The third special meeting was held on September, 21, 2013.

At that meeting DAE Consultant Services made a presentation on the compensation report for the Authority which was accepted and approved.

- Deferred Matters from the previous Board Meeting were considered and decisions made.
- Specific files were considered and decisions made.
- The Authority agreed to engage the Chief Personnel Officer for formal approval to grant car loans to Legal Officers and Investigators and/or respective waiver of applicable taxes.

- The Authority agreed that a resolution should be circulated round robin to Members to address the issue of defining the limits of approvals for senior officers of the Authority.
- The Authority also considered and approved the enhancement of the lobby area at the new Head Office.
- The Authority discussed the issue of expenditure to date under the Duty Counsel Scheme and requested a breakdown of the said expenditure including a list of the payments to Attorneys-at-Law.
- A decision was also made to source the cost of a call centre system as operated in the United Kingdom in order to have the system work equitably.
- The status of the position of Head Legal was discussed.

Chapter 5: Funding for the Authority

5.1.1 Subvention

Initially in September, 2012, the Authority received a subvention in the sum of \$17,325,000 for its operations during the fiscal year.

In March 2013, the Authority communicated to the Line Ministry, the expected shortage of funds and requested additional funds in the sum of \$1.5M.

In May, 2013, additional funding in the sum of \$1.5M was provided from the Ministry of Justice to fund the partitioning project for the new Head Office in Barataria and the provision of furniture for the new office.

During this fiscal year, the Authority spent the sum of \$20,567,750 towards meeting the costs associated with the discharge of its responsibilities and functions.

In July 2013, a projection for additional funding in the sum of \$7.2M was made by the Authority, in anticipation of the proposed cost of the employment of additional staff to meet the expectations of the implementation of the Administration of Justice Act, as identified in the Needs Analysis.

Chapter 6: Other Administrative Matters

6.1 Legislative Agenda

By September 2013, the Legal Aid and Advice Act was amended to include specific fees to Attorneys in multi-accused capital matters, where three or more accused were jointly charged.

At the end of September, the order had been approved and was forwarded for publication.

6.2 Duty Counsel Scheme

The Duty Counsel Scheme provides legal representation to:

- Adults detained on suspicion of having committed a Capital offence.
- Minors (under eighteen) detained on suspicion of having committed any offence.

On June 1, 2012, the Duty Counsel Scheme became operational. The 24-hour Call Centre was set up and operators were trained to handle the mandate of the Scheme. On July 17, 2012, Call Centre operations shifted to San Fernando. The San Fernando office now houses the 24-hour Call Centre of the Duty Counsel Scheme.

During the fiscal year, the Authority had a committee set up to look at organizing a public awareness programme for the Duty Counsel Scheme.

A plan was submitted by the Communications Department of the Ministry of Justice but the Authority considered it too costly and moved to implement an in-house programme with the assistance of Members and Staff of the Authority.

LEGAL AID AND ADVISORY AUTHORITY DUTY COUNSEL SCHEME OCTOBER, 2012 TO SEPTEMBER, 2013

Month	N	Minors		dults	Remarks
	Male	Female	Male	Female	
October	24	0	11	1	
November	50	8	10	3	
December	29	2	5	0	
January	74	4	15	1	
February	48	0	15	0	
March	65	0	12	0	
April	63	0	15	0	
Мау	45	0	9	0	
June	75	0	10	0	
July	34	1	22	0	
August	33	2	5	2	
September	71	1	8	0	
TOTAL	508	8	111	7	

Note – Programme started on 1st June, 2012.

Table 2: Duty Counsel Assignments for October 2012 – September 2013

6.3 High Court Criminal Matters

Payment of Increased Fees to Attorneys-at-law in Special Trials

In June, 2013, the Ministry of Justice, informed that a Note was taken to Cabinet by the Ministry, for the consideration of special fees to Attorneys-at-Law assigned in multi-accused matters. The Director/Chairman recused himself from discussions, as he was prosecuting in one such matter.

The Note was then referred to the Finance and General Purpose Committee of Parliament and later approved and an Order was prepared to amend the Legal Aid and Advice Act.

The said amendment came into effect in August, by Legal Notice No. 180 of 2013, and provided as follows:

"Where three or more accused persons are appearing in a capital case being tried before the High Court and the Authority reasonably believes that the trial may be lengthy in time, the Authority shall pay to an attorney-at-law representing one or more of the accused a sum not exceeding thirty thousand dollars per month during the period of the trial and such payment may be prorated by the Authority as it thinks fit."

6.4 Legal Opinion requested on filing of Statements by Members

Members of the Authority were unsure as to whether Members were mandated to file statements with the Integrity Commission.

The Authority requested that a Legal Opinion be sourced from the Solicitor General as to whether this was a requirement on the part of Members.

6.5 Legal Aid Outreach

Staff of the Authority attended and assisted at two outreach programmes held at the Ministry of Community Development, Siparia and at Charford Court Community Centre in Port of Spain.

6.6 Legal Aid and Advisory Authority Sub-Offices

A letter was prepared to the Minister of Housing and the Environment applying for a Caroni Bungalow together with the lands thereon to be made available to the Authority for the purpose of constructing a permanent district office in the central area.

Cabinet approved the rental of two (2) floors of the TTMA Building in Barataria as the temporary Head Office of the LAAA. The lease commenced November 1st, 2012.

The Authority approved the sourcing of state lands to construct a permanent Head Office for the Authority and recommended that funding for this project be sourced through the Public Sector Implementation Programme, with the Ministry of Justice assisting in the planning.

Land in Central was being located for this project.

6.7 General Matters

The Authority approved the Accounting Firm of Shaffick Hosein & Company to complete Annual Reports for the years 2012-2013

The Authority also approved the services of Rapid Response Security Services Company Limited to provide security services to the Tobago office for one (1) year.

Priority Bus Route Passes were requested for Members of the Authority, however no Passes were received. The request was sent via letter sent to the Ministry of Works.

The Director/Chairman directed that the minutes of the meetings be taken by a Computer Aided Transcript Reporter.

The Director/Chairman expressed his concern with all the unserviceable items strewn about the Port of Spain Head Office and the bureaucracy in disposing of these items.

Employee Assistance Programme services were approved for Staff Members, to be continued by the selected provider, Dolly and Associates Ltd.

Chapter 7: Financial Statements

7.1 Audited Financial Statements

The Financial Statement of the Authority for the year ended September 30, 2013, which was audited and certified by Shaffick Hosein & Company, Chartered Accountants, is incorporated into this Report.

LEGAL AID AND ADVISORY AUTHORITY FINANCIAL STATEMENTS FOR THE YEAR ENDED 30TH SEPTEMBER, 2013

SHAFFICK HOSEIN AND COMPANY CHARTERED ACCOUNTANTS 54 JARVIS STREET VISTABELLA TELEPHONE: 652-0106 / 653- 6687 FAX: 653-3484

LEGAL AID AND ADVISORY AUTHORITY

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Shaffick Hosein & Company

Chartered Accountants

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54 Jarvis Street, Vistabella, Trinidad, West Indies.		1-(868) 652-0106 1-(868) 653-6687 1-(868) 653-3484	=

INDEPENDENT AUDITORS' REPORT

TO THE MEMBERS OF

LEGAL AID AND ADVISORY AUTHORITY

We have audited the accompanying financial statements of Legal Aid and Advisory Authority which comprise the statement of financial position as at 30th September, 2013, the statement of comprehensive income, accumulated fund and statement of cash flows for the year then ended and a summary of significant accounting policies and other explanatory notes.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation of these financial statements in accordance with International Financial Reporting Standards. This responsibility includes: designing, implementing and maintaining internal control, relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditors' Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with International Standards on Auditing. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditors consider internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements present fairly, in all material respects, the financial position of Legal Aid and Advisory Authority as of 30th September, 2013, and its financial performance and each flows for the year then ended in accordance with International Financial Reporting Standards.

54 Jarvis Street, Vistabella. 10TH FEBRUARY, 2014 Shaffick (Yozu)
SHAFFICK HOSEIN & CO.
CHARTERED ACCOUNTANTS

LEGAL AID AND ADVISORY AUTHORITY STATEMENT OF FINANCIAL POSITION AS AT 30TH SEPTEMBER , 2013

	NOTES	2013	2012
FIXED ASSETS (NET)	3	6,942,926	5,723,339
CURRENT ASSETS			
Cash in Hand		500	500
Cash at Bank		616,865	946,764
Investment	4	4,201,877	6,611,433
Prepayments		253,677	242,476
Employee Loan		29,162	79,154
		5,102,081	7,880,327
CURRENT LIABILITIES			
Creditors and Accruals		1,579,130	375,783
		1,579,130	375,783
TOTAL NET CURRENT ASSETS		3,522,951	7,504,544
TOTAL NET ASSETS		\$10,465,877	\$13,227,883
REPRESENTED BY:			
ACCUMULATED FUND		\$10,465,877	\$13,227,883

On the 10th February, 2014, the Board of Directors of Legal Aid and Advisory Authority, authorised these financial statements for issue.

The notes on pages 6 to 7 form part of these financial statements.

CHAIRMAN

SECRETARY: Many a arman

ACCOUNTANT: Jucia games

LEGAL AID AND ADVISORY AUTHORITY STATEMENT OF COMPREHENSIVE INCOME FOR THE YEAR ENDED 30TH SEPTEMBER, 2013

	NOTES	2013	2012
INCOME			
Court Award and Award of Costs (Net)	5	102,000	18,089
Government Grant		20,567,750	11,807,175
Interest - Abercrombie Fund Account		90,444	88,428
Interest - Employee Loan		9,662	7,247
Legal Advice		77,757	55,242
Legal Aid Contribution		5,288	1,664
Miscellaneous Income		8,507	200000000
Profit on Disposal of Fixed Asset			3,275
EXPENDITURE		20,861,408	11,981,120
PERSONNEL			
			201
National Insurance Scheme		549,103	314,969
Pension Contribution		15,806	20,296
Salary and Cola (A)		9,549,994	6,021,971
Salary and Cola (Call Centre)		162,000	-
Overtime		54,459	
ADMINISTRATIVE		10,331,362	6,357,236
AND		1000000	120
Audit Fees		25,185	23,000
Bank Service Charges		7,228	4,509
Books		7	•
Counsel Fees and Contingent Expenses		3,552,324	949,882
Counsel Fees and Contingent Expenses-Duty Scheme		639,600	
Court Award and Award of Cost		99,310	
Depreciation		1,014,810	678,744
Entertainment		266,982	198,492
Fees for Protective Services		1,264,158	874,017
Fuel, Light and Water		409,236	224,630
Furniture and Equipment		-	10,946
Group Health Plan		73,764	41,070
Insurance		138,850	112,685
Loss on Asset Disposal		169	
Miscellaneous		28,677	3,732
Office Supplies		311,808	306,885
Official Overseas Travel		54,983	293,955
Out of Pocket Allowance		201,287	176,000
Professional Fees		156,498	342,521
Publicity and Information		110,636	314,677
Rent		2,871,945	1,350,109
Repairs and Maintenance		250,528	168,189
Subscriptions		362,798	329,121
Telephone		641,000	376,500
Training		231,405	33,363
Travelling and Subsistence		1,165,299	734,495
Uniforms		24,633	13,202
		13,903,120	7,560,724
TOTAL EXPENDITURE		24,234,482	13,917,960
(EXPENDITURE) OVER INCOME		(\$3,373,074)	(\$1,936,840)

The notes on pages 6 to 7 form part of these financial statements.

LEGAL AID AND ADVISORY AUTHORITY ACCUMULATED FUND AS AT 30TH SEPTEMBER , 2013

	2013	2012
Accumulated Fund at 01.10	13,227,883	14,591,196
Net (Deficit)/Surplus	(3,373,074)	(1,936,840)
Prior year's adjustments	-	(29,999)
Accruals adjustment	(2,626)	-
Over Provision of prior year's audit fees	25,625	480
Grant - fixed assets and expenses	588,069	603,046
Accumulated Fund at 30.09	\$ 10,465,877	\$ 13,227,883

The notes on pages 6 to 7 form part of these financial statements.

LEGAL AID AND ADVISORY AUTHORITY STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 30TH SEPTEMBER, 2013

	2013	2012
Net (Deficit)/Surplus	(3,373,074)	(1,936,840)
Adjustments for: Depreciation	1,014,810	678,744
Grant - fixed assets and expenses	588,069	603,046
(Loss)/Profit on disposal of fixed asset	169	(3,275)
Accruals adjustment	(2,626)	
Overprovision of prior year's audit fees	25,625	480
Prior year's adjustments		(29,999)
Operating (expenditure)/income before changes in working capital	(1,747,027)	(687,844)
Decrease in Accounts Receivable	-	
Decrease/(Increase) in Prepayments	(11,201)	184,164
Decrease in Employee loan	49,992	37,494
Increase/(Decrease) in Creditors and Accruals	1,203,347	96,341
Net Cash (used)/generated from operations	(504,889)	(369,845)
CASH FLOWS FROM INVESTING ACTIVITIES		
Asset in transit	(173,456)	15=0
Purchase of fixed assets	(2,063,574)	(1,058,464)
Disposal of fixed asset	2,464_	4,999
Net cash used in investing activities	(2,234,566)	(1,053,465)
NET DECREASE IN CASH AT BANK	(2,739,455)	(1,423,310)
CASH AT 01.10	7,558,697	8,982,007
CASH AT 30.09	\$4,819,242	\$7,558,697
CASH AND CASH EQUIVALENTS:		
Represented by:		
Cash in Hand	500	500
Cash at Bank	616,865	946,764
Investment	4,201,877 \$4,819,242	6,611,433 \$7,558,697
The notes on pages 6 to 7 form part of these financial statements.	3 M 1 - 5 Care 3 M	01,120,077

LEGAL AID AND ADVISORY AUTHORITY NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30TH SEPTEMBER, 2013

1. INCORPORATION AND PRINCIPAL ACTIVITY

The Legal Aid and Advisory Authority was established by Act No. 25 of 1976 as amended by Act No. 46 of 1979 and No. 18 of 1999 for the purpose of making legal aid and advice in Trinidad and Tobago readily available for persons of small or moderate income.

2. ACCOUNTING POLICIES

(i) Basis of Accounting

These financial statements are prepared under the historical cost convention and in accordance with generally accepted accounting principles.

(ii) Reporting Currency

These statements are stated in Trinidad and Tobago dollars.

(iii) Fixed Assets

Fixed assets are carried at cost less accumulated depreciation. Depreciation on furniture, equipment and motor vehicle is charged on the reducing balance basis beginning in the year following the year of purchase at the following rates:-

Furniture and Equipment	12.5%
Motor Vehicle	25.0%
Computer equipment	20.0%
Computer software	20.0%
Air Condition	20.0%
Property Improvement	10.0%
Security Systems	20.0%

No depreciation is provided on books purchased and used by the Authority over time.

LEGAL AID AND ADVISORY AUTHORITY NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30TH SEPTEMBER, 2013

CONTINUED.....

3. FIXED ASSETS

	SECURITY	PBX	COMPUTER	COMPUTER	FURN	MOTOR	BOOKS	AIR	PROPERTY	TOTAL	TOTAL
	SYSTEM	SYSTEM	EQUIPMENT	SOFTWARE	AND EQUIP	VEHICLES		COND	IMPROV	2013	2012
COST AT 1ST OCTOBER		10	1,764,060	85,313	3,930,617	1,593,370	198,743	3,745	956,345	8,532,193	7,566,985
ADDITIONS	86,373	19	748,996	8	567,693	-		32,258	628,254	2,063,574	1,058,464
IN PROGRESS		173,456				7	5			173,456	5
DISPOSALS	•		(4,395)			-			2	(4,395)	(93,260
COST AT 30TH SEPTEMBER	86,373	173,456	2,508,661	85,313	4,498,310	1,593,370	198,743	36,003	1,584,599	10,764,828	8,532,193
ACCUMULATED DEPRECIATION											
AS AT 1 ST OCTOBER			536,538	2,890	1,603,971	565,944	*	1,550	97,961	2,808,854	2,221,646
DEPRECIATION FOR YEAR	864	27	336,550	16,485	301,245	256,857	75	3,325	99,484	1,014,810	678,744
DISPOSALS			(1,762)		1.5	5	+1		8	(1,762)	(91,536
ACCUMULATED DEPRECIATION											
AS AT 30TH SEPTEMBER	864	0	871,326	19,375	1,905,216	822,801		4,875	197,445	3,821,992	2,868,854
NET BOOK VALUE AT											
30TH SEPTEMBER	\$85,509	\$173,456	51,637,335	\$65,938	\$2,593,094	\$770,569	\$198,743	\$31,128	\$1,387,154	\$6,942,926	\$5,723,339

4. INVESTMENT

The amount of \$4,201,877 is held in an Abercrombic Fund with fluctuating monthly interest income at First Citizens Bank Limited, Corner Park and Henry Streets, Port of Spain.

5. COURT AWARD AND AWARD OF COSTS (NET)

This represents the surplus or deficit arising from court awards and disbursements made to applicants.

6 VAT EXEMPTION

By virtue of Section 5A of the Legal Aid and Advice Act the Authority is exempt from the payment of Value Added Tax

LEGAL AID AND ADVISORY AUTHORITY RECEIPTS AND PAYMENTS ACCOUNT FOR THE YEAR ENDED 30TH SEPTEMBER, 2013

30TH SEPTEMBER, 2013		
RECEIPTS	2013	2012
Contributions	5,288	1,664
Court Award and Award of costs	102,000	18,089
Creditors and Accruals	-	5,700
Disposal of Fixed Asset	2,464	4,999
Employee Loan Interest	9,662	
Government Grant	20,567,750	11,807,175
Interest Received	90,444	88,428
Legal Advice	77,757	55,242
Miscellaneous Receipts	8,507	*
Reimbursements	37.972	
Repayments of Employee Loans	49,992	
	20,951,836	11,981,297
PAYMENTS		
Audit Fees	25,185	25,625
Bank Charges	5,218	4,970
Books and Literature	7	47,464
Computer Equipment	-	113,171
Computer Software		28,438
Counsel Fees	2,771,307	902,396
Counsel Fees - Duty Scheme	556,600	_
Court Award and Award of Costs	99,310	
Creditors and Accruals	5,700	
Entertainment	266,982	198,492
Fees for Protective Services	1,163,473	874,017
Fuel, Light and Water	399,950	209,403
Furniture, Furnishings and Property Improvement	1,359,934	287,041
Group Health Plan	74,242	43,563
Insurance	122,136	122,484
Miscellaneous	29,191	3,896
National Insurance Scheme	549,103	314,969
Office Equipment	21,075	-
Office Supplies	324,704	288,815
Official Overseas Travel	55,615	293,703
Out of Pocket Allowance	201,287	176,000
Overtime	46,737	-
Pension Contribution	15,806	20,296
Professional Fees	147,878	340,212
Publicity and Information	105,756	302,608
Rent	2,904,145	1,350,109
Repairs and Maintenance	253,663	158,204
Salary and Cola	9,711,994	5,977,230
Subscriptions	361,551	141,865
Telephone	684,045	373,036
Training	231,405	58,663
Travelling and Subsistence	1,172,659	734,735
Uniform	24,633	13,202
	23,691,291	13,404,607
NET DEFICIT	(2,739,455)	(1,423,310)
CASH BALANCE AS AT 01.10	7,558,697	8,982,007
CASH BALANCE AS AT 30.09	\$4,819,242	\$7,558,697
8.		110000000000000000000000000000000000000

CHAPTER 8: STATISTICS

Summary of Fees Paid by Court Type

	HIG	GH COURT	MAGISTRATE COURT		DUT	Y COUNSEL	AMOUNT	
YEAR	NO. OF CASES	\$	NO. OF CASES	OF \$ OF \$		\$	NO. OF CASES	\$
2012-2013	372	2227,020.33	520	562,486.66	367	556,600.00	1259	3346,106.99
TOTAL	372	\$ 2227,020.33	520	\$ 562,486.66	367	\$ 556,600.00	1259	\$ 3346,106.99

Summary of Fees Paid by Courts

			HIC	GH COURT			
YEAR		CIVIL		CRIMINAL	AMOUNT		
ILAN	NO. OF CASES	\$	NO. OF CASES	\$	NO. OF CASES	\$	
2012-2013	258	1059,687.05	114	1167,333.28	372	2227,020.33	
TOTAL	258	258 \$ 1059,687.05		\$ 1167,333.28	372	\$ 2227,020.33	

	MAGISTRATE COURT									
YEAR		CIVIL	CF	RIMINAL	AM	OUNT				
TEAR	NO. OF CASES	\$	NO. OF CASES	\$	NO. OF CASES	\$				
2012-2013	328	298,220.00	192	264,266.66	520	562,486.66				
TOTAL	328	\$ 298,220.00	192	\$ 264,266.66	520	\$ 562,486.66				

Fees Paid to Attorneys-at-Law under Duty Counsel Scheme

recordia to rittorneys at Lat							
	DUT	Y COUNSEL					
YEAR	NO. OF CASES	\$					
2012-2013	367	556,600.00					
TOTAL	367	\$ 556,600.00					

Summary of Fees Paid by Type of Matters

	-	CIVIL	CR	IMINAL	TUD	COUNSEL		AMOUNT
YEAR	NO. OF CASES	\$	NO. OF CASES	\$	NO. OF CASES	\$	NO. OF CASES	\$
2012- 2013	586	1357,907.05	306	1431,599.94	367	556,600.00	1259	3346,106.99
TOTAL	586	\$ 1357,907.05	306	\$ 1431,599.94	367	\$ 556,600.00	1259	\$ 3346,106.99

Fees Paid in Multi Accused Matters Naipaul-Coolman Case

YEAR	NO. OF CASES	\$
2012- 2013	1	1162,500.00
TOTAL	1	1162,500.00



MONTHLY FEES PAID FOR THE PERIOD 2012-2013

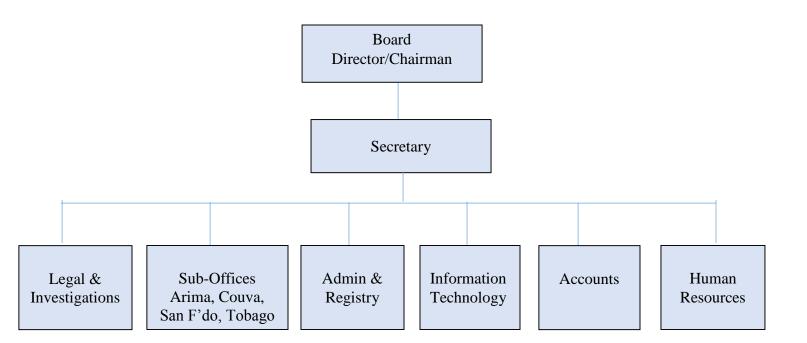
					RATE COURT		HIGH	COURT			DUTY C	OUNSEL
PERIOD	NO. OF CASES	TOTAL PAID	CIVIL	\$	CRIMINAL	\$.	CIVIL	\$	CRIMINAL	\$	NO. OF CASES	\$
Oct-12	69	118,232.58	29	19,750.00	19	18,200.00	11	34,615.93	10	45,666.65	0	0.00
Nov-12	64	180,464.57	22	13,100.00	17	34,600.00	12	34,431.24	13	98,333.33	0	0.00
Dec-12	96	341,602.67	28	25,350.00	18	23,000.00	37	164,252.68	13	128,999.99	15	18,700.00
Jan-13	29	44,799.99	18	17,700.00	6	14,166.66	4	9,600.00	1	3,333.33	0	0.00
Feb-13	90	375,995.99	41	36,410.00	7	6,550.00	23	107,536.00	19	225,499.99	0	0.00
Mar-13	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Apr-13	87	191,410.00	47	40,210.00	14	18,900.00	16	63,800.00	10	68,500.00	22	38,500.00
May-13	40	94,450.00	13	12,400.00	14	22,400.00	11	48,650.00	2	11,000.00	112	149,400.00
Jun-13	45	208,700.00	7	6,150.00	7	8,500.00	19	74,050.00	12	120,000.00	0	0.00
Jul-13	8	4,800.00	5	3,300.00	3	1,500.00	0	0.00	0	0.00	31	49,100.00
Aug-13	128	398,401.20	30	33,150.00	27	26,350.00	59	212,901.20	12	126,000.00	0	0.00
Sep-13	236	830,649.99	88	90,700.00	60	90,100.00	66	309,850.00	22	339,999.99	187	300,900.00
TOTAL	892	\$ 2789,506.99	328	\$ 298,220.00	192	\$ 264,266.66	258	\$ 1059,687.05	114	\$ 1167,333.28	367	\$ 556,600.00

MAGISTRATE COURT	520	562,486.66
HIGH COURT	372	2227,020.33
TOTAL	892	\$2789,506.99
	•	
CIVIL	586	1357,907.05
CRIMINAL	306	1431,599.94
TOTAL	892	\$2789,506.99

APPENDIX 1

LAAA EXISTING ORGANISATIONAL

STRUCTURE



APPENDIX I - CONTINUTED LAAA'S EXISTING COMPLEMENT

	POSITION	NO OF POSITIONS	DEPARTMENT	POSITION COMPLEMENT
1.	Secretary/Asst. Secretary	1	Authority	1
2.	Legal Officer/Junior Legal Officer	30	Legal	30
3.	Investigator	3		
4.	Legal Aid Assistant	2	Investigations	5
5.	AOII	1		
6.	Admin Support Officer	1	Admin/ Sub-Offices	13
	General Asst/Maid/Cleaner/Driver/Mail, Messenger	11	Admini/ Sub-Offices	
7.	Snr Clerical Asst I/II (POS,S F'do, Arima, Couva, T'go	3	Admin & Registry	3
8.	Clerk 1	1		
	Clerk III Ag./Office Coordinator	2	Registry	3
9.	Clerical Asst (POS, S F'do, Arima, Couva, T'go	15	Registry & Sub-Offices	15
10.	Clerk Typist,, Clerk Steno, Clerical Asst/Typist (POS, S F'do, Arima, T'go)	7	Admin & Registry & Sub-Offices	7
11.	CSR (4) (POS, S F'do, Arima, T'go, Call Centre (4)	8	Registry & Sub-Offices	8
12.	Office Managers	3	Sub-Offices	3
13.	IT/Network Asst (3)/Data Entry (3)	6	Information Technology	6
14.	Acct II	1		
15.	Accounting Asst.	1	Accounting	2
16.	HR Specialist	1		
17.	HR Assistant	1	Human Resources	2
	TOTAL	98		98

APPENDIX II

DETAILS FROM STRATEGIC PLAN 2013-2016

VISION STATEMENT:

"The leading, dynamic organization, providing quality and easily accessible legal services to valued clients by dedicated staff"

MISSION STATEMENT:

"To make Our Legal Services accessible to persons of moderate means through...

- Loyal, Dedicated and Competent Staff,
- In A Timely and Professional manner,
- Within An Environment in which both Staff and Clients Are Highly Valued and Respected and
- Advancing and Fostering Relationships and Networks with Relevant Stakeholders."

CORE VALUES:

- Confidentiality
- Integrity
- Team Work
- Client Care
- Quality Service
- Efficiency.

LAAA STRATEGIC GOALS FOR 2013-2016

	LEGAL AID AND ADVISORY AUTHORITY
STRATEGIC GOALS	
	FOR PERIOD 2013 - 2016
	CTD4T5010 00 410
	STRATEGIC GOALS
FINANCIAL	To maintain the efficiency and effectiveness of the budgetary
	process
	Increase the efficiency of the financial process
	To fully implement ICT financial operated systems
	Ensure prudent management of funds
CLIENTS &	To improve and further extend the services of the LAAA
STAKEHOLDERS	Increase Client Satisfaction
	Increase Client Base
	To educate and inform the public of the services of the Authority
BUSINESS	To improve, monitor and evaluate the efficiency of the Business
PROCESS	Processes of the organization
	To develop and implement the Business Continuity Plan
	To identify/reduce business risk and establish a Risk Management
	Plan
HR, LEARNING &	To strengthen the HR capacity of LAAA
TEAM	Promote and enhance employee well-being
	To build a strong team environment
	To ensure consistent decision making in HR functions

STRATEGIC OBJECTIVES OF LAAA DEPARTMENTS FOR 2013- 2016

HUMAN RESOURCES

HUMAN RESOURCES UNIT - STRATEGIC GOALS

- To strengthen the HR capacity of LAAA
- To promote and enhance employee well being
- To ensure consistent decision making in HR functions
- To build a strong team environment

INFORMATION AND COMMUNICATIONS TECHNOLOGY

ICT STRATEGIC GOALS

- To have implemented recommended Departmental structure
- To update ICT Plan to include proposed new District Offices
- To set up a LAAA website
- To source and have installed Case Management Software

COMMUNICATIONS

Communications STRATEGIC GOALS

- To educate and inform the public of the services of the LAAA
- To ensure effective branding of the LAAA
- To improve internal and external communications
- To ensure Quality Client Care

ADMINISTRATION

ADMINISTRATION UNIT STRATEGIC GOALS

- To monitor, improve and evaluate the efficiency of the Business Processes of the LAAA
- To identify/reduce business risk and establish a Risk Management Plan
- To ensure that the offices of the LAAA are comfortable and OSH compliant
- To provide support to the Accounts Department in ensuring the prudent management of funds

LEGAL

LEGAL UNIT STRATEGIC GOALS

- To provide efficient and effective representation and cogent legal counsel to clients
- To improve and further extend the services of the LAAA
- To raise the profile and public image of the LAAA and the Legal Unit
- To ensure regular monitoring and effective management and control of external Attorney/Client

ACCOUNTS

ACCOUNTING UNIT -STRATEGIC GOALS

- To maintain the efficiency and effectiveness of the budgetary process
- To increase the efficiency of the financial process
- To ensure the prudent management of funds

INVESTIGATIONS:

INVESTIGATIONS UNIT -STRATEGIC GOALS

- To improve and further extend the services of the LAAA
- To increase client satisfaction
- To support the implementation of a Public Information Programme