

3 Year
**Corporate
Plan**

2022-24

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We acknowledge the Traditional Owners of the land on which our office sits, the Wurundjeri People, and pay our respects to their Elders; past, present and emerging.



Message from the CEO and Chair

In 2018 we launched our strategy 'A Clear Direction'. This sets out how we work towards our goal of maintaining and enhancing public trust and confidence in the legal profession in Victoria.

Since then we have all experienced the momentous disruption of the COVID-19 global pandemic. This corporate plan has been developed in a period of considerable uncertainty, and at the time of its finalisation, we are still experiencing restrictions in Victoria that affect the way we live and work.

While Victoria's lawyers have so far proven to be resilient and adaptable, it's clear the uncertainty and challenges of the pandemic will be felt for years to come, and for the life of this corporate plan. This plan therefore includes measures that respond to changes we are currently experiencing, such as moving towards more flexible ways of working and expanded use of online technology. However, it is yet unclear what the full impact of COVID-19 will be for the profession and our community. We understand that other issues may arise as we continue to grapple with what it means to live in a post pandemic era. Therefore, we will continue to monitor the impacts of COVID-19 on the profession to ensure we can anticipate and respond to new challenges as they emerge.

Our strategy clearly articulates our purpose and approach to making decisions and conducting our work. Our focus continues to be on work that builds and maintains public trust and confidence in lawyers, under the umbrella of the Legal Profession Uniform Law.

This corporate plan aligns our work across the following key strategic objectives: to protect and empower consumers, improve legal practice and ethics and improve access to justice. We will enable our work

through continuous improvement, increasing the capability of our people, and improving our systems and processes.

■ We have an ambitious goal to transform our organisation into a leading-edge regulator. This is a long-term aspiration; some elements of this goal may take three years or longer to achieve. This corporate plan highlights a number of areas where we will focus on delivering best practice services over the next three years.

Empowered consumers should have a reasonable understanding of what lawyers do, be able to engage with them effectively and know if they have received poor service. To help achieve this, we will continue the important work of our Australian-first Consumer Panel to understand the consumer experience of choosing, engaging and using legal services, and incorporate this into our regulatory approach.

We will also improve the accessibility of our communications, so that as many consumers as possible know who we are and can get help from us when they need it.

The public, including the lawyers we regulate, can and should expect our services to be delivered efficiently and without undue process. We will invest in technology and continue to refine and improve our processes to increase our transparency and improve our response times and service delivery methods.

We play an important role in protecting the public by licensing lawyers and assessing their suitability to practice, overseeing law firms' management of trust accounts and responding to complaints about lawyers. We will continue to conduct investigations into misconduct and take proportionate and effective action in response with an eye to specific and general deterrence. We do this by focusing on areas of risk and harm to consumers.

We will also continue to provide clear guidance to assist lawyers to improve the legal services they provide and avoid making mistakes that harm their clients. Lawyers should be able to find this information and guidance on our website.

We will focus on areas which our research tells us are critical to ethical and professional legal practice. This includes continuing our work to reduce the prevalence of sexual harassment in the Victorian legal profession. We will also commence work on a regulatory strategy for early career lawyers, including reviewing supervised legal practice requirements.

Over the next three years, we will continue our important role to help increase access to justice for Victorians as a funder, investor and regulator. We will also consult with the justice sector to identify ways that we can become more engaged in longer term planning for funding of justice initiatives in Victoria.

■ Our people, the technology we use and our internal governance all underpin our work.

Our stakeholders play an important role in helping us achieve our objectives and this plan was developed using their insights and guided by our commitments and behaviours.

With our strategy, this corporate plan and our supporting divisional plans we have a clear roadmap to transforming how we perform our important role in the Victorian community.



Fiona McLeay
CEO and Commissioner



Fiona Bennett
Board Chair

Background

This three-year corporate plan outlines VLSB+C’s strategic objectives and priority actions to enable the Board, Commissioner, leadership team and divisions to work towards a common goal. It supports us to deliver together and connects our ‘A Clear Direction’ strategy to divisional and team plans, and staff performance and development plans.

In April 2021, we began an extensive engagement process to develop our VLSB+C FY 2022-24 corporate plan. This process included engagement at all levels within the organisation. Workshops were held with the Board, Senior Leadership Team and leadership groups, and managers tested proposed strategic objectives and actions with their teams. The process also included engagement with key external stakeholders who provided feedback on the proposed strategic objectives and actions and assisted us to identify opportunities and gaps.

Inevitably, the backdrop to this plan will be the current and longer term effects of the COVID-19 pandemic. At the time of preparation of this plan, we are yet to see significant and specific impacts on the legal profession and the regulation of legal services. However, we expect that this will become more apparent in the coming years and will adjust this plan as required. The pandemic also affected the development of this plan. The pressures of working under lockdown delayed progress at various points and has necessitated a later launch date than first anticipated. It will therefore be in place for the calendar years of 2022, 2023 and 2024, with adjustments each year as required.



Why we exist

To maintain and enhance public trust and confidence in the legal profession in Victoria.



Who we are and what we do

We are the regulator of the Victorian legal profession. We license lawyers and oversee service standards and conduct. This includes handling complaints about lawyers, investigating poor conduct and overseeing management of trust accounts.

We are also the stewards of the public purpose and fidelity funds and administer these to support legal regulation and access to justice in Victoria.

Our strategic objectives



Protect and empower consumers



Improve legal practice and ethics



Improve access to justice

FIGURE 1: VLSB+C – DELIVERING TOGETHER



Figure 1 shows the interdependency between our strategic objectives and the people, technology and governance which support this work.

How we do our work

Our three strategic objectives have some overlap with each other, and each aspect of our work is connected and mutually reinforcing. The work we do to achieve our objectives is supported by our people, our technology and our processes. We are also guided by the Victorian Public Service values and our shared Commitments and Behaviours:

- 

We collaborate
- 

We adapt
- 

We are professional
- 

We value relationships
- 

We are courageous and authentic



How we will achieve our objectives



Protect and empower consumers



A key objective of the Legal Profession Uniform Law (LPUL) is to provide for consumer protection by 'empowering clients to make informed choices about legal services and the costs involved'.

We recognise that many consumers can experience specific vulnerability when trying to find and use legal help. This also includes those who would benefit from legal services, but are not currently accessing them. Vulnerable cohorts may be people with less economic power, particularly individuals, Aboriginal and Torres Strait Islander peoples, small businesses and Not-for Profit consumers, as well as people in regional and rural communities.



Our goals are to:

- Improve outcomes for consumers by better understanding the consumer experience and providing lawyers with guidance to improve their practice to meet consumer needs and expectations.
- Identify risky behaviours and practices early to prevent harm to consumers.
- Improve our communication with consumers and lawyers and ensure our services are more efficient, timely and accessible and based on inclusive design.
- Improve the accessibility of our communications, so as many consumers as possible know what we do and can obtain our assistance. This includes enhancements to our website, social media, and in day-to-day interactions via email, telephone, and face to face.
- Develop, implement, evaluate, and improve best practice policies and procedures for complaint handling and investigation, ensuring industry standard response times.



What we will do

To achieve our goals, we will:

- Increase our understanding of the experience consumers have with their lawyers, including by undertaking consumer research and analysing our own data. We will use this to develop information and guidance to assist consumers and lawyers to improve their interactions.
- Identify vulnerable cohorts and develop plans to respond effectively to them. We will work closely with our Consumer Panel to inform our work.
- Identify trends in lawyer behaviours and practices which can result in serious misconduct, including by analysing our data. Based on this, we will develop specific plans to intervene early with information and guidance, to avoid or reduce harm to consumers and the reputation of the profession. We will take a proportionate, risk-based approach to the use of our regulatory tools with an eye to specific and general deterrence.
- Our communications reach and are understood by consumers of legal services, leading to increased awareness of who we are, what we do and how to obtain our assistance.
- Most consumers who have interacted with us are satisfied with the information and support we provide and feel better equipped to ask a lawyer for help in the future.
- Most lawyers we engage with have a better understanding of consumer expectations and good service delivery as a result.
- Our complaint handling and investigation policies and procedures meet or exceed the practices of other regulators who we consider are benchmarks for best practice regulation both nationally and internationally.



We will have been successful if:

Improve legal practice and ethics



A second key objective of the LPUL is to promote efficient, effective, targeted, and proportionate regulation of lawyers and legal practice. This helps to protect consumers by ensuring lawyers are competent and maintain high ethical and professional standards.

Most lawyers only need to engage with us annually when renewing their practising certificate. Others have more stringent obligations or more complex issues. Regardless of the frequency or complexity of the interaction, we will provide lawyers with clear information and guidance about their obligations and expectations. Where possible, this is through best practice self-service online tools and information.



Our goals are to:

- Assist lawyers at every stage of their career to conduct themselves ethically and provide quality legal services, including encouraging new and better models of legal service delivery.
 - Enable lawyers to obtain guidance and comply with their regulatory obligations efficiently.
 - Proactively raise awareness of, and respond to, sexual harassment in the legal workplace
 - Support the work of the Law Institute of Victoria (LIV) and Victorian Bar to assist lawyers in adapting to the COVID-19 pandemic and its aftermath, including improving the wellbeing of lawyers.
 - Continue to support and advocate for Australia-wide uniform regulation of the legal profession and work closely with our Uniform Law partners in this endeavour.
- Work collaboratively, including with the LIV and the Victorian Bar, to support the development and delivery of early intervention measures that address poor service delivery and conduct.
 - Meet our obligations to implement recommendations arising from the Royal Commission into the Management of Police Informants.



We will have been successful if:

- Most lawyers are satisfied with our information and guidance and our online self-service tools.
- Lawyers report that they have an improved understanding of what good service consists of, and what their obligations are as an ethical lawyer.
- People who experience sexual harassment from lawyers understand their options, including reporting the behaviour to us and over time, we see a decrease in the incidence of sexual harassment in the profession.
- Professional associations provide effective support to lawyers to improve their adaptability in the face of COVID-19, including specific measures to support lawyer wellbeing.
- We acquit our obligations arising from the Royal Commission into the Management of Police Informants.



What we will do

To achieve our goals, we will:

- Identify and try to prevent lower level poor service and conduct, and investigate and prosecute more serious issues where required.
- Continue to develop our website to include clear and accessible guidance for lawyers and expand best practice self-service options to ensure a more efficient experience.
- Work in collaboration with the profession to support the development of better quality CPD.
- Develop a strategy to understand and respond to issues facing lawyers during the first five years of their career.
- Continue our work to reduce the prevalence of sexual harassment in the Victorian legal profession through ongoing implementation of our sexual harassment regulatory strategy.

Improve access to justice

The *Legal Profession Uniform Law Application Act 2014 (Vic)* sets out roles of the Board and Commissioner that are specific to Victoria. This includes managing the Public Purpose Fund (PPF). The Board acts as the trustee of the PPF, which is primarily comprised of the interest on and investment returns from lawyers' trust accounts.

People don't always get the help that they need to resolve their legal problems. They may not know that they have a problem that a lawyer can help with, they may not know how to find a lawyer, they may not be able to afford legal help or the help that is available to them is not best suited to their needs. We are committed to doing our part to help increase Victorians' access to justice and to legal services, including in regional areas. A key way we do this is through the PPF. The Board is a very significant funder of access to justice in Victoria. This includes a significant annual grant to Victoria Legal Aid, funding for other organisations including the Victoria Law Foundation, Victorian Law Reform Commission and Justice Connect, and an annual grant round open to community organisations who provide access to justice to Victorians.





Our goals are to:

- Raise awareness of the Board's role in improving access to justice.
- Conduct comprehensive evaluation and reporting on the Board's access to justice activities.
- Reduce regulatory barriers to more affordable, accessible legal services by supporting innovation in legal practice.
- Develop strategic and longer term planning for effective funding of access to justice initiatives in Victoria.



What we will do

To achieve our goals, we will:

- Develop and publish a Legal Services Board Access to Justice policy statement to guide our role in improving access to justice in Victoria.
- Undertake a strategic review of the Grants Program and set a strategic direction for the next 3 to 5 years to achieve maximum impact with the available funds.
- Ensure our investments continue to be well managed and our investment strategy is aligned with our access to justice goals and impact investment principles.
- Continue our dialogue with, and provide regulatory guidance to, innovators and developers of legal services that are accessible to members of the community who currently do not access these services.
- Publish the first triennial report on our access to justice impact.



We will have been successful if:

- We have built an evaluation framework for our funded organisations that allows them to demonstrate the impact of their work in increasing access to justice.
- Our grants program funds effective projects and programs that improve access to justice for Victorians.
- The organisations that receive our funding, including professional associations, say that we are collaborative and support their impact and effectiveness.
- Our funds are invested to generate positive returns and in alignment with strategic goals, our legislative obligations and environmental, social and governance (ESG) principles.

People, technology and governance



Our people, our technology and our governance are fundamental to achieving our strategic objectives. Over the next three years, we will focus on a range of initiatives to support continuous improvement, increase the capability of our people, and upgrade our systems and processes.

We will also establish good methods of undertaking and supporting hybrid working, in line with Victorian Public Service (VPS) policy, our Customer Charter and key outcome indicators (KOIs) and the needs of our staff.



Our goals are to:

- Continue to develop and support our staff to be agile, resilient, service orientated, and outcome focused, with a strong commitment to service and continuous improvement.
 - Foster a culture of wellbeing, inclusion and diversity aligned to our values and commitments and provide inclusive assistance to all Victorians.
 - Create career pathways, succession plans and learning opportunities for staff and recognise and reward high performance.
 - Invest in technology that improves our accessibility, efficiency and responsiveness.
 - Build a strong data culture and promote more effective sharing and use of data to improve regulation of the legal profession and access to justice and help improve national regulation of the profession.
 - Continue to demonstrate best practice governance.
 - Continue to maintain financial sustainability.
- Review operational and regulatory policies and processes to ensure we are culturally safe and accessible to groups who experience vulnerability, particularly for Aboriginal and Torres Strait Islander peoples and the LGBTQI community.
 - Continue to embed our organisational values and commitments into our culture.
 - Review our learning and career and development approach to build leaders from within and recruit where we have gaps, in line with current and future organisational needs.
 - Revise our strategic risk management framework.
 - Improve our annual planning, budgeting and performance monitoring process.



What we will do

To achieve our goals, we will:

- Review and update our investment strategy to consider longer term financial planning, ESG principles and impact investing.
 - Streamline our enquiry intake processes and technology, conduct mediations online and develop an online grant funding application portal.
 - Replace and upgrade core systems and develop self-service tools to enable lawyers to complete their regulatory obligations online more easily.
 - Develop and implement a Data Governance and Insights Strategy.
 - Continue to implement our Access and Inclusion Plan, and implement our Gender Diversity Plan.
- We maintain or improve our engagement results in our staff survey.
 - We have improved ways of collecting, analysing, and using data to make more informed decisions.
 - We are viewed as an accessible and inclusive organisation that values diversity.
 - Our staff are engaged and healthy, taking pride in their work and their workplace and we retain talent.
 - Our people work in a more collaborative and flexible way to increase our effectiveness.
 - Our technology meets the needs of lawyers, consumers and our people.
 - Our strategic risks are better identified, mitigated and monitored.
 - Our investment arrangements and strategy result in our investment financial performance meeting or exceeding established benchmarks.



We will have been successful if:

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