



# LEGAL SERVICES. AUSTRALIA

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## INQUIRIES

For further information about these and related statistics, contact the National Information and Referral Service on 1300 135 070.

# NOTES

## INTRODUCTION

This publication presents results from an Australian Bureau of Statistics (ABS) survey of businesses and organisations which were mainly engaged in providing legal services. The survey was conducted by the ABS in respect of the 2007–08 financial year to provide detailed measures of the performance and structure of legal services businesses/organisations operating in Australia. It includes aspects such as the composition of income and funding received; details of expenses incurred and characteristics of employment. A state dimension is also presented. Previous surveys were conducted in respect of 2001–02, 1998–99, 1995–96, 1992–93 and 1987–88 financial years.

## COMPARISONS WITH PREVIOUS STATISTICS

The reader should bear in mind that this survey was not designed to support accurate estimates of change over time. Due to changes in the frame, scope and statistical unit, users should exercise caution when comparing the 2007–08 results to the 2001–02 results, and previous iterations of this survey. For further information, refer to the Technical Note on historical comparisons.

## INFORMATION AVAILABLE ONLINE

Detailed data is available free online in spreadsheet format. To access this information, go to the ABS web site <<http://www.abs.gov.au>>.

## MORE INFORMATION ON ABS SERVICE INDUSTRIES STATISTICS

Information about ABS activities in the field of service industries statistics is available from the Service Industries statistics theme page on the ABS web site <[www.abs.gov.au](http://www.abs.gov.au)>. To access the theme page, select 'Themes' from the menu on the home page.

## COMMENTS

The ABS welcomes comments and suggestions from users regarding future surveys of Service Industries. These comments should be addressed to the Director, Goods and Services National Statistics Centre, Australian Bureau of Statistics, Locked Bag 10, Belconnen, ACT, 2616.

## ROUNDING

Where figures have been rounded, discrepancies may occur between the sum of component items and the total.

Brian Pink  
Australian Statistician

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**SUMMARY OF OPERATIONS**

At the end of June 2008, there were 15,326 businesses and organisations mainly engaged in the provision of legal services or legal support services. These businesses and organisations:

- employed 99,696 persons
- generated income of \$18b during the 2007-08 financial year
- incurred expenses of \$12.4b in the same period
- contributed total industry value added of \$10.9b to the Australian economy.

For the purposes of the *Legal Services, Australia* publication, legal services have been categorised into the following sub-industries:

- Barristers
- Other legal services
- Legal aid commissions
- Community legal centres
- Aboriginal legal services
- Government solicitors
- Public prosecutors.

**EMPLOYMENT**

At the end of June 2008, there were 99,696 persons employed across legal services. Other legal services accounted for 85.2% (84,921 persons) of total employment, followed by barristers which accounted for 5.2% (5,154 persons) of total employment and legal aid commissions 2.6% (2,597 persons).

**SOURCES OF INCOME**

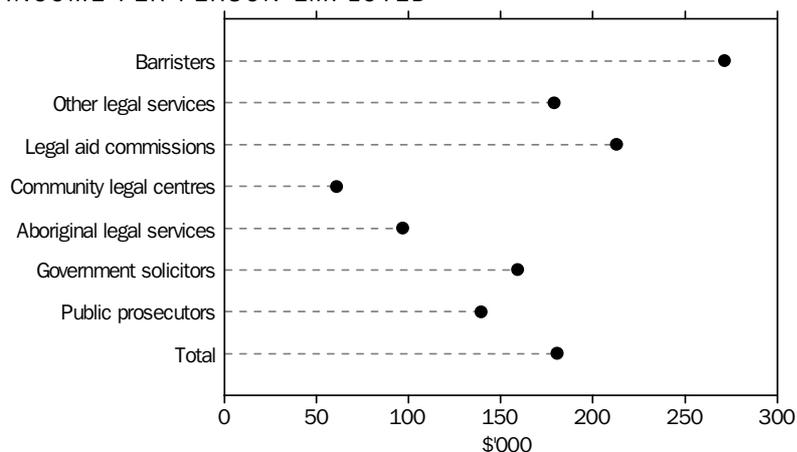
During the 2007–08 financial year, legal services businesses and organisations generated income of \$18 billion. Legal and legal support services was the primary source of income for legal services businesses and organisations accounting for 90.9% (or \$16.4b), followed by government funding 6% (or \$1.1b).

Other legal services accounted for 84.4% (or \$15.2b) of total income generated by legal services businesses/organisations, followed by barristers 7.8% (or \$1.4b) and legal aid commissions 3.1% (or \$0.6b). The graph overleaf shows that barristers generated income of \$271,300 per person employed, followed by legal aid commissions which generated income of \$212,700 per person employed.

SOURCES OF INCOME

*continued*

INCOME PER PERSON EMPLOYED



HISTORICAL  
COMPARISONS

The reader should bear in mind that this survey was not designed to support accurate estimates of change over time. Due to changes in the frame, scope and statistical unit, users should exercise caution when comparing the 2007–08 results to the 2001–02 results, and previous iterations of this survey. For further information, refer to the Technical Note on historical comparisons.

## 1.1 SUMMARY OF OPERATIONS, Legal services

		Barristers	Other legal services	Legal aid commissions	Community legal centres	Aboriginal legal services	Government solicitors	Public prosecutors	Total
Businesses/organisations at end June	no.	3 869	11 244	8	179	9	9	9	15 326
Employment at end June	no.	5 154	84 921	2 597	1 742	769	2 118	2 396	99 696
Income									
Fee income from the provision of legal and legal support services	\$m	1 387.7	14 693.2	16.2	1.3	0.9	np	np	16 362.7
Government funding	\$m	.	.	519.6	93.6	71.2	59.8	329.1	1 073.3
Other	\$m	*10.6	^ 514.9	16.5	11.6	2.4	np	np	^ 574.6
<i>Total</i>	\$m	1 398.3	15 208.1	552.3	106.5	74.4	337.4	333.6	18 010.6
Expenses									
Wages and salaries	\$m	^ 40.5	3 919.0	152.0	57.1	36.3	167.7	194.0	4 566.8
Payments for legal and legal support services	\$m	^ 99.8	2 333.3	264.1	0.4	4.7	42.7	39.0	2 784.0
Other	\$m	247.7	4 374.7	148.9	43.5	30.1	107.2	91.9	5 044.1
<i>Total</i>	\$m	388.1	10 627.1	565.0	101.1	71.1	317.6	324.8	12 394.8
Operating profit/surplus before tax	\$m	1 010.2	4 581.0	..	..	..	..	..	..
Operating profit margin	%	72.8	31.0	..	..	..	..	..	..
Income per person employed	\$'000	271.3	179.1	212.7	61.1	96.8	159.3	139.2	180.7
Industry value added	\$m	1 083.8	9 146.9	182.8	69.2	42.7	201.8	216.4	10 943.5

^ estimate has a relative standard error of 10% to less than 25% and should be used with caution

\* estimate has a relative standard error of 25% to 50% and should be used with caution

.. not applicable

np not available for publication but included in totals where applicable, unless otherwise indicated

## CHAPTER 2

## BARRISTERS

### SUMMARY OF OPERATIONS

At the end of June 2008, there were 3,869 barristers operating businesses in Australia. These businesses

- employed 1,285 persons, in addition to the 3,869 barristers
- generated income of \$1.4b during the 2007–08 financial year
- incurred expenses of \$388.1m for the same period.

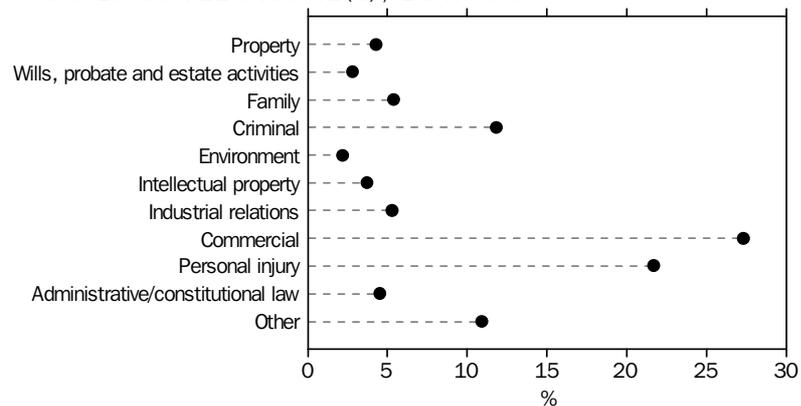
### BARRISTER TYPE

Businesses operated by senior counsel barristers accounted for 17% (or 656) of all barrister businesses, however they earned 36.1% (\$504.3m) of all barrister business income in 2007–08. Average operating profit per barrister was higher for senior counsel barristers at \$580,900, in comparison to junior counsel barristers, with an average of \$195,800.

### SOURCES OF FEE INCOME

Of the \$1.4b total income generated by barristers, 98.8% (or \$1.4b) was from fee income from the provision of legal services. As the graph below shows, barristers derived the majority of their fee income from commercial law, which accounted for 27.3% of total fee income (or \$377.7m), followed by personal injury law which accounted for 21.7% (or \$300.4m) and criminal law which accounted for 11.8% (or \$162.6m).

SOURCES OF FEE INCOME(a), Barristers



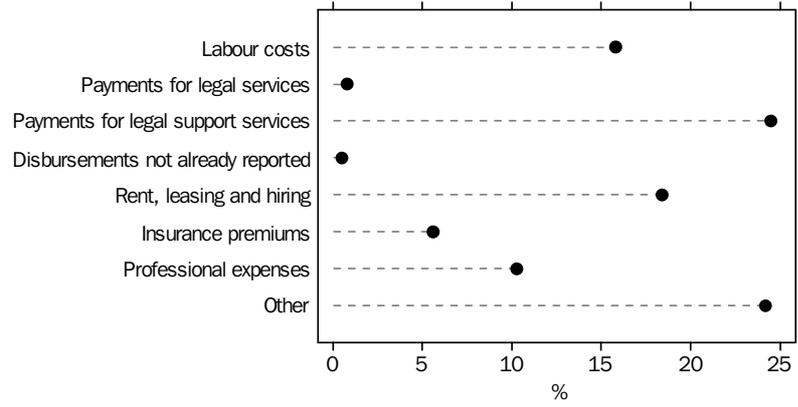
(a) Calculated as a percentage of total fee income from the provision of legal services.

### EXPENSES

The graph overleaf shows that payments for legal support services constituted 24.5% (or \$94.9m) of barrister expenses. Rent, leasing and hiring represented 18.4% (or \$71.3m) of total expenses, labour costs represented 15.8% (or \$61.2m) and professional expenses 10.3% (or \$40m).

EXPENSES *continued*

EXPENSES (a), Barristers



(a) Calculated as a percentage of total expenses

**2.1**

## SUMMARY OF OPERATIONS BY BARRISTER TYPE, Barristers

		Senior counsel	Junior counsel	Total
Businesses at end June	no.	656	3 213	3 869
Employment at end June				
Practising barristers	no.	656	3 213	3 869
Other	no.	^ 511	^ 774	1 285
Total	no.	1 167	3 986	5 154
Income				
Fee income from the provision of legal services	\$m	496.3	885.3	1 381.6
Other	\$m	*8.0	**8.7	*16.7
Total	\$m	504.3	894.0	1 398.3
Expenses				
Wages and salaries	\$m	^ 14.9	^ 25.6	^ 40.5
Other labour costs	\$m	^ 7.9	*12.8	^ 20.7
Payments for legal services	\$m	*1.4	**1.7	*3.1
Payments for legal support services	\$m	^ 26.4	^ 68.6	^ 94.9
Disbursements not already reported	\$m	*0.6	*1.3	*1.8
Rent, leasing and hiring	\$m	18.8	^ 52.5	71.3
Insurance premiums	\$m	6.9	^ 14.8	21.7
Professional expenses	\$m	13.0	^ 27.0	40.0
Other	\$m	^ 33.6	^ 60.5	94.0
Total	\$m	123.3	264.8	388.1
Operating profit before tax	\$m	381.0	629.2	1 010.2
Operating profit margin	%	76.2	70.9	72.8
Operating profit per barrister	\$'000	580.9	195.8	261.1

- ^ estimate has a relative standard error of 10% to less than 25% and should be used with caution  
\* estimate has a relative standard error of 25% to 50% and should be used with caution  
\*\* estimate has a relative standard error greater than 50% and is considered too unreliable for general use

## 2.2 STATES AND TERRITORIES, Barristers

		<i>New South Wales</i>	<i>Victoria</i>	<i>Queensland</i>	<i>South Australia</i>	<i>Western Australia</i>	<i>Tasmania</i>	<i>Northern Territory</i>	<i>Australian Capital Territory</i>	<i>Australia</i>
Businesses at end June	no.	1 540	1 347	570	149	144	20	35	^ 62	3 869
Employment at end June										
Practising barristers	no.	1 540	1 347	570	np	144	20	np	np	3 869
Other	no.	^ 511	^ 355	^ 316	np	^ 57	^ 11	np	np	1 285
<i>Total</i>	no.	2 051	1 702	886	np	201	32	np	np	5 154
Income										
Fee income from the provision of legal services	\$m	615.9	428.6	209.9	^ 40.3	60.4	6.1	^ 8.0	^ 12.3	1 381.6
Other	\$m	**5.0	*7.5	**1.6	*1.4	*0.5	^ 0.3	**0.1	**0.3	*16.7
<i>Total</i>	\$m	620.9	436.1	211.5	^ 41.8	60.8	6.4	^ 8.1	^ 12.6	1 398.3
Expenses										
Wages and salaries	\$m	^ 17.7	*8.2	^ 7.9	**3.7	*1.8	0.2	**0.6	*0.4	^ 40.5
Payments for legal and legal support services	\$m	^ 51.2	^ 22.8	^ 17.6	^ 4.0	^ 1.7	^ 0.2	*0.5	*1.9	^ 99.8
Other	\$m	120.1	73.7	^ 31.6	^ 6.4	11.1	^ 1.3	*1.4	*2.1	247.7
<i>Total</i>	\$m	189.0	104.7	57.0	*14.1	14.6	1.8	*2.5	^ 4.4	388.1
Operating profit before tax	\$m	431.9	331.4	154.5	^ 27.7	46.3	4.7	^ 5.6	^ 8.3	1 010.2
Operating profit margin	%	70.0	76.9	73.1	^ 67.8	76.2	75.1	^ 67.5	67.1	72.8
Operating profit per barrister	\$'000	280.4	246.0	^ 271.1	^ 185.8	320.5	227.1	^ 159.9	132.1	261.1

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**2.3****STATES AND TERRITORIES BY BARRISTER TYPE, Barristers**

	<i>Businesses at end June</i>	<i>Employment at end June</i>	<i>Total income</i>	<i>Total expenses</i>	<i>Operating profit before tax</i>
	no.	no.	\$m	\$m	\$m
NEW SOUTH WALES					
Senior counsel	287	537	250.8	69.9	^ 180.9
Junior counsel	1 254	1 514	370.1	^ 119.1	^ 251.0
<i>Total</i>	<i>1 540</i>	<i>2 051</i>	<i>620.9</i>	<i>189.0</i>	<i>431.9</i>
VICTORIA					
Senior counsel	218	367	^ 154.2	^ 30.7	^ 123.6
Junior counsel	1 130	1 335	281.8	^ 74.0	^ 207.8
<i>Total</i>	<i>1 347</i>	<i>1 702</i>	<i>436.1</i>	<i>104.7</i>	<i>331.4</i>
QUEENSLAND					
Senior counsel	83	^ 168	64.2	^ 15.0	49.2
Junior counsel	487	^ 718	^ 147.3	^ 42.0	^ 105.3
<i>Total</i>	<i>570</i>	<i>886</i>	<i>211.5</i>	<i>57.0</i>	<i>154.5</i>
SOUTH AUSTRALIA					
Senior counsel	23	np	^ 10.5	1.4	^ 9.2
Junior counsel	126	np	^ 31.2	*12.7	^ 18.5
<i>Total</i>	<i>149</i>	<i>np</i>	<i>^ 41.8</i>	<i>*14.1</i>	<i>^ 27.7</i>
WESTERN AUSTRALIA					
Senior counsel	27	44	^ 17.4	^ 4.2	^ 13.2
Junior counsel	117	157	43.5	10.4	^ 33.1
<i>Total</i>	<i>144</i>	<i>201</i>	<i>60.8</i>	<i>14.6</i>	<i>46.3</i>
TASMANIA					
Senior counsel	4	11	2.0	0.8	1.2
Junior counsel	16	21	4.4	^ 1.0	^ 3.4
<i>Total</i>	<i>20</i>	<i>32</i>	<i>6.4</i>	<i>1.8</i>	<i>4.7</i>
NORTHERN TERRITORY					
Senior counsel	^ 5	np	*1.9	^ 0.3	*1.5
Junior counsel	^ 30	np	^ 6.2	*2.2	^ 4.1
<i>Total</i>	<i>35</i>	<i>np</i>	<i>^ 8.1</i>	<i>*2.5</i>	<i>^ 5.6</i>
AUSTRALIAN CAPITAL TERRITORY					
Senior counsel	10	np	3.3	1.1	2.3
Junior counsel	^ 52	np	^ 9.3	*3.3	^ 6.0
<i>Total</i>	<i>^ 62</i>	<i>np</i>	<i>^ 12.6</i>	<i>^ 4.4</i>	<i>^ 8.3</i>
AUSTRALIA					
Senior counsel	656	1 167	504.3	123.3	381.0
Junior counsel	3 213	3 986	894.0	264.8	629.2
<i>Total</i>	<i>3 869</i>	<i>5 154</i>	<i>1 398.3</i>	<i>388.1</i>	<i>1 010.2</i>

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**2.4** SOURCES OF FEE INCOME, Barristers .....

		<i>Income</i>
		\$m
<b>Fee income from the provision of legal services</b>		
Property		
Conveyancing (transfer of property titles)	*9.9	
Other	^ 49.4	
Wills, probate and estate activities		
Family	*74.7	
Criminal	^ 162.6	
Environmental	*30.8	
Intellectual property	*51.2	
Industrial relations	*73.8	
Commercial (e.g. mergers and acquisitions, securities law)	^ 377.7	
Personal injury		
Motor vehicle	^ 90.6	
Workers' compensation	*86.1	
Other	^ 123.7	
Administrative/constitutional law	^ 61.6	
Other fields	^ 151.2	
<b>Total</b>	<b>1 381.6</b>	

^ estimate has a relative standard error of 10% to less than 25% and should be used with caution

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**2.5** MEDIATION AND ARBITRATION AND NO-WIN NO-FEE CASES, Barristers .....

		<i>Income</i>
<b>Mediation and arbitration</b>		
Representation at mediation or arbitration	\$m	^ 141.1
Acting as mediator or arbitrator	\$m	*37.5
<b>Total</b>	<b>\$m</b>	<b>^ 178.6</b>
Percentage of fee income	%	^ 12.9
<b>Cases conducted or services provided on a no-win no-fee basis</b>		
Percentage of fee income	%	^ 13.6

^ estimate has a relative standard error of 10% to less than 25% and should be used with caution

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SUMMARY OF OPERATIONS

At the end of June 2008, there were 11,244 other legal services businesses, which:

- employed 84,921 persons
- generated income of \$15.2b during the 2007–08 financial year
- incurred expenses of \$10.6b in the same period.

These businesses included solicitor firms, patent attorney businesses, service/payroll entities and businesses providing various legal support services. Unincorporated businesses represented 65.4% (or 7,350) of total other legal services businesses, whereas incorporated businesses represented 20.1% (or 2,264). The remaining 14.5% (or 1,630) businesses were trusts.

EMPLOYMENT

There were 84,921 persons employed in other legal services at the end of June 2008. Of these employed persons, 16.3% (or 13,882 persons) were working proprietors and partners of unincorporated businesses and 6.4% (or 5,424 persons) were principals/directors of incorporated businesses. Other employees accounted for the remaining 77.3% (or 65,614 persons) of total employment.

REGION

Of these 11,244 other legal services businesses, 78.2% (or 8,795) were located in capital cities. These capital city businesses accounted for 81.1% (or 68,828) of all persons employed in other legal services and 87.6% (or \$12.9b) of fee income from the provision of legal and legal support services.

INCOME SIZE RANGE

While those other legal services businesses which generated income of \$25 million or more in the 2007–08 financial year represented only 0.5% (or 55) of all other legal services businesses, they accounted for 26.1% (or 22,164) of total employment, and generated 38.2% (or \$5.8b) of total income.

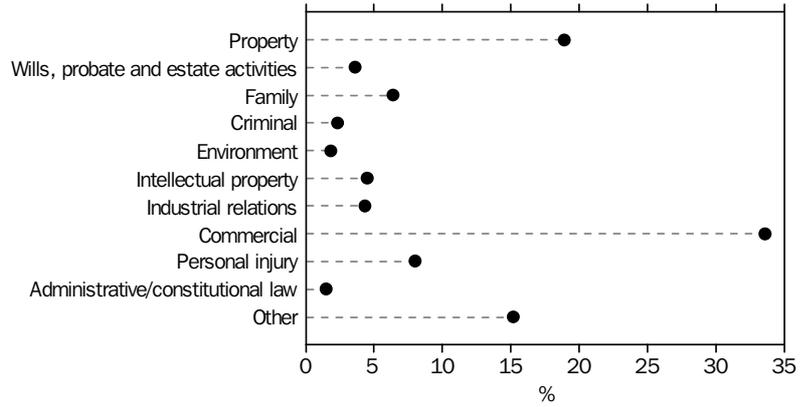
SOURCES OF FEE INCOME

Fee income from the provision of legal services constituted 83.3% (\$12.7b) of the total income generated by other legal services businesses in the 2007–08 financial year. Fee income from the provision of legal support services made up 7.7% (\$1.2b), and disbursements recovered 5.6% (\$0.9b) of total income.

As the graph overleaf shows, other legal services businesses derived 33.6% (or \$4.3b) of their fee income from commercial law and 18.9% (or \$2.4b) of their fee income from property law. Across all fields of work, mediation and arbitration generated 5.5% (or \$0.7b) of fee income, and cases conducted on a no-win/no-fee basis 3.2% (or \$0.4b).

SOURCES OF FEE INCOME  
*continued*

SOURCES OF FEE INCOME(a), Other legal services

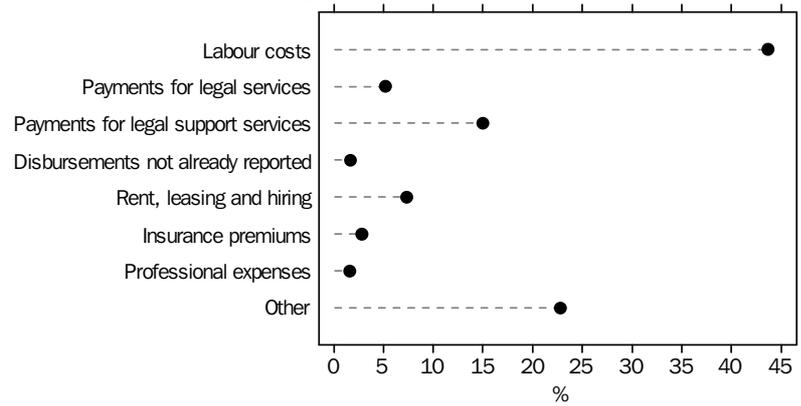


(a) Calculated as a percentage of total fee income from the provision of legal services.

EXPENSES

The graph below shows that labour costs accounted for 43.7% (or \$4.6b) of total expenses incurred by other legal services businesses. Payments for legal and legal support services accounted for 20.3% (or \$2.2b).

EXPENSES(a), Other legal services



(a) Calculated as a percentage of total expenses.

### 3.1 SUMMARY OF OPERATIONS BY TYPE OF LEGAL ORGANISATION, Other legal services

		<i>Unincorporated</i>	<i>Trusts</i>	<i>Incorporated</i>	<i>Total</i>
Businesses at end June	no.	7 350	1 630	^ 2 264	11 244
Employment at end June					
Employment characteristics					
Working proprietors and partners of unincorporated businesses	no.	13 882	. .	. .	13 882
Principals/directors of incorporated businesses	no.	. .	^ 1 780	^ 3 645	^ 5 424
Other employees	no.	37 794	12 172	^ 15 648	65 614
<i>Total</i>	no.	51 676	13 952	^ 19 293	84 921
Occupation					
Practising solicitors and barristers	no.	25 761	^ 2 249	^ 6 576	34 587
Patent attorneys	no.	*433	np	np	*687
Law graduates/articled clerks	no.	^ 2 464	np	np	^ 3 296
Paralegals	no.	^ 6 168	*2 350	^ 2 286	^ 10 804
Other	no.	16 849	8 859	^ 9 838	35 547
Income					
Fee income from the provision of legal services	\$m	9 450.6	^ 747.4	^ 2 466.2	12 664.2
Disbursements recovered	\$m	524.1	*84.7	*249.3	^ 858.1
Fee income from the provision of legal support services	\$m	*17.1	736.7	*417.1	^ 1 170.9
Other	\$m	^ 133.4	^ 153.1	**228.4	^ 514.9
<i>Total</i>	\$m	10 125.2	1 721.9	^ 3 361.0	15 208.1
Expenses					
Wages and salaries					
Practising solicitors and barristers	\$m	1 408.0	^ 124.4	^ 556.8	2 089.2
Other	\$m	911.2	477.3	^ 441.3	1 829.8
<i>Total</i>	\$m	2 319.2	601.7	^ 998.1	3 919.0
Other labour costs	\$m	426.6	^ 119.5	^ 180.8	726.9
Payments for legal services	\$m	^ 358.7	*49.7	*146.7	^ 555.0
Payments for legal support services	\$m	^ 1 366.8	**15.9	^ 215.7	^ 1 598.4
Disbursements not already reported	\$m	^ 135.2	*22.1	*22.6	^ 179.8
Rent, leasing and hiring	\$m	464.0	150.1	^ 156.5	770.7
Insurance premiums	\$m	219.4	^ 22.7	^ 54.4	296.6
Professional expenses	\$m	95.1	17.7	*48.8	^ 161.5
Other	\$m	1 351.6	352.8	^ 714.5	2 419.0
<i>Total</i>	\$m	6 736.6	1 352.3	^ 2 538.1	10 627.1
Operating profit before tax	\$m	3 388.6	^ 369.6	^ 822.8	4 581.0
Operating profit margin	%	33.8	23.3	26.2	31.0

^ estimate has a relative standard error of 10% to less than 25% and should be used with caution

\* estimate has a relative standard error of 25% to 50% and should be used with caution

\*\* estimate has a relative standard error greater than 50% and is considered too unreliable for general use

. . not applicable

np not available for publication but included in totals where applicable, unless otherwise indicated

## 3.2 SUMMARY OF OPERATIONS BY INCOME SIZE RANGE, Other legal services .....

		Less than \$250,000	\$250,000 to less than \$1million	\$1 million to less than \$5 million	\$5 million to less than \$25 million	\$25 million or more	Total
Businesses at end June	no.	4 758	4 294	^ 1 902	^ 235	55	11 244
Employment at end June							
Practising solicitors and barristers	no.	4 047	^ 6 924	^ 8 123	^ 4 798	10 695	34 587
Other	no.	^ 5 198	13 337	^ 13 521	^ 6 809	11 468	50 334
Total	no.	9 245	20 260	^ 21 645	^ 11 606	22 164	84 921
Income							
Fee income from the provision of legal and legal support services	\$m	583.0	2 159.1	^ 3 735.9	^ 2 528.2	5 686.9	14 693.2
Other	\$m	*58.5	*157.5	**142.4	*40.8	^ 115.7	^ 514.9
Total	\$m	641.5	2 316.6	^ 3 878.3	^ 2 569.0	5 802.6	15 208.1
Expenses							
Wages and salaries	\$m	^ 132.3	615.5	^ 1 015.4	^ 678.5	1 477.3	3 919.0
Payments for legal and legal support services	\$m	^ 61.3	^ 310.3	^ 837.8	^ 498.7	625.3	2 333.3
Other	\$m	^ 225.7	^ 716.5	^ 969.5	^ 797.7	1 665.4	4 374.7
Total	\$m	^ 419.3	1 642.2	^ 2 822.7	^ 1 974.9	3 768.0	10 627.1
Operating profit before tax	\$m	^ 222.2	^ 674.4	^ 1 055.7	^ 594.1	2 034.6	4 581.0
Operating profit margin	%	^ 37.6	31.1	28.2	^ 23.4	35.5	31.0

^ estimate has a relative standard error of 10% to less than 25% and should be used with caution

\* estimate has a relative standard error of 25% to 50% and should be used with caution

\*\* estimate has a relative standard error greater than 50% and is considered too unreliable for general use

### 3.3 STATES AND TERRITORIES(a), Other legal services

		<i>New South Wales</i>	<i>Victoria</i>	<i>Queensland</i>	<i>South Australia</i>	<i>Western Australia</i>	<i>Tasmania</i>	<i>Northern Territory</i>	<i>Australian Capital Territory</i>	<i>Australia</i>
Businesses at end June	no.	4 704	2 650	1 910	766	930	149	66	183	11 244
Employment at end June										
Practising solicitors and barristers	no.	14 551	8 677	5 317	^ 2 164	^ 2 611	^ 412	125	^ 729	34 587
Other	no.	16 998	14 138	^ 11 229	^ 2 735	^ 3 536	637	199	^ 862	50 334
<i>Total</i>	no.	31 550	22 815	16 546	4 899	6 147	1 049	324	1 591	84 921
Income										
Fee income from the provision of legal and legal support services	\$m	6 240.9	3 689.3	2 427.9	^ 824.5	^ 1 081.4	101.6	55.8	^ 271.8	14 693.2
Other	\$m	^ 94.3	**181.1	*166.3	*14.5	*55.0	*1.3	^ 1.7	*0.7	^ 514.9
<i>Total</i>	\$m	6 335.2	3 870.4	2 594.1	^ 839.0	^ 1 136.4	102.9	57.5	^ 272.5	15 208.1
Expenses										
Wages and salaries	\$m	1 569.5	1 075.8	676.0	^ 194.8	280.7	31.4	19.5	71.3	3 919.0
Other	\$m	2 847.0	1 642.0	^ 1 237.6	^ 363.0	^ 438.2	^ 41.7	^ 24.8	^ 113.7	6 708.0
<i>Total</i>	\$m	4 416.6	2 717.8	^ 1 913.6	^ 557.8	^ 718.8	^ 73.1	44.3	^ 185.0	10 627.1

^ estimate has a relative standard error of 10% to less than 25% and should be used with caution

\* estimate has a relative standard error of 25% to 50% and should be used with caution

\*\* estimate has a relative standard error greater than 50% and is considered too unreliable for general use

(a) As businesses may operate in more than one state, the counts of businesses for each state/territory do not sum to the total.

### 3.4 SUMMARY OF OPERATIONS BY REGION, Other legal services

		<i>Capital city</i>	<i>Other areas</i>	<i>Total</i>
Businesses at end June	no.	8 795	2 449	11 244
Employment at end June				
Practising solicitors and barristers	no.	29 504	5 083	34 587
Other	no.	39 325	11 009	50 334
<i>Total</i>	no.	68 828	16 092	84 921
Fee income from the provision of legal and legal support services	\$m	12 873.1	1 820.1	14 693.2
Wages and salaries	\$m	3 379.3	539.8	3 919.0

**3.5** SOURCES OF FEE INCOME, Other legal services

	<i>Income</i>	
		\$m
<b>Fee income from the provision of legal services</b>		
Property		
Conveyancing (transfer of property titles)	1 503.3	
Other	890.9	
Wills, probate and estate activities	451.4	
Family	^ 808.2	
Criminal	^ 288.9	
Environmental	^ 232.4	
Intellectual property	568.4	
Industrial relations	*545.4	
Commercial (e.g. mergers and acquisitions, securities law)	4 251.2	
Personal injury		
Motor vehicle	^ 318.5	
Workers' compensation	^ 360.9	
Other	^ 328.6	
Administrative/constitutional law	^ 191.8	
Other fields	^ 1 924.2	
<b>Total</b>	<b>12 664.2</b>	

- ^ estimate has a relative standard error of 10% to less than 25% and should be used with caution
- \* estimate has a relative standard error of 25% to 50% and should be used with caution

**3.6** MEDIATION AND ARBITRATION AND NO-WIN NO-FEE CASES, Other legal services

		<i>Income</i>
<b>Mediation and arbitration</b>		
Representation at mediation or arbitration	\$m	^ 651.5
Acting as mediator or arbitrator	\$m	*47.0
<b>Total</b>	<b>\$m</b>	<b>^ 698.5</b>
Percentage of fee income	%	^ 5.5
Cases conducted or services provided on a no-win no-fee basis	\$m	^ 410.9
Percentage of fee income	%	^ 3.2

- ^ estimate has a relative standard error of 10% to less than 25% and should be used with caution
- \* estimate has a relative standard error of 25% to 50% and should be used with caution

## CHAPTER 4

## COMMUNITY LEGAL SERVICES .....

### SUMMARY OF OPERATIONS

At the end of June 2008, there were eight legal aid commissions, nine Aboriginal legal services and 179 community legal centres operating in Australia. These 196 community legal services organisations:

- employed 5,108 persons
- generated income of \$733.2m for the 2007–08 financial year
- incurred expenses of \$737.1m for the same period.

### INCOME AND EXPENSES

In the 2007–08 financial year, government funding was the primary source of income for community legal services, accounting for 93.3% (or \$684.4m) of their income.

For community legal centres and Aboriginal legal services, labour costs were the most significant expense, representing 68.6% (or \$69.3m) and 60.1% (or \$42.7m) respectively of total expenses incurred by those organisations. Labour costs constituted only 32.4% (or \$182.8m) of the expenditure of legal aid commissions. Payments for legal services was the main expense item incurred by legal aid commissions, accounting for 44% (or \$248.4m) of total expenses.

### EMPLOYMENT

At the end of June 2008, there were 5,108 persons employed in community legal services. Permanent full-time employment accounted for 64.4% (3,291 persons) of total employment. Permanent part-time employment comprised 28.1% (1,435 persons), while the remaining 7.5% (382 persons) represented casual employment.

Based on the occupation in which persons employed spent the majority of their time during the last pay period in June 2008, 37.8% (or 1,929) of persons employed were practising barristers or solicitors. Practising barristers or solicitors made up 42.5% (or 1,104) of legal aid commission employment, 33.7% (or 587) of community legal centre employment and 30.9% (or 238) of Aboriginal legal services employment.

### OFFICES AND EMPLOYMENT BY REGION

As at June 30 2008, there were 422 community legal services offices located throughout Australia. Of these offices, 50.5% (or 213) were located outside capital cities. Aboriginal legal services had 87.2% (or 75) of total offices located outside capital cities. Legal aid commissions had 54.2% (or 45) of total offices located outside capital cities. Community legal centres had 36.8% (or 93) of total offices located outside capital cities.

The proportion of persons employed per office was greater for capital city offices than for other areas. At a total level, there were 16.5 persons employed per capital city office, compared to 7.8 persons employed per office in other areas.

**VOLUNTEERS**

Community legal centres and Aboriginal legal services organisations had 4,474 volunteers providing assistance with their operations during June 2008, working a total of 38,600 hours. Practising barristers and solicitors accounted for 64.6% (1,713 persons) of volunteers providing legal services to community legal centres and Aboriginal legal services organisations during June 2008. The majority (99.2% or 4,439 persons) of these volunteers provided assistance in community legal centres.

## 4.1 SUMMARY OF OPERATIONS, Community legal services

		Legal Aid Commissions	Community legal centres	Aboriginal legal services	Total
Organisations at end June	no.	8	179	9	196
Employment at end June					
Employment characteristics					
Permanent full-time	no.	1 946	704	641	3 291
Permanent part-time	no.	575	775	85	1 435
Casuals	no.	76	264	42	382
<i>Total</i>	no.	2 597	1 742	769	5 108
Occupation					
Practising barristers and solicitors	no.	1 104	587	238	1 929
Law graduates/articled clerks	no.	32	23	7	62
Paralegals	no.	89	102	41	232
Other	no.	1 372	1 031	483	2 886
Full-time equivalent employment	no.	2 306	1 131	670	4 107
Income					
Government funding	\$m	519.6	93.6	71.2	684.4
Fee income from the provision of legal services	\$m	12.2	0.6	0.1	12.9
Disbursements and legal costs recovered	\$m	3.9	0.7	0.8	5.4
Other	\$m	16.5	11.6	2.4	30.4
<i>Total</i>	\$m	552.3	106.5	74.4	733.2
Expenses					
Wages and salaries					
Practising barristers and solicitors	\$m	78.7	23.0	14.2	115.9
Other	\$m	73.3	34.1	22.1	129.6
<i>Total</i>	\$m	152.0	57.1	36.3	245.5
Other labour costs	\$m	30.8	12.2	6.4	49.4
Funding provided to other organisations for legal services	\$m	44.5	np	np	44.7
Payments for legal services	\$m	248.4	0.2	3.9	252.4
Other legal costs	\$m	15.7	0.2	0.8	16.7
Rent, leasing and hiring	\$m	15.8	5.7	4.4	25.9
Other	\$m	57.8	np	np	102.5
<i>Total</i>	\$m	565.0	101.1	71.1	737.1

np not available for publication but included in totals where applicable, unless otherwise indicated

**4.2** OFFICES AND EMPLOYMENT BY REGION, Community legal services .....

	<i>Capital city</i>	<i>Other areas</i>	<i>Total</i>
	no.	no.	no.
.....			
LEGAL AID COMMISSIONS			
Offices	38	45	83
Employment at end June			
Practising barristers and solicitors	733	373	1 104
Other	1 132	359	1 493
<i>Total</i>	<i>1 865</i>	<i>732</i>	<i>2 597</i>
.....			
COMMUNITY LEGAL CENTRES			
Offices	160	93	253
Employment at end June			
Practising barristers and solicitors	466	121	587
Other	847	309	1 156
<i>Total</i>	<i>1 312</i>	<i>430</i>	<i>1 742</i>
.....			
ABORIGINAL LEGAL SERVICES			
Offices	11	75	86
Employment at end June			
Practising barristers and solicitors	75	163	238
Other	187	344	531
<i>Total</i>	<i>262</i>	<i>507</i>	<i>769</i>
.....			
TOTAL			
Offices	209	213	422
Employment at end June			
Practising barristers and solicitors	1 274	657	1 929
Other	2 166	1 012	3 180
<i>Total</i>	<i>3 439</i>	<i>1 669</i>	<i>5 108</i>
.....			

### 4.3 STATES AND TERRITORIES, Community legal centres .....

		New South Wales	Victoria	Queensland	South Australia	Western Australia	Tasmania	Northern Territory	Australian Capital Territory	Australia
Organisations at end June	no.	35	51	35	14	26	6	6	6	179
Employment at end June	no.	442	539	270	99	286	30	48	28	1 742
Full-time equivalent employment	no.	305	337	172	57	193	13	35	19	1 131
Volunteers during the month of June										
Persons	no.	1 009	1 719	979	270	271	101	np	np	4 439
Hours worked	'000 h	6.6	17.9	8.7	1.7	1.5	0.5	np	np	37.4
Income										
Government funding	\$m	23.2	26.6	16.4	5.5	15.8	1.3	np	np	93.6
Other	\$m	3.5	6.4	1.1	0.2	1.3	0.1	np	np	12.8
<i>Total</i>	\$m	26.7	33.0	17.4	5.7	17.2	1.4	3.6	1.4	106.5
Expenses										
Wages and salaries	\$m	15.0	18.1	8.8	3.0	9.3	0.7	1.5	0.7	57.1
Other	\$m	12.1	12.9	7.2	2.3	6.7	0.7	1.6	0.4	43.9
<i>Total</i>	\$m	27.1	31.0	16.0	5.3	16.0	1.4	3.2	1.1	101.1

np not available for publication but included in totals where applicable, unless otherwise indicated

### 4.4 VOLUNTEERS, Community legal centres and Aboriginal legal services .....

#### Volunteers during the month of June

Volunteers providing legal services	
Practising barristers and solicitors	no. 1 713
Other	no. 938
<i>Total</i>	no. 2 651
Volunteers providing other services	no. 1 823
<i>Total</i>	no. 4 474

#### Hours worked by volunteers during the month of June

Volunteers providing legal services	
Practising barristers and solicitors	'000 h 17.4
Other	'000 h 8.4
<i>Total</i>	'000 h 25.8
Volunteers providing other services	'000 h 12.8
<i>Total</i>	'000 h 38.6

## CHAPTER 5

# GOVERNMENT SOLICITORS AND PUBLIC PROSECUTORS

### SUMMARY OF OPERATIONS

At 30 June 2008, the nine government solicitors and nine public prosecutors in Australia:

- employed 4,514 persons
- generated income of \$671m for the 2007–08 financial year
- incurred expenses of \$642.5m for the same period.

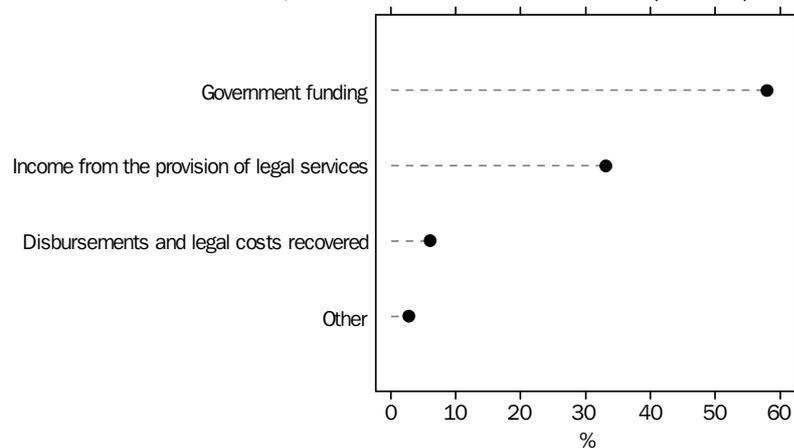
### EMPLOYMENT

At the end of June 2008, 4,514 persons were employed in government solicitor and public prosecutor organisations. The largest category of occupation for these organisations was practising barristers and solicitors, accounting for 54.4% (2,455 persons) of total employment.

### SOURCES OF INCOME

The graph below shows that the main source of income for these organisations was from government funding, which represented 58% (or \$388.9m) of total income, followed by income from the provision of legal services which represented 33.2% (or \$222.6m). Disbursements accounted for 6.1% (\$40.8m) of government solicitors and public prosecutor income.

SOURCES OF INCOME, Government solicitors and public prosecutors



### EXPENSES

Wages and salaries represented 56.3% (or \$361.7m) of total expenses for government solicitors and public prosecutors.

## 5.1 SUMMARY OF OPERATIONS, Government solicitors and public prosecutors .....

		<i>Government solicitors</i>	<i>Public prosecutors</i>	<i>Total</i>
Organisations at end June	no.	9	9	18
Employment at end June				
Employment characteristics				
Permanent full-time	no.	1 642	1 903	3 545
Permanent part-time	no.	326	227	553
Casuals	no.	150	266	416
<i>Total</i>	no.	2 118	2 396	4 514
Occupation				
Practising barristers and solicitors	no.	1 128	1 327	2 455
Law graduates/articled clerks	no.	np	np	294
Paralegals	no.	np	np	413
Other	no.	615	737	1 352
Full-time equivalent employment	no.	1 989	2 284	4 273
Income				
Government funding	\$m	59.8	329.1	388.9
Fee income from the provision of legal services	\$m	np	np	222.6
Disbursements and legal costs recovered	\$m	np	np	40.8
Other	\$m	np	np	18.7
<i>Total</i>	\$m	337.4	333.6	671.0
Expenses				
Wages and salaries	\$m	167.7	194.0	361.7
Other labour costs	\$m	30.8	23.2	54.0
Payments for legal services	\$m	31.9	27.0	58.9
Other legal costs	\$m	10.9	12.0	22.8
Rent, leasing and hiring	\$m	18.8	23.1	41.9
Other	\$m	57.6	45.5	103.1
<i>Total</i>	\$m	317.6	324.8	642.5

np not available for publication but included in totals where applicable, unless otherwise indicated

PRO BONO WORK

The estimated value of pro bono work undertaken by barrister and other legal services businesses during the 2007–08 financial year was \$238.2m. Other legal services businesses accounted for the majority of the this amount (78.7% or \$187.4m).

Of the estimated value of pro bono work, 11.2% (or \$26.6m) was from work undertaken in providing free community education and/or law reform. The remainder was from the provision of pro bono legal services.

Qualified legal staff spent an estimated 955,400 hours in undertaking pro bono work during the 2007–08 financial year. The majority of this time was spent on clients other than community legal centres (84.8% or 810,200 hours).

LEGAL AID

During the 2007–08 financial year, it is estimated that qualified legal staff spent 2,142,400 hours undertaking work on matters referred by legal aid commissions.

HISTORICAL  
COMPARISONS

The reader should bear in mind that this survey was not designed to support accurate estimates of change over time. Due to changes in the frame, scope and statistical unit, users should exercise caution when comparing the 2007–08 results with the 2001–02 results, and previous iterations of this survey.

The definition of pro bono work was refined for the 2007–08 survey to make it clearer to respondents what pro bono activity the survey wanted to measure. For this survey, pro bono legal work was defined as the provision of legal advice, representation or services by legally qualified staff, either free of charge or at a substantially reduced rate. For the purposes of the ABS survey, pro bono activity did not include work undertaken on behalf of, or remunerated by legal aid commissions or other government departments.

Further information on historical comparisons can be found in the Technical Note on historical comparisons.

NON-SAMPLING ERROR

The collection of pro bono and legal aid data is subject to non-sampling error, as barristers and other legal services businesses generally did not maintain accurate records of pro bono work and legal aid. Users are therefore advised to exercise caution when using these figures.

## 6.1 PRO BONO WORK AND LEGAL AID, Barristers and other legal services .....

		Barristers	Other legal services	Total
.....				
VALUE OF PRO BONO WORK				
Value of work undertaken by fee status				
Fee income received from reduced-fee work	\$m	*4.6	*16.8	*21.4
Fee income forgone in reduced fee work	\$m	^ 6.7	*15.2	^ 21.9
Fee income forgone in no-fee work	\$m	^ 39.6	^ 155.4	195.0
<i>Total</i>	\$m	^ 50.9	^ 187.4	238.2
Value of work undertaken by type of work				
Providing pro bono legal services	\$m	^ 46.4	^ 165.2	211.7
Free community education and/or law reform	\$m	^ 4.4	*22.1	*26.6
<i>Total</i>	\$m	^ 50.9	^ 187.4	238.2
Value of work undertaken by type of client				
Community legal centres	\$m	*4.2	^ 39.2	^ 43.3
Other organisations and clients	\$m	^ 46.7	^ 148.2	^ 194.9
<i>Total</i>	\$m	^ 50.9	^ 187.4	238.2
.....				
TIME SPENT BY QUALIFIED LEGAL STAFF ON PRO BONO WORK				
Time spent by type of work				
Providing pro bono legal services	'000 h	^ 142.7	^ 697.6	^ 840.2
Free community legal education and/or law reform	'000 h	^ 12.4	*102.8	*115.2
<i>Total</i>	'000 h	^ 155.1	^ 800.4	^ 955.4
Time spent by type of client				
Community legal centres	'000 h	*15.1	^ 130.1	^ 145.2
Other organisations and clients	'000 h	^ 139.9	^ 670.3	^ 810.2
<i>Total</i>	'000 h	^ 155.1	^ 800.4	^ 955.4
.....				
WORK ON MATTERS REFERRED BY LEGAL AID COMMISSIONS				
Time spent	'000 h	*541.6	^ 1 600.8	^ 2 142.4
.....				

^ estimate has a relative standard error of 10% to less than 25% and should be used with caution

\* estimate has a relative standard error of 25% to 50% and should be used with caution

## EXPLANATORY NOTES .....

### INTRODUCTION

**1** This publication presents results from a survey of businesses and organisations mainly engaged in providing legal services for the 2007–08 reference year. This is the sixth time the Australian Bureau of Statistics (ABS) has conducted a survey of legal services. Previous statistics were released in respect of 1987–88, 1992–93, 1995–96, 1998–99 and 2001–02 reference periods.

### SCOPE

**2** The scope of the 2007–08 Legal Services Survey was all employing and significant non-employing businesses classified to of the Australian and New Zealand Standard Industrial Classification 2006 edition (ANZSIC06) CLASS 6931 – LEGAL SERVICES. These businesses were mainly engaged in providing legal services. Legal services comprises legal representation and advice, the preparation of legal documents and title-searching services (i.e. establishing the legal ownership of a property). Service companies providing occupancy, administrative, secretarial, clerical or similar support services to barristers or solicitor firms were also included. The scope was then further broadened to capture other legal services organisations, such as legal aid commissions, government solicitors, public prosecutors, community legal centres and Aboriginal legal services which may have been classified to other ANZSIC06 classes.

**3** For the purposes of this survey, the definition of significant non-employing businesses differed by sub-industry. For barristers, significant non-employing businesses were defined as all non-employing businesses with an estimated annual turnover of at least \$50,000 for barristers in New South Wales, Victoria, Queensland, South Australia and Western Australia. No significance cut-offs were applied to barristers in Tasmania, Northern Territory or the Australian Capital Territory.

**4** For other legal services, significant non-employing businesses were defined as all non-employing businesses with an estimated annual turnover of at least \$50,000. For community legal centres, legal aid commissions, Aboriginal legal services, government solicitors and public prosecutors, no significant cut-offs were applied.

**5** Please refer to the Technical Note on historical comparisons for an explanation of changes in the scope between the 2001–02 and 2007–08 surveys.

### ANZSIC93 AND ANZSIC06

**6** The estimates in this publication are based on ANZSIC06. Data in previous issues were based on the 1993 version of ANZSIC (ANZSIC93). ANZSIC06 was adopted to provide a more contemporary industrial classification system, taking into account issues such as changes in the structure and composition of the economy, changing user demands and compatibility with international classification standards.

**7** Title-searching services were out of scope of the 2001–02 Legal Practices Survey. They were included in ANZSIC93 CLASS 7720 - REAL ESTATE AGENTS at that time. All other private legal services practices were classified to ANZSIC93 CLASS 7841 - LEGAL SERVICES. This change is considered to have had a negligible effect on the 2007–08 estimates. For further information on the ANZSIC change, see the Technical Note on historical comparisons.

## COVERAGE

**8** The ABS Business Register provided the population of employing and non-employing businesses/organisations mainly engaged in legal services. Listings obtained throughout survey development were used to identify government solicitors, public prosecutors, Aboriginal legal services, community legal centres and legal aid commission organisations not classified to ANZSIC06 CLASS 6931 - LEGAL SERVICES.

## IMPROVEMENTS TO COVERAGE

**9** Data in this publication have been adjusted to allow for lags in processing new businesses/organisations to the ABS Business Register, and the omission of some businesses/organisations from the register. The majority of businesses/organisations affected, and to which the adjustments apply, are small in size.

**10** Adjustments have been made to include new businesses/organisations in the estimates in the period when they commenced operations, rather than when they were processed to the ABS Business Register. Adjustments of this type will continue to be applied in future periods.

**11** For more information on these adjustments, please refer to the ABS publication *Information Paper: Improvements to ABS Economic Statistics, 1997* (cat. no. 1357.0).

## STATISTICAL UNIT

**12** The statistical units used to represent legal services, and for which statistics are reported, are:

- The Australian Business Number (ABN) or Type of Activity Unit (TAU) for units selected from the ABS Business Register and
- The community legal service, government solicitor or public prosecutor organisation, where the organisation was unable to be sourced from the ABS Business Register.

**13** In the Legal Services Survey, the statistical unit used to represent businesses, and for which statistics are reported, is the Australian Business Number (ABN) unit, in most cases. The ABN unit is the business/organisation unit which has registered for an ABN, and thus appears on the Australian Taxation Office administered Australian Business Register. This unit is suitable for ABS statistical needs when the business/organisation is simple in structure. For more significant and diverse businesses/organisations where the ABN unit is not suitable for ABS statistical needs, the statistical unit used is the TAU. A TAU is comprised of one or more business/organisation entities, sub-entities or branches of a business/organisation entity within an Enterprise Group that can report production and employment data for similar economic activities. When a minimum set of data items is available, a TAU is created which covers all the operations within an industry subdivision (and the TAU is classified to the relevant subdivision of the Australian and New Zealand Industrial Classification (ANZSIC). Where a business/organisation cannot supply adequate data for each industry, a TAU is formed which contains activity in more than one industry subdivision and the TAU is classified to the predominant ANZSIC subdivision.

**14** Further details about the ABS economic statistical units used in this survey, and in other ABS economic surveys (both sample surveys and censuses), can be found in chapter 2 of the *Standard Economic Sector Classification of Australia (SESCA) 2002* (cat. no. 1218.0).

## COMPARISON WITH OTHER ABS STATISTICS

**15** Annual industry data for legal services are published in *Australian Industry* (cat. no. 8155.0). There are important differences between statistics published in *Australian Industry* and *Legal Services* publications and users should exercise caution when making comparisons between the two sets of estimates.

**16** *Australian Industry* presents annual summary statistics at the ANZSIC06 division and subdivision levels. It shows the relative performance of each industry division and subdivision, and allows patterns of change of growth to be analysed across particular segments of the Australian economy.

COMPARISON WITH OTHER  
ABS STATISTICS *continued*

**17** *Legal Services* supplements *Australian Industry* statistics with a detailed examination of the structure and performance of legal services businesses/organisations for the reference year of the survey. As such, the survey is not designed to monitor change over time.

## HISTORICAL COMPARISONS

**18** The reader should bear in mind that this survey was not designed to support accurate estimates of change over time, and as such should exercise caution when comparing the 2007–08 results to the 2001–02 results. Please refer to the Technical Note on historical comparisons for further information.

## RELIABILITY OF THE DATA

**19** When interpreting the results of a survey it is important to take into account factors that may affect the reliability of estimates. Such factors can be classified as either sampling or non-sampling error.

**20** The estimates in this publication are based on information obtained from a randomly selected stratified sample. Consequently, the estimates in this publication are subject to sampling variability, that is, they may differ from the figures that would have been obtained if all units had been included in the survey. One measure of the likely difference is given by the standard error (SE), which indicates the extent to which an estimate might have varied by chance because only a sample of units was included.

**21** There are about two chances in three that a sample estimate will differ by less than one SE from the figure that would have been obtained if all legal services businesses/organisations in Australia had been surveyed, and approximately 19 chances in 20 that the difference will be less than two SEs.

**22** Sampling variability can also be measured by the relative standard error (RSE), which is obtained by expressing the SE as a percentage of the estimate to which it refers. The RSE is a useful measure in that it provides an immediate indication of the percentage errors likely to have occurred due to the effects of random sampling, and this avoids the need to refer also to the size of the estimate.

## RSES FOR TABLE 1.1 SUMMARY OF OPERATIONS, Legal services

	Barristers	Other legal services	Legal aid commissions	Community legal centres	Aboriginal legal services	Government solicitors	Public prosecutors	Total
	%	%	%	%	%	%	%	%
Businesses/organisations at end June	1.4	1.3	—	—	—	—	—	0.8
Employment at end June	2.6	3.5	—	0.4	—	—	—	2.9
Income								
Fee income from the provision of legal and legal support services	3.9	3.5	—	2.1	—	—	—	3.2
Government funding	—	—	—	0.4	—	—	—	—
Other	45.3	24.1	—	3.4	—	—	—	21.6
<i>Total</i>	3.8	3.4	—	0.5	—	—	—	2.9
Expenses								
Wages and salaries	12.3	3.8	—	0.4	—	—	—	3.2
Payments for legal and legal support services	10.4	7.9	—	2.5	—	—	—	6.7
Other	5.4	5.1	—	0.5	—	—	—	4.4
<i>Total</i>	4.8	3.8	—	0.4	—	—	—	3.3
Operating profit/surplus before tax	4.7	4.2	..	..	..	..	..	..
Operating profit margin	1.7	2.9	..	..	..	..	..	..
Income per person employed	4.0	2.9	—	0.3	—	—	—	2.5
Industry value added	4.4	3.7	—	0.4	—	—	—	3.2

.. not applicable

— nil or rounded to zero (including null cells)

RELIABILITY OF THE DATA  
*continued*

**23** As an example of the above, the estimate of total income for legal services businesses/organisations in 2007–08 was \$18,010.6m and the RSE was estimated to be 2.9%, giving a SE of approximately \$522.3m. Therefore, there would be two chances in three that, if all units had been included in the survey, a figure in the range of \$17,488.3m to \$18,532.9m would have been obtained, and 19 chances in 20 (i.e. a confidence interval of 95%) that the figure would have been within the range of \$16,966m to \$19,055.2m.

**24** For barristers and other legal services businesses, the sampling variability for estimates at the state/territory level was generally higher than for Australian level aggregates. Survey estimates for states/territories should therefore be viewed with more caution than the national estimates. Additionally, within states/territories, the sampling variability and therefore RSEs of estimates for smaller states were generally higher than for the larger states. Survey estimates for the smaller states should therefore be viewed with more caution than those for larger states.

**25** Estimates that have an estimated relative standard error between 10% and 25% are annotated with the symbol '^'. These estimates should be used with caution as they are subject to sampling variability too high for some purposes. Estimates with an RSE between 25% and 50% are annotated '\*', indicating that the estimate should be used with caution as it is subject to sampling variability too high for most practical purposes. Estimates with an RSE greater than 50% are annotated '\*\*' indicating that the sampling variability causes the estimates to be considered too unreliable for general use.

**26** Errors other than those due to sampling may occur in any type of collection and are referred to as non-sampling error. For this survey, non-sampling error may result from such things as deficiencies in the register of businesses from which the sample was drawn, non-response, imperfections in reporting and/or errors made in compiling results. The extent to which non-sampling error affects the results of the survey is not precisely quantifiable.

## RELIABILITY OF THE DATA

*continued*

**27** Every effort was made to minimise non-sampling error by careful design and testing of the questionnaire, efficient operating procedures and systems and the use of appropriate technology. Survey estimates with a high degree of non-sampling error have been suppressed or provided with relevant cautions.

**28** The collection of the number and value of pro bono hours worked is subject to non-sampling error arising from the methods used by legal services businesses in measuring this concept. Many businesses do not keep accurate records of the number and value of pro bono hours worked, estimating this figure instead when reporting to the ABS. For this reason, users are advised to exercise caution when using this estimate.

## ROUNDING

**29** Where figures have been rounded, discrepancies may occur between the sum of the components and the total. Similar discrepancies may occur between a proportion or ratio, and the ratio of the separate components.

## REFERENCE PERIOD

**30** Data contained in the tables in this publication relate to legal services operations in Australia during the year ended June 2008. Financial estimates include the activity of any legal services business/organisation that ceased or commenced operations during the year. Counts of businesses/organisations or offices include only those that were operating at 30 June 2008. Employment include only those persons working for a legal services business/organisation during the last pay period ending in June 2008.

## ACKNOWLEDGEMENT

**31** ABS publications draw extensively on information provided freely by individuals, businesses, governments and other organisations. Their continued cooperation is very much appreciated; without it, the wide range of statistics published by the ABS would not be available. Information received by the ABS is treated in strict confidence as required by the *Census and Statistics Act 1905*.

## INQUIRIES

**32** Inquiries about these statistics should be made by telephoning the National Information and Referral Service on 1300 135 070.

## ABBREVIATIONS

'000 h	thousand hours
\$b	billion (thousand million) dollars
\$m	million dollars
ABN	Australian Business Number
ABR	Australian Business Register
ABS	Australian Bureau of Statistics
AEIFRS	Australian Equivalents to International Financial Reporting Standards
ANZSIC	Australian and New Zealand Standard Industrial Classification
ANZSIC06	<i>Australian and New Zealand Standard Industrial Classification, 2006 Edition</i>
ANZSIC93	<i>Australian and New Zealand Standard Industrial Classification, 1993 Edition</i>
RSE	relative standard error
SE	standard error
TAU	type of activity unit

HISTORICAL COMPARISONS

**1** The reader should bear in mind that this survey was not designed to support accurate estimates of change over time. Due to changes in the frame, scope, and statistical unit, users should exercise caution when comparing the 2007–08 results to the 2001–02 results, and previous iterations of this survey.

CHANGE IN FRAME SOURCE

**2** For 2001–02 and previous legal surveys, it was not possible to use the ABS Business Register (ABR) for the survey frame, as it did not include non-employed businesses. Consequently, the Australian Legal Directory was used as the survey frame. Subsequent to the 2001–02 publication, the ABR has been improved to include non-employed businesses. In 2007–08 the survey frame was sourced from the ABR.

**3** The ABR does not distinguish between barrister and solicitor businesses. A list of barrister businesses was obtained from each of the State/Territory Bar Associations to enable barristers to be identified on the ABR.

**4** As a change in frame source can have a significant impact on estimates, particularly on estimates of the number of businesses/organisations, users are advised to exercise caution when comparing the 2007–08 results to the 2001–02 results, and previous iterations of this survey.

CHANGES IN STATISTICAL UNIT

**5** In 2001–02, the statistical unit used to represent private legal businesses, and for which statistics were reported, was the legal practice. In 2001–02, some legal practices consisted of a single legal entity, while for others, where a service entity provided resources to a single legal entity, these entities were consolidated and treated as one practice.

**6** In 2007–08, the statistical unit used to represent a businesses/organisation was the ABN/TAU, sourced from the ABR.

**7** As a change in statistical unit can have a significant impact on estimates, in this case particularly on estimates of employment and labour costs, users are advised to exercise caution when comparing the 2007–08 results to the 2001–02 results, and previous iterations of this survey.

CHANGES IN SCOPE

**8** In 2001–02, the scope of the survey was all units on the Australian Legal Directory, that would be classified to CLASS 7841 – LEGAL SERVICES of the 1993 edition of the Australian and New Zealand Standard Industrial Classification (ANZSIC93). In 2007–08, the scope of the survey was all employing and significant non-employed businesses on the ABR, classified to CLASS 6931 – LEGAL SERVICES of the 2006 edition of the Australian and New Zealand Standard industrial Classification (ANZSIC06). A turnover cut-off was used to determine significant non-employed businesses. See paragraphs 2 – 4 of the Explanatory Notes for further information on turnover cut-offs used.

**9** As a change in scope can have a significant impact on estimates, particularly on estimates of the number of businesses/organisations, users are advised to exercise caution when comparing the 2007–08 results to the 2001–02 results, and previous iterations of this survey.



PRO BONO WORK AND LEGAL AID

**10** The definition of pro bono work has changed since the ABS last conducted the legal services survey in 2001–02, and users should not compare 2001–02 and 2007–08 estimates of pro bono work and legal aid. The definition of pro bono work was refined for the 2007–08 survey by placing particular emphasis on capturing formal pro bono work undertaken on behalf of the business by legally qualified staff. It did not include work undertaken on behalf of, or remunerated by legal aid commissions or other government departments.

**11** The collection of pro bono data and legal aid data is subject to non-sampling error, arising from the way barristers and other legal services businesses keep records of their pro bono and legal aid work. Many units do not keep accurate records of hours spent on pro bono work and hours spent on legal aid work, or the monetary value associated with this work, instead estimating this figure when reporting to the ABS. For this reason, users are advised not to compare estimates of pro bono hours and legal aid hours over time.

CHANGE IN INDUSTRY CLASSIFICATION

**12** The estimates in this publication are based on ANZSIC06 whereas estimates in the 2001–02 issue were based on ANZSIC93. The effect on estimates as a result of this change was negligible.

**13** For more information on the 2006 industry classification and concordances between ANZSIC06 and ANZSIC93, please refer to *Australian and New Zealand Industrial Classification (ANZSIC) 2006* (cat. no. 1292.0).

AUSTRALIAN EQUIVALENTS TO INTERNATIONAL FINANCIAL REPORTING STANDARDS

**14** The new Australian Equivalents to International Reporting Standards (AEIFRS) were progressively implemented in Australia from 1 January 2005. As a result, changes in definitions have impacted upon both income statements and balance sheet items.

**15** Since the implementation of AEIFRS, analysis of published time series data has indicated structural breaks in series. The magnitude of such breaks, however, cannot be determined without imposing a disproportionate load upon data providers.

## GLOSSARY .....

<b>Aboriginal legal services</b>	This refers to federally funded, state and territory-based community organisations which provide culturally sensitive legal services to indigenous Australians.
<b>Acting as a mediator or arbitrator</b>	Acting as a mediator or arbitrator denotes providing legal services, as a neutral third party, either as a facilitator of a mediation process or the arbiter in an arbitration process.
<b>Administrative/constitutional law</b>	This item refers to legal work concerned with tribunals, government administration, the constitution of Australia, and other matters covered by federal government legislation.
<b>Businesses/organisations at end June</b>	This item refers to a business or organisation which is mainly engaged in providing legal representation and advice and the preparation of legal documents. Also included are businesses or organisations which are mainly engaged in establishing the legal ownership of a property such as title-searching services. Service companies providing occupancy, administrative, secretarial, clerical or similar support services to barrister or solicitor firms are also included. A business or organisation can operate from multiple locations.
<b>Capital city</b>	This item refers to the greater metropolitan area (including suburbs) of the capital city of each state and territory in Australia.
<b>Cases conducted or services provided on a no-win no-fee basis</b>	This item represents legal work for which the client is charged legal fees only if judgement or settlement is made in favour of the client.
<b>Casual employees</b>	Casual employees are those persons employed by the business or organisation who are not entitled to take paid leave.
<b>Commercial</b>	This item refers to legal work concerned with commercial transactions between businesses, and the fulfilment of contracts.
<b>Community legal centres</b>	This item refers to not-for-profit organisations, funded through the relevant state or territory legal aid commission, and established to provide subsidised legal services to the community.
<b>Conveyancing</b>	This item refers to legal work involving the transfer of ownership of real estate.
<b>Criminal</b>	This item refers to legal work related to the <i>Crimes Act</i> and associated legislation, and the laws of criminal investigation, procedures and evidence outlined in the <i>Criminal Procedures Act</i> .
<b>Disbursements and legal costs recovered</b>	This item of income refers to those amounts expended by a government or not-for profit organisation on behalf of clients and recovered from them. It includes recoveries of expenses for outsourced legal services and for the provision of telephone, facsimile, photocopying and similar services to clients. It also includes court and witness costs and specialist reports. It excludes recoveries of such expenses as stamp duty and other statutory fees.
<b>Disbursements not already reported</b>	This item of expenditure refers to those amounts expended by a legal services business on behalf of clients, (e.g. costs relating to witnesses, court proceedings or specialist reports), which are separately identified in accounts but not covered by other expense items.
<b>Disbursements recovered</b>	This item of income refers to those amounts expended by a legal service business on behalf of clients and recovered from them. It includes recoveries of expenses for the provision of telephone, facsimile, photocopying and similar services to clients. It also includes court and witness costs, the cost of specialist reports and payments made by

<b>Disbursements recovered</b> <i>continued</i>	clients of solicitor businesses on behalf of barrister businesses. It excludes recoveries of such expenses as stamp duty and other statutory fees.
<b>Employees</b>	This item is the sum of permanent full-time employees, permanent part-time employees and casual employees. Principals/directors of incorporated businesses are considered to be employees of the business as they receive a salary.
<b>Employment at end June</b>	This item includes working proprietors and partners of unincorporated businesses, principals or directors of incorporated businesses and all employees on the payroll of businesses/organisations during the last pay period ending in June 2008. Employees absent on paid or prepaid leave are included. Non-salaried directors, self-employed persons such as consultants and contractors, persons paid by commission only and volunteers are excluded.
<b>Environmental</b>	This item refers to legal work concerned with use and protection of the natural environment.
<b>Family</b>	This item refers to legal work concerned with matters dealt with by the Family Court e.g. divorce, legal guardianship and child support.
<b>Fee income forgone in no-fee work</b>	Fee income forgone in no-fee work which, for all pro bono cases undertaken free of charge, is the fee income which would have received for those cases if full fees had been paid.
<b>Fee income forgone in reduced fee work</b>	This item represents the difference between fee income received for all pro bono cases undertaken on a reduced fee basis and the fee income which would have been received for those cases if full fees had been paid.
<b>Fee income from the provision of legal and legal support services</b>	This item includes fee income from the provision of legal services, disbursements recovered and income from the provision of legal support services.
<b>Fee income from the provision of legal services</b>	This item refers to income received as fees for the provision of legal services. It includes fees received for barrister, solicitor, patent attorney, notary, conveyancing and title searching services, but excludes disbursements recovered. Payments received by solicitors on behalf of barrister businesses are also excluded.
<b>Fee income from the provision of legal support services</b>	This item refers to amounts received by businesses, such as barrister clerk, floor management and solicitor service entities, for occupancy, administrative, secretarial, clerical or similar support services.
<b>Fee income received (from reduced fee work)</b>	This item represents the sum of fee income received for all pro bono cases undertaken on a reduced fee basis.
<b>Free community legal education and/or law reform</b>	This item refers to pro bono work relating to providing free legal education at community fora, and/or contributing to the review and reform of current laws. See also pro bono work.
<b>Full-time equivalent employment</b>	This item represents the number of full-time employees added to the quotient of part-time hours paid divided by standard hours for a full-time employee. Working proprietors and partners of unincorporated businesses and principals/ directors of incorporated businesses are excluded from the calculation of full-time equivalent employment.
<b>Funding provided to other organisations for legal services</b>	This item represents funding by organisations to other organisations which provide legal services e.g. payments by legal aid commissions to community legal centres.
<b>Government funding</b>	This item refers to project or program payments made by federal, state/territory and local government in the form of operational funds for ongoing operations and capital funds to acquire or maintain equipment or property. It includes special purpose grants, funds from legal profession regulators and apprenticeship and traineeship schemes.
<b>Government solicitors</b>	This item comprises the Office of the Solicitor General in each state and territory and the Commonwealth government solicitor.

<b>Income per person employed</b>	This item is a ratio derived by dividing total income by total employment at end June.
<b>Incorporated</b>	This item refers to businesses which are operated as separate legal entities to the owners of the businesses (e.g. Pty Ltd. companies). Where employment is classified by employment characteristics in this publication, owners of incorporated businesses are reported as principals/directors.
<b>Industrial relations</b>	This item refers to legal work concerned with employment, employment conditions, and the relationship between employers and employees.
<b>Industry value added (IVA)</b>	<p>Industry value added (IVA) represents the value added by an industry to the intermediate inputs used by the industry. IVA is the measure of the contribution by businesses, in the selected industry, to gross domestic product.</p> <p>The derivation of IVA for market producers is as follows:</p> <p>sales and service income</p> <p><i>plus</i> funding from federal, state and/or local government for operational costs</p> <p><i>plus</i> capital work done for own use</p> <p><i>plus</i> closing inventories</p> <p><i>less</i> opening inventories</p> <p><i>less</i> intermediate input expenses</p> <p><i>less</i> capitalised purchases</p> <p><i>equals</i> IVA.</p> <p>Wage and salary expenses and most other labour costs are not taken into account in its calculation and nor are most insurance premiums, interest expenses or depreciation and a number of lesser expenses including bad debts, computer software expensed and state gambling taxes.</p> <p>The derivation of IVA for non-market producers is as follows:</p> <p>Wages, salaries and benefits paid to employees</p> <p><i>plus</i> Depreciation and amortisation.</p> <p>It should be noted that IVA is not a measure of operating profit (or surplus) before tax.</p>
<b>Insurance premiums</b>	This item refers to expenses incurred by a business/organisation in respect of different types of insurance policies, including professional indemnity insurance but excluding workers' compensation and compulsory third-party motor vehicle insurance.
<b>Intellectual property</b>	This item refers to legal work concerned with copyright, royalties, patents and trademarks.
<b>Junior counsel</b>	A junior counsel is a barrister who has been admitted to the relevant state bar but has not achieved the status of Queen's or senior counsel.
<b>Law graduates/articled clerks</b>	This item refers to employees of a law practice who, having completed a law degree, are undertaking the training necessary for them to qualify for a practising certificate.
<b>Legal aid commission</b>	This item represents organisations established in each state or territory, by the relevant state or territory government, to provide free legal representation to disadvantaged sectors of the community based on eligibility criteria. Legal aid commissions also administer the funding for community legal centres.
<b>Legally qualified staff</b>	This item comprises barristers and solicitors, law graduates and articled clerks.
<b>Mediation and arbitration</b>	Mediation is a dispute resolving process, where the parties come before a mediator to reach a non-binding agreement or reconciliation. Arbitration is the hearing of a dispute between parties before an arbitrator who is empowered to make a binding decision.
<b>Motor vehicle</b>	This item refers to legal work concerned with compensation claims resulting from motor vehicle accidents.

<b>Number of offices</b>	This item represents the number of offices which are operated by legal services businesses or organisations. A business or organisation may operate from more than one office.
<b>Operating profit/surplus before tax</b>	Operating profit is a measure of profitability of a business during the reference period, taken before extraordinary items are brought into account and prior to the deduction of income tax and appropriations to owners, (i.e. dividends paid, drawings.) It is derived by deducting total expenses from total income and adding the difference between closing inventory and opening inventory for the period.
<b>Operating profit margin</b>	Operating profit margin of a business represents the percentage of sales of goods and services which becomes profit/surplus after all operating expenses have been deducted. It is derived by expressing operating profit/surplus before tax as a percentage of total sales of goods and services.
<b>Operating profit per barrister</b>	This item is a measure of the average financial compensation that each barrister receives for involvement in his/her barrister business. It is derived by dividing the total operating profit before tax of all barrister businesses by the number of barristers working for barrister businesses.
<b>Other areas</b>	This item refers to areas located outside the capital city metropolitan areas of each state and territory.
<b>Other expenses</b>	This item includes all expenses not separately specified elsewhere.
<b>Other fields</b>	This item refers to all fields of legal work not specified elsewhere.
<b>Other income</b>	This item includes all income items not separately specified elsewhere.
<b>Other labour costs</b>	This item refers to all labour costs except wages and salaries. Those costs include employer contributions into superannuation, workers' compensation costs/premiums, fringe benefits tax, payroll tax and salary sacrificed earnings paid on behalf of employees.
<b>Other legal costs</b>	This item refers to legal expenses such as court and witness costs, specialist reports and disbursements which are separately invoiced to clients.
<b>Other legal services businesses</b>	This item refers to businesses, other than barrister businesses, which are mainly engaged in providing legal services, (including solicitor, patent attorney, notary, conveyancing and title searching businesses). It also includes businesses providing support services, such as occupancy, administrative, secretarial, clerical or similar support services, to barrister, solicitor or other businesses providing legal services.
<b>Other occupations</b>	This item includes all occupations not separately specified elsewhere.
<b>Other organisations and clients</b>	This item refers to all individuals and organisations, except for community legal centres, to whom legal services were provided on a pro bono basis.
<b>Other personal injury</b>	This item refers to legal work concerned with compensation claims resulting from incidents causing injury and punitive loss other than motor vehicle accidents and workers' compensation.
<b>Other property work</b>	This item refers to all forms of legal work relating to property except for conveyancing.
<b>Paralegals</b>	This item refers to those employees who perform certain specialist functions in a legal services business or organisation for which a law degree is not required.
<b>Patent attorney</b>	Patent attorneys are generally qualified in a specialist field such as science or engineering, with an additional patent attorney postgraduate qualification. They deal with patents, trade marks, intellectual property matters and other related services.
<b>Payments for legal and legal support services</b>	This item refers to payments made by a business or organisation to other businesses or organisations for legal and legal support services, as defined above, and for disbursements, (e.g. costs relating to witnesses, court proceedings or specialist reports), separately identified in accounts but not covered by other expense items.

<b>Payments for legal services</b>	This item refers to payments made by a business or organisation to other businesses or organisations for barrister, solicitor, patent attorney, notary, conveyancing, title searching or similar legal services.
<b>Payments for legal support services</b>	This item refers to payments made by a business or organisation to other businesses or organisations, such as barrister clerk, floor management and solicitor service entities, for occupancy, administrative, secretarial, clerical or similar support services.
<b>Permanent full-time employees</b>	This item refers to employees who work 35 hours or more per week and are entitled to paid leave.
<b>Permanent part-time employees</b>	This item refers to employees who work less than 35 hours per week and are entitled to paid leave.
<b>Personal injury</b>	This item refers to motor vehicle, workers compensation and other personal injury fields of legal work.
<b>Practising barristers</b>	A practising barrister is a law graduate with a current practising certificate, who, having been admitted to the bar, specialises in representing clients in court.
<b>Practising solicitors</b>	A practising solicitor is a law graduate with a current practising certificate, who is generally responsible for advising clients on legal matters, preparing legal documents, representing clients in summary matters and instructing barristers in relation to more complex advocacy work.
<b>Principals/directors of incorporated businesses</b>	This item refers to owners or directors of incorporated businesses or those who act as trustees for a trust. They are considered to be employees of the business because they receive a salary, unlike working proprietors or partners.
<b>Pro bono legal work</b>	<p>For the purpose of this survey, pro bono legal work is defined as work generally in the nature of legal advice, representation or service performed by legally qualified staff free of charge or at a substantially reduced rate:</p> <ul style="list-style-type: none"> <li>■ for clients who cannot afford to pay full market rates;</li> <li>■ for a (non-government) organisation working for disadvantaged groups; or</li> <li>■ for the public good.</li> </ul> <p>It also includes involvement by legally qualified staff in free community legal education and/or law reform. Work on behalf of Legal Aid Commissions and cases involving contingency fee arrangements (e.g. 'no win/no fee') are excluded. Please refer to paragraph 28 of the Explanatory Notes regarding potential non-sampling error with this data item.</p>
<b>Professional expenses</b>	This item includes expenditure on practising certificate fees, professional association fees, professional library services, journal subscriptions, purchases of textbooks and loose leaf services.
<b>Public prosecutors</b>	These organisations are the Office of Public Prosecutions in each state and territory and the federal Department of Public Prosecutions.
<b>Rent, leasing and hiring expenses</b>	This item represents the costs of the rent, leasing (excluding finance leases) and hiring of vehicles, land, buildings, machinery, equipment and any other property from other businesses or individuals.
<b>Representation at mediation or arbitration</b>	Representation at mediation or arbitration denotes providing legal services in the interests of one of the parties to a dispute where a resolution is sought through mediation or arbitration.
<b>Senior counsel</b>	A senior counsel is a barrister admitted to the highest possible level of qualification in his or her field. This classification also includes Queens Counsel.
<b>Time spent on matters referred by legal aid commissions</b>	This item represents an estimate of the number of hours spent by legally qualified staff on matters referred to businesses by, or on behalf of a legal aid commission. Please see Technical Note on historical comparisons.

<b>Time spent on pro bono legal work</b>	This item represents an estimate of the number of hours spent by legally qualified staff of businesses on pro bono legal work. Please see Technical Note on historical comparisons.
<b>Total expenses</b>	This item is the sum of all expense components.
<b>Total income</b>	This item is the sum of all income components.
<b>Total value of pro bono legal work</b>	Total value of pro bono legal work, also described as Value of work undertaken by fee status, represents the sum of the following three items: <ul style="list-style-type: none"> <li>■ Fee income received (from reduced fee work)</li> <li>■ Fee income forgone in reduced fee work</li> <li>■ Fee income forgone in no-fee work.</li> </ul>
<b>Trusts</b>	A Trust is a legal entity, established by deed, which charges a trustee with the responsibility of applying the income and/or assets of the trust to the benefit of the trust's beneficiaries, either at the trustee's discretion or as prescribed by the deed of trust. A trust can carry on a business. In this publication, for the purposes of classifying employment by employment characteristics, those who operate the business in the name of the trust are treated as principals/directors of incorporated businesses.
<b>Unincorporated</b>	This item refers to businesses which are not organised and maintained as a legal corporation separate from their owners, e.g. sole proprietorship. Where employment is classified by employment characteristics in this publication, owners of unincorporated businesses are reported as working proprietors and partners.
<b>Volunteers</b>	This group of items refers to persons who, during the month of June 2008, provided voluntary unpaid assistance to organisations mainly engaged in the provision of legal services. The number of volunteers represents the number of persons who undertook voluntary work in the capacity of: <ul style="list-style-type: none"> <li>■ practising barristers and solicitors;</li> <li>■ providers of other legal services; and</li> <li>■ providers of other services, (i.e. other than legal services).</li> </ul> Hours worked by volunteers during the month of June are also presented for each of the types of services listed above.
<b>Wages and salaries</b>	This item refers to the gross wages and salaries (excluding capitalised wages and salaries) of all employees of the business/organisation. The item includes severance, termination and redundancy payments, salaries and fees of directors and executives, retainers and commissions of persons who received a retainer, bonuses, and annual and other types of leave. Provision expenses for employee entitlements (e.g. provisions for annual leave and leave bonus, long service leave, sick leave, and severance, termination and redundancy payments) are also included. Payments related to salary sacrifice and payments to self-employed persons such as consultants, contractors and persons paid solely by commission without a retainer are excluded, as are drawings from profits.
<b>Wills, probate and estate activities</b>	This item refers to legal work concerned with the preparation and administration of wills, estates and inheritances.
<b>Workers' compensation</b>	This item refers to legal work concerned with compensation claims resulting from employment.
<b>Working proprietors and partners of unincorporated businesses</b>	A working proprietor of an unincorporated business operates his or her own business (a sole proprietorship), while a partner, along with one or more other partners, operates a partnership. Working proprietors and working partners are: <ul style="list-style-type: none"> <li>■ the owners of their business</li> <li>■ legally inseparable from the business entity</li> <li>■ liable for any business debts that are incurred.</li> </ul> As such, working proprietors and working partners of unincorporated businesses are not considered to be employees of their business.







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