

QUARTERLY REPORT

Legal
Aid For
Tasmanians

ANOTHER BIG QUARTER

THE LAST THREE MONTHS OF 2020-21 SAW INCREASING DEMAND FOR SERVICES, AS MORE CASES WERE DEALT WITH. THIS IS REFLECTED IN THE PAYMENT OF OVER \$1.7M TO PRIVATE PRACTITIONERS, AN INCREASE OF 38.4% ON THE PREVIOUS YEAR.

Grants of aid were up by 13% for the quarter, with around 62% of all grants for the year to private practitioners. TLA delivered 5,780 duty lawyer services for the year, an increase of 4%, with over 2,130 FASS services, an 18% increase.

As foreshadowed in the last report, the delay in hearings meant that there was a slight surplus - around \$330K or less than 2% of budget. The increase in trials will see this amount expended in 2021-22, with an overall deficit budget projected.

There was also a lot happening within TLA, with the new memorandum of understanding with the Tasmanian Aboriginal Legal Services and the launch of TLA's first Reconciliation Action Plan. These are important steps in our efforts to improve our understanding and service delivery.

Work has also continued in developing new guidelines for Independent Children's Lawyers (family law) and Separate Representatives (Child Safety). The steering groups leading this work include a number of private practitioners and draft guidelines will be released for consultation soon.

We extend our thanks to staff, private practitioners and everyone we work with for another successful year in delivering services to the Tasmanian community.

For the breakdown of Q4 stats and financials see page 4.



Website page views

92,627



Telephone services

14,466



New grants of aid

1,344

"We extend our thanks to staff, private practitioners and everyone we work with for another successful year in delivering services to the Tasmanian community."

Legal
Aid

Q4 - 2020-21 - APR-JUN

DEVONPORT LAWYER TAKES TOP TLA GONG

CRIMINAL LAWYER KIRSTEN ABERCROMBY WAS THE FIRST RECIPIENT OF TLA'S OUT-STANDING STAFF AWARD.



The award was presented by Governor Kate Warner to Kirsten during a ceremony at Government House in Hobart on 4 May. There were few colleagues shocked to hear the Devonport-based solicitor had taken the inaugural staff award. Many said Kirsten was a worthy and obvious choice.

"It was flattering to be recognised," Kirsten said. "I love my job and like most people expect no recognition whatsoever because it's a wonderful job, and it's nice to work for Legal Aid and it never occurred to me that it would result in any kind of award."

Kirsten said the "human side" of her work keeps her going, relating to clients at their level, asking lots of questions and making sure everything is covered. "I like the ability to make people feel more at ease."

"I suppose after 10 years, it becomes a knack of being able to communicate well with people in the end and talk to them on their level and make them feel like their level is my level," she said.

REMINDER: EOFY INCREASE IN LEGAL FEES FOR 2021-2022

TASMANIA LEGAL AID HAS AGAIN INCREASED THE HOURLY RATE PAID TO LEGAL PRACTITIONERS.

The 2% increase applies from 1 July 2021 to fees across all areas, including the criminal, family and civil law programs.

Practitioners play an important role in delivering services to vulnerable Tasmanians, with around \$5.7M paid in 2020-21, up from \$5.1M in the previous year.

The increase passes on the indexation received by TLA from the Commonwealth and State Governments and maintains the value of fees.

Read more and get the full 2021-22 fee schedule breakdown at the TLA website [here](#).

FOND FAREWELL: HENSLEY TO THE BAR

ALAN HENSLEY DEPARTS TLA AFTER NINE YEARS FOR THE TASMANIAN BAR.

Over the past decade Alan has appeared in a range of criminal hearings from youth justice cases through to the Court of Criminal Appeal. He leaves as a highly regarded advocate and mentor within Tasmania's legal profession.

Alan was working for the Director of Public Prosecutions in Launceston before, as he said, "jumping to the other side" and starting with Tasmania Legal Aid.

Reflecting on his first day at TLA, Alan recalled how after doing half-a-dozen duty pleas in the morning he returned to the Legal Aid office at lunchtime "exhausted, utterly worn out".

"Having that human contact, engaging with our clients and having them trust you, having them tell you about the details of the offending and their lives was very tiring. But as I was walking back feeling very tired I was also feeling very good... because I made a difference in these five or six people's lives and they were very grateful for it," he said.



Alan finished as Associate Director, Criminal Law having made significant impacts to the justice system and TLA's leadership.

COURT BACKLOG: INDICTABLE MATTERS IN MAGISTRATES COURT

JUSTICE MISCELLANEOUS (COURT BACKLOG AND RELATED MATTERS) ACT COMMENCED 1 JULY 2021.

The Act introduces a number of summary 'mirror offences' and increases the jurisdiction of the Magistrates' Court, allowing more cases to be heard.

Another significant change concerns preliminary proceedings that will see indictable cases remain in the Magistrates' Court until there is an election for a preliminary proceeding or committal to the Supreme Court.

TLA has introduced a stage-of-matter fee structure for indictable matters. The one grant of aid will take most cases from first remand through to committal to the Supreme Court or the completion of the case as a summary plea of guilty. It also avoids practitioners having to make multiple requests for extensions of assistance.

Read more about the changes [here](#).

TLA - 2020-2021 - Q4

DELIBERATE, PRACTICAL FIRST STEPS: TLA'S RECONCILIATION ACTION PLAN LAUNCHED

Tasmania Legal Aid launched its first Reconciliation Action Plan (RAP), affirming its commitment to working with First Nations Peoples on a journey to justice.

Respected Elder Uncle Dougie Mansell delivered a Welcome to Country for the Hobart launch in May, which was attended by Tasmania Aboriginal Legal Service (TALS) CEO Tracey Dillon and Caroline Spotswood from UTAS's Riawunna, TLA Chair Patrick Lunn together with TLA staff and community members.



The RAP was the culmination of nearly 12 months of planning and consultation with First Nations Tasmanians and Reconciliation Australia, marking "the first deliberate and practical steps" for TLA, said TLA Director Vincenzo Caltabiano.

The launch was held during Reconciliation Week 2021 which this year declared it was "More than a word. Reconciliation takes action".

"It is important for us, as an organisation that wants to see all Tasmanians are safe, respected and have their voices heard, that we work to better support First Nations people and improve justice outcomes" Vincenzo said. "We also recognise the resilience, capacity and determination of First Nations people and their understanding of what their community needs."

The Reflect RAP is available [here](#).



TLA & TALS: WORKING TOGETHER AT LONG LAST

Tasmania Legal Aid Chair Patrick Lunn was proud to sign our new Memorandum of Understanding with John Clark, chairman of the Tasmanian Aboriginal Legal Service in April.

Mr Clark said the MOU would "expand the wraparound service that not only addresses people going to court, but the mental health, the disabled health, and to try and knock the recidivism down and put programs in place that support the most important people in this – that is the individual clients that need the service".

The MOU will see the two organisations working together to improve access to the legal system and give a stronger, more unified approach to First Nations justice and advocacy.

At the signing ceremony TLA Chair Patrick Lunn said the MOU was an "opportunity for working more collaboratively with TALS" and formed the base of a new framework that would lead to greater cultural understanding for TLA staff.

Chairman Lunn said the agreement would "improve the experience of the justice system for Aboriginal and Torres Strait community members". He added the MOU would give "high quality, culturally appropriate and safe legal aid services" for First Nations peoples.

The MOU lays out TLA's commitment that all our staff will have a better understanding of Aboriginal history, something that is taking shape as our [Reconciliation Action Plan](#) progresses.

Q4 - 2020-21 - APR-JUN

SERVICE DELIVERY: AT A GLANCE

Figures compared with Q4 2019-20

- ↑ 1,344 - New grants of aid - up 11.4%
- ↑ 1,527 - New grants files received - up 13.1%
- ↑ 6,691 - Grant extension requests processed - up 6.4%
- ↑ 1,477 - Duty lawyer services - up 21.4%
- ↑ 67% - New grants assigned to private profession - up 4%
- ↑ \$1.77m - Private Practice & Disbursements Payments (ex. GST) - up 38.4%
- ↑ 115 - New Safe at Home files - up 6.5%
- ↓ 93 - Family Dispute Resolution conferences held - down 7%
- ↓ 84 - New Mental Health Tribunal files - down 13.4%
- ↑ 961 - Face-to-face advice services - up 31.1%
- ↓ 92,627 - Website page views - down 47.8%
- ↓ 14,466 - Telephone services - down 2.9%
- ↓ 5,145 - phone advice - down 17.7%
- ↑ 9,321 - phone referrals - up 7.9%

FINANCIAL SUMMARY

* Note: these are management figures and have not been independently audited

Commonwealth Funding:	\$9,498,234
State Funding:	\$8,679,288
Other Income:	\$769,163
TOTAL INCOME:	\$18,946,685
TOTAL EXPENDITURE:	\$18,677,175

REVIEW COMMITTEE

- Reviews of grant officer decisions - 5
- Reviewed decisions varied - 5 (100%)

