

Q1 2021/2022 (JULY-SEPT)

QUARTERLY REPORT

Legal
Aid For
Tasmanians

REPORT SHOWS CHALLENGES FOR 'CROSSOVER CHILDREN'

THE CHILDREN FIRST REPORT, LAUNCHED IN JULY, LOOKS AT THE OUTCOMES FOR CHILDREN WHO HAVE EXPERIENCE OF BOTH THE CHILD SAFETY SYSTEM AND YOUTH JUSTICE SYSTEM.

The report draws on over a decade of TLA data and experience in assisting children involved in both systems, children often referred to as crossover children.

The report highlights the significant challenges faced by crossover children.

- Only about 10% of children with a child safety file also had a youth justice file (crossover children).
- Crossover children made up 15% of children with a youth justice file and accounted for 24% of all TLA youth justice files.
- Crossover children had almost twice as many files as other children in the youth justice system.
- Crossover children made up 41% of children under 14 charged with offending, and accounted for 46% of files for this group.
- Crossover children first charged when under 14 had an average of 6 files each, compared with 3 files for under 14-year-olds without a child safety background.

The challenges are even greater for Aboriginal children and for girls in the system who appear disproportionately in the justice system:

- While around 10% of Tasmanian children identify as Aboriginal or Torres Strait Islander, 12% of all TLA youth justice clients and 15% of crossover children identify as Aboriginal or Torres Strait Islander.
- Almost half the Aboriginal children who were under 14 when first charged with a criminal offence were crossover children.
- While 25% of all TLA youth justice clients were female, this jumps to 37% of crossover children.
- Over half of the girls under 14 (52%) when first charged were crossover children (compared with 38% of boys under 14) and accounted for 59% of youth justice files for girls under 14.
- Girls who crossover had an average of three files compared with two files for other girls.
- The most common primary offence for children under 14 when first charged was stealing.

(Cont on p3)



Website page views

157,183



Telephone services

17,612



New grants of aid

1,232

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TWO FROM TLA OFF TO FEDERAL-FAMILY COURT BENCH

IN WHAT IS WIDELY SEEN AS RECOGNITION OF THE IMPORTANT WORK WE DO AT TLA TWO OF OUR STAFF MEMBERS ARE HEADED TO SERVE ON THE FAMILY COURT AND FEDERAL CIRCUIT COURT OF AUSTRALIA.

Family lawyers Patrick Fitzgerald and Edwina Gelston (pictured with TLA Director Vincenzo Caltabiano) have been appointed Senior Judicial Registrar and Judicial Registrar respectively, which Vincenzo said was “testament to their significant skill and experience as family lawyers”.



“It is also recognition of the importance of the work we do at TLA,” Director Caltabiano added when announcing the news.

“Patrick and Edwina join the Court at an exciting time in its history and they will be central to helping the Court deliver timely access to justice.

“I know that you will join me in congratulating them on their well-deserved appointments and wishing them the best for the future.”

PUBLIC OUTREACH BEGINS: INQUIRY INTO GOV'S RESPONSES TO CHILD SEXUAL ABUSE IN INSTITUTIONAL SETTINGS

TLA IS WORKING WITH A NEW INQUIRY INTO CHILD SEXUAL ABUSE WITHIN GOVERNMENT INSTITUTIONS EXAMINING HOW THE GOVERNMENT RESPONDS TO INCIDENTS AND ALLEGATIONS OF ABUSE

Pat said: “I will miss my work colleagues as they have allowed me to grow intellectually and emotionally.”

Ed's commitment to the direction of TLA and the support of colleagues made the decision to go hard. But she is excited by the new role.

“I am looking forward to being a part of the new Court as it tries to help families by endeavouring to develop a modern, world-leading Family Law Court System that focuses on risk, responsiveness and resolution.”

TLA will be supporting people in telling their story and Tasmanians who believe they have something to share with us on this matter are encouraged to get in touch.

The Commission was established on 15 March 2021 on the adequacy and appropriateness of the Government's current responses to allegations and incidents of child sexual abuse in institutional contexts.

TLA can provide legal advice and assist Tasmanians to prepare a submission to the Commission of Inquiry.

For more information contact the Commission via email contact@commissionofinquiry.tas.gov.au or phone 1800 950 110

CDF REMINDER: LAWYERS CAN APPLY FOR FUNDS

THE CIVIL DISBURSEMENT FUND (CDF) ASSISTS PEOPLE INVOLVED IN CIVIL LEGAL PROCEEDINGS TO COVER 'DISBURSEMENTS' INCLUDING COURT FILING FEES, MEDICAL REPORTS AND SIMILAR OUT OF POCKET COSTS.

The application process is easy. Lawyers make an application for funding on behalf of their client.

The application includes information about the person's financial situation, what the case is about and the lawyer's assessment about the strength of the case. Application fees apply.

Applications must be made through a lawyer. Guidelines for the operation of the fund and application forms can be downloaded from this page. Persons who are considering making applications to the fund should be aware that applications will firstly be considered by the committee, then the Commission.

For further information visit Tasmania Legal Aid - Civil Disbursement Fund [here](#).

DIGITAL STRATEGY: CLIENT & PRIVATE LAWYER SURVEY

131 CLIENTS AND 31 LEGAL PROFESSIONALS PROVIDED RESPONSES THAT WILL NOW ASSIST TLA TO IMPROVE OUR SERVICE DELIVERY.

We received great feedback from our clients and practice partners to our digital strategy survey.

We heard that practice partners and clients want to hear more legal news and updates through our online channels, including our website and social pages.

We also heard that more approachable content, in terms of user experience and language, would be a welcome development.

The eLodge system, while a comfortable and familiar system of long-term use, was something many said needed to be updated to improve ease of use.

This feedback will help us review our digital services. We will provide an update about what we are doing to improve our services in coming months.

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30 YEARS OF MAKING A DIFFERENCE IN TASMANIA

Celebrations of TLA's 30th year have wrapped up with a do in Launceston in September following the festivities held in Hobart in July.



TLA staff at Launceston function



TLA Chair Patrick Lunn at Hobart Town Hall

These smashing events brought together TLA staff with esteemed guests from the wider legal profession, with local members, ministers, and members of the judiciary.

TLA Chair Patrick Lunn gave rousing speeches at both events, highlighting our organisation's many achievements from the past 30 years, reminding all present of the importance of TLA's work that continues across the Tasmanian community.

The September soiree was in swing at Launceston's Peppers Silo Hotel where we hosted our key stakeholders, including representatives from Relationships Australia, Advocacy Tas, FVCSS and Women's Legal Service.

Distinguished guests included the Hon Justice Robert Pearce, Jo Palmer MLC, Bridget Archer MP and Senator Wendy Askew and Nick Duigan MLC. The Mayor of Launceston, Albert van Zetten, also attended.

The July function was held in the Hobart Town Hall Ballroom, the event also presented an opportunity for a formal thank you and farewell to our recently departed Criminal Practice Manager Alan Hensley, who was in attendance.

It was well attended by Attorney General Elise Archer, members of the judiciary and our staff from the Southern Region.



Former TLA Chair Peter Worrall, Patrick Lunn and Federal Circuit Court Judge Sandra Taglieri



TLA CEO Tracey Dillon, Amnesty International's Rodney Dillon, Children's Commissioner Leanne McLean, and TLA Director Vincenzo Caltabiano

Children First report (Cont. from p1)

Research demonstrates that children in these circumstances have poorer long term life outcomes and become long term users of services.

The report acknowledges that positive action that has been taken to reduce engagement in the justice system but there is more that can be done to assist these particularly vulnerable members of our community. To this end, the report proposes a number of solutions that have been shown to work. The recommendations include:

- Increasing the minimum age of criminal responsibility from 10 to 14 years
- Increased diversion options and bail support
- Adopting a trauma informed approach.

Australia is out of step with the rest of the world and has faced repeated calls to raise the age. A [recent report from the ACT](#) shows what the systems response could be for children under 14.

The Commissioner for Children and Young People Leanne McLean said the report would be a "key input" in the advice to be provided to the state government this year.

The Commissioner said she was confident changes can be made, especially for vulnerable young people under 14.

Financials update for the new financial year 2021-22

The new financial year continued to see high demand for legal aid, continuing the trend observed at the end of 2020-21. Payments to private practitioners continued to increase, with over \$1.8M paid, up 6% on last year. This reflects the greater number of hearings due to more listings and the appointment of judges.

An increase in expenditure was anticipated in our budget. The financial position was bolstered by the welcome announcement of additional funding by the State Government. This included \$380,000 to address the Supreme Court backlog as well as four year funding to support the provision of duty lawyer services to the Magistrates' Court and for lawyers in the Mental Health Tribunal.

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SERVICE DELIVERY: AT A GLANCE

- 1,232 - New grants of aid
- 1,414 - New grants files received
- 7,966 - Grant extension requests processed
- 1,432 - Duty lawyer services
- 66% - New grants assigned to private profession
- \$1.82m - Private Practice & Disbursements Payments (ex. GST)
- 109 - New Safe at Home files
- 107 - Family Dispute Resolution conferences held
- 105 - New Mental Health Tribunal files
- 1,088 - Face-to-face advice services
- 157,183 - Website page views
- 17,612 - Telephone services
 - 5,641 - phone advice
 - 11,971 - phone referrals

FINANCIAL SUMMARY

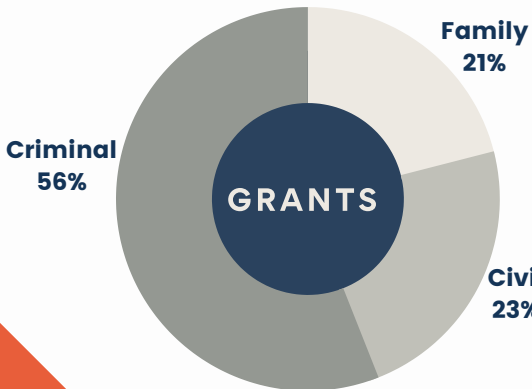
* Note: these are management figures and have not been independently audited

Commonwealth Funding:	●
\$2,155,252	
State Funding:	●
\$2,533,128	
Other Income:	●
\$73,123	
TOTAL INCOME:	●
\$4,761,503	
TOTAL EXPENDITURE:	●
\$5,071,835	

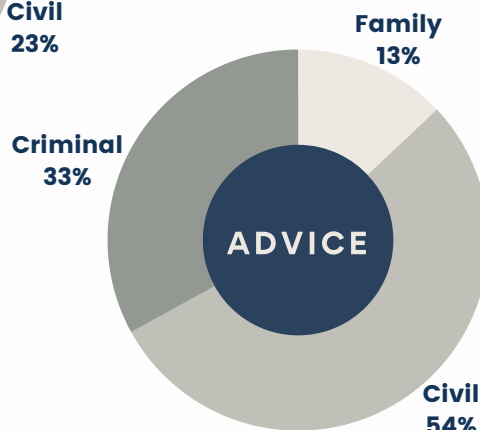
CLE SESSIONS

SESSIONS	PARTICIPANTS	
58 ●	2,297	School students
9 ●	164	Family Law services
14 ●	182	Elder support services
1 ●	26	Other services
82 ●	2,669	Total

GRANTS



ADVICE



REVIEW COMMITTEE

- Reviews of grant officer decisions - 4
- Reviewed decisions varied - 3 (75%)