

Legal
Aid For
Tasmanians

Annual Report

2020–21

2020-21

Our Year at a Glance



5,859

Legal aid grant applications received

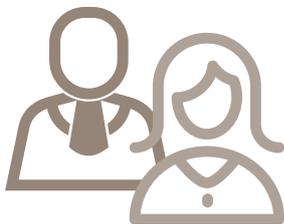


25,882

extensions to existing legal aid grants

31%

Grants to people identified as having a disability



2,137

Family Advocacy and Support Service (FASS) duty lawyer services provided

28

NDIS clients assisted

689

FASS Men's Service



2,628

Webchats

573,028

TLA Website visits

Acknowledgement of Country

Tasmania Legal Aid acknowledges and pays respect to the Tasmanian Aboriginal people as the traditional owners and continuing custodians of the land and waters of this island, lutruwita (Tasmania), where we live and work.



350

Mental health and disability services



9%

Clients who identify as Aboriginal or Torres Strait Islander



484

Family Dispute Resolution conferences settled

Grants of legal aid to private lawyers

\$6.022m



678

Safe at Home services



12,551

Community Legal Education and Information session participants

290

Community Legal Education & Information sessions

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Chair's report



The 30th anniversary since the commencement of the Legal Aid Commission Act 1991 has been a significant milestone that Tasmania Legal Aid (TLA) has used to recognise and celebrate TLA's service to the Tasmanian community.

At functions held throughout the State this year we have acknowledged the many supporters who have joined with us to mark this occasion, a history of TLA in the Tasmanian community and the previous schemes that have served the community. These occasions allow us to promote our vision that all Tasmanians are safe, respected and have their voices heard; and our purposes:

- to provide legal services to help Tasmanians understand their rights, navigate the system to resolve their legal issues, and get the assistance they need;
- to support and advocate for vulnerable and marginalised Tasmanians; and
- to work with our clients, staff, legal partners and the community to improve the legal system.

We have acknowledged the significant growth in the number and breadth of services TLA provides to the community; the privilege it is to serve our clients; and the efforts and achievements of our staff, members of the private profession and other stakeholders who deliver services to our clients and the community.

These functions have provided us with a great opportunity to recognise TLA's success, and the support that TLA has received from many stakeholders for many years.

In line with our current Strategic Plan, we developed and are implementing a Reconciliation Action Plan (RAP), and have entered into a Memorandum of Understanding (MOU) with the Tasmanian Aboriginal Legal Service (TALS).

The RAP was initiated by our Director Vincenzo Caltabiano, which is a credit to him. It received the full support of TLA, and is something that we should be proud of. The RAP received endorsement from Reconciliation Australia in May, and was launched during National Reconciliation Week with the support of TALS CEO Tracey Dillon, Caroline Spotswood from UTAS's Riawunna and respected Elder Uncle Dougie Mansell who delivered the Welcome to Country.

Our initial RAP provides the foundations for the future by supporting staff to build relationships with First Nations communities and organisations, and to develop opportunities to increase the employment of First Nations peoples at TLA by creating employment pathways for First Nations students and graduates. The Commissioners thank the RAP steering committee, and in particular Prue Cameron for helping deliver a RAP that will improve our engagement with and support of local First Nations peoples within our community.

TLA entered into an MOU with TALS in April. This MOU, whilst acknowledging the independence of TLA and TALS, reflects a joint commitment to the provision of effective and responsive legal services for Aboriginal and Torres Strait Islanders, recognising that Aboriginal and Torres Strait Islander peoples are one of the most disadvantaged and marginalised groups within our community. The MOU will guide the partnership between our organisations that strive to:

- improve the experience of the justice system for Aboriginal and Torres Strait Islander community members; and
- respect and value cultural diversity.

The MOU supports the aim of both organisations to deliver services that are more effective, more constructive, and more culturally appropriate than they would be if we were working alone. TLA is pleased to have this opportunity to work more closely and collaboratively with TALS, and look forward to the benefits it will bring to both organisations, our clients and the Tasmanian community.

Earlier this year TLA introduced a TLA Access to Justice Award and TLA Staff award to recognise the significant contributions of private practitioners and our staff in delivering legal aid throughout Tasmania. The inaugural recipients of these awards were the Butler McIntyre & Butler Family Law & Relationship Team, and Kirsten Abercromby. The TLA Access to Justice Award was presented at the Opening of the Legal Year in January, and the TLA Staff award was presented by the Governor, Her Excellency Kate Warner, at Government House in May. Our congratulations go to both recipients and we look forward to these awards continuing.

This year the TLA Risk Committee also reviewed and recommended changes to the Risk Register designed to summarise current issues associated with identified risk categories and the progress of related strategic initiatives. All risk categories including funding revenue; strategy; stakeholder engagement; workplace health & safety; contract management; culture and people; IT systems, information and security; and accounting and financial reporting, amongst others, were reviewed and updated to reflect developments since the Risk Register was endorsed. The Commission approved the recommended changes to the Risk Register in May and continue to monitor the implementation of recommended treatments at regular reviews.

In October of last year Julia Higgins attended her final meeting of the Commission before Matthew Verney commenced his appointment in February. I would like to thank Julia for the tremendous contribution that she made to TLA and the manner in which she discharged her duties independently and objectively. Julia's experience in family law was particularly appreciated by Commissioners to gain a better understanding of the challenges faced by our clients, and how we can work with our stakeholders to better improve our services. Mathew Verney has already made a great start to his role bringing with him a wealth of experience in family law, criminal law and as a past President of the Law Society of Tasmania. I thank our continuing Commissioners Naomi Walsh and Gavin Wailes for their on-going contributions, their engagement with and support of TLA, and Vincenzo Caltabiano for his independence, direction, conviction and leadership in implementing the objectives of our current Strategic Plan.

It remains a pleasure and privilege to serve TLA, and I thank all of the staff and our supporters for its continuing success, as evidenced by this report.



Patrick Lunn
Chair

Director's report



The 2020–21 year was the first of our new Strategic Plan which strives for a Tasmania where everyone is safe, respected and has their voices heard.

While all of our services are directed toward this goal, three areas are the focus of our plan – Children, Family Violence and Wellbeing, and Resilience.

Having set ourselves this task, it is understandable that a great deal of effort has been directed to activities to achieving our goal.

We have been working with private practitioners, courts and others to develop new guidelines for the representation of children in the Family Courts and in Child Safety cases. These will ensure a client centred approach that helps a child express their wishes for their future.

Our new Client Safety Framework will help staff identify and respond to people whose lives are affected by family violence or who pose a risk to themselves or others. In developing the Framework we worked with staff, people with lived experience and experts from a range of disciplines. The Framework will equip staff to better support clients in difficult and distressing circumstances.

The range of services provided by Tasmania Legal Aid, and its 30–year history, means that issues often arise about whether we can assist a client due to a potential 'conflict'. Our Managing Client Confidential Information Policy will provide a robust framework to support staff in answering these questions and will allow us to assist more clients.

During the year we worked with the Magistrates Court, the Law Society and the Department of Justice to support the introduction of the Intermediaries Scheme and the commencement of the Court Backlog Act.

We made submissions in response to the proposed laws about bail, judge alone trials, strip searches of children and advance care directives. We also contributed to a number of reviews and submissions into the family law system.

We were pleased to be engaged to support people to make submissions to the Tasmanian Commission of Inquiry into Child Sexual Abuse. We will help people who, due to their circumstances, would not otherwise be able to tell their story and be heard.

In addition to this activity we have continued to provide quality legal services to the Tasmanian community. There were around 5,200 new grants of aid and over 30,000 extensions, around 4,000 duty lawyer services, nearly 23,000 telephone advice services. More than 12,000 people attended community legal education events, learning more about the law and how to navigate the legal system.

Tasmania has the highest rate of people living with a disability of all Australian States and Territories. That is why it is important that we assisted more people get a better National Disability Scheme plan, as well as helping more people at the Mental Health Tribunal.

In line with our focus on family violence our Safe at Home Program helped more people experiencing family violence, with 781 advice services and around 450 grants of aid and assistance files.

The Family Law Property Mediation Pilot has allowed us to help 50 separated couples resolve their financial disputes. We welcome the decision of the Commonwealth Government to extend the pilot for a further 18 months.

Payments of grants of legal aid to private lawyers increased 17%, to \$6.022 million for the 2020-21 period, reflecting ongoing demand for services. The welcome receipt of \$600K Commonwealth Covid funding allowed us to meet this demand. Restrictions in the capacity of courts to hear cases, due to COVID-19 and judicial vacancies, was a major contributor to the surplus of \$360K (less than 2% of our budget). We expect that these funds will be spent in the coming year as courts clear some of the backlog.

This survey of the year highlights the work and dedication of our staff and practice partners. Together we continue to work to achieve our goal of a Tasmania where people are safe, respected and heard.



Vincenzo Caltabiano
Director

What we do

Tasmania Legal Aid is an independent statutory body established by the *Legal Aid Commission Act 1990 (Tas)* to provide legal information, advice and representation to all Tasmanians.

1



Stuart Davey, Manager CLEI

Our Organisation

Now in our 30th year, Tasmania Legal Aid (TLA) helps Tasmanians gain access to justice.

For the past three decades, we have been supporting vulnerable and marginalised Tasmanians and working toward our vision of all Tasmanians feeling safe, respected and having their voices heard.

As we strive to achieve this, we continue to focus on improving our services for children, vulnerable Tasmanians, and with increasing focus and support for First Nations clients.

We respond to family violence, assisting all involved, and work to build the skills, wellbeing and resilience of our clients, our staff and legal practitioners.

We work with increasing focus with our clients, staff, legal partners and the Tasmanian community to improve the legal system.

TLA began operations in 1991 when we were established under the *Legal Aid Commission Act of 1990 (Tas)*. Since the beginning we have worked independently of the State and Federal governments throughout our three decades of operation.

We are governed by a Board of five Commissioners, which includes the Director of Tasmania Legal Aid who also oversees TLA's operations.

We are the largest government-funded legal assistance service in Tasmania and play a central role in providing access to justice for disadvantaged Tasmanians, including people living with disability, children and young people, and the elderly.

TLA now has over 85 full-time equivalent employees, mostly directed to frontline service delivery, including lawyers and administrative staff, or in processing Legal Aid grants of assistance.

Throughout our 30 years of operation, TLA has provided representation, services and advice within the Criminal, Family and Civil practice areas. Much of our work across these sections involves children, and family violence in its broadest context.

In recent years our organisation has continued to grow the number of services we offer to Tasmanians, working with our legal and community partners to develop working relationships and Memorandums of Understanding so we can better cooperatively serve the Tasmanian community.

In 2020-21 we launched our Reflect Reconciliation Action Plan (Reflect RAP), the first deliberate steps toward recognising the history of dispossession, discrimination and disadvantage experienced by Tasmanian Aboriginal people as a result of colonisation.

Our Reflect RAP focuses primarily on building relationships with local First Nations communities and organisations at a personal and organisational level through cultural education and understanding.

We have a budget of over \$19 million that comes from the Commonwealth and State governments, and client contributions. Our offices are in Hobart, Launceston, Devonport and Burnie and we deliver outreach services to various other locations around Tasmania.

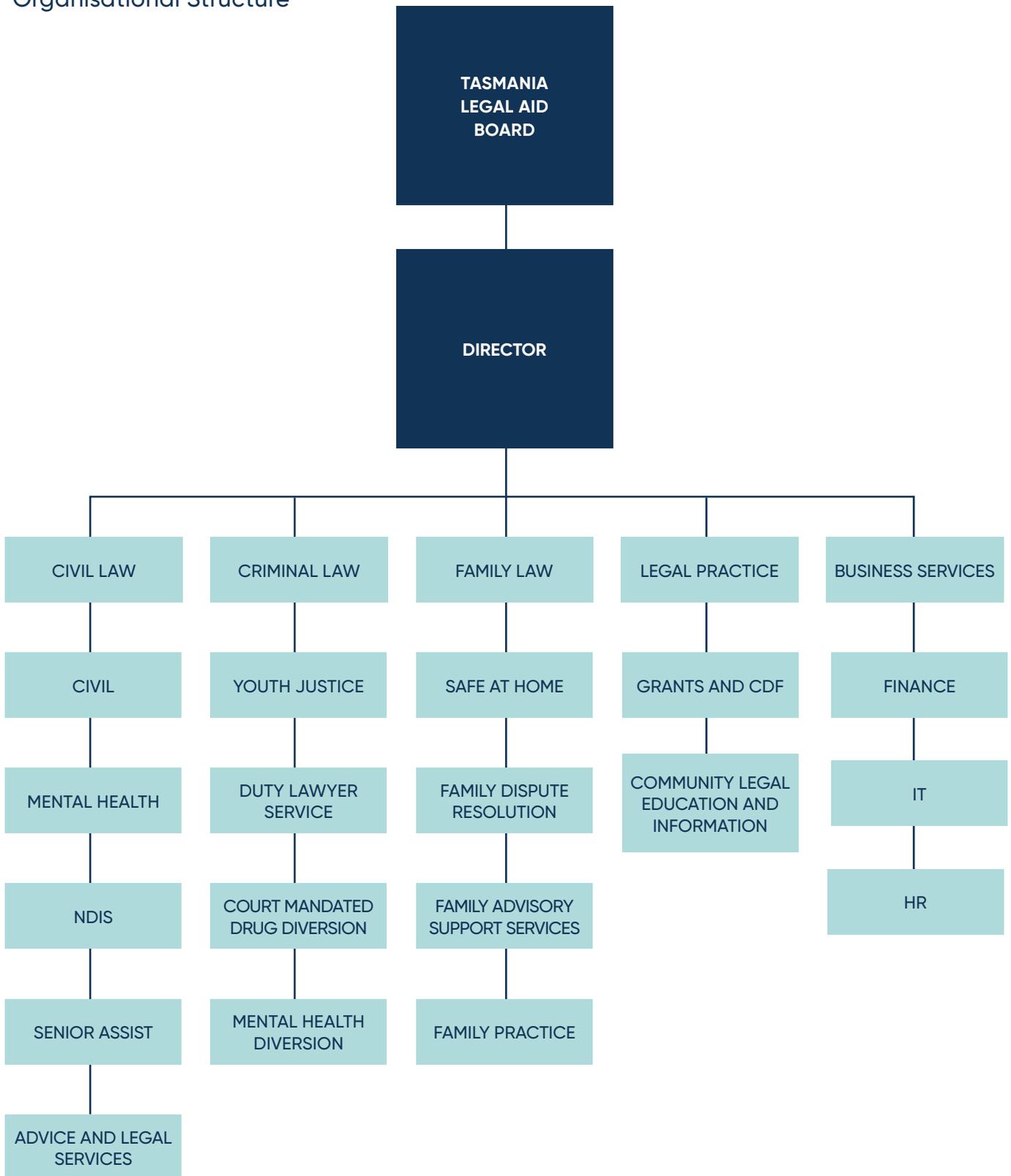
This includes providing free legal advice for at-risk groups such as children, the elderly, First Nations Australians, as well as people experiencing family violence.

We have completed the first year of our Strategic Plan 2020-2023, with a continuing focus on *Community, Communication, Collaboration*.

This has seen us pursue greater engagement with the Tasmanian community, especially our most vulnerable; communicating with our clients, partners and staff to empower, engage and inform; and collaborating with our partners and stakeholders to ensure Tasmania's legal system delivers the best outcomes for our most vulnerable clients.

We continue in our purpose to provide legal services to help Tasmanians understand their rights, navigate the system to resolve their legal issues, and get the assistance they need; support and advocate for vulnerable and marginalised Tasmanians; and, work with our clients, staff, legal partners and community to improve Tasmania's legal system.

Tasmania Legal Aid
Organisational Structure



Our Board



Patrick Lunn – Chair

Patrick Lunn was first appointed Chair of Tasmania Legal Aid on 6 November 2014 for a three-year term. The Minister for Justice re-appointed Patrick for a further three-year term commencing on 21 January 2021.

Patrick graduated from the University of Tasmania with the combined degrees of Bachelor of Arts and Bachelor of Laws in 1995.

Patrick has practiced in commercial litigation and dispute resolution since 1995 with a particular emphasis on banking and finance, commercial disputes between businesses, securities enforcement, debt recovery, professional indemnity insurance claims and personal and corporate insolvency.

Patrick has been the Managing Partner/Director of Simmons Wolfhagen since 2011. He became a member of the board of management of Plane Tree Studio Inc. in 1997 and has been a chair of its Board of Management since 1998.



Vincenzo Caltabiano – Director

Vincenzo Caltabiano was appointed Director of Tasmania Legal Aid on 13 May 2019 for a five-year term. Vincenzo commenced practice in Victoria in 1991 and has 17 years' experience as a private practitioner, including seven years in his own firm with the focus on Family Law and Criminal Law.

Vincenzo spent almost 11 years at Victoria Legal Aid (VLA) in a range of roles, seven years in the Criminal Law Program including as a Duty Lawyer, Manager of the Advocacy Team and as the inaugural Summary Crime Program Manager. Vincenzo has experience in conducting complex indictable and summary crime matters. He subsequently conducted the Review of VLA Legal Aid Child Protection Legal Services and was later appointed as Associate Director, Child Protection Transformation at VLA.



Naomi Walsh

The Minister for Justice appointed Naomi Walsh as a member Legal Aid Board on 27 July 2017 and reappointed her for a further three-year term commencing on 17 November 2020.

Naomi holds a range of non-executive director roles and is

a part-time industry focused academic at the University of Tasmania. She has 30 years' experience in finance and commercial management roles. She brings general management, corporate governance and financial expertise to the Board.

Naomi has Bachelor of Business and Master of Business degrees from the University of Tasmania, is a fellow of the Institute of Chartered Accountants and a graduate of the Australian Institute of Company Directors.



Gavin Wailes

The Minister for Justice appointed Gavin Wailes to the Board on 15 January 2018. On 2 October 2019, Gavin was reappointed for a further term of three years.

Gavin graduated from the University of Tasmania with

a Bachelor of Commerce in 2001, has a Graduate Certificate in Public Sector Management and is a member of CPA Australia.

Gavin is currently the Director of Finance with the Department of Justice

and has previously worked for the Departments of Treasury and Finance, Police, Fire and Emergency Management, and for the Tasmania Prison Service in a variety of accounting and management roles.



Matthew Verney

Matthew Verney was appointed as a Commissioner for a term of three years on 17 November 2020.

Matthew graduated from the University of Tasmania with a combined degree of Bachelor of Arts and Bachelor of Laws in 1993.

Matthew has practiced the law since 1994 when he served a 12-month apprenticeship and was

admitted to practice in 1995. He has been the Principal of his own firm since 2003 practicing predominantly in family law, child safety, and commercial law. He is heavily committed to service to the profession, the Rule of Law, and access to justice. He served 10 years as a member of the Council of the Law Society of Tasmania including two years as the President of the Society. He

served two years as a Director of the Law Council of Australia.

Matthew was a member of the Steering Committee which undertook an Evaluation of the Legal Assistance sector and serves as a member of the Disciplinary Tribunal, Mental Health Tribunal, and is Deputy President of the Guardianship and Administration Board.



Julia Higgins
(Former Board Member)

Julia Higgins was appointed on 2 May 2017 and served until November 2020.

Julia graduated from the University of Tasmania with a combined degree of Bachelor Commerce and Bachelor of Laws in 2001.

Julia has practiced family law at the Launceston law firm of Bishops since August 2002. Julia specialises in all the areas of Family Law (Children and Financial matters) as well as appearing in the child protection jurisdiction.

Julia is the Chair of the Family Law Practitioners Association of Tasmania and is a current Northern Representative for the Law Council of Tasmania. Julia was for many years President of the Northern Young Lawyers Committee.

30 years of TLA – Recognising contributions

TLA marked 30 years of operation in 2021, which offered us the chance to reflect upon the positive contributions our organisation has made in the lives of Tasmanians.

Our 30th anniversary also offered the chance to recognise the amazing contributions our staff and partners in the legal profession have made in the lives of others over the past three decades.

It was with great pride that in 2021 we awarded TLA's inaugural Outstanding Staff Member Award to Devonport Criminal lawyer Kirsten Abercromby.

"I think it was the first time in my life I had been speechless," she said upon hearing the news.

However, there were few colleagues shocked to hear the hardworking solicitor had taken the gong, with many remarking Kirsten was a worthy and obvious choice.

"It was flattering to be recognised," she 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."

The award was presented to Kirsten during a ceremony at Government House in Hobart on 4 May by Her Excellency the Honourable Kate Warner.

Our 30th year began with another presentation; this time of the Legal Aid Award being presented at the Law Society dinner in January to the Family Law and Relationships Team at the firm Butler McIntyre & Butler.

The Legal Aid Award was established to recognise significant contributions made by private practitioners to the delivery of legal aid to the Tasmanian community.

The Butler McIntyre & Butler's Family and

Relationships Team stood out for their dedication to undertaking legal aid work, often doing so at short notice.

Their lawyers have a client-focused approach and work within a trauma informed manner across a range of support services, including the Salvation Army and various community-based organisations.

The team deals with a large number of family law matters, often agreeing to help people at short notice when urgent situations arise.

TLA Chair Patrick Lunn said he was pleased to present the award to "such an appropriate recipient".

Award applicants were assessed on how they have helped vulnerable and marginalised Tasmanians understand their rights and navigate the legal system.

On a personal-professional level, legal practitioners were measured against Tasmania Legal Aid's values of "Honesty, Courage, Engagement".



The Hon. Kate Warner and Kirsten Abercromby

Our Relationships

TLA continues to work toward our vision that all Tasmanians are safe, respected and have their voices heard.

We provide sustainable legal aid in the most effective, efficient and economical manner.

We continue working to improve access to justice for Tasmania's disadvantaged communities with our practice partners in private practice, State and Commonwealth governments, Tasmania Aboriginal Legal Services (TALS), Women's Legal Service Tasmania, Community Legal Centres across Tasmania, as well as National Legal Aid and our Legal Aid counterparts in other state and territory jurisdictions.

We work with partner advocacy groups throughout social and legal sectors, including Council of the Ageing (COTA), The Commissioner for Children and Young People (Tasmania), Relationships Australia, Your Story, Your Say disability advocates and many community family support centres.

Private Lawyers

Private lawyers help many disadvantaged Tasmanians, often at heavily discounted rates – or sometimes pro-bono in special circumstances.

In 2020–21, 77 law firms and barristers assisted on 3,246 new Legal Aid case files.

Private lawyers assisted 62.46% of all people who received a new legal aid grant, including serious criminal trials, family law cases, and children being represented in the Magistrates Court.

TLA has solid relationships with lawyers across Tasmania, which helps our clients get access to proper legal representation close to where they live.

TLA's relationship with the private profession is crucial to helping us achieve our goals: delivering client-focused, high-quality legal service for clients while providing access to justice for all Tasmanians.



National Legal Aid

National Legal Aid (NLA) represents the directors of the eight Australian State and Territory Legal Aid Commissions.

NLA's Strategic Plan for 2021–24 includes 3 goals:

- Increase Core Funding For Legal Aid Commissions to support legal assistance service delivery.
- Influence Family Law Policy and Funding.
- Address Aboriginal and Torres Strait Islander Justice.

NLA works with the Commonwealth Government to improve legal assistance and is supported by the NLA Secretariat and NLA working groups and networks with representatives from each of the Legal Aid Commissions. TLA provides the Office of the NLA Secretariat and supports the work of NLA in enhancing access to justice for disadvantaged people by bringing the Tasmanian experience and perspective to national initiatives and law reform.

NLA activities during 2020–2021 included:

- Implementing the National Legal Assistance Partnership 2020–25
- Achieving increased funding for national family law projects and working with the Commonwealth Attorney-General's Department on improvements to the family law system
- Contributing to the legislative review of the Family Violence and Cross-examination of Parties Scheme and management of data related to demand and funding for the Scheme.
- Submissions to the Commonwealth Government and to Parliamentary Committee Inquiries about a range of matters such as the National Disability Insurance Scheme and family law and domestic violence.

Department of Justice (Tasmania)

TLA continues to build on its productive and collaborative relationship with Tasmania's Department of Justice.

Representatives from our organisation sit on a number of committees working to address legal concerns in Tasmania, and together provide comment and submissions on possible law changes that are potentially significant at the state and federal levels.

Although we are an independent statutory body, TLA staff are State Service employees and the Department assists with Human Resources, Work Health & Safety and similar matters.

We are involved in the department's Collaborative Service Planning which brings together legal and non-legal service providers to discuss how we can better coordinate and communicate among our sector and with the public.

Attorney General's Department (Commonwealth)

TLA works closely with the Commonwealth Attorney General's Department.

We participate in advisory groups and law review committees and provided crucial collaboration in the development of national initiatives such as amica, Your Story and Family Violence Law Help.



TLA's time to Act: Reconciliation Action Plan

TLA launched its first Reconciliation Action Plan (RAP) in May 2021, 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 Reflect RAP launch attended by Tasmania Aboriginal Legal Service (TALS) CEO Tracey Dillon and Caroline Spotswood from UTAS's Riawunna, Patrick Lunn, TLA Chair together with TLA staff and community members.

The RAP was the culmination of nearly 12 months of planning, marking the first deliberate and practical steps.

The RAP is an important step for TLA as an organisation that wants to see all Tasmanians are safe, respected and have their voices heard. For First Nations people, that includes better support to improve justice outcomes.

Raising the minimum age of criminal responsibility from 10 to 14 years Tasmania is a necessary and first step in addressing the over representation of Aboriginal children in the youth justice system.

The RAP sets out TLA's acknowledgment that Tasmanian Aboriginal people are the Traditional Owners and continuing Custodians of the lands and waters of lutruwita/Tasmania where we live and work.

It states that as a result of colonisation, the Tasmanian Aboriginal people have experienced a history of dispossession, discrimination and disadvantage. The continuing impact of this experience is evident in the disparities between the Tasmanian Aboriginal people and other Tasmanians across the range of social indicators, including their experiences of the justice system.

While First Nations Peoples comprise 4.6% of the Tasmanian population they are disproportionately represented in the Tasmanian criminal justice, youth justice and child safety systems. They are significantly more likely to experience detention, with First Nations Peoples comprising 19% of the Tasmanian adult prisoner population in 2018. Around one quarter of all children in

Out of Home Care were First Nations in 2017-18, despite only approximately 10% of all Tasmanian children and young people identifying as First Nations. Approximately 9% of TLA's clients identify as a First Nations person.

TLA recognises the resilience, capacity and determination of First Nations Peoples to overcome these structural inequalities and this is what we set out to address with our RAP; our deliberate first steps in our journey toward justice and reconciliation.

Our RAP sets out our commitment to working with local communities to ensure our legal services are culturally welcoming and safe for First Nations Peoples; and by advocating for justice system reforms. We recognise that self-determination is central to achieving this.

As a major provider of legal services to First Nations Peoples, TLA must build our relationships with our local First Nations communities to strengthen our capacity to deliver culturally responsive and accessible legal services. The RAP will support this objective by strengthening our relationships with First Nations organisations and communities, creating genuine and sustainable partnerships to increase the cultural awareness, skills and practices of our staff and developing an organisational culture that is respectful and safe for our First Nations clients and staff.

We will also develop opportunities to increase the employment of First Nations people at TLA by creating employment pathways for First Nations students and graduates.

Acknowledgement of Country plaques and Aboriginal and Torres Strait Islander flags, unveiled in all our offices as part of the RAP launch, were a small step toward TLA's commitment to ensure that Aboriginal and Torres Strait Islander people seeking our assistance feel welcome, safe and respected.

Our Partnerships

Law Society of Tasmania

The Law Society of Tasmania enjoys a close and collaborative working relationship with TLA. Our organisations share important common values. Chief amongst those is our focus and commitment to ensuring access to justice for Tasmania's most vulnerable or disadvantaged. The commitment of the private profession to the provision of services to legally aided clients is vital to delivering on that commitment. Another important aspect of our relationship is the open lines of communication between our organisations. This includes regular meetings to discuss ways to improve access to justice, advocating for enhanced funding to ensure the ongoing delivery of services, and through education, policy work and law reform. We look forward to collaborating further with Legal Aid Tasmania over the next year.

Trevor McKenna
President, Law Society of Tasmania

Community Legal Centres Tasmania

The legal assistance sector has experienced a very challenging year for both our sector and our clients as a result of COVID-19. However, the relationship between TLA and Community Legal Centres has continued to strengthen with improved communication and greater collaboration meaning improved access to justice for our clients.

Jane Hutchison
President, Community Legal Centres Tasmania

Women's Legal Service Tasmania (WLST)

WLST have continued to work closely with TLA, specifically working collaboratively to secure the first health justice partnership in Tasmania, Just Healthy Families, funded through a grant obtained from the Tasmanian Community Fund.

The Just Healthy Families initiative will launch in 2022.

WLST has also delivered Mentoring Violence Prevention workshops state-wide to the TLA team, and TLA Safe at Home staff have also provided in-house training to our lawyers.

Our staff have continued to work collaboratively with TLA to extend our reach and services to women across Tasmania, which now includes multidisciplinary supports such as financial counselling and social work, and co-delivering community legal education sessions and sharing outreach opportunities.

WLST look forward to continuing to work alongside TLA to promote the specialist role WLST provides in working with women experiencing family violence.

Yvette Cehtel
CEO, Women's Legal Service Tasmania

Council of the Ageing

Council of the Ageing (COTA Tasmania) highly values our partnership with TLA which enables us to support older people in Tasmania to gain access to legal services in several ways.

Under an existing MOU with TLA, COTA Tasmania and TLA's Senior Assist service for people experiencing or at risk of elder abuse extended free legal clinics to Launceston. These clinics have been running in Hobart from our offices at Westella since 2017. The new service in Launceston is run from our offices that are based in the old Queen Victoria Building within the Live Tasmania Launceston office. Service delivery can be in person or by phone outreach. A range of legal issues are often presented at these clinics run by TLA lawyers and can often identify issues that may be related to rights of older people and potential elder abuse.

We are also active supporters and refer people through to TLA's Senior Assist service, which is one of the service delivery trials of the National Plan to Respond to Elder Abuse. Sue Leitch, CEO of COTA Tasmania is a board member of EAAA (Elder Abuse Action Australia) and the various types of service trials across the countries are a critical part of the current national response to elder abuse that EAAA is watching closely and actively promoting in its work to act against Elder Abuse.

From a broader perspective we meet regularly as part of a larger service response to elder abuse and in the prevention of elder abuse, and greatly value the insight of TLA to the work in these areas. This assists to keep older people free from elder abuse and to reduce the impact of harm from abuse. This includes hosting and attending both formal and informal meetings to facilitate knowledge sharing among partner organisations such as TLA.

The team at TLA have always been supportive of giving us advice on policy issues or to clarify aspects around issues that may have a legal perspective in our policy submission work that is relevant to prevention or responding to elder abuse.

Sue Leitch B.Pharm MoAgeing GAICD
CEO COTA Tasmania



Tasmania Aboriginal Legal Services

The Tasmanian Aboriginal Legal Service (TALS) signed a MOU with TLA on 22 April this year with the purpose to improve the experience of the justice system for Aboriginal and Torres Strait Islander community members and ensure respect and value cultural diversity.

This MOU supports TALS's own challenge to halve Aboriginal Tasmanians' rate of negative contact with the justice system within the next decade. Already through this partnership TALS has contributed to TLA's Reconciliation Action Plan especially to its focus on putting children at the centre of service delivery through the Children First strategy.

TALS participated in the Children First launch on 22 July 2021, speaking about the urgent need to Raise the Age - raising the minimum age of criminal responsibility to 14 years. This has been a productive start to the partnership and TALS looks forward to working with TLA to achieve great outcomes for Tasmania's Aboriginal and Torres Strait Island communities.

Tracey Dillon
CEO Tasmania Aboriginal Legal Service

Commissioner for Children and Young People Tasmania

Upholding the rights of children and young people is a shared concern of both TLA and the Commissioner for Children and Young People (CCYP) Tasmania. It is therefore not surprising that my work has intersected on several fronts with that of TLA over the past year.

One of the key areas of common effort over the past year has been facilitating children's access to justice for the numerous legal problems they can experience. This has included advocacy on the need for improved access to legal representation for children and young people appearing before out of hours courts, particularly in the north and north west of the State, where the need is particularly acute. We have also advocated for the importance of specialist legal advice and representation for children, as well as child-friendly legal information and advice, including through schools.

I'd also like to acknowledge TLA's work to promote public awareness about raising the minimum age of criminal responsibility in Tasmania. Like the CCYP, TLA is on the record for recommending the minimum age in Tasmania be raised to at least 14. In February 2021, TLA's Alan Hensley joined me and others on a panel of practitioners and academics, for a CCYP-University of Tasmania organised webinar, which helped generate considerable public discussion on the topic.

I look forward to future opportunities for collaboration on shared issues affecting the rights and wellbeing of Tasmania's children and young people.

Leanne McLean
Commissioner for Children and Young People (Tas)

Our Services

Preventative Services

Our website is a reliable source of legal information with fact sheets, self help kits, YouTube videos, Legal Aid guidelines and a comprehensive referral list for legal and non legal services.

TOP 5 MOST POPULAR WEBSITE FACT SHEETS

Boundary fences	18,684
Estates	12,701
Preparing a plea in mitigation	12,636
Enduring power of attorney	11,825
Age of consent to sex	11,197



Community Legal Education

290 sessions delivered
reaching **12,551** participants



Legal Talk

Legal Talk is an online legal information service that people access via our website

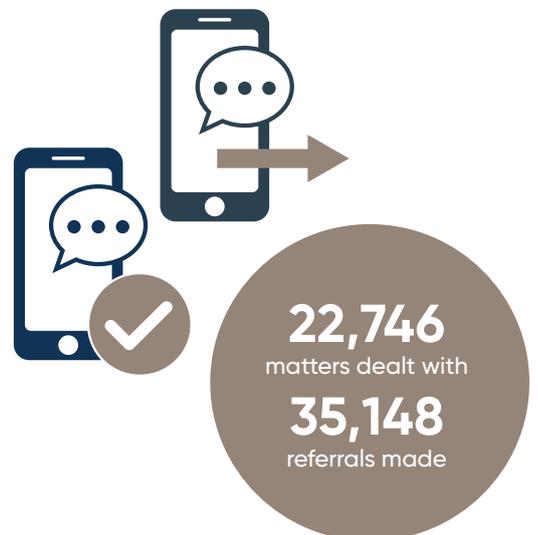


Telephone Advice Line

We provide free confidential legal advice and referrals on our telephone advice line. Anyone in Tasmania can call and speak directly to one of our lawyers. It is our most widely used service.

TOP 5 REFERRALS MADE VIA TELEPHONE ADVICE LINE

General civil law matters	8,427
General criminal matters	4,021
Children's matters	3,011
Enquiries about legal aid services	2,211
Property matters	1,344



Early Intervention Services

Face to Face Clinic

3,789 individuals received advice, information and referral to other services to assist them to resolve their issues.



6,027 Duty Lawyer Services

Available at the Magistrates Court, Family Court and Federal Circuit Court, free of charge.

Family Dispute Resolution Service

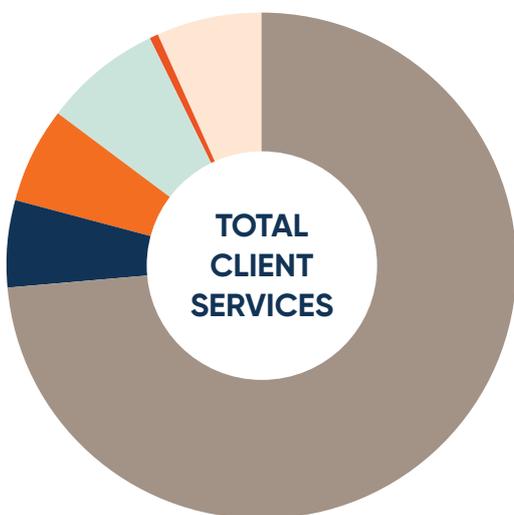


85% Family disputes (full or partial) settled.

Legal Representation

We provide legal representation through grants of aid to private lawyers and to in-house lawyers. Most of the cases are criminal law, family law, child safety and family violence matters.

More than **62%** of grants of aid went to private lawyers and the balance to in-house lawyers.



- Telephone advice and referrals (57,894)
- Community Legal Education participants (12,551)
- Legal advice and minor assistance (3,786)
- Duty Lawyer services (3,890)
- Family Dispute Resolution conferences (484)
- Grants of Legal Aid (5,197)

Client Services excludes website page visits

Our Reach



FDR Conferences up 32%

Applications to extend existing grants up 5%

	2019/20	2020/21	% DIFFERENCE
Preventative Services			
Website page visits*	686,536	573,028	↓ -7.79%
Community Legal Education sessions	109	290	↑ 166%
Community Legal Education participants	4,378	12,551	↑ 187%
Legal Talk chats*	3,213	2,628	↓ -18.21%
Telephone advice - number of matters dealt with	22,621	22,746	↑ 0.55%
Telephone advice - referrals made	35,013	35,148	↑ 0.39%
Early Intervention services			
Legal advice and minor assistance	4,832	3,786	↓ -21.65%
Family Dispute Resolution (FDR) conferences	368	484	↑ 31.52%
Duty Lawyer services			
Family Advocacy and Support Service (FASS)	1,811	2,137	↑ 18%
Family Law duty	244	193	↓ -20.90%
Civil Law duty	42	42	0%
Criminal Law duty	3,776	3,655	↓ -3.21%
Legal Representation			
Grants of legal aid	5,184	5,197	↑ 0.25%
Total grants to private practitioners (\$million)	5.905	6.790	↑ 14.99%
Total payments made to private practitioners (\$million)	5.157	6.022	↑ 16.77%
In-house grants	2,180	1,951	↓ -10.50%
% of grants of aid to private lawyers	57.95%	62.45%	↑ 4.5%
Applications for legal aid	30,420	31,741	↑ 4.34%
Applications for new cases	5,777	5,859	↑ 1.42%
Applications to extend existing grants	24,643	25,882	↑ 5.03%

*The response to a cyber attack meant that access to our website was restricted for a period of time. This reduced web page visits and Legal Talk chats.

Our Clients

We help thousands of Tasmanians through our legal services.

66%

receive
Government
benefits



6%

are aged
over 65

28%

live in rural
Tasmania



6%

are aged
under 18

9%



identify as **Aboriginal**
or **Torres Strait Islander**



4%

are from **culturally and**
linguistically diverse
backgrounds

9%

were in
custody



法律帮助

caawimaad
sharci

2%

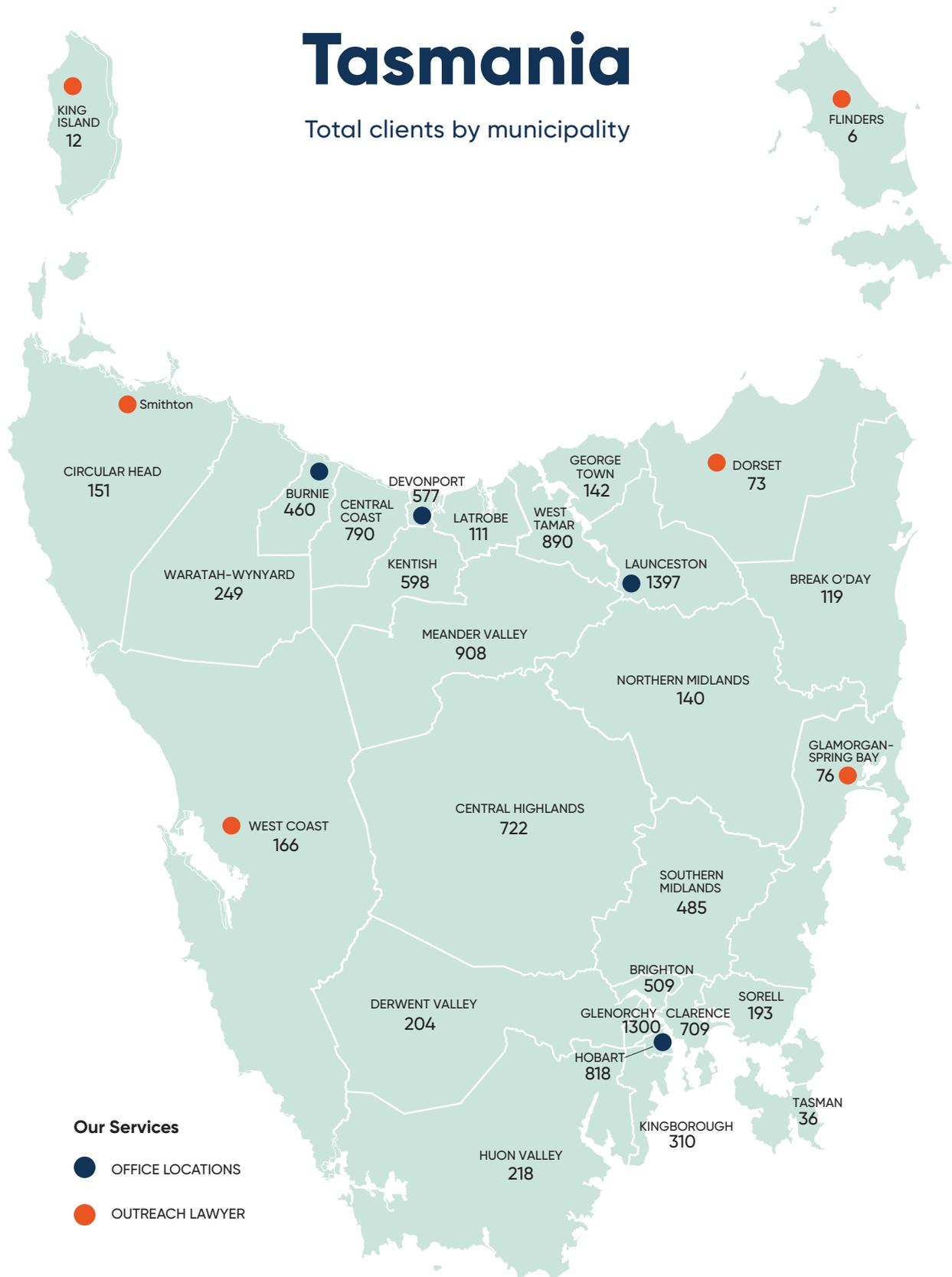
required the
assistance of
an **interpreter**

31%

of grants of legal aid
went to people living
with a **disability**

Clients across Tasmania

Total clients by municipality



Our Services

- OFFICE LOCATIONS
- OUTREACH LAWYER

2020–23 Strategic Plan

This was the first year of our Strategic Plan which saw significant action to implement the ambitious program of work that TLA committed to. This was the first plan developed in consultation with staff, private practitioners and others within the justice sector and the community more broadly.

The Strategic Plan identifies three priority areas: Community, Communication and Collaboration. The range of actions to achieve the vision are directed toward each of these priority areas.

While we have made progress on a number of fronts we are still at the early stages of implementing the Strategic Plan.

 all going well /complete  progress made and/underway  to be completed in the future

Measure 1:

Increased client satisfaction with our services

As we implement a client-first approach across our organisation, we will review all our internal processes and systems and strengthen our practice skills with a professional education program including training in trauma-informed and client-focused practice.

1. A Client Engagement Strategy
2. A Reconciliation Action Plan
3. A Communications Strategy

Indicators:

– two-yearly client survey shows high level of satisfaction

-  Client survey to be administered in 2021/22
- feedback from Aboriginal people shows they feel welcome and safe at Legal Aid
-  Reflect: Reconciliation Action Plan launched in May 2021. Action to improve services and engagement underway in 2021/22.

Measure 2:

Increased staff wellbeing, engagement and satisfaction in the workplace

Our commitment to building an open, inclusive and supportive workplace, includes implementing a comprehensive People and Culture Strategy to:

- foster the capabilities and skills of our staff
- promote staff wellbeing, resilience and safety
- support workforce development
- establish mechanisms and communication strategies to inform and include staff in our organisational decision-making processes

Indicators:

– staff survey shows an overall high level of satisfaction

-  Staff survey indicates staff are proud to work at TLA and overall positive result.
- increased staff engagement in program and project advisory groups
-  Staff involved in Managing Client Confidential Information Policy project, Independent Child Lawyer Guideline project, Separate Representative Guideline project, Client Safety Framework project and Digital Strategy project.

Measure 3:

Increased satisfaction of our legal practice partners

To contribute to a vibrant legal profession, we will increase our formal engagement, communication and collaboration with our legal partners in private practice and the legal assistance sector.

1. Expanded professional education program will help to build the skills and practice expertise of legal practitioners
2. A new fee structure to simplify and streamline our grants of aid system will assist our legal practitioner partners and improve the quality and quantity of representation of legal aid clients

Indicators:

- participation of legal practitioners in consultation processes

 TLA's Legal practitioners engaged in Independent Child Lawyer Guideline project, Separate Representative Guideline project and changes to funding guidelines for serious cases in the Magistrates Court.

- increased participation in professional education programs

 Legal practitioners have undertaken professional education in the areas of:

- Practical legal ethics
- Practice management or business skills
- Professional skills
- Substantive law
- Equality and wellbeing

- increased number of private practitioners helping legal aid clients

 Engagement of private practitioner funding has increased by 17% in the past reporting period.

Measure 4:

Increased community and client knowledge of Legal Aid services and understanding of legal rights and issues

Ensure all internal and external communications are informative, engaging and empowering for our clients and community; review the accessibility and currency of all our communications.

A Communications Strategy will establish communications guidelines and platforms to increase awareness of our services by a wider, more inclusive audience.

Expand and innovate our information and education services through collaborative partnerships to deliver our legal services in more community settings.

Indicators:

- increased community access to information, referral and advice services

 Number of information referral and advice sessions steady.

- increased participation in community legal education programs

 Significant increase in the number of people participating in Community Legal Education sessions.

- two-yearly client survey shows high level of satisfaction

 Client satisfaction survey to be administered in 2021/22.

Measure 5:

Increased client engagement in service design and delivery

Client engagement and input into our service and program design and delivery is the cornerstone of our client-focused approach. Our clients will tell us what they need.

Build clients' voices into our organisation and implement our Client Engagement Strategy to develop mechanisms and feedback processes.

Indicators:

- client advisory groups in each program and project area

 Client engagement strategy to be developed in 2021/22.

- client feedback evident in service design and delivery

 Client involvement in the development of the Client Safety Framework.

Measure 6:

Increased collaboration with legal and community partners to improve the legal system and outcomes for our clients

Better outcomes for our clients will be achieved through more effective advocacy to improve the legal system and address systemic and structural barriers, with more collaboration with our partners and key stakeholders on system reforms and service planning.

We will help to build a more sustainable and responsive legal assistance sector with formal agreements on service delivery and resource sharing, and collaborative forums for more effective service planning.

Indicators:

- number of our collaborative projects and forums

 Working with Women's Legal Service and the Tasmanian Aboriginal Legal services on projects to improve access to services.

- number of legislative, policy and system reforms implemented

 Submissions made in response to several proposed laws including on Bail, Judge alone trials, the implementation of OPCAT and strip searches of children.

Measure 7:

Better use of digital technologies in service delivery and use of data to inform service planning and evaluation and system reforms

Be more strategic and innovative in use of digital technologies to increase access to our services, particularly for Tasmanians with geographical and other barriers.

Review and upgrade our information technology system to improve service delivery models.

Planning and evaluation will be improved by enhanced data capture and analytics, to improve the quality, quantity and accessibility providing evidence for research, policy development and reforms.

Indicators:

– **increased availability, and client use, of on-line services**

 Actions underway to improve content and accessibility of online content.

– **two-yearly client survey shows high level of satisfaction**

 Client satisfaction survey to be administered in 2021/22.

– **increased use of data service planning and evaluation and advocacy**

 Data being used to develop programs and to inform submissions.

Stakeholder Engagement – July 2020 to June 2021

Throughout the 2020–21 period Tasmania Legal Aid's Board, Executive and staff have worked with and engaged a number of stakeholders across Tasmania, including the Attorney General, members of the legal fraternity and the courts among other engaged groups.

Who	When
Attorney General	July 2020
Law Society	July 2020
Legal Assistance Sector	July 2020
Amica Launch	July 2020
Strategic Plan launch	July 2020
Tasmanian Aboriginal Legal Service	July 2020
UTAS Law Students panel	August 2020
Chief Psychiatrist	August 2020
Law Society	August 2020
Magistrates Court	August 2020
Panel Discussion with Supreme Court of Indonesia – delivering services in Covid	September 2020
Law Society	September 2020
Youth Law	September 2020
Commission for Children and Young People Statewide event	September 2020
Legal Assistance Sector	September 2020
Chief Justice Family Court	October 2020
Tasmanian Law Reform Institute	October 2020
Legal Assistance Sector	October 2020
Chief Psychiatrist and the President of the Mental Health Tribunal	November 2020
Chief Magistrate	November 2020
Director of Public Prosecutions	January 2021
Law Society Dinner – Legal Aid Award	January 2021
Chief Justice and Justice Brett	February 2021
Chief Psychiatrist	February 2021
Legal Profession Board Sexual Harassment Working Group	February 2021

Who	When
Attorney General	February 2021
Launch of Cyber Bullying module	February 2021
Minimum Age of Criminal Responsibility Panel	February 2021
Premier of Tasmania	February 2021
Quarterly meeting with DoJ	February 2021
Jan Baxter Senior Registrar, TASCAT	February 2021
Deputy Chief Psychiatrist	February 2021
Family Law Pathways Conference	March 2021
Meeting with Secretary, DoJ	March 2021
TLA 30 th Anniversary Devonport	March 2021
Attorney General	March 2021
Magistrates Court	March 2021
Met with Anthony Cidoni, Deputy Chief Psychiatrist	April 2021
Chief Magistrate	April 2021
Magistrates Court	April 2021
Tasmanian Aboriginal Centre	April 2021
Meeting with Commonwealth Attorney Generals Department, Family Court and Family Relationship Centres	May 2021
TLA 30 th Anniversary Government House – Legal Aid Outstanding Staff Award	May 2021
Chief Justice of Family Court	May 2021
Resolution Institute Panel Discussion	May 2021
Law Link	May 2021
Dean of Law UTAS	June 2021
Law Society	June 2021
Commissioner of Police	June 2021
Legal Profession Board Sexual Harassment Working Group	June 2021

How we help

2

Family Law

Community

While COVID-19 created challenges in delivering services, it also created opportunities to deliver services differently and flexibly. Before the pandemic, our four offices, outreach and private lawyer partners state-wide allowed us to effectively reach the Tasmanian community. In 2020-21, restrictions on movement, public access to courts, public access to offices and home schooling allowed us to reach the community virtually through a range of digital communications tools. This meant that despite many restrictions, Tasmanians could still access justice.

In Family Law:

- 1284 family law grants were approved
- Despite the restrictions on the courts and the community, this was only a 2.36% decrease on 2019-20
- \$3,134,557 grants of aid were paid to private lawyers to represent children and parents, an increase of 19%
- Appointment of lawyers to represent children in family law proceedings (ICLs) remained stable, with 142 ICLs appointed.

In the State Child Protection System:

- Grants for families increased by 9%
- Appointments for lawyers to represent children in the system increased by 3.8%.
- These increases reflect the social and financial impacts of the pandemic, with the Australian Institute of Criminology reporting in 2020 that women experienced increased onset and escalation of violence and abuse.

Communication

We identified that there is limited information available for children, parents, carers, lawyers, and support providers involved in the Child Protection System. We launched a project to develop a strategy to:

- identify information gaps
- consult with stakeholders
- deliver user friendly information and material.

We identified that offering virtual services has enhanced communication with the community, courts, stakeholders and other service providers. This has allowed efficient and joined-up services that are responsive to clients' needs and lifestyle. Following the lifting of restrictions, many clients are choosing to keep their appointments virtual, reporting that this works with their family and caring commitments and overcomes the challenges travelling into city and town centres.

Collaboration

Children in the Child Safety System are some of the most vulnerable people in our community. *The Children Young Persons and Their Families Act 1997* observes the principles of treating children with respect, the best interests of the child, and child participation. The crucial role of the Separate Representative (SRs) promotes the observation of those principles. TLA funds SRs and acknowledges their value. TLA identified a need for Tasmanian SR Practice Standards as well as standards for the experience, qualifications, training, and characteristics needed for the role.

The logo for Amica, featuring the word "amica" in a lowercase, rounded, teal-colored font.

Anthea d'Emden, Family Dispute Resolution Manager, FDR Practitioner, and Kristen Wylie, Associate Director Family Law.

Credit: Neil Richardson, *The Examiner*



We are collaborating with the Commissioner for Children and Young People, the Child Advocate, Kennerley Children's Homes, the Law Society, The Family Law Practitioners' Association, and the Department of Communities to develop and implement user friendly Practice Standards and Appointment Standards for Separate Representatives.

Reviews, reports and inquiries by the Australian Institute of Family Studies, Australian Law Reform Commission, the Joint Select Committee on Australia's Family Law System and the Social Policy and Affairs Committee have examined the important role of the Independent Children's Lawyer (ICL) in family law cases. These suggest:

- A lack of understanding about the ICL's role
- A need for user friendly-practice standards for ICLs
- A need for clear standards about what is needed to become and remain an ICL. TLA is collaborating with the Family Law Courts, the Commissioner for Children and Young People, the Law Society and the Family Law Practitioners Association to create:
- User friendly practice standards for ICLs
- An ICL panel document setting clear standards needed to become an ICL and the performance criteria to remain an ICL.

From Our Collaborators:

The role of the Child Advocate for Children and Young People in out-of-home care provides both individual and systemic advocacy services. In a semi-independent capacity, the Child Advocate is positioned within the Department of Communities, and works to ensure the rights of children are upheld, and that planning and decision-making is in the child's best interests.

Given the systemic advocacy function, the Child Advocate has participated in TLA's strategic work to ensure the views of children and young people with a care experience are included in initiatives. Aligned with TLA's priority areas of community, communication and collaboration, integrating the lived experiences and insights of children and young people in the development of guidelines for SRs has essentially met all of these key themes. With the Child Advocate acting as a bridge to support this collaboration, the inclusion of young people's wisdom has been a significant contribution, helping to highlight exactly what they seek, and indeed need, from their SRs.

To capture the views of one young person, "My lawyer was fun. They were not lawyer-like. He explained the legal jargon, heard me out, asked me what I wanted, put up with [me]. He was energetic, enthusiastic, positive, and made it so it was not daunting. He was able to communicate really well."

Sonya Pringle-Jones

Child Advocate: Out of Home Care
Office of the Secretary Communities Tasmania

Case Study: Working in Our Community

Sonia left her partner Dave after a six-year relationship. Sonia came to TLA because she was worried about Dave spending time with their young daughter Ellody.

Dave has serious physical and mental health issues. Sonia said that Dave was controlling and told her lawyer about Dave's manipulative behaviour. Dave would make demands and then threaten to harm himself if he didn't get what he wanted.

After they separated, Dave was having Ellody every weekend. Sonia started to worry when Ellody said her dad wasn't able to look after her himself. Child Protection then told Sonia they were also worried about Dave and that Ellody shouldn't stay with him.

Sonia stopped visits and asked Dave to prove he was well enough to care for Ellody. Dave didn't provide health information and instead harassed Sonia and threatened to hurt himself. The harassment and threats took a toll on Sonia, who felt very anxious and found it hard to cope.

Sonia's TLA family lawyer got Sonia help from the TLA Safe at Home lawyer who spoke to police. Police then made a Family Violence Order to protect Sonia.

Sonia's family lawyer suggested that a Family Dispute Resolution Conference would be the best way to try and work things out. To support Sonia through the process, her lawyer referred Sonia to a social support worker. The worker helped Sonia prepare for the conference, helped her manage her responses to Dave's behaviour and supported Sonia through the conference.

To keep Sonia safe, her lawyer made sure she did not come into direct contact with Dave at the conference. Sonia and Dave were able to agree at the conference that Dave would see Ellody at a Contact Centre. This was a good outcome for the whole family.

Now Ellody is able to spend time with her father in a safe and supported environment. Sonia is relieved that Ellody is not at risk from Dave's health conditions and visits can happen without Sonia and Dave coming into contact with each other.

Names and some details have been changed to protect privacy



TLA Burnie Office

Safe at Home

Community

Our Safe at Home lawyers help victims of family violence work out their issues and priorities. We help with legal information, advice, communication with Police and other services, and represent people in Court.

Anybody can find themselves in an abusive relationship and need some help – rich or poor, young or old, wherever you are from. To reach all our clients, we offer appointments in the TLA offices in the South, North and North West; we also do outreach to places like Queenstown, Circular Head and Sheffield, and support services such as the Hobart Women’s Shelter; and offer telephone appointments.

Communication

We help people and services understand the law. We also do Community Legal Education about family violence, children, police and Courts. This year we did eight sessions and 94 people attended. We help people talk to police and other services. This year, we have given advice to 781 clients and assisted 312 Tasmanians with their Family Law enquiries. We have helped 42 people through our Duty Lawyer service and 136 people with ongoing Court matters.

Collaboration

We work with Tasmania Police, the Family Violence Counselling & Support Service, Child Safety Services and the Court Support & Liaison Service and others to address the safety of victims and their families.

We make referrals to other services such as Safe Choices, Yemaya, Anglicare, the Huon Domestic Violence Service and Engender Equality for safety planning, counselling and support, assistance with housing and other forms of practical assistance. We made 801 referrals to these partner services in the 2020-21 period.

Sharing information helps to ensure a coordinated response, better outcomes and more efficient use of resources, and saves people having to tell their traumatic stories over and over again.

From Our Collaborators

The Court Support and Liaison Service works in partnership with TLA to deliver Safe at Home services. The Safe at Home Program is a whole of government initiative which provides an integrated response to family violence crimes. Court Support and Liaison Services work in collaboration with Legal Aid-Safe at Home to deliver coordinated and responsive services. Working collaboratively with TLA and other service providers, we assist victims of family violence and strive to educate the community and work towards the prevention of violence.

Court Support and Liaison Officers guide victims of family violence through the justice system before, during and after Court appearances. The Court Support and Liaison Service provides information about the court system and processes, as well as personal support such as attending court with victims and keeping them fully informed as their case progresses.

The Court Support and Liaison Service refers victims who have questions on legal matters to TLA, for example if they want information on revoking an order as opposed to a variation of an order.

The Court Support and Liaison Service provides copies of orders for protected persons to TLA.

The work we do is focused on helping vulnerable people in our community, and we work together to address the risk and safety needs of victims and children and hold perpetrators accountable.

Catherine Edwards, Manager

**Victims Support Services
Department of Justice**

From Our Collaborators

The Huon Domestic Violence Service highly regards and values the partnership with the Legal Aid Safe at Home program.

The continued collaboration during 2020–2021 ensures that people impacted by family violence in the Huon Valley are supported and provided legal advice regarding their options for improving their safety and minimising risk to further harm.

In addition the Safe at Home program has delivered training to staff at the Huon Domestic Violence Service regarding legal matters to better support their clients.

The Huon Domestic Violence looks forward to continuing their relationship with the TLA Safe at Home program to ensure that people impacted and experiencing family violence have access to legal support.

Huon Domestic Violence Service

From Our Collaborators

TLA Safe at Home provide a free monthly drop-in clinic at Kentish House for people impacted by family violence. The service is vital to the area and ensures community members who are experiencing family violence have a service that is high quality, client focused and close to where they reside. Being a rural area accessing services can be challenging, daunting and at times overwhelming.

The ability to access such a vital service for a person experiencing family violence in their own town is so important and one less barrier.

The working relationship between TLA Safe at Home and Kentish House is crucial to assisting Kentish residents impacted by family violence and to helping Kentish House achieve our aim of providing free, client focused services to the community.

Kentish House,
Glenhaven Family Care



Case Study: Working in Our Community

Samantha and Bill met over a shared hobby, and their relationship progressed quickly. They moved in together within a month, and had a baby within a year. Samantha recently ended the relationship.

From the start, Bill said he wanted to protect Samantha by knowing where she was. He tracked her phone, saying it was for her own safety. Bill often got angry if Samantha wanted to see her friends and took her car keys to stop her leaving the house. He told her she should quit work, and she did. Gradually, she found she hardly ever left home.

Bill got angry with Samantha if she didn't do exactly what he wanted. When angry, he yelled, leaning in towards her, puffing himself up, giving her a hard, angry stare, picking things up and slamming them down, and following her if she tried to move away.

Bill was also physically violent. At times he punched the walls, less often he pushed or hit her.

At first, Samantha didn't disagree with him at all. When she did, bad things happened, so she stopped. Bill still got angry, though. Over time, she realised it was hurting her and their child.

After Samantha said she wanted to separate, Bill accused her of cheating. Bill accused Samantha of listening to her friends who say bad things about him. He said he "knew" they had been criticising him because he had put listening devices in her car. He threatened to bash them.

Bill contacted Samantha by phoning, texting and Facebook many times a day; sometimes every few minutes, sometimes at odd hours such as at 4am. He turned up at her house, saying he "had a right" to.

Names and some details have been changed to protect privacy

Samantha did not know what to do, or what she *could* do. The first problem was Bill contacting her and turning up at her house: she didn't feel safe. She called the TLA and was referred to the Safe at Home lawyer.

The Safe at Home lawyer helped Samantha write a Summary of Family Violence, and got urgent help from the Family Violence Counselling and Support Service (FVCSS) for her to report to police and provided the summary. While police initially were concerned that recent incidents did not include physical assault, the pattern of emotional abuse was recognised and a PFVO was made to protect Samantha.

FVCSS can now help victims of family violence whose cars may have had listening or tracking devices fitted by the offender, by getting the RACT to check the cars.

Samantha now has legal assistance with family law property & children's matters, and the help of support services. She can give new services a copy of the Summary to read, rather than telling different people – over and over – her upsetting story.

Names and some details have been changed to protect privacy

Family Dispute Resolution

Community

Our Family Dispute Resolution (FDR) program offers a legally-assisted mediation. Parents can attend an FDR conference with their lawyer to discuss all matters relating to parenting. They are assisted and guided in this process by an experienced Family Dispute Resolution practitioner. Parties can attend an FDR conference from all over Tasmania and can participate in person, over the telephone, or via video link.

Communication

We provide a safe and supportive environment for parents to discuss all matters relating to their children. Our program provides an early intervention option for parents, potentially avoiding lengthy, costly and stressful court proceedings. This year we facilitated 484 FDR conferences, an increase in over 30% from the previous year.

Our success rate is very high with over 85% of matters either fully or partially settling. Parties are always encouraged and invited to return to an FDR conference in the future if they need to.

Collaboration

Our program works with specially trained Child Consultants who can meet with children and then bring the children's voice to our mediation. We work closely with the Federal Circuit Family Court to offer parties an opportunity to return to our program for a Court Ordered Mediation, which encourages parties to try to resolve their matter themselves.

This year we have run a very successful Property Mediation trial giving parties the option of resolving their financial and property matters through our program too.

From Our Collaborators

Butler McIntyre and Butler has a long and proud history of working with TLA to provide legal services in both criminal and family law matters.

An integral part of a legal aid funded family law matter is the Family Dispute Resolution (FDR) pathway and conferences, facilitated by TLA. The TLA FDR process, provides the opportunity for clients to firstly seek advice from their lawyer around the parenting issues, the various options and scenarios that may be possible, and for all of those options and scenarios, to be reality tested and considered by the client within a legal context, before they attend the conference.

The process, applying for legal aid funding, being granted aid for an FDR conference, the intake and assessment, allocation of a date for a conference and conduct of the conference is streamlined and efficiently conducted by TLA staff. For lawyers undertaking this work, the ability to confidently advise clients about timeframes and what to expect from the process and at the conference, is of great assistance in building a client's confidence and engagement in the process.

For clients, the TLA environment is professional, secure and safe. The experienced mediators facilitating the conferences are knowledgeable, practicable and approach each conference in a prepared and respectful manner. These characteristics of the TLA FDR process are reflected in the high and consistent settlement rates.

The issues between parties at a FDR conference have been intractable because of the complex dynamics of the separation and or the family, socio-economic issues, drug, alcohol or mental health issues, and power imbalances that prevent solutions being found without an FDR pathway with legal input, support and advocacy. The funding and forum that TLA provides is integral to keeping matters out of the Federal Circuit and Family Court of Australia.

Anna Grant

**Managing Partner
Butler McIntyre & Butler**

From Our Collaborators

I am a private mediator on the TLA FDR Panel.

I have seen the program develop from straight FDR, to include Child Inclusive Mediations, Court Ordered Mediations, to and Property Mediations which will be extended this year. The settlement rate in these matters is extremely high, which assists the Court system, but more importantly, creates a better outcome for clients, who do not have to endure the lengthy and stressful Court process.

Legal Aid FDR assists clients who cannot afford the cost of mediating prior to Court, and then during the Court process, to access high quality mediations, with their lawyers present throughout the process.

Legal Aid commenced FDR for matters involving children. The need for hearing the voice of children in the FDR process became apparent, and so a Child Inclusive model of mediation was introduced. This has proved very successful in matters where children, often slightly older, want to have their views and wishes expressed to their parents in a safe and supported environment.

I participated in the Property Mediation pilot last year and achieved a 100% settlement rate in all matters! This is an excellent addition to the service, as it allows low-income families to settle their financial matters between themselves, often involving how to share debts, which are mainly often large household bills and credit card debts. This enables participants to start again and continue to support their families. I look forward to participating in this worthwhile programme which will continue later this year.

Christine Arnott

Tasmanian Mediation Services

Case Study: Working in Our Community

Mark and Emily were married for 10 years and have two children together, aged 6 and 8.

Separation was hard on everyone and both Mark and Emily agreed they would try to make their own parenting arrangements for their children. The arrangements worked well for a short time, and both parents were able to discuss issues as they arose. However, when Emily re-partnered communication deteriorated and issues of trust and conflict began to arise.

During a school holiday period there was a misunderstanding about the parenting arrangement. Emily believed that Mark had agreed for her to take the children out of the State for a holiday. Mark maintained that was not the case and he held strong concerns that the mother was trying to relocate.

Mark filed an urgent Application in the Court seeking the return of the children. The Judge made an Order that the parties attend an FDR conference arranged by TLA to discuss the matter.

Emily and Mark, together with their lawyers, attended an FDR conference with an experienced FDR practitioner at Tasmania Legal Aid. This provided them a safe and supportive environment to talk about all matters relating to their children and parenting arrangements.

With the assistance of their lawyers and the Chairperson, Mark and Emily were able to reach an agreement about the care of the children. They were extremely grateful for the opportunity to come together and talk about their children and clear the air about misunderstandings. This allowed Emily and Mark to move forward with future parenting.

Emily and Mark were invited to come back to an FDR conference if problems arise in the future.

Names and some details have been changed to protect privacy

Family Advocacy and Support Service

Community

Family Advocacy and Support Service (FASS) is a wraparound service delivering legal and social supports to families affected by family violence and in need of family law help. FASS is a holistic service which recognises that legal problems don't happen in isolation. Legal problems often co-exist with social and health issues like family violence, financial problems, homelessness, drug and alcohol abuse, and mental health issues.

FASS is an important service for the Tasmanian community because nearly 80% of people accessing Legal Aid Family Services have experienced family violence. The COVID-19 pandemic contributed to an increase in family violence with the Australian Institute of Criminology reporting that for many women the onset of the pandemic coincided with an onset or escalation of violence and abuse in their homes. For many, safety concerns were a barrier to seeking help.

FASS adapted to pandemic restrictions by offering services through digital technology. Despite restrictions, FASS increased services and delivery:

- 18% increase in duty lawyer services with 2137 services delivered
- 34% increase in referrals made by duty lawyers with 383 referrals
- 68% of duty lawyer services delivered to women
- 1,183 social support services delivered
- The most common social work activities were intake and triage (includes safety assessment), counselling and safety planning
- 18% increase in referrals from social support workers, with 520 referrals.

Communication

Despite restrictions on courts and the public closure of many offices, FASS was able to continue delivering services using digital technology such as Zoom meetings, MS Teams and telephone conferencing. FASS continued roadshow activities throughout the pandemic restrictions so that clients and support providers knew that FASS was open for business. As a result, FASS was able to increase service delivery using the same personnel resources, while at the same time clients enthusiastically took up our new digital options.

Collaboration

In January 2021 FASS partnered with Relationships Australia to deliver our holistic service with social support workers backing up TLA staff.

FASS collaborates with many different agencies to streamline referrals, provide service information, and to coordinate and improve service delivery for clients and families affected by family violence. These included:

- Queenstown Child & Family Centre
- Family Violence Counselling & Support Service
- Relationships Australia (Family Dispute Service)
- Catholic Care Hobart
- Huon Hub
- The Migrant Resource Centre Hobart
- Jireh House – Women’s Shelter Hobart
- Esther’s House
- Hobart City Mission – DIY Dads
- Burnie Hub
- McCombe House
- Ptunarra Child and Family Centre
- Men’s Breakfast
- Moonah Community Centre
- Court Support and Liaison and Victims of Crime
- MENS
- Enterprising Aardvark
- Positive Solutions

FASS Duty Lawyer Sally Hunt and Social Support Worker Melanie Tighe were keynote speakers at the inaugural Family Law Pathways Network Conference 2021. The conference was attended by close to 200 professionals in the family law sector, a combination of both legal and non legal services.

Using a scenario presented by actors on stage, delegates were guided through how FASS would help in a given situation and the likely outcomes. The conference presented an excellent opportunity to showcase FASS and strengthen relationships with other key stakeholders.

FASS contributes to:

- Family Law Courts – Family Violence Consultative Committee, Child Safety Committee and Case Management Committee
- The Family Law Practitioners Association of Tasmania
- The Tasmanian Pathways Network
- North West Forum Service Providers.

From Our Collaborators

Relationships Australia Tasmania (RA Tas) partnered with TLA in January 2021 to deliver the Family Advocacy and Support Service (FASS).

Between January and June 2021 RA Tas social support workers provided 637 episodes of service to assist individuals and families affected by family violence. The service assisted people to address barriers, access support services and manage their safety while pursuing legal pathways.

With a geographically dispersed team, RA Tas have been able to deliver services across the state in a timely and effective manner in conjunction with TLA.

Together, our teams have taken an active role promoting FASS to community service organisations. By raising awareness of the FASS program, RA Tas and TLA have strengthened the overall support system for Tasmanians affected by family violence.

We have worked to increase awareness among stakeholders – from lawyers to police and various social services – and reinforced the fact that FASS is available to anyone affected by family violence, be they perpetrator or victim.

Whilst the impact of COVID-19 restrictions limited face-to-face activity in the early part of the year, our team is now actively supporting individuals in the Family Law courts. The interventions offered to women and men through FASS have provided positive outcomes for many families who would otherwise not have had support.

It is comforting to see the service growing through the collaboration of RA Tas and TLA, and knowing so many Tasmanian families are benefiting from our support.

Michelle Ewington

Manager – Family & Community Services
Relationships Australia Tasmania



Case Study: Working in Our Community

Sarah and Peter separated after a long marriage. Sarah left the family home and moved into a rental property. Peter was still living in the family home and running a business.

Sarah was experiencing severe anxiety and suffering financially. Her sole income was a disability support pension and she was having difficulty paying her bills, rent and buying food.

Sarah wanted legal help to find out about a property settlement but could not afford a lawyer to help her. She had tried to talk to Peter a few times about a property settlement, but he had screamed at her and been abusive.

When Sarah came to FASS she was worried about being evicted from her rental property. Sarah was frightened and overcome by her anxiety.

The FASS Duty Lawyer gave Sarah legal advice about getting a property settlement and income support. The FASS lawyer found a lawyer at the Women's Legal Service to represent Sarah in her property settlement.

The FASS Social Support Worker made a safety plan with Sarah and gave her a referral for financial counselling. The FASS Social Support Worker supported Sarah to ask her bank for financial hardship assistance as a result of family violence. The worker arranged a food hamper from the Salvation Army so Sarah had immediate access to food and other essential items. Sarah was referred to a counselling service so she could access ongoing counselling. The worker checked that Sarah had ready access to her GP to support treatment of her anxiety.

FASS made a difference to Sarah by:

- Helping her stay safe with a safety plan
- Helping her stay in her home and avoid eviction
- Accessing food and other items at a time of crisis
- Helping her access financial hardship assistance
- Helping her access counselling support
- Giving her advice about her rights for a property settlement
- Finding her a lawyer to represent her in her property settlement.

Names and some details have been changed to protect privacy

Community Legal Education and Information

Community

A legal system is fairer when all people involved understand their rights, responsibilities and options. Community Legal Education and Information (CLEI) addresses inequities by informing and educating Tasmanians about the law and how to navigate the legal system.

TLA lawyers meet with community groups and service providers throughout the State. Through the 2020-21 period, over 11,000 school students participated in an education session at their school. Our engagement with schools ranges from participation in expos, speaking in classrooms and at assemblies, and meeting with small groups with students, parents and other school support staff to address critical issues.

CLEI sessions focusing on family violence are delivered to smaller groups, but these often include professionals directly working with clients. Education and training delivered through our program is therefore multiplied throughout the community, impacting those who need it the most.

Our Senior Assist team also deliver important information for the prevention of elder abuse. These sessions are made available through partnerships with Council of the Ageing, as well as visits to nursing homes and individuals in their homes around the State.

Over the 2020-21 period we delivered 290 face-to-face CLEI sessions to 12,551 participants.

Who we presented to

- 1 School students - 11,050
- 2 Family violence support services - 651
- 3 Elder person support services - 502
- 4 Other professional services - 198
- 5 Other - 150

TLA web traffic

573,028 TLA website hits

TLA Facebook page

840 Likes

957 Follows

Top 3 posts

Legal Aid Award –
7 February 2021

1,772 People Reached

275 Reactions Comments & Shares

Your Story Huon Valley
Outreach Sessions –
9 May 2021

2,525 People Reached

61 Reaction Comments & Shares

Disability Royal Commissions
Your Story info sessions –
20 April 2021

1,862 People Reached

15 Likes, comments & Shares



Communication

TLA introduced a new approach to its cyber safety and anti-bullying sessions for grade 5 and 6 students this year. An initial information session is followed up with a second visit a week later. Students participate in writing a letter to their family showcasing their learning and explaining how as a family they can increase their online safety together. This process helps to reinforce the students' learning, while also giving more people in the community access to important legal information.

Collaboration

Existing collaborations with community groups and service providers continue to provide greater reach and impact. Family Advocacy and Support Service lawyers contributed significantly to the Family Law Pathways Network, increasing the awareness of the impact of violence and how the wider legal profession and other support services can contribute to better outcomes for vulnerable people. TLA also worked with Tasmania Police, the Drug Education Network and Sexual Assault Support Service to deliver information to parents of teenagers relating to issues that teens commonly face.

I'd also like to say a big thank you to Jane for coming along to speak with our community and for creating a safe space to deliver a lot of important information about real issues facing seniors. It was a huge success and we have had great feedback from those who attended. Many commented that they experienced a huge reduction in anxiety by hearing the information from the Senior Assist team. Others felt enabled to have important conversations with family about topics that were no longer taboo because of the legal information shared with them.

Pia Linardi
Italian Day Centre

Case Study: Working in Our Community

TLA launched its first online learning module at Montrose Bay High School. Being Cyber Safe increases young people's knowledge of the law in using technology and social media safely. The launch coincided with the United Nations Safer Internet Day in February.

Making CLEI materials available online has increased the reach into the community. Individuals and schools have accessed the module to assist in responding to issues, resulting in the timely delivery of information to those needing it most. The module has also been used as a review and follow-up where students have participated in a face-to-face session.

Feedback from those who have worked through the learning module, and others who have participated in the face-to-face sessions, include stories of young people choosing to use their mobile phones less and an increased awareness associated with sharing personal information through social media. The module has also been accessed by parents and grandparents, and is increasing knowledge throughout the community.

Montrose Bay High Principal Pieta McKay said teachers were increasingly concerned about the online worlds young people inhabit, and it was vital to equip them with the skills and knowledge to navigate those worlds safely.

"With any bullying, it can really affect your self-esteem and self-worth, it can take over your life, it can stop you from sleeping, stop you from eating and make everything feel big," Principal McKay said.

"So, it's really important we provide young people from a very early age the tools to counterbalance that risk so that they can feel resilient and strong."

The delivery of CLEI through this platform is an extension of information already available via fact sheets and videos on our website. Materials were developed with input from schoolteachers across Tasmania.

Advice and Legal Services

Community

Our receptionists are the friendly faces that meet all visitors at each of our four offices.

As part of our Reconciliation Action Plan we have taken steps to make our reception spaces more welcoming to our Aboriginal and Torres Strait Islander community members. We have flags on display and plaques acknowledging community and country. The Koori Mail is available to read while waiting in reception.

Advice and Legal Services (ALS) are a team of lawyers who provide a free first-step legal support service to all Tasmanians. The service includes access to telephone advice five days a week from 9am to 5pm through our free call number 1300 366 611. We also provide drop in face-to-face and phone clinics at each of our four offices and an online legal chat service, Legal Talk, through our website.

Over the 2020–21 period, ALS delivered 22,746 legal advice services by telephone to Tasmanians. We helped 2,628 people through Legal Talk and 3,786 people saw our lawyers in clinics.

People come to us for advice about a very wide range of legal issues. We get many calls about civil law matters including disputes about contracts, debts, disagreements between neighbours, as well as queries about consumer goods and services. We also get many calls about family violence, children's issues and criminal matters.

In the past year there have been plenty of questions related to COVID-19 including accessing relief and payments, tenancy issues, compensation for cancelling travel.

Communication

ALS provides easy access to legal information and confidential advice to anyone who needs it, in order to increase their chances of resolving legal issues early. Early resolution of legal issues helps to reduce stress and costs for individuals involved.

Our lawyers take a “whole of person and life” approach to service delivery and refer people to many other services and programs that can support their individual needs. We see that when the people we help are informed and supported, they are often empowered to resolve their legal issues themselves now and in the future.

We made 35,148 referrals to other support services this past year.

We support clients who are living with disability, who have low literacy levels and who are culturally and linguistically diverse.

Collaboration

We have strong partnerships with many legal and non-legal organisations and regularly meet with them to share information about our services and how our services can support our community.

From Our Collaborators

Social Support Workers have been based in the Hobart Legal Office since 14th January 2021. This has provided opportunity for immediate engagement if clients are upset and or there is a high-risk of Family Violence (perpetrator or victim survivor). Providing on-the-spot support means the person can access additional supports and referrals to better manage their situation.

In addition, the ALS team has been able to refer clients straight to FASS appointments. Providing this support for ALS clients ensures that clients can be provided with important legal advice whilst also offering emotional support and referrals relating to the impacts of family violence.

Talisa Reed

**Social Support Worker – FASS
Relationships Australia – Tasmania**

4 Case Studies: Working in Our Community

Connie called ALS and explained she wanted to leave her partner of many years who was abusive and financially controlling. Connie's partner said that if she left she would get nothing, won't see their children and he threatened to physically harm her.

Our ALS lawyer referred Connie to TLA's Safe at Home program to apply for a Family Violence Order. A referral was also made to TLA's Family Advocacy and Support Service (FASS) for legal information and advice about Family Law matters regarding the children. The FASS social worker provided referral pathways to support Connie, who was also referred to a private lawyer for advice about her Property Matters.

Alice phoned ALS to get some advice about problems with her accommodation. English was her second language so TLA organised an interpreter and got her to come into the office for a clinic. Gary was a tenant in a property and arranged for Alice to live there too and pay him rent—called a sub-lease. There was no written record of the agreement.

Alice needed advice on what she could do to stop Gary intimidating and threatening her, and posting misinformation about her on social media. Alice said

she was very scared of Gary but had nowhere else to live. Our ALS lawyer explained how to apply for a restraint order. Alice represented herself through the Magistrates Court and was able to obtain a restraint order to protect her from further abuse from Gary while living in the same house.

Nigel has been married for 15 years. He called ALS when he and his partner wanted to separate. They owned a house and had two children. Nigel said the separation was amicable and they wanted to keep things that way. He was provided with information about ways to divide assets following separation, including using the 'amica' website where both parties can use an online service to divide money and property simply.

Recently separated, Bob rang ALS to find out how he could get his possessions from his house and see his children as he had a Police Family Violence Order (PFVO) preventing him contacting his wife. Bob explained that the children were not mentioned in the PFVO and Child Safety had not been involved. Our ALS lawyer explained Bob's options, which included applying for a grant of legal aid. Bob also had nowhere to live and was referred to Housing Connect to support him with that.

Names and some details have been changed to protect privacy

Civil Law

Mental Health

Community

TLA experienced continued growth in the Mental Health program with representation provided on 350 matters before the Mental Health Tribunal and Guardianship Board.

Communication

We provide legal advice through an outreach clinic at the Launceston General Hospital. This allows patients to get help with their case at the Mental Health Tribunal. Our lawyers can also assist people with other legal problems such as debts and housing issues, and referrals to other TLA programs for criminal, family violence and family law problems. We provided outreach advice and assistance to around 50 patients since resuming in November 2020, following a pause in services due to the COVID-19 pandemic.

Collaboration

We work closely with a number of organisations that support people living with mental illness or other cognitive disabilities. We work with Advocacy Tasmania, the Office of the Public Guardian, the Public Trustee, Anglicare, Baptistcare and City Mission and many others to ensure that our clients are supported. These collaborations have been invaluable to arrange support and facilitate meetings to ensure our clients' voices are heard in the process of making decisions about their lives.

Case Study: Working in Our Community

Earl had signed an enduring power of attorney, giving his parents the power to manage his financial affairs. They took on this role after he suffered a brain injury.

Earl wanted to know more about his income and expenses, and wanted more freedom to buy things for himself. His parents did not support this.

Our solicitors helped Earl make an application to the Guardianship and Administration Board to have his parents removed from managing his money. An independent person was appointed to manage Earl's finances and he is now given the financial information that he asks for including a fortnightly budget showing his living expenses and the balance that he can spend each week as he wishes.

Names and some details have been changed to protect privacy

From Our Collaborators

"The collaborative relationship between the Office of the Public Guardian (OPG) and TLA benefits vulnerable Tasmanians at various stages of their guardianship. The OPG routinely makes referrals to TLA to assist represented persons to have their orders reviewed and revoked when there is no longer a need for a guardian. This positive collaboration also supports people when an initial application for guardianship has been made, where a proposed represented person (PRP) can be referred to Legal Aid by the OPG and independently represented through the application process."

Jeremy Harbottle

Office of the Public Guardian

National Disability Insurance Scheme Appeals Service

Community

Our NDIS lawyers assist Tasmanians living with disability to have a voice by representing them in court, helping them to get support they deserve and need. This allows people to live their lives the way they want to.

In 2020–21 we helped 28 people with their NDIS support. This is a record number of people and a huge increase from the 11 people we helped in the previous year.

Communication

We are responsive to each client's individual needs. This includes meeting in their preferred space, using AUSLAN interpreters and applying a trauma informed approach in our service delivery. We aim to reduce stress and provide the best client experience that we can.

Collaboration

We continue to work alongside disability advocates from Your Say Advocacy Tasmania and Speak Out to provide appropriate services and get the best results for our clients.

From Our Collaborators

Your Say Advocacy Tasmania (Your Say Tas) has been grateful for the proactive and collaborative efforts of TLA on making Tasmania fairer and safer for all people with disability during the 2020–2021 period.

Your Story's work on community engagement and finding avenues to reach hard-to-reach demographics for the Disability Royal Commission has been a great investment in addressing the long term systemic issues of engaging with isolated or vulnerable people with disability. We have also greatly valued the expert contributions of Your Story to our DRC webinars, the Vic/Tas DRC service network, and their ongoing advice on DRC confidentiality.

Working cooperatively with TLA on NDIS matters is smooth and effective; they are widely known in NDIS Appeals advocacy networks to provide the most comprehensive client support on NDIS Appeals of any Legal Aid organisation.

We look forward to continuing to collaborate with TLA into the future.

Roen Meijers
Manager, Your Say Advocacy Tasmania

Case Study: Working in Our Community

TLA represented six-year old Lucas in an appeal for an autism assistance dog. Since funding was approved, Vinnie the assistance dog has had a big impact on Lucas and his family.

Lucas's mum, Natalie, reports that Vinnie has exceeded all expectations and the positive change in her son's behaviour has been quicker than she could have imagined. Vinnie helps Lucas to calm down and refocus when he becomes overwhelmed. Vinnie also accompanies Lucas to allied health appointments, which has resulted in more meaningful engagement between Lucas and service providers.

Significantly, Lucas now sleeps in his own bed every night, which despite numerous bedroom makeovers and therapeutic input, he has never done before. This has positive flow-on to the rest of the household, with Lucas's family now able to get the rest they need, which Natalie says is invaluable.

Natalie says she is also optimistic about the future with Vinnie, as the family is now able to reconsider activities in public spaces which previously had not been possible. She hopes that with Vinnie helping Lucas to deal with challenging situations, Lucas will continue to gain independence and confidence to ultimately support him to live independently in the future.



Credit: ABC News

Senior Assist

Community

Senior Assist, our specialist elder abuse prevention unit, is a team of lawyers and case managers who work together to help clients aged 65+, or 50+ if Aboriginal or Torres Strait Islander. We provide free legal advice, assistance and support to older people experiencing, or at risk of elder abuse.

In 2021, we provided 1,068 services to 128 seniors experiencing elder abuse.

Our relationship with Council on the Ageing (COTA) Tasmania expanded to add a Northern legal clinic for seniors.

Communication

Our integrated elder abuse response and prevention team also provided community legal education to 502 seniors and service providers.

Collaboration

Senior Assist collaborates with several partners to address elder abuse in the community. Our partnerships include Advocacy Tasmania and its Tasmanian Elder Abuse Help Line, COTA and Relationships Australia (Tasmania). We also work closely with many other services including police, hospitals and social workers, Housing Connect, home care package providers, the Public Trustee and Public Guardian.

From Our Collaborators

Your Say Advocacy Tasmania operates the Tasmanian Elder Abuse Helpline on behalf of the Tasmanian Government.

There are very few services in Tasmania to specifically support older persons experiencing elder abuse, of which TLA Senior Assist is an invaluable one. Your Say Tas values the specialised support that Legal Aid is able to provide, and the streamlined referral pathway that is in place.

Senior Assist combines legal support with case management support which means the older person can get broad support with their situation, without having to tell their story repeatedly to multiple services, and, without having to deal with multiple different people.

Nita Joy

Senior Manager
Your Say Advocacy Tasmania

Case Study: Working in Our Community

A couple in their 80s experienced physical and emotional abuse, as well as property damage, at the hands of a close relative who lived with them. The abuse had been going on for many years and intensified when the relative invited others to also live at our clients' property.

Senior Assist helped the clients to remove the relative and others from their house with assistance from Tasmania Police. In addition to legal assistance, our case managers provided counselling, safety planning and referrals for support services so that our clients can now live in their home safely and to support them through this challenging period.

Names and some details have been changed to protect privacy

Your Story

Community

The Your Story program at TLA is part of a national program to support people making submissions to the Disability Royal Commission. Your Story recorded 2,678 phone calls nationally in the 2020–2021 year.

Our services include assistance to make submissions, engage private lawyers for personal injury and discrimination matters, making complaints to the Ombudsman and to access counselling and advocacy services.

The program has made connections with local support networks to reach communities on the North West Coast and the Huon Valley.

Communication

Your Story is committed to reaching as many people in the community as possible and supporting them to have their voices heard. We help people understand the Royal Commission process so they can engage with it in safe and informed ways. Information is available in accessible forms including translations, braille, Auslan, easy English and animated messaging.

We have hosted events in Burnie, Launceston, Devonport, Currie (King Island), Campbell Town, Hobart, Cygnet, Woodbridge, Geeveston, Huonville, as well as smaller meetings with disability rights groups, disability service providers, and networks of carers and supporters.

Collaboration

Your Story is delivered in Tasmania through a partnership with the Tasmanian Aboriginal Legal Service (TALS). Together we aim to provide a culturally safe service for Aboriginal and Torre Strait Islanders.

We also work closely with counselling and advocacy services to maximise opportunities to reach other service providers and community members.

From Our Collaborators

TALS has worked diligently alongside TLA this past year, delivering the Your Story Disability Legal Support service to Tasmanians. TALS has focused on ensuring Aboriginal people living with disability can share their story in a safe way.

Together TALS and TLA have delivered information sessions to the community at King Island, Burnie, Launceston, Campbell Town Hobart, Geeveston, Woodbridge, Cygnet and Huonville. In addition, the team have collaborated with Advocacy Tasmania to deliver online forums, and with Speak Out and Relationships Australia to deliver information sessions across the State about our wrap-around services. We also aim to visit Flinders and Cape Barron Island by the end of the year.

We hope to continue empowering people with disability to safely share their stories so that their voices are heard, and they form the direction Australia takes following the Disability Royal Commission.

Josie Short
Tasmanian Aboriginal Legal Service

Case Study: Working in Our Community

Lena has an intellectual disability and experienced family violence as a child and as an adult. She wanted to tell the Disability Royal Commission about her experiences, but was concerned that she would expose herself and her family to shame and that the police might become involved against her wishes.

Our Your Story lawyer helped Lena to tell her story in a way that protected her privacy. With our support, Lena felt safe and empowered to upload her submission on the Royal Commission's website. Lena had not made disclosures about her experience before, and she hopes that speaking about her experience will help protect other people in similar circumstances.

Names and some details have been changed to protect privacy



*Sarah Campbell, Associate Director, Civil Law
Photo credit: Paul Scambler*

Criminal Law

Community

We work with some of Tasmania's most disadvantaged people, who are affected by homelessness, unemployment, mental health issues, drug addiction, family violence and other difficult circumstances.

We deliver a wide range of services beyond just providing representation to those charged with crimes. We help children be diverted away from the legal system; we refer clients to rehabilitative support services, and we provide a holistic legal service that goes beyond simply answering our clients' legal questions.

We have specialist lawyers who appear in the Youth Justice Division of the Magistrate's Court, the Court Mandated Drug Diversion Program, the Mental Health Diversion List and for people who are newly remanded in custody. Our services are accessible across Tasmania, and we appear regularly in courts in Hobart, Launceston, Burnie, Devonport, St Helens, Scottsdale, Queenstown and King and Flinders Islands.

Communication

Our lawyers and support staff are committed to giving our clients a strong voice in the legal system. We achieve this by understanding our clients on a personal level, learning about their background, and their challenges. By better understanding the people we work for, we are able to argue their case effectively and link them with services that can improve their circumstances.

We regularly appear for young children charged with crimes that were committed in complex and difficult family settings, that when properly understood, shifts the focus of the Court from punishment to support.

Collaboration

We work with a range of legal and non-legal organisations to obtain the best results for our clients including Youth Justice, Community Corrections, Forensic Mental Health, Court registries, the DPP, Tasmania Police, emergency accommodation providers, disability advocates, private medical businesses and many others. By drawing on the range of community support services we are able to refer clients to the help they need.

We negotiate with prosecuting bodies so that charges are dismissed, replaced or more accurately reflect our client's instructions. We aim to conclude criminal matters promptly in the best interests of our clients and the community.

The private profession contributes hugely to the delivery of TLA criminal law services. We paid \$2,989,789 to the private profession this financial year and they represented over 250 people in the Supreme Court of Tasmania.

From Our Collaborators

TLA continues to provide strong advocacy and support to young people who have entered the Youth Justice system.

When entering the systems many clients do not know how to get help. Having dedicated Youth Court lawyers makes it a straightforward process for Youth Justice Workers to ensure that children are appropriately represented with their legal matters. Having simple referral pathways to TLA means representation can be promptly sought, with young people reporting positive outcomes.

The Youth Court lawyer attends fortnightly pre-Court meetings which involve Youth Justice Services, Tasmania Police, Child Safety Services and additional stakeholders (for example, Save the Children). The Youth Court lawyer's presence at these meetings is extremely beneficial as it assists in identifying young people who may require pre-Court legal assistance. This helps expedite a young person's matters through the system, streamlining what can often be a very stressful process for them and their family.

Stephanie Sluis
Youth Justice Tasmania

From Our Collaborators Cont.

From Youth Justice in the North West:

In the NW we found having a TLA Duty Solicitor available on the day of court is handy for those first appearances who Youth Justice has not been able to locate prior to court proceedings. This is particularly efficient for all involved as the matter can be stood down and sometimes dealt with on the day.

We have invited a TLA lawyer to attend YJ team meeting and found their advice on some challenging matters very helpful and informative. It was a great opportunity for reflection, allowing us to collaborate on achieving the best results for mutual clients.

TLA have been flexible and supportive of youth in the NW, offering assistance in out-of-session courts when contacted during business hours and advising of the after-hours court. Given their workload, this is generous of TLA staff and indicative of their focus on youth-centred practice.

Case Study: Working in Our Community

Alex was 16 when he was charged with a serious sexual crime. He was diagnosed with a major intellectual disability at a young age. He was interviewed by Tasmania Police without a parent present and was asked a series of confusing questions that he did not understand. He was not adequately cautioned about his right not to answer questions and did not understand what was happening to him.

Alex's case required careful and complicated work over a period of years. He was assessed by a forensic psychologist and psychiatrist to determine whether or not he was able to stand trial. This required reviewing many years of information, including educational assessments.

TLA argued successfully that a large portion of Alex's interview with police was inadmissible because of his demonstrated lack of understanding. Alex was acquitted of his charges. Without TLA's help, Alex is likely to have received a very different result.

We are proud to prioritise children and others, like Alex, who are particularly vulnerable. We give them a voice in complex and confusing legal proceedings that can have major consequences for the rest of their lives.

Names and some details have been changed to protect privacy



TLA Devonport Office

Grants

Community

Grants is responsible for administering grants of legal aid, which provides fees to lawyers for advice, document preparation and representational services by private and TLA lawyers, as well as managing our practice registers and panels. Grants of aid are provided for services in all our practice areas including family, crime and civil law, and extend to all regions of Tasmania. This has a far-reaching effect in our community with 5,197 Tasmanians receiving an initial grant of aid to assist with their legal issues. For many of these clients their matters were ongoing and overall 31,741 new grant of aid and extension requests were determined by the TLA Grants team. The average number of applications determined each day by a single TLA Grants Officer was 126. We saw a 5% overall increase in the number of grant of aid applications compared with 2019-20, with the increases seen in the family and civil law areas.

The 2020-21 period proved to be a tough year for many of our vulnerable Tasmanians and as a result a number of new Grant of Aid Guidelines were introduced including:

- to assist with eligibility for aid to Tasmanians granted temporary additional financial support, for example, JobKeeper and JobSeeker. In some cases, the financial assistance may have affected a person's eligibility for a grant of legal aid. Guidelines were developed to ensure vulnerable Tasmanians were not disadvantaged from being able to access legal aid services.
- to address the effect of National Redress Scheme (NRS) payments on eligibility for grants of assistance. In determining applications for aid, payments made under the NRS can be disregarded in the calculation of the applicant's income or assets.

Communication

We provide grants of aid to people who:

- Cannot afford a lawyer
- Meet our eligibility Criteria
- Are experiencing a legal problem covered by our grants funding program.

Demand for our services is high and over 88% of applications were approved. In determining whether to approve a grant of aid, grants officers assess requests in accordance with our Guidelines, which are set by the TLA Board. The guidelines' means and merits tests process is applied to each grant, which looks at the financial means of the person applying, and the case's merit. If an application is refused, review processes are available to applicants.

The Review Committee can affirm, vary or set aside the decision of a grants officer. In the 2020-21 period, 1 % of received applications were refused, with only 14 review of decision requests, less than 0.5% of all applications.

We also allocate Independent Children's Lawyers (ICLs) in family law proceedings and Separate Representatives (SRs) in child protection proceedings from the specialist panel we maintain. We allocated 144 ICLs and 138 SRs for the 2020-21 year. We also maintain a specialist panel of practitioners for the Family Violence Cross-Examination Scheme and 31 practitioners were appointed to those matters.

Unique clients annual statistics

Client Group	2019-2020	2020-2021	Number of Clients
Unique Clients	7927	8080	8080
ATSII	8%	9%	733
Centrelink	65%	66%	5324
Rural	28%	28%	2298
<18	6%	6%	507
>65	6%	6%	483
Cultural	5%	4%	344
Custody	11%	9%	753
Interpreter	1%	2%	124
Grants to people identified as having disability	30%	31%	1623 out of 5226

Collaboration

The implementation of the new s8A of the Evidence (Children and Special Witnesses) Act 2001 and the Intermediaries Scheme saw collaboration between the Magistrates Court and TLA to ensure an effective process for the cross examination of these vulnerable witnesses.

In recognition that private practitioners play an important role in delivering services to vulnerable Tasmanians, TLA implemented the annual increase of 2% to the hourly rate for private legal practitioners across all areas, including the criminal, family and civil law programs. The increase passes on the indexation received by TLA from the Commonwealth and State Governments to maintain the value of fees. In 2020–21, our overall expenditure to private lawyers for representing clients was \$6.790 million.

For the full breakdown on payments to private firms see pages 60–62 .

Civil Disbursement Fund

TLA is responsible for managing the Civil Disbursement Fund (CDF) on behalf of the State Government. The CDF provides financial assistance for people who have a personal injury or worker's compensation claim and cannot afford to cover costs such as expert reports and witness expenses in their case. Applications are assessed for eligibility against the CDF Guidelines based on a person's financial position, and how likely their case is to be successful. Assessment of merit for each application is undertaken by the CDF Committee members, three highly experienced private civil practitioners.

There were 24 new applications to the CDF for assistance for 2020–21, and \$72,026 was paid to assist clients fund their civil matters.



TLA Launceston Office

Solicitor, Barrister & Counsel Grants Payments

Payments to private legal firms, between 1 July 2020 and 30 June 2021
(not part of the audited statements)

Alex Graham Legal	Family	\$428.40
	Total	\$428.40
Andrei Slicer	Criminal	\$109,436.15
	Family	\$640.00
	Total	\$110,076.15
Baker Wilson Davies Lawyers	Civil	\$13,809.60
	Criminal	\$5,055.48
	Family	\$3,735.10
	Total	\$22,600.18
Barclay Churchill	Family	\$1,713.60
	Total	\$1,713.60
Ben Lillas	Criminal	\$368.40
	Total	\$368.40
Bishops	Civil	\$24,963.87
	Criminal	\$2,244.88
	Family	\$218,376.66
	Total	\$245,585.42
Blissenden Lawyers	Criminal	\$915.00
	Total	\$915.00
Bold Lawyers	Civil	\$285.60
	Criminal	\$17,805.50
	Total	\$18,091.10
Butler McIntyre & Butler	Civil	\$62,365.83
	Criminal	\$127,942.15
	Family	\$236,303.12
	Total	\$426,611.09
Cameron Scott – Barrister at Law	Civil	\$1,346.80
	Criminal	\$12,189.00
	Total	\$13,535.80
Cann Legal	Civil	\$33,516.75
	Criminal	\$7,051.47
	Family	\$51,741.93
	Total	\$92,310.15
Caroline Graves Barrister at Law	Civil	\$36,666.69
	Criminal	\$83,236.09
	Family	\$9,982.83
	Total	\$129,885.61

Charmaine Gibson	Civil	\$32,319.97
	Criminal	\$7,755.00
	Family	\$76,641.54
	Total	\$116,716.51
Claire Wong	Criminal	\$1,582.20
	Total	\$1,582.20
Clarke & Gee	Civil	\$23,804.31
	Criminal	\$192,801.89
	Family	\$49,079.02
	Total	\$265,685.22
Country to Coast Lawyers	Family	\$1,653.60
	Total	\$1,653.60
CPH Legal	Family	\$640.00
	Total	\$640.00
Craig Rainbird Barrister & Solicitor	Criminal	\$158,749.28
	Total	\$158,749.28
Crotty Legal	Civil	\$2,690.33
	Criminal	\$278,123.20
	Family	\$10,250.40
	Total	\$291,063.93
David N Lewis Barrister at Law	Civil	\$7,014.84
	Family	\$26,914.24
	Total	\$33,929.07
Dever's List	Civil	\$1,632.00
	Total	\$1,632.00
Dobson Mitchell Allport	Civil	\$1,943.77
	Family	\$48,106.66
	Total	\$50,050.44
Douglas & Collins	Civil	\$3,141.60
	Criminal	\$26,218.70
	Total	\$29,360.30
Everett Flight & Associates	Criminal	\$2,530.40
	Total	\$2,530.40
Fabiano Cangelosi	Criminal	\$68,708.33
	Total	\$68,708.33
FitzGerald and Browne	Civil	\$3,361.60
	Family	\$57,096.56
	Total	\$60,458.16

Friend & Edwards Lawyers	Criminal	\$9,634.48
	Family	\$5,472.00
	Total	\$15,106.48
G A Richardson	Criminal	\$115,609.80
	Total	\$115,609.80
Garth Stevens	Criminal	\$58,466.01
	Total	\$58,466.01
Grant Tucker	Civil	\$23,435.37
	Criminal	\$190,504.91
	Family	\$19,525.20
	Total	\$233,465.48
Greens List Barristers	Civil	\$326.40
	Criminal	\$428.40
	Total	\$754.80
Greg Barns Barrister	Civil	\$571.20
	Criminal	\$1,119.20
	Total	\$1,690.40
Greg Melick	Criminal	\$2,200.00
	Total	\$2,200.00
Greg Smith & Co	Civil	\$9,856.27
	Criminal	\$19,385.23
	Family	\$2,796.40
	Total	\$32,037.90
Ian Guest & Associates	Civil	\$1,645.20
	Criminal	\$451.20
	Family	\$7,654.18
	Total	\$9,750.58
Jacobs Family Law	Civil	\$30,457.90
	Criminal	\$928.40
	Family	\$148,480.65
	Total	\$179,866.95
Jeff Thompson	Family	\$1,082.40
	Total	\$1,082.40
Jessica Bourke	Civil	\$5,163.60
	Criminal	\$62,777.48
	Total	\$67,941.08
Jessica Sawyer	Civil	\$4,119.00
	Criminal	\$45,832.20
	Total	\$49,951.20

Kate Cuthbertson	Civil	\$3,245.20
	Total	\$3,245.20
Kate Mooney	Civil	\$3,158.40
	Family	\$27,800.98
	Total	\$30,959.38
Kim Baumeler	Civil	\$8,453.57
	Criminal	\$218,665.32
	Total	\$227,118.89
List G Barristers	Civil	\$2,240.00
	Total	\$2,240.00
Logan & Partners	Criminal	\$98,375.45
	Family	\$368.40
	Total	\$98,743.85
Mary Anne Ryan	Civil	\$6,815.20
	Family	\$28,060.48
	Total	\$34,875.68
Matthew Verney Lawyers	Civil	\$71,656.97
	Criminal	\$153,901.91
	Family	\$166,878.35
	Total	\$392,437.23
McGrath & Co.	Civil	\$7,350.13
	Criminal	\$5,074.49
	Family	\$28,560.61
	Total	\$40,985.23
McVeity Dean Lawyers	Civil	\$59,027.59
	Family	\$102,426.55
	Total	\$161,454.15
Michael Trezise	Family	\$28,122.21
	Total	\$28,122.21
Murdoch Clarke	Civil	\$11,584.60
	Criminal	\$35,112.48
	Family	\$37,590.37
	Total	\$84,287.45
Murray & Associates	Family	\$80,362.72
	Total	\$80,362.72
Nick Beattie Barrister and Solicitor	Civil	\$71.40
	Total	\$71.40

HOW WE HELP

Ogilvie Jennings	Civil	\$70,535.97
	Criminal	\$47,549.43
	Family	\$261,415.09
	Total	\$379,500.49
Pagett & Associates	Civil	\$31,127.53
	Family	\$23,438.60
	Total	\$54,566.13
Patrick O'Halloran	Civil	\$1,268.40
	Criminal	\$26,703.90
	Total	\$27,972.30
Paul Sullivan	Criminal	\$4,225.55
	Total	\$4,225.55
Peter Heerey Lawyer	Civil	\$15,194.47
	Criminal	\$1,867.24
	Total	\$17,061.71
Peter Neil Slipper	Civil	\$2,324.93
	Criminal	\$10,279.93
	Total	\$12,604.85
Petersen Legal	Civil	\$11,014.64
	Criminal	\$37,605.98
	Family	\$66,457.67
	Total	\$115,078.29
Philip Theobald	Family	\$18,979.40
	Total	\$18,979.40
Philip Welch	Civil	\$13,718.60
	Family	\$4,348.60
	Total	\$18,067.20
Philippa Morgan	Civil	\$15,612.47
	Criminal	\$67,604.96
	Total	\$83,217.44
Philippa Willshire	Civil	\$82,566.92
	Criminal	\$74,689.86
	Family	\$21,103.80
	Total	\$178,360.58
PWB Lawyers	Civil	\$11,164.28
	Family	\$75,754.80
	Total	\$86,919.08
Rae & Partners Devonport	Civil	\$36,731.37
	Family	\$99,333.31
	Total	\$136,064.68

Rae & Partners Lawyers	Civil	\$10,715.92
	Criminal	\$157,476.45
	Family	\$92,198.54
	Total	\$260,390.90
Romer Maud Family Lawyers Pty Ltd	Family	\$7,861.40
	Total	\$7,861.40
Ross A Hart Barrister and Solicitor	Civil	\$1,680.00
	Total	\$1,680.00
SGW Law	Criminal	\$109,741.85
	Total	\$109,741.85
Simmons Wolfhagen	Civil	\$32,697.40
	Family	\$16,851.80
	Total	\$49,549.20
Tasmanian Mediation Services	Family	\$8,827.64
	Total	\$8,827.64
Tierney Law Pty Ltd	Civil	\$850.00
	Criminal	\$5,530.50
	Family	\$6,928.80
	Total	\$13,309.30
Todd P. Kovacic	Criminal	\$45,682.50
	Total	\$45,682.50
Tremayne Fay & Rheinberger Lawyers	Civil	\$15,549.70
	Family	\$46,149.35
	Total	\$61,699.05
Walker Henderson Lawyers	Civil	\$8,580.97
	Family	\$38,158.20
	Total	\$46,739.17
Wallace Wilkinson & Webster	Civil	\$14,121.45
	Family	\$96,962.28
	Total	\$111,083.74
Walsh Day James Mihal, Barristers & Solicitors	Civil	\$39,038.51
	Criminal	\$12,557.15
	Family	\$23,577.40
	Total	\$75,173.05
Total		\$6,022,062.29

Our Finances

for the year ended
30 June 2021

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Independent Auditor's report



**Independent Auditor's Report
To the Members of Parliament
Legal Aid Commission of Tasmania
Report on the Audit of the Financial Report**

Opinion

I have audited the financial report of the Legal Aid Commission of Tasmania (trading as Tasmania Legal Aid), which comprises the statement of financial position as at 30 June 2021, statements of comprehensive income, changes in equity and cash flows for the year then ended, notes to the financial statements, including a summary of significant accounting policies and the statement of certification by the Commissioners.

In my opinion, the accompanying financial report:

- (a) present fairly, in all material respects, the financial position of Tasmania Legal Aid as at 30 June 2021 and its financial performance and its cash flows for the year then ended
- (b) is in accordance with the *Audit Act 2008* and Australian Accounting Standards.

Basis for Opinion

I conducted the audit in accordance with Australian Auditing Standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of my report. I am independent of Tasmania Legal Aid in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)* (the Code) that are relevant to my audit of the financial report in Australia. I have also fulfilled my other ethical responsibilities in accordance with the Code.

The *Audit Act 2008* further promotes the independence of the Auditor-General. The Auditor-General is the auditor of all Tasmanian public sector entities and can only be removed by Parliament. The Auditor-General may conduct an audit in any way considered appropriate and is not subject to direction by any person about the way in which audit powers are to be exercised. The Auditor-General has for the purposes of conducting an audit, access to all documents and property and can report to Parliament matters which in the Auditor-General's opinion are significant.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Responsibilities of the Commissioners for the Financial Report

The Commissioners are responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards and the financial reporting requirements of the *Audit Act 2008* and for such internal control as determined necessary to enable the preparation of the financial report that is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the Commissioners are responsible for assessing Tasmania Legal Aid's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless Tasmania Legal Aid is to be dissolved by an Act of Parliament, or the Commissioners intend to cease operations, or have no realistic alternative but to do so.

Auditor's Responsibilities for the Audit of the Financial Report

My objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial report.

As part of an audit in accordance with the Australian Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of Tasmania Legal Aid's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Commissioners.
- Conclude on the appropriateness of the Commissioners' use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on Tasmanian Legal Aid's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify my opinion. My conclusion is based on the audit evidence obtained up to

the date of my auditor's report. However, future events or conditions may cause Tasmania Legal Aid to cease to continue as a going concern.

- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the Commissioners regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.



Robert Luciani
Senior Audit Manager
Delegate of the Auditor-General
Tasmanian Audit Office

12 October 2021
Hobart



Annual Financial Statements

Tasmania Legal Aid
ABN 70 223 103 968
For the year ended 30 June 2021

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Certification of Financial Statements

Tasmania Legal Aid
For the year ended 30 June 2021

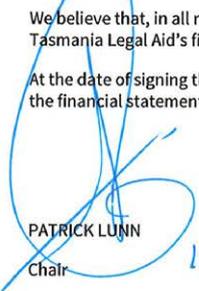
Certification of Financial Statements

The accompanying financial statements of Tasmania Legal Aid are in agreement with the relevant accounts and records and have been prepared in compliance with:

- Australian Accounting Standards
- Treasurer's Instructions issued under the provisions of the Legal Aid Commission Act 1990
- Audit Act 2008

We believe that, in all material respects, the financial statements present a view which is consistent with our understanding of Tasmania Legal Aid's financial position as at 30 June 2021, financial performance and its cash flows for the year then ended.

At the date of signing this certification, we are not aware of any circumstances which would render the particulars included in the financial statements misleading or inaccurate.


PATRICK LUNN

Chair

11/10/2021

VINCENZO CALTABIANO

Director

Dated:


11/10/21

Statement of Comprehensive Income

Tasmania Legal Aid For the year ended 30 June 2021

	NOTES	30-JUNE-21 (\$)	30-JUNE-20 (\$)
Revenues			
Commonwealth Grants and Contributions	3	9,477,809	7,570,714
State Government Grants and Contributions	4	8,762,288	8,355,446
Other Revenue	5	1,139,608	1,288,547
Total Revenues		19,379,704	17,214,707
Expenses			
Legal Services Expenses	6	7,183,803	6,358,699
Employee Benefits Expenses	7	9,359,020	8,489,215
Supplies and Services	8	497,392	464,853
Accommodation Expenses	9	350,225	337,353
Information and Technology	10	690,819	782,602
Other Expenses	11	367,679	298,020
Depreciation and Amortisation Expenses	12	551,662	469,564
Debts Written Off	13	17,203	5,081
Total Expenses		19,017,803	17,205,386
Net Surplus for the Year		361,902	9,320
Total Comprehensive Result		361,902	9,320

Statement of Financial Position

Tasmania Legal Aid As at 30 June 2021

	NOTES	30-JUNE-21 (\$)	30-JUNE-20 (\$)
Assets			
Current Assets			
Cash & Cash Equivalents	14	4,712,310	4,073,930
Investments	15	3,421,000	2,821,391
Receivables	16	675,410	1,012,062
Other Assets		93,211	173,178
Total Current Assets		8,901,931	8,080,561
Non-Current Assets			
Property, plant and equipment			
Land and Buildings	17	418,711	349,422
Office Equipment	17	31,202	52,298
Furniture and Fittings	17	4,266	5,352
Leasehold Improvements	17	34,334	39,431
Total Property, plant and equipment		488,513	446,502
Intangible Assets	17	26,005	5,637
Right-of-Use Assets	19	2,068,239	2,234,127
Total Non-Current Assets		2,582,757	2,686,266
Total Assets		11,484,688	10,766,827
Liabilities			
Current Liabilities			
Payables	20	536,974	520,535
Contract Liabilities	21	1,192,046	822,750
Provisions	22	1,179,106	1,211,066
Lease Liabilities	24	311,998	302,044
Total Current Liabilities		3,220,123	2,856,395
Non-Current Liabilities			
Provisions	22	173,279	140,494
Lease Liabilities	24	1,836,481	1,954,733
Total Non-Current Liabilities		2,009,760	2,095,227
Total Liabilities		5,229,883	4,951,622
Net Assets		6,254,805	5,815,205
Equity			
Capital Contribution		325,000	325,000
Asset Revaluation Reserve		313,528	235,829
Civil Disbursement Fund Reserve		1,160,830	1,148,140
Accumulated Surplus		4,455,447	4,106,236
Total Equity		6,254,805	5,815,205

Statement of Cash Flows

Tasmania Legal Aid For the year ended 30 June 2021

	NOTES	30-JUNE-2021 (\$)	30-JUNE-2020 (\$)
Statement of Cash Flows			
Cash flows from Operating Activities			
Operating Receipts			
Commonwealth Grants and Contributions		9,817,107	7,617,198
State Government Grants		8,792,288	8,355,446
Contributions and Recovered Costs from Clients		325,142	246,936
Net GST Received / (Paid)		54,535	(2,211)
Interest Income		35,947	75,033
Other		1,044,119	474,616
Total Operating Receipts		20,069,138	16,767,018
Operating Payments			
Payments for Legal Services		(7,183,803)	(6,358,699)
Employee Benefits Expense		(9,283,734)	(8,337,278)
Administrative Expense		(1,884,858)	(1,787,101)
Total Operating Payments		(18,352,395)	(16,483,078)
Total Cash flows from Operating Activities	25	1,716,743	283,940
Cash flows from Investing Activities			
Payments for Investments		(599,609)	(2,821,391)
Purchase of Plant and Equipment		(183,158)	(111,082)
Total Cash flows from Investing Activities		(782,767)	(2,932,473)
Cash flows from Financing Activities			
Principal Lease Repayments		(295,596)	(294,751)
Total Cash flows from Financing Activities	26	(295,596)	(294,751)
Net increase / (Decrease) in cash and cash equivalents		638,380	(2,943,284)
Cash and cash equivalents at beginning of the period	14	4,073,930	7,017,214
Cash and cash equivalents at end of the period	14	4,712,310	4,073,930

Statement of Changes in Equity

Tasmania Legal Aid
For the year ended 30 June 2021

	CONTRIBUTED EQUITY	ASSET REVALUATION RESERVE	CIVIL LAW DISBURSEMENT FUND LOAN SCHEME RESERVE	ACCUMULATED SURPLUS	TOTAL EQUITY
Change in Equity (\$)					
2021 Financial Year					
Balance as at 1 July 2020	325,000	235,829	1,148,140	4,106,235	5,815,204
Total Comprehensive Result	-	-	-	361,902	361,902
Transfers to Reserves	-	77,699	12,690	(12,690)	77,699
Balance as at 30 June 2021	325,000	313,528	1,160,830	4,455,447	6,254,805
2020 Financial Year					
Balance as at 1 July 2019	325,000	235,829	1,118,770	4,126,286	5,805,885
Total Comprehensive Result	-	-	-	9,320	9,320
Transfers to Reserves	-	-	29,370	(29,370)	-
Balance as at 30 June 2020	325,000	235,829	1,148,140	4,106,236	5,815,205

Notes to the Financial Statements

Tasmania Legal Aid For the year ended 30 June 2021

1. Statement of Significant Accounting Policies

General Information

The Legal Aid Commission of Tasmania ('the Commission') was established under the *Legal Aid Commission Act 1990*, on 1 January 1991.

On 1 July 2020 the Commission registered the legal trading name 'Tasmania Legal Aid' ('TLA'). This name has therefore been referenced throughout the remainder of these statements.

These statements have been prepared on a going concern basis in the expectation that TLA will continue to function and be funded in the future on the basis as set out in the new Commonwealth/State agreements. These agreements commenced on 1 July 2020, and have a 5 year term.

Basis of Preparation

The financial statements have been prepared in accordance with the requirements of the Audit Act 2008 and Australian Accounting Standards issued by the Australian Accounting Standards Board (AASB). Under the *Legal Aid Commission Act 1990*, TLA is not required to prepare general purpose financial statements, but rather has elected to adopt and comply with relevant accounting standards. The following accounting policies have been adopted, and unless otherwise stated are consistent with those adopted in the preceding year, and throughout all periods. TLA is classified as a not-for-profit entity.

Compliance with the Australian Accounting Standards (AAS) may not result in compliance with International Financial Reporting Standards (IFRS), as the AAS include requirements and options available to not-for-profit organisations that are inconsistent with IFRS. TLA is considered to be not-for-profit and has adopted some accounting policies under the AAS that do not comply with IFRS.

The financial statements have been prepared on the accrual basis of accounting using the historical cost convention, except for the revaluation of land and buildings which have been measured at fair value. The financial statements are presented in Australian dollars. Accounting policies are selected and applied in a manner which ensures that the resulting financial information satisfies the concepts of relevance and reliability, thereby ensuring that the substance of the underlying transactions or other events is reported.

All accounting standards are up to date with no new or amended accounting standards coming into effect in the 2021 financial year that have a material affect on the operation or financial reporting of TLA.

The following Australian Accounting Standard applicable to TLA has recently been amended but as it is not yet effective, management has chosen not to adopt it for the year ended 30 June 2021.

Affected Standard	AASB Amendment	Nature of Change to Accounting Policy	Reporting Periods Commencing on or After	Application Date for TLA	Consideration of Impact on Financial Report
AASB 101	Presentation of Financial Statements	The amendment to AASB 101 clarifies the classification of liabilities where a right to defer settlement is present.	1 January 2023	1 July 2023	Changes are not expected to materially impact TLA as it does not currently hold liabilities with a right to defer settlement.

Notes to the Financial Statements

Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of Goods and Services Tax (GST), except:

- i. where the amount of GST incurred is not recoverable from the taxation authority, it is recognised as part of the cost of acquisition of an asset or as part of an item of expense; or
- ii. for receivables and payables which are recognised inclusive of GST.

The net amount of GST recoverable from, or payable to, the taxation authority is included as part of receivables or payables. The GST component of cash flows arising from investing and financing activities which is recoverable from, or payable to, the taxation authority is classified as operating cash flows.

Reporting Entity

The reporting entity comprises TLA and there are no related bodies.

Contributed Equity

Contributions made to TLA by the Government (the owner) as contributions by owners are recognised as equity contributions and have been credited directly to Contributed Equity.

Income

Revenue Recognition

Revenues are recognised at fair value of the consideration received, net of GST when applicable. Full details of the revenues received by TLA are detailed within Notes 3, 4 and 5. TLA's revenues consist predominantly of contributions by both Commonwealth and State Governments, contributions and recovered costs from legally aided clients and interest income from the investment of unutilised cash holdings.

State and Commonwealth Grants and Contributions

Grant Revenue and Contributions received by TLA are assessed as to whether the contract is enforceable and has sufficiently specific performance obligations in accordance with AASB 15. When both these conditions are satisfied, TLA:

- identifies each performance obligation relating to the grant;
- recognises a contract liability for its obligations under the agreement; and
- recognises revenue as it satisfies its performance obligations.

The balance of contract liabilities classified in accordance with the above are reflected at Note 21.

Where the contract is not enforceable or does not have sufficiently specific performance obligations, TLA:

- recognises the asset received in accordance with the recognition requirements of other applicable accounting standards;
- recognises related amounts; and
- recognises income immediately in the Statement of Comprehensive Income as the difference between the initial carrying amount of the asset and the related amount.

If a contract liability is recognised as a related amount above, TLA recognises income in the Statement of Comprehensive Income when or as it satisfies its obligations under the contract.

Capital Grant receipts are recognised as a liability for the excess of the initial carrying amount of the financial asset received over any related amount recognised under other Australian Accounting Standards. TLA recognises income in the Statement of Comprehensive Income when or as TLA satisfies its obligations under the terms of the grant.

TLA has applied *AASB 15: Revenue from Contracts with Customers* and *AASB 1058: Income of Not-for-Profit Entities* from 1 July 2019. There was no adjustment to the historical way TLA recognised revenue, subsequent to the adoption of these standards.

Notes to the Financial Statements

Other Revenue

Civil Law Disbursement Fund Loan Contributions relate to a premium charged on repayment of civil law disbursement loans. This revenue is recognised on a cash received basis as it is dependent on the outcome of the legal proceedings.

Client Contributions and Cost Recoveries are recognised on an accrual basis when the work has been performed.

Interest Income is recognised as the interest accrues to the net carrying amount of the financial asset.

The Solicitors' Trust Distributions represent monies received under Section 361 of the *Legal Profession Act 2007*. Under the Act if the Guarantee Fund exceeds a predetermined threshold, the Minister may invite TLA to make application for a grant of monies from the Guarantee Fund.

Distributions from The Solicitors' Trust are grants with specific obligations. The monies are recognised as a liability until TLA has fulfilled the obligations relating to the grant, at which time the monies are recognised as revenue.

Property, Plant and Equipment**Initial recognition and measurement**

All items of property, plant and equipment are initially recognised at cost. Plant and equipment purchased for less than \$5,000 are recognised on the asset register but fully charged to expense as incurred. Items with a cost of more than \$5,000 are considered to contribute economic benefits beyond one year and are held as assets and recorded in TLA's asset register.

TLA has not acquired any items of property, plant and equipment for no or nominal consideration during the reporting period.

Subsequent measurement

After recognition of an asset, the revaluation model is used for the measurement of land and buildings and the cost model for all other plant and equipment, and leasehold improvements. Land and buildings are carried at fair value less accumulated depreciation on buildings and accumulated impairment losses. All other items of plant and equipment are stated at historical cost less accumulated depreciation and accumulated impairment losses.

Revaluation increments, on a class of assets basis, are recognised in other comprehensive income and accumulated in the asset revaluation reserve. Revaluation decreases that offset previous increases of the same class of assets shall be recognised in other comprehensive income under the heading of revaluation surplus and the resultant decrease reflected in the asset revaluation reserve. All other decreases are recognised in the Statement of Comprehensive Income.

Any accumulated depreciation at the date of the revaluation is eliminated against the gross carrying amount of the asset and the net amount is restated to the revalued amount of the asset.

Depreciation and Amortisation

All non-current assets having a limited useful life are systematically depreciated over their estimated useful lives in a manner which reflects the consumption of their future economic benefits.

Land is not depreciated. Depreciation and amortisation on other assets is calculated using the straight line method, using rates which are reviewed annually. Estimated useful lives for each class of depreciable asset are:

Buildings on Freehold Land	25 Years
Office Equipment	4 Years
Furniture and Fixtures	4 Years
Leasehold Improvements	4 Years

Notes to the Financial Statements

Intangible Assets

Software that is an integral part of the related hardware is treated as plant and equipment. Software that is not an integral part of the related hardware is treated as an intangible asset and amortised over 10 years. Software costing less than \$5,000 is expensed in the year of acquisition.

Key third party applications software is used under license and these costs are expensed in the period in which they are incurred.

Impairment of Assets

Property, plant and equipment and intangible assets are tested for any indication of impairment at each reporting date. Where there is an indication of impairment, the recoverable amount is estimated. Where the recoverable amount is less than the carrying amount, the asset is written down to the recoverable amount and an impairment loss is recognised. As TLA is a not-for-profit entity, unless an asset has been identified as a surplus asset, the recoverable amount is the higher of an asset's fair value less costs to sell and depreciated replacement cost.

Grants of Aid

Grants of aid are recognised as an expenditure commitment on the approval of the granting of aid and are based on a provisional cost estimate as detailed in Note 24 Legal Case Commitment. A liability for the grant of aid is not recognised on the Statement of Financial Position until the claim has been made by the lawyer post the completion of the work for which the aid was granted. The provisional cost estimate reflects the estimated cost of the assignment based on the relevant scale of fees.

Legal Services Expenses are recognised as an expense on the receipt of a claim for services provided.

Levies towards the cost of aid payable by the client are recognised as an asset, and subsequently recognised as contributions on approval of the grant of aid. Provision for impairment is provided for in accordance with Note 16.

Lease Liabilities and Right-of-Use Assets

Leases

At inception of a contract, TLA assesses if the contract contains or is a lease. If there is a lease present, a right-of-use asset and a corresponding lease liability is recognised by TLA where TLA is a lessee. However, all contracts that are classified as short-term leases (lease with remaining lease term of 12 months or less) and leases of low value assets (lease expected to cost less than \$10,000) are recognised as an operating expense on a straight-line basis over the term of the lease.

Initially the lease liability is measured at the present value of the lease payments still to be paid at commencement date. The lease payments are discounted at the interest rate implicit in the lease. If this rate cannot be readily determined, TLA uses the incremental borrowing rate.

Lease payments included in the measurement of the lease liability are as follows:

- fixed lease payments less any lease incentives;
- variable lease payments that depend on an index or rate, initially measured using the index or rate at the commencement date;
- the amount expected to be payable by the lessee under residual value guarantees;
- the exercise price of purchase options, if the lessee is reasonably certain to exercise the options;
- lease payments under extension options if lessee is reasonably certain to exercise the options; and
- payments of penalties for terminating the lease, if the lease term reflects the exercise of an option to terminate the lease

The right-of-use assets comprise the initial measurement of the corresponding lease liability as mentioned above, any lease payments made at or before the commencement date as well as any initial direct costs. The subsequent measurement of the right-of-use assets is at cost less accumulated depreciation and impairment losses.

Right-of-use assets are depreciated over the lease term or useful life of the underlying asset whichever is the shortest. Where a lease transfers ownership of the underlying asset or the cost of the right-of-use asset reflects that TLA anticipates to exercise a purchase option, the specific asset is depreciated over the useful life of the underlying asset.

Notes to the Financial Statements

Cash and Cash Equivalents

Cash and cash equivalent assets comprise cash on hand and short-term investments with an original maturity of up to 3 months that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

For the purposes of the Statement of Cash Flows, cash and cash equivalents consist of cash in TLA's bank accounts and cash held at the Tasmanian Public Sector Finance Corporation (TASCORP).

Receivables

Unsecured debtors are recognised and carried at the amounts receivable. The carrying amount is equivalent to fair value. The vast majority of TLA's unsecured debtors are for small contributions toward the client's legal costs. The collectability of these receivables is reviewed on an ongoing basis and any receivables identified as uncollectible are written-off.

Employee Benefits Expense

The related expense item includes salaries of TLA employees, superannuation contributions, leave entitlement adjustments, relocation, other direct related costs and the Commissioner's remuneration.

As at 30 June 2021 TLA employed 87.06 (2020: 83.8) full time equivalents.

The number of full time equivalents has maintained its high level due to the continuation of additionally funded programs being managed by TLA, allowing further employment positions to fulfil approved purposes.

Payables

Payables are carried at amortised cost; due to their short term nature they are not discounted.

Legal Creditors are recognised upon certification of those amounts for payment.

Trade Creditors are recognised when the economic entity becomes obliged to make future payments resulting from the purchase of goods and services. Measurement is based on the agreed purchase/contract cost.

Accrued Salaries represent the amount due to staff but unpaid at the end of the financial year. The amount shown includes the employer funded superannuation contribution.

Provisions**Annual Leave and Long Service Leave**

All annual leave and unconditional long service leave provisions are classified as current liabilities as TLA does not have an unconditional right to defer settlement of the liability for at least 12 months after the reporting date.

Long service leave expected to be settled more than 12 months after the end of the reporting date is measured at the present value of amounts expected to be paid when the liabilities are settled.

Leave liabilities are in respect of services provided by employees up to the reporting date.

When assessing the expected future payments, consideration is given to expected future wage and salary levels including non-salary components such as employer superannuation contributions, duration of service and employee departures, and are discounted at rates determined by market yields at the end of the reporting period on high quality corporate bonds.

Superannuation

TLA is required to reimburse the Commonwealth Government for the employer share of the cost of superannuation benefits paid in respect of staff transferred to TLA and who remained members of the Commonwealth Superannuation Scheme or the Public Sector Superannuation Scheme. TLA discharges this liability by periodic payments to Spirit Super of amounts, expressed as a percentage of the salaries of eligible employees, estimated by Spirit Super to be sufficient to meet TLA's share of the full accruing cost of the pensions granted on the retirement or death of such employees.

Notes to the Financial Statements

Superannuation expenses relating to defined benefit schemes relate to payments into the Consolidated Fund. The amount of the payment is based on an agency contribution rate determined by the treasurer, on the advice of the State Actuary. The current agency contribution is 12.95 per cent of salary.

Superannuation expenses relating to defined contribution schemes are paid directly to superannuation funds at a rate of 9.5 per cent of salary in the 2021 financial year (increasing to 10 per cent of salary in the 2022 financial year). In addition, TLA is also required to pay into the Consolidated Fund a “gap” payment equivalent to 3.45 per cent of salary in respect of employees who are members of contribution schemes.

For employees who are contributors under the Retirement Benefits Fund Act, the liability for the scheme is accepted by the Crown and administered by the Retirement Benefits Fund Board.

TLA does not operate an employer sponsored defined benefits fund.

Sick Leave

No amount is shown for non-vested sick leave as no present obligation to employees exists.

Taxation

TLA is considered to be a public benevolent institution under the Income Tax Assessment Act and is therefore exempt from income tax and fringe benefits tax. TLA is also exempt from State based taxation, including Payroll Tax, Stamp Duties and Financial Institution Duty.

Comparative Figures

When required by Accounting Standards, comparative figures have been adjusted to conform to changes in presentation for the current financial year.

Investments and Other Financial Assets

Investments and financial assets in the scope of AASB 9 *Financial Instruments* are categorised as either subsequently measured at amortised cost, fair value through comprehensive income or fair value through profit and loss and depends on TLA's business model for managing financial assets and the contracted cash flow characteristics of the financial asset.

Estimates and Judgement

Estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimates are revised if the revision affects only that period, or in the period of the revision and future periods if the revision affects both current and future periods.

Judgements made by management that have significant effects on the financial statements and estimates with a significant risk of material adjustments in the next year are disclosed, where applicable, in the relevant notes to the financial statements. These include:

- Performance obligations under *AASB 15 Revenue from Contracts with Customers*
- Lease terms and options to extend under *AASB 16 Leases*
- Provisions- Employee Benefits
- Commitments for Expenditure

Notes to the Financial Statements

2. Financial Risk Management Objectives and Policies

TLA's activities expose it to a variety of financial risks: credit risk, liquidity risk and interest rate risk.

TLA reviews and agrees policies for managing each of these risks and they are summarised below:

Risk exposures and Responses

Credit Risk

Credit risk arises from the financial assets of the organisation which comprise cash and cash equivalents and receivables. The organisation's exposure to credit risk arises from the potential default of the counter party, with the maximum exposure equal to the carrying amount of these assets.

TLA is open to credit risks particularly in respect of Contributions due from its clients. It has policies in place to ensure that where possible significant debts due are adequately secured by way of caveats over the properties of the debtor. It is not practicable to secure all contributions either because the amount of the debt is small or the client does not have adequate assets to offer as security. TLA monitors the debts on an ongoing basis to ensure that they are collected promptly to minimise the amount of irrecoverable debts to be written off.

Civil Law Disbursement Fund Loans comprise loans made for out of pocket legal expenses for items such as medical reports, assessments, court filing fees and other up front civil law case costs. The loans are made after consideration by a panel, and the application of a premium recovery as a buffer against failed claims where the loan is unrecoverable.

Credit risk is minimised due to a majority of the transactions taking place with State and Australian Government entities.

Liquidity Risk

Prudent liquidity risk management implies maintaining a balance between sufficient cash to meet obligations as and when they fall due and maximising revenues from surplus funds by investing in interest bearing investments.

Investment decisions are based on cash flow forecasts subject to ongoing review in order to meet cash requirements in a timely manner. The selection of the term of the investments will be dependent upon the cash flow requirements and the rate of return available for different terms.

All financial assets and liabilities of TLA have a maturity of 12 months or less, except for the receivables - *Civil Law Disbursement Fund Loans* which by their nature have an unknown maturity profile.

Notes to the Financial Statements

Interest Rate Risk

TLA's exposure to market risk for changes in interest rates relates primarily to the investments of surplus operating funds and surplus funds pertaining to the Civil Law Disbursements Fund Loans scheme.

TLA is authorised under its act to invest surplus funds in any of the ways referred to in Section 5 of the Trustee Act 1898. TLA's policy is to manage interest income with reference to what rates are offered by Tascorp and other major banking institutions.

Interest Rates on Cash, Cash Equivalents and Investments

	30-June-21	30-June-20
	(\$)	(\$)
At Call Cash Management Account No 1 – Operating Account	400 On Call – Interest Rate of 0.10%	399 On Call – Interest Rate of 0.25%
At Call Cash Management Account No 2 – Civil Law Disbursements Fund	1,982 On Call – Interest Rate of 0.10%	1,978 On Call – Interest Rate of 0.25%
Westpac Operating Accounts	4,709,928 On Call – Interest Rate of 0.35%	4,071,553 On Call – Interest Rate of 0.50%
Westpac Term Deposit	3,421,000 Fixed - Interest Rate of 0.30%	2,821,391 Fixed - Interest Rate of 0.70%
	8,133,310	6,895,321

A 1 percentile upward movement in the interest rate will create \$81,330 (2020: \$68,950) movement in interest income.

TLA is authorised under its act to invest surplus funds in any of the ways referred to in Section 5 of the *Trustee Act 1898*. During the reporting period investments were held in a combination of at call cash management facilities and fixed term deposits.

Interest revenue is recognised in the Statement of Comprehensive Income when earned. As TLA's investments were held in the above instruments and held over relatively short periods it is considered that any interest rate exposure is minimal.

	30-JUNE-21	30-JUNE-20
	(\$)	(\$)
3. Commonwealth Grants and Contributions		
Commonwealth Base Grant	6,482,000	5,945,000
Family Advocacy Support Service Funding	1,022,000	1,006,000
National Disability Insurance Scheme Funding	193,210	157,344
Family Violence Cross-Examination Funding	187,797	28,632
Senior Assist Funding	524,164	346,861
Your Story Disability Legal Support Funding	145,905	29,672
Property Mediation Funding	226,024	57,205
COVID-19 Support Funding	696,709	-
Total Commonwealth Grants and Contributions	9,477,809	7,570,714

Notes to the Financial Statements

Base Grant

Government funds provided under the Commonwealth / State National Partnership Agreement. These funds are recognised on receipt as there is no specific obligation under the agreement. The current Commonwealth / State National Partnership Agreement has been entered into from 1 July 2020 for a duration of 5 years. The agreement expires on 30 June 2025.

Family Advocacy and Support Service

This funding has been recognised on receipt as there are no specific performance obligations attached to the terms of the agreement. This funding is to provide social services support to families experiencing domestic issues.

National Disability Insurance Scheme

This provides funding for support services to assist applicants in navigating the process of Administrative Appeals Tribunal review of National Disability Insurance Agency decisions.

Family Violence Cross-Examination Funding

The purpose of this grant is to fund Legal Aid Commissions to represent parties subject to the ban on direct cross-examination under the *Family Law Act 1975*. The receipt of this funding is recognised on fulfilment of specific obligations.

Senior Assist Funding

The purpose of this funding is to improve the government's knowledge of, and expand its options to provide, senior assistance, in a variety of forms. The receipt of this funding is recognised on fulfilment of specific obligations.

Your Story Disability Legal Support Funding

The purpose of this funding is to fund the legal service that supports the Royal Commission into violence, abuse, neglect and exploitation of people with disabilities. The receipt of this funding is recognised on fulfilment of specific obligations.

Property Mediation Funding

The purpose of this funding is to provide legal support to separating couples with small value property pools who require legal advice and representation to mediate and reach agreement on family law property splits. The receipt of this funding is recognised on fulfilment of specific obligations.

COVID-19 Support Funding

The purpose of this funding is to provide funding for additional legal assistance required as a result of the impact of COVID-19 and also to provide ICT funding to aid in the greater requirement for ICT facilities & equipment stemming from the impacts of COVID-19.

	30-JUNE-21 (\$)	30-JUNE-20 (\$)
4. State Government Grants and Contributions		
State Government Base Grant	7,914,000	7,103,000
Safe at Home Program	514,688	400,446
State One Off Funding	83,600	852,000
Serious Cases Funding	250,000	-
Total State Government Grants and Contributions	8,762,288	8,355,446

Notes to the Financial Statements

Base Grant

The Base Grant provides for the Service Delivery program agreed to between TLA and the State Government. These funds are recognised on receipt as there is no specific obligation under the agreement.

“Safe at Home” Domestic Violence Early Intervention Program

This program provides early intervention and support against domestic violence. These funds are recognised on receipt as there is no specific obligation under the agreement.

State One Off Funding

This funding includes both Acting Judges Funding, to contribute towards the increased resources required as a result of additional court sessions being held by acting judges, and State Top Up Funding provided to supplement Commonwealth Funded programs whilst the National Legal Aid Partnership Agreement was negotiated. These funds are recognised on receipt as there is no specific obligation under the agreement.

Serious Cases Funding

Additional funding stemming from the State Budget provided for serious case matters. These funds are recognised on receipt as there is no specific obligation under the agreement.

	30-JUNE-21 (\$)	30-JUNE-20 (\$)
5. Other Revenue		
Client Contributions and Cost Recoveries	196,162	211,418
Interest Income	35,259	78,277
Civil Disbursement Fund Loans Contributions	36,054	26,439
Solicitors' Trust Distributions	437,187	587,955
Insurance Recovery	22,500	-
Miscellaneous Income		
National Legal Aid (NLA) Administration Fee	42,000	42,000
National Legal Aid (NLA) Cost Recoveries	370,445	342,457
Total Miscellaneous Income	412,445	384,457
Total Other Revenue	1,139,608	1,288,547

Client Contributions and Cost Recoveries

Contributions consist of amounts levied on clients by in-house practitioners and recovered costs. Not included are amounts collected by private legal practitioners and deducted from their accounts for services rendered to TLA, prior to payment by TLA. These payments are immaterial and hence have not been quantified for this report. Recovered costs consist of those costs awarded by the courts to the benefit of TLA.

Interest Income

Derived from cash flow surpluses from monies held on call, or in short term cash management accounts and term deposits.

Civil Law Disbursement Fund Loans Contributions

Small application premiums charged against each loan as a buffer against actions that may be unsuccessful and unrecoverable.

The Solicitors' Trust Distributions

This disbursement is as a result of a determination made in accordance with Section 361 of the *Legal Profession Act 2007*.

Notes to the Financial Statements

Insurance Recovery

Resulting from an insurance claim for costs relating to flood damage at the Hobart TLA Office.

Miscellaneous Income

Reimbursements from other State Commissions for their share of National Legal Aid (NLA) expenses paid for by TLA on behalf of all States.

	30-JUNE-21 (\$)	30-JUNE-20 (\$)
6. Legal Services Expense		
Grants of Legal Aid	6,695,379	5,713,224
Social Worker Services	397,496	552,545
Weekend Duty Lawyer Service	84,931	92,929
Weekday Duty Lawyer Service	5,998	-
Total Legal Services Expense	7,183,803	6,358,699

Grants of Legal Aid

Grants of Legal Aid comprise payments made to private sector business partners for legal work undertaken during the course of the year. In addition to payments for legal services this includes payments for expenditure for items such as medical reports and other specialist services.

Social Worker Services

TLA engages external service providers for the outsourcing of social worker services under the Family Advocacy Support Service program.

Weekend Duty Lawyer Services

TLA engages external service providers for Duty Lawyer services in the Magistrates Court to support its own internal services.

Weekday Duty Lawyer Services

TLA engaged a private practice duty lawyer temporarily in the 2021 financial year whilst a position was filled in the Devonport TLA Office.

	30-JUNE-21 (\$)	30-JUNE-20 (\$)
7. Employee Benefits Expense		
Salaries, Superannuation and Related Costs	8,935,014	7,955,600
Temporary Staff and Agency Staff Engagements	321,103	399,064
Professional Development	102,079	54,719
Annual Leave and Long Service Leave Entitlements	824	79,831
Total Employee Benefits Expense	9,359,020	8,489,215

Notes to the Financial Statements

Salaries, Superannuation and Related Costs

Includes salaries and employer funded superannuation, workers compensation insurance and parental leave pay.

Temporary Staff and Agency Staff Engagements

Includes temporary and agency staffing costs, as well as agency fees and staff relocation costs.

Professional Development

Includes costs of courses and seminar fees.

Annual Leave and Long Service Leave Entitlements

These amounts are the net movements to the annual and long service leave provision accounts held on TLA's Statement of Financial Position.

	30-JUNE-21 (\$)	30-JUNE-20 (\$)
8. Supplies and Services		
Communication	216,118	230,113
Travel Costs	138,884	127,274
Office Machines and Equipment	39,024	38,911
Consumables and Safety	103,366	68,555
Total Supplies and Services	497,392	464,853

	30-JUNE-21 (\$)	30-JUNE-20 (\$)
9. Accommodation Expenses		
Property Rent	61,435	62,481
Cleaning and Security	125,753	114,659
Property Maintenance	48,327	35,745
Rates and Taxes	54,079	53,581
Water Rates	3,141	4,082
Electricity	46,222	55,652
Insurance	11,268	11,154
Total Accommodation Expenses	350,225	337,353

	30-JUNE-21 (\$)	30-JUNE-20 (\$)
10. Information Technology		
IT Systems and Consulting	554,126	649,251
Library	132,253	128,911
NLA Archiving and Storage	4,440	4,440
Total Information Technology	690,819	782,602

Notes to the Financial Statements

	30-JUNE-21 (\$)	30-JUNE-20 (\$)
11. Other Expenses		
Department of Justice Administration Costs	123,867	121,201
Audit Fee and Costs	25,850	25,090
Other Expenses		
Advertising	2,284	1,619
Archiving	56,920	-
Bank Charges	338	858
Consultant Fees	47,865	52,984
Corporate Projects	8,061	-
LAT Services Fee Expense (NLA Only)	42,000	42,000
Lease Interest	50,129	47,699
Registrations	368	-
NLA Cost Recoveries	9,997	6,569
Total Other Expenses	217,962	151,729
Total Other Expenses	367,679	298,020

Significant archiving expenditure was incurred in 2021 as a result of the flood damage to the basement of the Hobart office. An insurance claim partially covered these costs.

	30-JUNE-21 (\$)	30-JUNE-20 (\$)
12. Depreciation and Amortisation Expenses		
Depreciation - Office Equipment	153,504	115,468
Depreciation - Furniture & Fittings	3,749	1,085
Depreciation - Leasehold Improvements	13,261	16,148
Depreciation - Buildings	8,409	8,409
Depreciation - Software (Intangibles)	19,554	11,051
Amortisation - Leases	353,185	317,402
Total Depreciation and Amortisation Expenses	551,662	469,564
13. Debts Written Off		
Civil Disbursements Fund - Write-Offs	17,203	5,081
Total Debts Written Off	17,203	5,081

TLA has considered the impact of AASB 9 Financial Instruments and have concluded that as write-offs are immaterial there is no requirement to further assess a provision allowance for bad debts.

Notes to the Financial Statements

14. Cash and Cash Equivalents

	30-June-21 (\$)	30-June-20 (\$)
Unrestricted Cash and Cash Equivalents		
Cash on Hand – Petty Cash	2,050	2,050
Bank Accounts	3,724,023	3,181,290
	3,726,073	3,183,340
Restricted Cash and Cash Equivalents		
Bank Account	984,255	888,612
Investments – TASCORP No. 2	1,982	1,978
	986,237	890,590
Total Cash and Cash Equivalents	4,712,310	4,073,930
Held as		
Operating Cash	3,726,073	3,183,340
State Civil Law Disbursements Fund Loans Scheme	986,237	890,590
Total and Balance as per Statement of Cash Flows	4,712,310	4,073,930

Restricted Cash and Cash Equivalents - Civil Law Disbursements Fund Loans Scheme

The Civil Law Disbursements Fund Loans Scheme was established in June 2004.

The restricted amounts include previous State Government and Solicitors Guarantee funding, as well as receivable disbursement recoveries to form the total restricted accumulated reserve balance of \$1,160,830 (2020: \$1,148,140).

The Scheme provides eligible applicants access to legal aid for disbursement costs, such as medical reports and court filing fees, in State Civil Law matters. The disbursements made are recovered upon successful completion of the matter. A small premium is applied as a buffer against actions that are unsuccessful, and disbursement loans deemed unrecoverable. Unrecoverable loans for 2021 are shown at Note 13.

	30-JUNE-21 (\$)	30-JUNE-20 (\$)
15. Investments		
Term Deposit	3,421,000	2,821,391
Total Investments	3,421,000	2,821,391

TLA has continued to hold a balance of cash in short term investments. These investments included terms greater than 3 months but no more than 8 months. Investments are held with major financial institutions.

Notes to the Financial Statements

	30-JUNE-21 (\$)	30-JUNE-20 (\$)
16. Receivables		
Contributions Receivable	16,019	19,610
Provision for Doubtful Debts	(2,000)	(2,000)
Loan - Civil Disbursement Fund	164,143	250,014
Accounts Receivable	488,529	157,913
Goods and Services Tax (GST)	8,719	63,254
Grants Receivable	-	523,270
Total Receivables	675,410	1,012,062

Contributions Receivable

Contributions consist of small amounts owing by clients as a contribution toward the cost of their legal matter. At the conclusion of each financial year a provision for impairment is recalculated. This estimate is made after a review of the current debtor's portfolio and the likelihood of payments being made. The provision consists of small contributions unlikely to be paid for which recovery action is considered uneconomical.

Civil Law Disbursement Fund Loans

Civil Law Disbursement Fund Loans are those amounts recoverable from the proceeds of successful actions by civil law litigants supported by the State Government Civil Law Disbursement Fund Loans Scheme. The loans are recovered with the addition of a small premium which is reinvested into the fund, to offset any failed or unsuccessful actions which may be written off. Details of loans written off are detailed in Note 13.

Accounts Receivable

Accounts Receivable consists of amounts owing by other Legal Aid State Branches for reimbursement of National Legal Aid Secretariat (resident in TLA) expenditure incurred, as well as amounts owing from the Attorney General's Department for other grant monies that are receivable and CDF disbursement recoveries.

Notes to the Financial Statements

Grants Receivable

There are no Grants Receivable at 30 June 2021. Grants Receivable are funds agreed upon but not yet received at 30 June 2021.

All Contributions and Accounts Receivable owing except those identified as impaired are considered receivable.

2021	Gross Amount	Past Due and Impaired	Due < 30 Days	Past Due but not Impaired 31 – 60 Days	Past Due but not Impaired 61 – 90 Days	Past Due but not Impaired > 90 Days
Contributions Owing	16,019	2,000	3,310	4,320	1,815	6,574
Accounts Receivable	488,529	-	488,529	-	-	-
	504,548	2,000	491,839	4,320	1,815	6,574

2020	Gross Amount	Past Due and Impaired	Due < 30 Days	Past Due but not Impaired 31 – 60 Days	Past Due but not Impaired 61 – 90 Days	Past Due but not Impaired > 90 Days
Contributions Owing	19,610	2,000	6,031	3,276	2,459	7,844
Accounts Receivable	157,913	-	157,913	-	-	-
Grants Receivable	523,270	-	523,270	-	-	-
	700,793	2,000	687,214	3,276	2,459	7,844

Notes to the Financial Statements

	30-JUNE-21 (\$)	30-JUNE-20 (\$)
17. Non-Current Assets		
Property, Plant and Equipment		
Land & Buildings		
Land and Buildings at Cost	405,236	405,236
Revaluation of Land and Buildings	149,534	71,836
Accumulated Depreciation of Land and Buildings	(136,060)	(127,650)
Total Land & Buildings	418,711	349,422
Office Equipment		
Office Equipment at Cost	506,017	395,879
Accumulated Depreciation of Office Equipment	(474,815)	(343,581)
Total Office Equipment	31,202	52,298
Furniture and Fittings		
Furniture and Fittings	22,340	19,676
Accumulated Depreciation of Furniture and Fittings	(18,074)	(14,325)
Total Furniture and Fittings	4,266	5,352
Leasehold Improvements		
Leasehold Improvements at Cost	217,753	209,589
Accumulated Amortisation of Leasehold Improvements	(183,419)	(170,158)
Total Leasehold Improvements	34,334	39,431
Total Property, Plant and Equipment	488,513	446,502
	30-JUNE-21 (\$)	30-JUNE-20 (\$)
Intangibles		
Software Assets	643,546	603,623
Accumulated Amortisation of Software	(617,541)	(597,987)
Total Intangibles	26,005	5,637

The movement in the carrying amounts for each class of property, plant and equipment is reflected as follows:

	30-June-2021 (\$)	30-June-2020 (\$)
LAND & BUILDINGS		
Opening Written Down Value	349,422	357,831
Revaluation	77,698	-
Depreciation Expense	(8,409)	(8,409)
Closing Written Down Value	418,711	349,422

A formal independent valuation of TLA's Freehold Property was obtained in October 2020 from Opteon Property Group Pty Ltd. The valuation was based on current market value on "an existing use" basis. The property has been revalued in line with the prepared valuation. TLA's policy is to review the value of its freehold property every 4 years.

Notes to the Financial Statements

	30-June-2021	30-June-2020
	(\$)	(\$)
OFFICE EQUIPMENT		
Opening Written Down Value	52,298	75,930
Additions	132,408	91,835
Depreciation Expense	(153,504)	(115,467)
Closing Written Down Value	31,202	52,298

	30-June-2021	30-June-2020
	(\$)	(\$)
FURNITURE & FITTINGS		
Opening Written Down Value	5,352	6,437
Additions	2,663	-
Depreciation Expense	(3,749)	(1,085)
Closing Written Down Value	4,266	5,352

	30-June-2021	30-June-2020
	(\$)	(\$)
LEASEHOLD IMPROVEMENTS		
Opening Written Down Value	39,431	46,274
Additions	8,164	9,305
Depreciation Expense	(13,261)	(16,148)
Closing Written Down Value	34,334	39,431

	30-June-2021	30-June-2020
	(\$)	(\$)
INTANGIBLES		
Computer Software		
Opening Written Down Value	5,637	6,746
Additions	39,923	9,942
Amortisation Expense	(19,555)	(11,051)
Closing Written Down Value	26,005	5,637

TLA developed a Case Management System with an “Off the Shelf” development application, which was deployed in July 2007. Costs represent software acquisition costs, installation and development.

Notes to the Financial Statements

18. Impairment of Assets

There were no indications of impairment of property, plant and equipment and intangible assets at 30 June 2021.

19. Right-of-Use Assets

	158 Liverpool Street, Hobart (\$)	64 Cameron Street, Launceston (\$)	Total (\$)
Carrying value at 1 July 2020	2,032,734	201,393	2,234,127
Adjustment for Changes in Lease Conditions	191,240	(3,943)	187,297
Lease amortisation expenses included in Note 12	(264,107)	(89,078)	(353,185)
Carrying value at 30 June 2021	1,959,867	108,372	2,068,239

The Adjustment for Changes in Lease Conditions has been made to reflect the CPI uplift in the lease value.

	30-JUNE-21 (\$)	30-JUNE-20 (\$)
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20. Payables

Accrued Employee Entitlements	202,496	128,035
Other Operating Costs	334,477	392,500
Total Payables	536,974	520,535

	30-JUNE-21 (\$)	30-JUNE-20 (\$)
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21. Contract Liabilities

Unexpended Grants	1,192,046	822,750
Total Contract Liabilities	1,192,046	822,750

	30-JUNE-21 (\$)	30-JUNE-20 (\$)
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22. Provisions

Current		
Provision for Annual Leave	542,719	536,439
Provision for Long Service Leave	636,387	674,627
Total Current	1,179,106	1,211,066

Non-Current		
Provision for Long Service Leave	173,279	140,494
Total Non-Current	173,279	140,494

Total Provisions	1,352,385	1,351,560
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Notes to the Financial Statements

23. Contingent Liabilities

The organisation does not have any contingent liabilities or claims of a material nature which have not already been disclosed in these financial statements.

24. Commitments for Expenditure

Legal Case Commitment

At 30 June 2021 TLA's case management system disclosed a commitment of \$1,404,161 (2020: \$1,183,336) in respect of applications for legal assistance made and accepted by TLA or its predecessors and which had not been paid or accrued as at the end of the financial year. The commitment was estimated on the basis of scale fees and/or hourly rates, depending on the nature of the action concerned and includes possible future recoveries.

Lease Commitments

TLA has elected not to recognise right-of-use assets and lease liabilities arising from short-term leases and leases for which the underlying asset is of low-value. An asset is considered low-value when it is expected to cost less than \$10,000.

TLA has recognised all lease commitments in excess of the above threshold in accordance with AASB 16. These lease arrangements are summarised as follows:

Right-of-Use Asset	Details of Leasing Arrangement
158 Liverpool Street, Hobart	5 year lease, term ending 30 June 2024. Option for additional 5 year lease, extending term to 30 June 2029.
64 Cameron Street, Launceston	5 year lease, term ending 31 August 2022.

Current	30-June-21 (\$)	30-June-20 (\$)
Lease Liabilities	311,998	302,044
Non-current		
Lease Liabilities	1,836,481	1,954,733
Total	2,148,479	2,256,777

The following amounts are recognised in the Statement of Comprehensive Income:

	30-June-21 (\$)	30-June-20 (\$)
Interest on lease liabilities included in Note 11	50,129	47,699
Lease amortisation expenses included in Note 12	353,185	317,402
Net expenses from leasing activities	403,314	365,101

Notes to the Financial Statements

	30-JUNE-21 (\$)	30-JUNE-20 (\$)
25. Reconciliation of Net Operating Surplus to Net Cash Flows Provided by/(Used In) Operating Activities		
Cash flows from operating activities		
Net Surplus	361,902	9,320
Non-Cash Items		
Depreciation and Amortisation	551,662	469,564
Total Non-Cash Items	551,662	469,564
Change in assets and liabilities		
Decrease / (Increase) in Receivables	336,652	(475,149)
Decrease / (Increase) in Other Assets	79,967	(21,991)
Increase / (Decrease) in Provisions	825	79,830
Increase / (Decrease) in Payables	16,439	175,883
Increase / (Decrease) in Contract Liabilities	369,296	46,483
Total Change in assets and liabilities	803,179	(194,944)
Total Cash flows from operating activities	1,716,743	283,940

26. Reconciliation of Liabilities Arising from Financing Activities

Lease Liabilities	
	\$
Balance as at 30 June 2020	2,256,777
Additions	-
Other Movements	187,298
Cash Repayments	(295,596)
Balance as at 30 June 2021	2,148,479

Lease Liabilities	
	\$
Balance as at 30 June 2019	292,935
Additions	2,258,593
Cash Repayments	(294,751)
Balance as at 30 June 2020	2,256,777

The *Other Movements* reflected in the reconciliation above correspond to the adjustment for changes in lease conditions referred to in note 19. This adjustment has been made to reflect the CPI uplift in the lease value.

Notes to the Financial Statements

27. Financing Facilities Available

	30-June-21	30-June-20
	(\$)	(\$)
Facility Limit	83,000	63,000
Less Used / Committed	(12,472)	(5,171)
	70,528	57,829

The nature of the credit facility is a corporate credit card facility, which is direct debited against TLA's main operating bank account on a monthly basis. It is primarily used for travel.

28. Events Occurring after Balance Date

There were no events occurring after balance date which relate to any conditions existing at balance date or were material in relation to the financial statements.

29. Remuneration of Auditors

	30-June-21	30-June-20
	(\$)	(\$)
Audit Fee	25,850	25,090
	25,850	25,090

The Tasmanian Audit Office audits the accounts of TLA. The audit comprises the annual financial statement audit.

Notes to the Financial Statements

30. Remuneration of Commissioners

30-June-21					
		Short-Term Benefits		Long-Term Benefits	Total Benefits
Commissioners	Band	Salary	Other Benefits	Superannuation	Total
3	\$0 - \$10,000	19,574	-	1,859	21,433
1	\$10,001 - \$20,000	11,209	-	1,065	12,274
1	\$20,001 - \$30,000	21,020	-	1,997	23,017
5	Remuneration Total (\$)	51,803	-	4,921	56,724

30-June-20					
		Short-Term Benefits		Long-Term Benefits	Total Benefits
Commissioners	Band	Salary	Other Benefits	Superannuation	Total
1	\$0 - \$10,000	8,440	-	802	9,242
2	\$10,001 - \$20,000	22,504	-	2,138	24,642
1	\$20,001 - \$30,000	21,098	-	2,004	23,102
4	Remuneration Total (\$)	52,042	-	4,944	56,986

Commissioners are remunerated on an annual basis and superannuation is also paid to these Commissioners in accordance with the superannuation guarantee legislation. There were no leave benefits, termination benefits, or other benefits paid to any Commissioner in the 2020 or 2021 financial years.

Notes to the Financial Statements

31. Remuneration of Key Management Personnel

The number of Key Management Personnel, excluding Commissioners, whose total salaries, superannuation and other benefits for the financial year fall within the following bands are:

		30-June-21				
		Short-Term Benefits			Long-Term Benefits	Total Benefits
Number of Employees	Band	Salary	Allowances	Leave Benefit	Super	Total
1	\$140,001 - \$160,000	143,330	480	(3,037)	13,549	154,322
1	\$220,001 - \$240,000	190,994	16,836	4,044	19,744	231,618
2	Remuneration Total (\$)	334,324	17,316	1,007	33,293	385,940

		30-June-20				
		Short-Term Benefits			Long-Term Benefits	Total Benefits
Number of Employees	Band	Salary	Allowances	Leave Benefit	Super	Total
2	\$60,001 - \$80,000	120,438	160	3,835	11,414	135,847
1	\$220,001 - \$240,000	186,005	16,900	7,870	19,276	230,051
3	Remuneration Total (\$)	306,443	17,060	11,705	30,690	365,898

No termination or other benefits have been paid other than what has been reflected above.

Notes to the Financial Statements

32. Related Party Transactions

Some Commissioners are associates with private legal firms to which TLA made grants payments. These payments are for external legal services only at the standard rate. Commissioners have not been engaged to provide any contracted services other than those associated with granted legal service arrangements.

Key Management Personnel are deemed to be any person(s) having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly, including any director (whether executive or otherwise) of that entity is considered a key management personnel.

All transactions with the private legal firms were conducted on an arm's length basis in the normal course of business and on standard terms and conditions.

Details of Commissioners and their associated entities, along with key personnel and their positions, are listed as follows:

Commissioners	Practice / Employer	Position
Patrick Lunn	Simmons Wolfhagen	Managing Director
Naomi Walsh	University of Tasmania	Teaching Fellow
Gavin Wailes	Department of Justice	Director of Finance
Julia Higgins - Ceased November 2020	Bishops	Partner
Matthew Verney - Commenced November 2020	Matthew Verney Lawyers	Proprietor

Key Management Personnel	Position
Vincenzo Caltabiano	Director, TLA
Andrea Ramondino	Associate Director - Business Services, TLA

33. Client Trust Funds

TLA did not hold client funds in a Trustee capacity pending final settlement of case files as at 30 June 2021 (2020 Nil).

Notes to the Financial Statements

34. Underlying Operating Result

TLA receives the majority of funds from Federal and State Government grants ('base grants'). With these grants TLA manages the legal aid service, provides in-house legal advice, education and representation to those who meet the eligibility criteria, including availability of funding. The balance of the grant funds are granted to the private sector to provide representation to those that meet the eligibility criteria, including availability of funds. There is no specific obligation to grant funds to the private sector.

Under the current AAS the grants are deemed non-reciprocal, particularly on the basis there is no specific obligation associated with the provision of base grants, which means TLA as a not-for-profit entity is not permitted to match the costs associated with the grants with grant revenue. Rather, all grant revenue is recognised on receipt. For profit entities can match the recognition of revenue with the related expenditure. Given there is a timing difference between the granting of legal aid and the payment of that aid, there is a disconnect between the recognition of revenue and the expenses associated with that revenue, which results in an overstatement of the operating result of TLA.

In addition, taking up a liability on the granting of aid to the private sector, though the majority of aid granted is subsequently paid, has not been deemed to meet the definition of a liability under AASB 137 *Provisions, Contingent Liabilities and Contingent Assets*. Larger Legal Aid jurisdictions are taking up a liability for work deemed completed by the private sector on aid granted and unpaid, based on actuarial calculations. The liability of granted but unpaid legal aid is identified in this financial report by way of commitment at Note 24.

TLA for a number of years paid out additional aid based on accumulated surpluses that did not include a provision for legal aid granted and unpaid. The below table identifies the accumulated surplus position when granted but unpaid aid is factored into the financial statements.

Underlying Accumulated Surplus	30-June-21	30-June-20
	(\$)	(\$)
Accumulated Surplus	4,455,447	4,106,236
Granted but unpaid at 30 June	(1,404,162)	(1,183,336)
Accumulated Surplus Including Granted but Unpaid Aid	3,051,285	2,922,900
Underlying Net Surplus / (Deficit) for the Year		
Net Surplus for the Year	361,902	9,320
Movement in Granted but Unpaid Aid	(220,826)	(233,415)
Net Surplus / (Deficit) Including Movement of Granted but Unpaid Aid	141,076	(224,095)

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