

Quarterly Report

Quarter 3, 2021/22 | January – March 2022

Legal
Aid For
Tasmanians

Director's Report

The return of COVID-19 has affected our community in many ways.

The lessons from the 2020 COVID-19 experience meant that TLA was well prepared when COVID-19 returned at the start of the year. TLA continued to deliver services with minimal disruption. Staff did a tremendous job in adjusting work practices to ensure that people continued to receive the help they needed.

COVID-19 has had an impact on clients in a range of ways. People have been less willing to seek out help, particularly where it involved attending in person. It also reduced the capacity to deliver community legal education sessions.

The suspension of trials and other measures taken to manage the spread of COVID-19 has resulted in a delay in cases being heard. This has consequences for everyone involved – parties, witnesses, and legal representatives. TLA is working with others in the justice system to find ways of having cases dealt with as quickly as possible. This includes the review of the preliminary proceedings changes introduced in July 2021.

The delay in court hearings has also meant that while funding has been granted for cases, payments are lower than expected, as cases have not been dealt with. This, combined with other factors such as recently received additional funding, and some staff vacancies, means that TLA is likely to end the financial year with a surplus.

Making the process of getting legal aid easier helps clients and the hard-working practitioners who deliver services. TLA has taken several steps to reduce the administrative burden of applying for legal aid. The new trail grants arrangement means lawyers will no longer need to make daily requests for funding. This gives practitioners greater certainty and allows them to focus more time on helping their clients.

The review of the structure of grants of aid for summary criminal law cases is also progressing well. The initial consultation with lawyers and others in the justice system indicated overwhelming support for a more simplified process that reduces the need to seek multiple extensions of legal aid and provides more certainty. A draft structure is being prepared and will be circulated for comment soon.

Vincenzo Caltabiano
TLA Director



Website
views
158,351



Telephone
services
12,549



New grants
of aid
1,195

The lessons from the 2020 COVID-19 experience meant that TLA was well prepared and able to continue to deliver services with minimal disruption.

Just Healthy Families – A Health Justice Partnership

When people do seek advice, they often speak with non-legal professionals such as a healthcare practitioner.

Just Healthy Families, Tasmania's first Health Justice Partnership, has been established by Women's Legal Service Tasmania and Tasmania Legal Aid.

Health Justice Partnerships deliver integrated, person-centred legal support response in community settings where people are more likely to attend when seeking help. Very often people do not even realise that their issue is a legal problem.

Just Healthy Families, a two-year pilot, provides free, confidential legal help to people at risk of, or experiencing, family violence. This includes addressing immediate risk and linking them with relevant services.

Lawyers will be available at community settings such as Child Health and Parenting centers, Child and Family Learning Centers and the Hobart Women's Shelter. This often enables people to make contact with a lawyer at an early stage.

The pilot has been established thanks to funding from the Tasmanian Community Fund, supplemented by additional funding from government. UTAS and Law and Justice Partners are also contributing time to help ensure the success of the initiative.

Three lawyers have been engaged to deliver services in the North, Northwest and Southern regions. They can assist with a range of legal issues including Family Violence Restraining Orders, family law parenting agreements, family law property settlements and representation in court for certain matters.

Just Healthy Families also provides community legal education sessions and workshops across Tasmania to empower the community in addressing and preventing family violence.

Women leaders shining at TLA

Recent manager appointments at TLA highlights the strength of our female staff as leaders in the legal profession.

The recent appointment of Simone Watson (Hobart Family), Sally Hunt (Launceston Family), Lucy Flanagan (Launceston Crime) and Kirsten Abercromby (Burnie/Devonport Crime) as managers of Family and Criminal Law practices has been welcome by staff and the justice sector.

Each brings many years of experience to their new role, together with a passion for assisting their clients.

The appointments brings the proportion of managers roles at TLA held by women to almost 70%.

TLA's evidence to the Disability Royal Commission

Tasmania Legal Aid gave evidence to the Disability Royal Commission hearings focusing on women and girls with disability who experience family or sexual violence.

Our witness statement noted the high proportion of women and girls with disability (29%) assisted by our family violence team.

While recognising the benefits of the state-wide Safe at Home coordinated response to people experiencing family violence, we noted that women and girls with disability often face particular barriers to leaving violent relationships, including not being believed when they report their experience. They are also at higher risk of being misidentified as the perpetrator rather than the victim.

TLA Director, Vincenzo Caltabiano, said that these issues, combined with the lack of alternative housing, have significant consequences for the safety of women with disability and their ongoing care of children. The statement concludes with recommendations to address these issues. These include establishing a specialist multidisciplinary disability legal service, further training for professionals across the justice system and increased housing options.

Vincenzo thanked TLA staff for their great work preparing the statement and supporting clients, and our clients for sharing their stories.

TLA's witness statement is available [here](#) and the transcript of the hearing is available [here](#).

The Rosie Smith Scholarship launched



L-R: Clair Andersen, Aboriginal Higher Education Advisor, UTAS; Prue Cameron, TLA Policy Officer; Rosie Smith; Vincenzo Caltabiano, TLA Director; Caroline Spotswood, Head of Service - Riawunna and Patrick Lunn, TLA Board Chair.

The Rosie Smith Law Scholarship for Aboriginal and Torres Strait law students was announced this month with a formal launch held at UTAS on 10 March.

TLA is proud to partner with Riawunna Centre for Aboriginal Education and the Faculty of Law at UTAS to offer this scholarship.

It is named in honour of Rosie Smith, one of the first Aboriginal law graduates at UTAS, whose outstanding career includes a key role in the Koori Courts of Victoria. The Scholarship offers financial assistance, academic support and internships and clinical placements at TLA.

The scholarship aims to encourage and support more Aboriginal and Torres Strait Islander law students to graduate and pursue careers in the law. The scholarship is awarded to an Aboriginal and/or Torres Strait Islander first year law student annually commencing in 2022.

The scholarship is an initiative of TLA's Reconciliation Action Plan.

Find out more about [The Rosie Smith Scholarship](#) and [TLA's Reconciliation Action Plan](#).

Client Safety Framework project

Family violence is a factor in the lives of most TLA clients, across all our legal practice areas. Many clients experience high levels of distress and may pose a threat of harm to themselves or others. These safety risks arise in a wide range of situations, including in the context of family violence. Legal practitioners can play a key role by helping to reduce safety risks and achieve better legal outcomes for affected clients.

TLA's Client Safety Framework (CSF) was developed to improve the safety of our clients by building staff skills and capabilities to better identify and respond to clients at risk of family violence and self-harm.

The CSF is a client safety tool that is being implemented across the organisation. The CSF provides guidance and direction for TLA staff to help identify and respond to family violence and suicide risk. It is designed specifically for the legal practice context and assists our staff to help clients reduce the risk of harm and improved legal outcomes.

Training was delivered to staff to support the implementation of the CSF in their work practice. Following the training staff reported feeling better equipped to deal with situations that arose.

TLA will continue to build on the work we began with the CSF project. Current initiatives include:

- Ongoing training and information sharing to ensure staff have access to current research and best practice
- A Family Violence Victim/Survivors Advisory Group with people who have lived experience helping us to design and deliver more responsive and effective services that support our advocacy work
- A review of our Family Dispute Resolution service to ensure that it promotes the safety of participants.

For any questions regarding the CSF, please contact Prue Cameron, Senior Policy and Projects Officer at prue.cameron@legalaid.tas.gov.au

Service Delivery Summary



| | |
|--|----------------|
| New grants of aid | 1,195 |
| Grant extension requests processed | 5,821 |
| New grants assigned to private profession | 57% |
| Private Practitioners Payments (ex. GST) | \$1.4m |
| Duty lawyer services | 1,303 |
| Family Dispute Resolution conferences held | 65 |
| New Mental Health Tribunal files | 70 |
| Face-to-face advice services | 878 |
| Website page views | 158,351 |
| Telephone services total | 12,549 |

Financial Summary



| | |
|---------------------------------|--------------------|
| Commonwealth Funding: | \$2,143,843 |
| State Funding: | \$2,668,598 |
| Other Income: | \$85,581 |
| TOTAL INCOME: | \$4,898,022 |
| TOTAL EXPENDITURE: | \$4,507,851 |

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

CLEI Program



| Audience | Sessions | Participants |
|---------------------|-----------|--------------|
| School students | 30 | 1,640 |
| Family Law services | 3 | 20 |
| Civil Law services | 1 | 25 |
| Other services | 8 | 64 |
| TOTAL | 42 | 1,749 |

