



# Annual Report

2021/22

Tasmania  
Legal Aid

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### Acknowledgement of country

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

# Our Organisation

## Our vision

All Tasmanians are safe, respected and have their voices heard.

## 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
- To support and advocate for vulnerable and marginalised Tasmanians
- To work with our clients, staff, legal partners and community to improve the legal system.

## Our values

- Honesty
  - We communicate openly and clearly
  - We provide clear, accurate and realistic advice; are accountable to our clients, our partners and our community.
- Courage
  - We speak up, listen to different views, and willingly take on feedback
  - We advocate for our clients, our sector and our organisation; are open to new ideas and adaptable to change.
- Engagement
  - We are involved in the design of services, programs and policies
  - We are committed to the best outcomes for our clients and our community; and work collaboratively with our partners and our clients.

# Chair's report

On behalf of the Board I congratulate our Director, Vincenzo Caltabiano, the management team, all practitioners and our support staff for the sophisticated planning, development and implementation that goes into the delivery of services to our clients.

The Board has seen an increasing level of responsibility by management in the development of policies and procedures affecting their areas of practice, ensuring not only the personal and professional growth of management and their teams, but the tailoring of services that are better informed by those closer to the frontline of our services, and the recipients of our services.

The quality of reporting to the Board is of a very high standard. Policies developed to improve our service delivery have become increasingly sophisticated; and we have been really pleased to see the executive leading their areas of practice.

Mr. Caltabiano is to be congratulated for guiding and supporting management to improve how we deliver services to our clients, and giving all staff the opportunity to contribute to TLA's success as a leader in the delivery of legal aid, in all its forms, to Tasmanians.

This year we:

- Supported people to make submissions to the Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings
- Gave evidence to the Disability Royal Commission (page 36)
- Engaged with stakeholders on issues that matter including: the Family Law Cross-Examination scheme; the implementation of our Reconciliation Action Plan (page 33); the implementation of the *Magistrates' Court Criminal and General Act*; our management of client confidential information; our Children First Report (page 36); the development of the new Burnie Court and reforms
- Contributed to law reform including: addressing the criminal law backlog, submissions about the phasing out of suspended sentences and the Family Violence Reform Bill; a review of the Tasmanian Law Reform Institute, and a review of the *Mental Health Act* (page 37)
- Advocated for reforms to the criminal justice system including ongoing advocacy to increase the minimum age of criminal responsibility in Tasmania to 14 (page 36)

- Collaborated with Women's Legal Service Tasmania to create Tasmania's first health justice partnership, Just Healthy Families (page 37)
- Developed guidelines for representation for Dangerous Criminal and High Risk Offender orders and separate representatives at TASCAT
- Regularly reviewed our Risk Register that covers, amongst other things: funding revenue; strategies; stakeholder engagement; workplace health and safety; culture and people; accounting and financial reporting and operational governance
- Developed strategies to support the work across our organisation including: Client Safety (page 35), Investment, People and Culture, Communications, Community Legal Education, and our use of digital technology (page 34)
- Collaborated with UTAS to establish a scholarship for Aboriginal law students, the Rosie Smith Scholarship (page 33)
- Implemented our Client Engagement Strategy so our services are informed by client experience (page 30)
- Revised our Finance and HR Policy, our Finance, Contact and HR Delegations policy and our Finance and HR Procedures policy
- Supported staff through increased professional development, and hosted an All Staff day
- Published the ICL Practice Standards and Guidelines, an Australian first (page 31).

I thank my fellow Commissioners: Mr Vincenzo Caltabiano, Ms Naomi Walsh, Mr Gavin Wailes and Mr Matthew Verney for their contributions to the Board.

The Board would like to thank Mr. Andrea Ramondino, Associate Director – Business Services, and Mrs Leesa Glidden for their support to the Board.

We are looking forward to another year where TLA continues to advocate for a Tasmania where all Tasmanians are safe, respected and have their voices heard. We thank all staff, our stakeholders and clients in helping us towards that goal.



Patrick Lunn  
Chair

## Director's report

The 2021-22 year saw Tasmania Legal Aid continuing to work toward our vision of a Tasmania in which everyone is safe, respected and has their voices heard.

The year had a focus on voice. We conducted a comprehensive Client Satisfaction Survey which provided useful feedback about our services. Clients reported a high level of satisfaction and that: staff listened (80%), the advice was helpful (74%) and the service met their expectations (66%). There was also feedback for areas of improvement, particularly about the response to family violence and dispute resolution services. This feedback has informed the review of our Family Dispute Resolution Service, which is working with our new Family Violence Reform Group, made up of seven family violence victim-survivors, to provide a more client focused service.

As part of our Reconciliation Action Plan, we have worked with the Aboriginal community on initiatives to increase our understanding and responsiveness. The establishment of a First Nations Advisory Group creates an opportunity for us to draw on the knowledge and experience of Tasmanian Aboriginal community members to help shape our services. We were very pleased to launch the Rosie Smith Law Scholarship, in conjunction with the Riawunna Centre and the UTAS Law School. The recipient will receive practical experience and mentoring at TLA throughout their studies.

The launch of the Independent Children's Lawyers Practice Standards and Guidelines was a major step to improving the voice of children. This Australian first sets out a child focused approach to ensure that children are heard in the disputes about them. The Guidelines were launched by the Chief Justice of the Federal Circuit and Family Court, the Honourable William Alstergren, who praised them as an excellent resource for practitioners as they undertake this important work.

We continued to work to support people wishing to tell their story to the Disability Royal Commission, the Royal Commission into Defence and Veteran Suicide, and the Tasmanian Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings. In evidence to the Disability Royal Commission, we

highlighted the challenges faced by women and girls with disability who experience family violence.

Throughout the year TLA has continued to draw on our experience to make evidence-based contributions to legal system reform. We made submissions about changes to the law on strangulation and stealthing, the Youth Justice Review, Suspended Sentences, and the review of the Tasmanian Law Reform Institute, among others. Recently TLA identified a problem in the process of issuing a subpoena in family violence cases. In response to our advocacy, the law was amended to remedy the problem.

The return of Covid-19 infections in Tasmania earlier in the year presented challenges for TLA and the justice system more broadly. We were well equipped to respond, with staff continuing to deliver services remotely. The commitment of staff has shone through as they worked to overcome obstacles created by Covid-19 to ensure clients received the assistance they needed.

The impact on the courts saw a reduction in the number of cases heard, particularly criminal law cases, in the second half of the year. This, together with difficulties in recruiting staff in a tight labour market, were major contributors to the end of year financial result. We continue to work with our partners in the justice system to make it more accessible and responsive to the needs of all Tasmanians in these challenging times.

In the year ahead, we are continuing to work with our clients and community on a range of initiatives. We are committed to putting our clients at the centre of all we do. Listening and responding to their voices is critical to ensuring not just our services but the justice system as a whole works for our clients, who are often the most marginalised and vulnerable members of the community.



Vincenzo Caltabiano  
Director

# 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, including seven years in the Criminal Law Program 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 conducted the Review of VLA Legal Aid Child Protection Legal Services and was later appointed as Associate Director, Child Protection Transformation at VLA.

He is a member of the Sentencing Advisory Council of Tasmania



### 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. Since November 2021 he has practiced as a Barrister. 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 served as a member of the Disciplinary Tribunal. He is a Senior Member of TASCAT.



### 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.

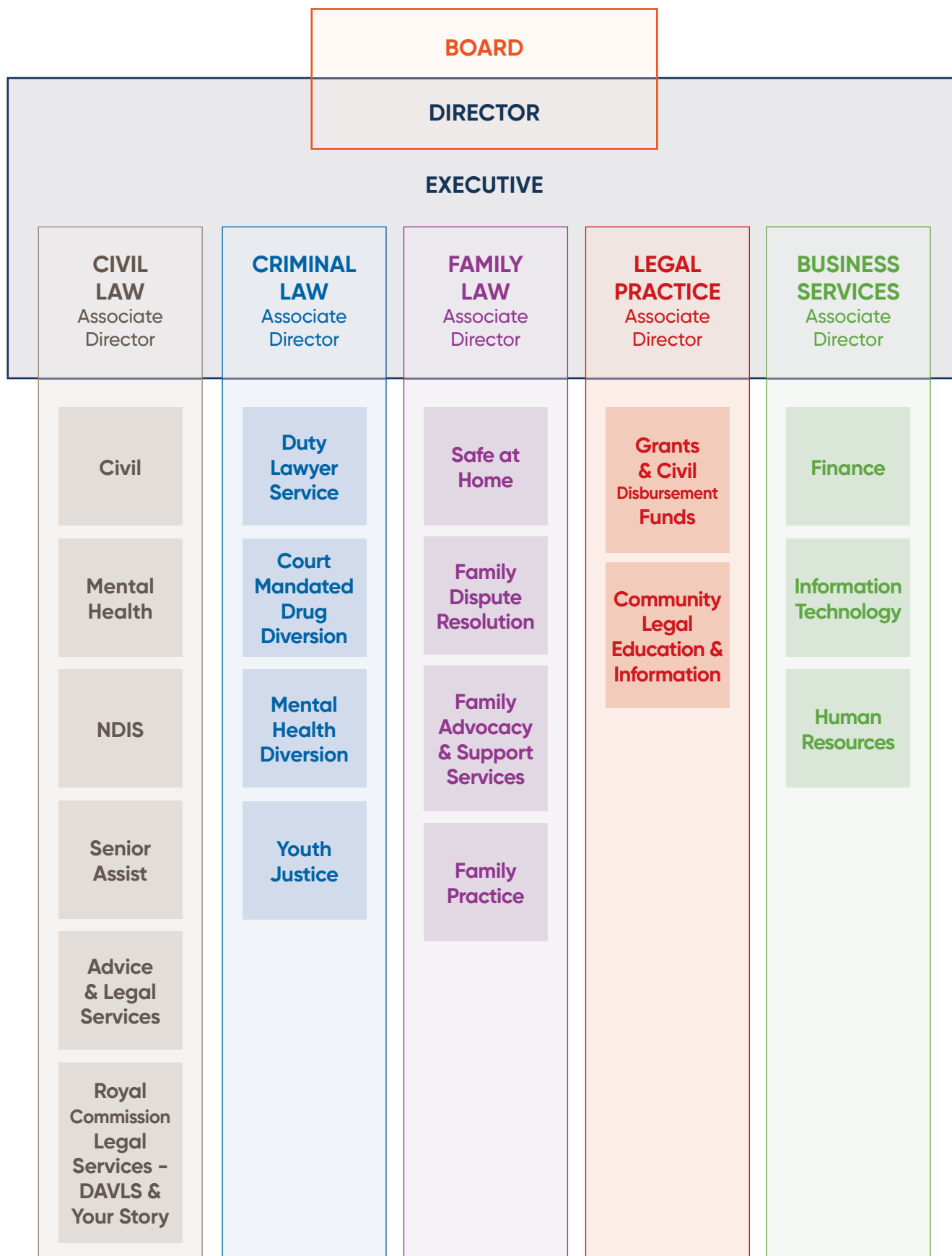


### Naomi Walsh

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.

# Our Organisational Structure





## Our Partnerships

*Part of the healing process for a victim when it comes to telling their story is to know their voice has been heard. Therefore, the value of a client's voice is essential. It brings empowerment and enhances opportunities to share their experiences and encourages the active participation of clients using community services.*

*Participating and being part of the group has broadened my knowledge and understanding of how the legal system works. That helps me and means the system better understands me and other people.*

**Sharee Minnekan-Smith,  
Family Violence Reform Group member**

*I walked into Legal Aid a bit of a wreck... Walked out with some certainty and a process to follow.*

*Everyone I dealt with was understanding, helpful and very knowledgeable. I didn't feel judged at all.*

*First person who actually listened to myself and my child. And treated us both with respect. And my child was given a voice.*

**Responses to the TLA Client  
Satisfaction Survey**

*The effort that Tasmanian Legal Aid has made to ensure accountability and community consultation through their Reconciliation Journey has been heartwarming. When orgs take their reconciliation journey, it can often feel like a tick and flick document, so to see how serious TLA has taken this, gives me confidence in their willingness to ensure not only accountability, but a better outcome for First Nations people. Their level of respect for community and culture and their willingness to learn is a breath of fresh air.*

**Bianca Templar  
Aboriginal Community Member**

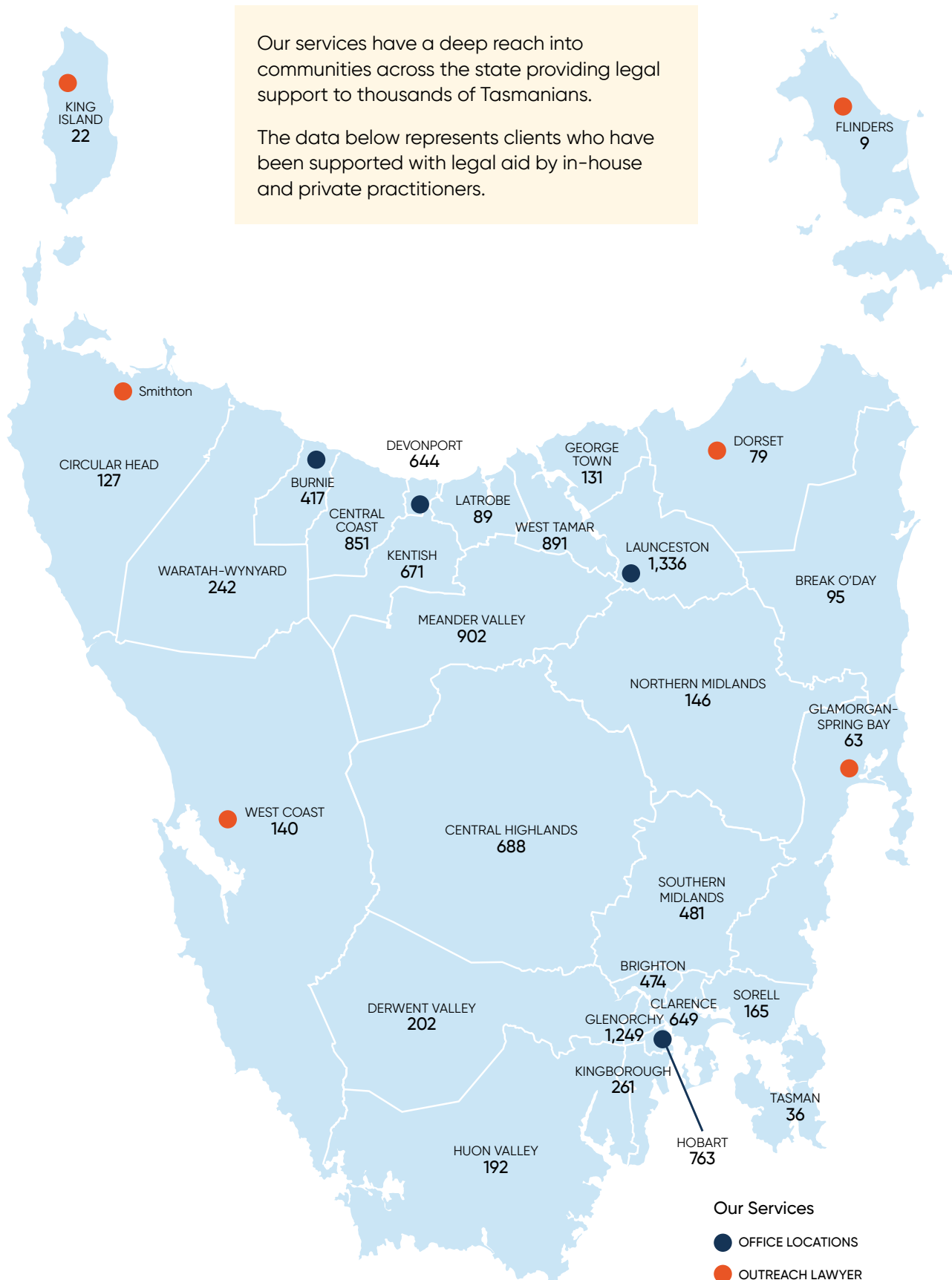
*The Courts, and the Judges and Registrars, are indebted to ICL practitioners for their commitment to justice and achieving outcomes in the best interests of children. Many of those practitioners are from Tasmania Legal Aid, an organisation which does an incredible amount of work, and to which the Courts are very grateful. Without you, we could not do our job.*

**The Honourable Chief Justice FCFCOA,  
William Alstergren**

# Our Clients

Our services have a deep reach into communities across the state providing legal support to thousands of Tasmanians.

The data below represents clients who have been supported with legal aid by in-house and private practitioners.



## Our Clients

**32,455** called us

**3,943** attended a clinic

**2,690** engaged with us via webchat

**8,852** attended a CLE session

**122,000** downloads from our website

**12,015** received ongoing legal assistance

Of these:

**9%** identified as Aboriginal or Torres Strait Islander

**33%** were living with a disability

**3%** needed an interpreter

**44.9%** were female

**55%** were male

**0.1%** other

Age breakdown:

<18 **7%**

18-20 **4%**

21-30 **24%**

31-40 **27%**

41-50 **18%**

51-65 **12%**

65+ **8%**



## Our People

### Our Staff

Staff numbers across offices (at June 30):

**14** North West

**21** North

**58** South

**78** female

**15** male

Our Board: **1** female, **4** male

Our Executive: **3** female, **3** male

Our Management: **10** female, **3** male

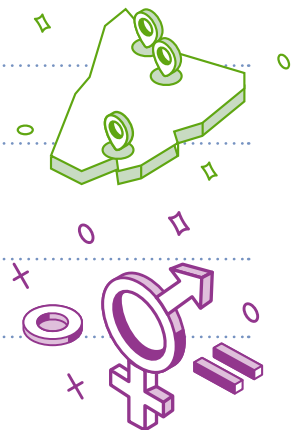
Our clients were assisted by:

**76** private lawyers/firms (see pages 26-28)

**74** total in-house lawyers

Our in-house lawyers also contribute to:

- Community legal education
- Law reform submissions
- Training of the wider profession
- Development of strategies to increase our service efficiency
- Discussions on justice issues affecting TLA clients
- Activities to promote reconciliation
- Publications such as the ICL Practice Standards and Guidelines



# Our Services

# Family Law

Our Family Law team provide services that are focussed on keeping children and families safe.

Members of our family law team represent children as their Independent Children's Lawyer (ICL) in family law cases or as their Separate Representative (SR) in child safety cases. Many of the children we work with are affected by family violence. All ICLs and SRs have specialist training and work with an understanding of the dynamics and impacts of family violence and the impacts of trauma.

In family law cases the ICL gives the child a voice meaningful opportunities to participate in decisions that are being made about them. Our ICLs build rapport with the child, meeting them where the child feels most at ease, and explains the court process to the child in a way that is developmentally appropriate.

The Child Safety system works to protect children who are at risk of abuse or neglect. SRs help the court by making the child's views known and by gathering evidence to inform the court's decision about the child's best interests and what is needed to keep the child safe. Our SRs help families talk about the child's safety and arrange family conferences and other types of conferences. The SR contributes to these conferences by representing the child's views and experiences and ensuring the focus remains on what is best for the child.

In all our family law work we give the children affected a voice. We support families to resolve cases at the earliest opportunity, saving emotional and financial costs for them and the community.



ICL appointments

**153**

SR appointments

**128**

# Safe at Home

Safe At Home (SAH) helps people affected by family violence. Our specialist lawyers work with other government agencies and support services to ensure people experiencing family violence are protected.

When our SAH lawyers meet with a victim of family violence, they carefully document the person's story. In family violence situations, the evidence around the time and place of what happened is not always clear, and a victim of family violence may not even be aware that the more subtle behaviours they have experienced are abuse. Often people know it felt harmful but might blame themselves or not recognise the patterns of manipulation and coercion.

It can be common for victims of family violence to experience subtle forms of control from their partners, such as restricting access to social activities or family and friends or requiring them to make sacrifices relating to their work or joint finances which keep them trapped. Family violence behaviour often starts with non-physical forms of control and abuse and escalates to physical or other obvious forms of violence much later in a long-established pattern of abuse within the relationship. It can also move the other way, physical violence turning to psychological abuse over time.

Our SAH lawyers offer advice, help, representation, and referral for victim-survivors of family violence, including:

- Information about the legal definition of family violence, about coercive and controlling behaviours
- Support if someone needs to report offending to Tasmania Police.
- Information, including referrals to accommodation services, counselling services, and other services who can help.
- Advice about getting or changing Family Violence Orders (including restrictions on contact) and how they affect someone, their property and children
- Advice about related legal problems, such as parenting issues, property settlement, divorce, obtaining or returning personal belongings, criminal charges, or what to do if Child Safety Services become involved with the family
- Representation in court
- Minor assistance services, including writing a letter for someone, reviewing documents or documenting someone's story for preparation of court cases.



Referrals made

**961**

Times met for advice

**814**

People represented in court

**225**

Minor assistance services

**295**

# Family Dispute Resolution

Our Family Dispute Resolution (FDR) team work with separated parents and carers to help them agree on how they will continue to care for their children. This service creates a supportive environment for parents who may not be able to agree completely or work together to come to an agreement on important decisions related to their children. This results in better outcomes for children and reduces the cost and burden on our court system. Each mediation session may take a few hours and parents are offered a further mediation if needed to reach an agreement.

The team includes coordinators and mediators. Each parent is typically helped by their own lawyer. Particular care is given to any parent without a lawyer to ensure that they are fully informed of the process and are enabled to engage fully. The FDR team draw on other TLA services to ensure that parents have every support they need.

The FDR team also conducts property mediations. A trial of lawyer-assisted mediation for family law property cases is being conducted between January 2020 and June 2023. The trial has been successful in helping couples come to an agreement on how they divide their assets without needing to bring the case before the court. This saves time and emotional energy and provides financial certainty for people.

The court can order disputing parents to attend mediation. The court-appointed Independent Children's Lawyers (ICL) can also be involved in a mediation where the perspective of the child is especially relevant.

External child consultants are involved in some mediations to ensure that the voice of the child is represented. The child consultant works with a child to understand their needs and wishes and brings this perspective into the mediation process. Our FDR practitioners observe that when the child's voice is brought into the room there is a shift. Often parents who previously may not have been able to reach agreement do so when their child's voice is represented in the process.



Total conferences held

**350**

Property mediations

**27**

Court ordered mediations

**31**

ICL conferences

**7**

Child inclusive conferences

**31**

Conferences settled

**93%**

# Family Advocacy & Support Service

Family Advocacy and Support Service (FASS) helps families affected by family violence who have a case in court. We recognise that someone with a legal problem may also need help in other areas of their life. Our FASS lawyers work with social support workers to ensure that legal problems are addressed alongside social needs. FASS can also help people who are affected by family violence, FASS can help with a broad range of problems including financial, homelessness, drug and alcohol abuse or mental health issues. We partner with Relationships Australia to deliver FASS around the state.

Our presence at the family law courts enables us to help someone who arrives at court without a lawyer. Our lawyers can give legal advice and information, referrals for ongoing assistance, draft simple court documents and represent someone in court. FASS lawyers can help someone prepare for future court hearings, including what evidence to prepare and what to tell the court.

FASS social support workers help with planning for future court dates especially where there are concerns for safety. They also provide court support, limited counselling and advocacy and referrals to access other services. These services may include crisis accommodation, counselling and other support services. FASS has separate social support services for women and for men.

FASS is available to anyone affected by family violence with a family law case, regardless of gender.



Total people assisted

**1,727**

Services delivered to men

**28%**



## Minor Civil Assistance

Our civil law practice helps people with a diverse range of legal issues. This year we worked on:

- Contract disputes
- Lease disputes
- Motor vehicle accidents
- Issues related to conditions in Department of Housing accommodation
- Appeals to the Supreme Court by self-represented litigants
- Travel disputes arising due to Covid-19 restrictions
- Challenging parking fines
- Consumer disputes
- Restraint orders

We provide legal services to people who can't afford to pay a private lawyer to ensure all Tasmanians are supported to receive a fair outcome. The aim is to keep people out of the court system wherever possible.

Our civil law services include writing letters, preparing documents and advice on settlement options or statements of claim to be lodged as part of civil court proceedings. We also provide general procedural advice and will look over documentation to ensure it is filled out properly and that evidence is in order. Clients may meet with us several times to discuss the next steps until their case is resolved.



Minor assistances

**22**

Advices

**175**

# Advice & Legal Services

Our Advice and Legal Service (ALS) team delivers an essential first step service about any legal issue. ALS provides free statewide first step legal advice and information over the phone and face-to-face at our four offices and via an online chat service called Legal Talk. We are contacted by people from all parts of the State.

People need a legal service to help them understand their rights, navigate the system to resolve their legal issues and get the help they need. During 2021-2022 we heard about a range of issues affecting people – disputes between neighbours, separating couples seeking advice about their children, people charged with offenses, young people wanting to know their rights, people upset about a contract and in need of a lawyer to explain their rights and what to do, to achieve a different outcome. Many questions were also asked about Covid-19 related restrictions and how these affected their rights, work and travel plans.

Many people prefer to contact us on our *Legal Talk* online chat service to receive legal information discretely to help them decide their next step without having to come to an office or speak directly to someone over the phone.

Our ALS team refer our clients to a wide range of other services, knowing that someone with a legal issue may need help from another service too.

Our reception staff make sure that people who come to our offices feel safe, welcome and are treated with respect.



Phone calls received

**32,455**

Face-to-face clinics

**3,943**

Legal Talk chats

**2,690**

# Mental Health & Disability Lawyers

Our mental health lawyers provide legal services to people living with mental illness and other disabilities. We represent people who have hearings in the Mental Health and Guardianship streams of TASCAT and in the Supreme Court.

People who have a treatment order for a mental illness have hearings to make and regularly review their orders. We have ongoing client relationships with people who have long term treatment orders. We work with them to ensure their health and safety is a priority.

Guardianship and Administration orders are made when someone is unable, because of a disability, to make decisions themselves regarding their health and lifestyle. We advise people about their rights and represent them at hearings to ensure that they have the best legal protection possible to be as independent as possible.

We also help people make applications to change forensic orders made by the Supreme Court. These orders are made when a person is charged with a serious offence and is found not guilty because they were mentally ill or unfit to take part in a trial due to mental illness or disability. Forensic orders may include close supervision in the community or dealings with the secure mental health unit (the Wilfred Lopes Centre). These orders do not have an end date so it is really important to apply for their removal when they are no longer needed.



Services provided

**290**

Legal services

**371**

# National Disability Insurance Scheme (NDIS) Appeals Service

Our service helps people living with a disability who want to appeal a decision about their care package. Our lawyers give legal advice to people about the strength of their case, what evidence is needed and the tribunal process. We have two levels of service: representing the person directly or assisting them to represent themselves.

These cases can be complex and lengthy. We typically work with someone for 6 to 12 months. Many of our NDIS clients also have a disability advocate supporting them with their appeal while we provide legal assistance. Our lawyers work with the person and their support team to ensure the best outcome.

In a legal advice session, we look over documents and give advice about what is needed for the next step in the process. We arrange assessments and expert reports, appear at conferences, negotiate settlements and appear at the hearing if agreement has not been reached. This is not a one-off service and continues as often as the person needs. In this way we can help more people resolve their case faster.

Our NDIS lawyers also provide representation on some of the appeals. Due to the increased demand on this service (up 74% from the previous year) we've had to change to advising and supporting clients to self represent, rather than representing them ourselves.

Most people receiving support from our NDIS service have been successful in having the original decision reviewed to get the supports they need to live life well.



Clients seeking assistance

**62**

Represented at Tasmanian Civil and Administrative Tribunal (TASCAT)

**28**

## Senior Assist

Our Senior Assist team help older people who are experiencing elder abuse which can be from a relative or other caregiver. Elder abuse is any action that causes harm to an older person and is carried out by someone they know and trust. Senior Assist lawyers and case managers work together to provide an integrated legal and social work service to clients.

The most common types of elder abuse we see relate to psychological, financial and physical abuse.

Our case managers provide safety planning, counselling and assist people to access the supports they need.

Our lawyers provide legal interventions to stop the elder abuse or ideally with advice to prevent it happening. We assist clients to stop abuse by advising them of their legal options, obtaining restraint orders, helping to remove family members engaging in elder abuse from the older person's home and making referrals to lawyers where court action is needed.

We also regularly meet with the community across the State to give legal information to raise awareness about elder abuse prevention and what Senior Assist can do to help. We provide information on Enduring Powers of Attorney and Guardianship, duties of attorneys and the importance of making a Will.



People who received legal assistance and case worker support

**203**

People engaged in outreach clinics

**60**

# Criminal Law

Our criminal lawyers represent and provide advice to people charged with criminal offences. We work in courts in Hobart, Launceston, Burnie, Devonport, St Helens, Scottsdale, Queenstown and King and Flinders Island. We speak up for vulnerable people who are affected by homelessness, unemployment, mental health issues, addictions, family violence and other difficult circumstances.

Our criminal lawyers are proud of the work they do and excel in the technical and difficult legal aspect of their role - including representation, hearings, pleas of guilty, and trials in the supreme court. Our criminal lawyers are supported by legal secretaries who are motivated to improve the outcomes of vulnerable Tasmanians by increasing the capacity and quality of our services.

We work with children and young people charged with crimes that may have been committed in complex and difficult family settings. We give a voice to the young person to ensure that their life circumstances are understood, to provide them with the services they need and to secure good and just outcomes.

Our duty lawyers represent people who otherwise would have no-one at court to help them. We listen, advise, speak up and give legal information to ensure that they are heard and can navigate their way through a complex legal system. We also regularly appear for people seeking bail, ensuring their voice is heard and their rights are protected.

We represent people who appear in the Court Mandated Drug Diversion Program and the Mental Health Diversion List of the Magistrates Court. These programs work with offenders to break patterns of addiction and address any mental health or cognitive disability needs relating to breaking the law. The programs often involve monthly hearings before the court and encouraging clients between hearings to maintain their treatment and rehabilitation programs.

We work hard to understand people, their histories and circumstances, to deliver them quality legal services. We also often refer people to non-legal support services to ensure that any identified underlying issue can be addressed.



Youth Justice clients

**144**

Youth Justice duty lawyer clients

**212**

Duty lawyer services

**3,677**

Bail applications

**1,414**

Supreme Court cases

**381**

Court Mandated Drug Diversion Program clients

**65**

Mental Health Diversion list clients

**24**

## Grants & Civil Disbursements Fund

Our Grants team enable more Tasmanians to access legal services. If someone has their own lawyer and they are eligible for a grant of legal aid, TLA will pay their lawyer to provide the legal service. Sometimes we refer people who need legal help to an external lawyer with a grant of legal aid because this might be the best way for them to receive the legal service they need. Once a case has received a grant of legal aid, extension payments may be made depending on the progress of the legal case.

Grants of legal aid are administered for family, criminal and civil law cases. The Grants team also distribute funding for specialist legal roles, including for Independent Children's Lawyers (ICLs) to ensure that the voice of children is represented to the court in family law cases where there is a risk of family violence, to Separate Representatives (Sep Reps) in child protection cases, and for the Family Violence Cross-Examination Scheme.

We are also responsible for managing the Civil Disbursement Fund (CDF) on behalf of the State Government. The CDF supports people who have a personal injury or worker's compensation claim and cannot afford to cover costs such as expert reports and witness expenses.

### Reviewing decisions

Any person can ask for an independent review of a decision to refuse an application for legal aid. The Review Committee can affirm, vary or set aside the decision of a grants officer. In the 2021-22 period, 56 review applications were received (1% of applications), 44 were reconsidered after further information was received, 4 were affirmed and 8 were varied.



Applications for grants of aid

**4,903**

Applications approved

**88%**

Extensions

**28,519**

Grants payments

**\$6,034,000**

CDF applications processed

**26**

CDF related payments

**\$67,986**

# Community Legal Education & Information

Our Community Legal Education and Information (CLEI) team meet with the community to give presentations and respond to questions on legal topics that affect many Tasmanians. Our CLEI sessions are regularly conducted in schools, community groups, and workplaces.

Our CLEI team focuses on making the legal system fairer by helping people to understand their legal rights, responsibilities, and options. We inform and educate Tasmanians about the law and how to navigate the legal system.

We understand that people don't usually engage with the legal system until a problem is serious. Going to court is both financially and emotionally costly. Our CLEI service provides information and education early in the case to help prevent people going to court, which can reduce the costs of the overall justice system.

CLEI also provides a range of legal information resources including booklets, pamphlets, self-help kits and fact sheets. CLEI manages all legal information on our website, social media platforms and media channels as well as supports communications between our partners and other service providers.



CLEI sessions

**250**

CLEI session participants

**8,852**

Audience types

**82%** to school students

**9%** to community groups

**9%** to professional service providers



# Support to Commonwealth Royal Commissions

We provide independent legal services to people in Tasmania so that they can safely engage with two current Royal Commissions. We provide legal advice and assist clients to prepare submissions and support them at private sessions and hearings. We also assist with other legal issues that arise and connect our clients with support services including free counselling. Our service is person-centred, trauma informed and culturally safe.

## Disability Royal Commission

The Your Story Disability Legal Support (Your Story) service helps people prepare submissions to the Disability Royal Commission which was set up in April 2019 to investigate violence, neglect, abuse, and exploitation of people with disability.

Your Story works with people living with a disability, their carers and support people who want to engage with the Royal Commission.

Your Story includes a lawyer based at the Tasmanian Aboriginal Legal Service.

Hearings were held in Tasmania in March–April 2022 with a focus on the experience of women and girls living with disability.

## Royal Commission into Defence & Veteran Suicide

Our Defence & Veterans Legal Service (DAVLS) provides legal help to Australian Defence Force personnel and veterans, their families, carers and supporters to engage with the Royal Commission into Defence and Veteran Suicide.

The Royal Commission was announced in July 2021 with the final report and recommendations due by June 2024. Hearings are scheduled for Hobart in July 2022.



# Legal services made by private lawyers

We provide legal services through a mixed delivery model. We have in-house lawyers who serve clients directly; we also administer grants of aid for clients whose legal services are delivered by a private lawyer.

In 2020–21, 76 private lawyers/firms assisted on 3,246 new legal aid case files.

We have established relationships with private lawyers across Tasmania, which helps our clients get access to proper legal representation close to where they live. Our collaborative partnership 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.

**The following shows the grants of aid we paid to private legal firms between 1 July 2021 and 30 June 2022 (not part of the audited statements).**

Alan Hensley Barrister	Civil	\$4,619.34
	Criminal	\$7,316.24
	<b>Total</b>	<b>\$11,935.57</b>
Andrei Slicer	Criminal	\$180,832.16
	<b>Total</b>	<b>\$180,832.16</b>
Baker Wilson Davies Lawyers	Civil	\$12,295.31
	Criminal	\$7,486.12
	Family	\$2,281.86
	<b>Total</b>	<b>\$22,063.29</b>
BDF Law	Civil	\$5,050.95
	<b>Total</b>	<b>\$5,050.95</b>
Bishops	Civil	\$26,676.90
	Criminal	\$13,480.48
	Family	\$231,263.73
	<b>Total</b>	<b>\$271,421.11</b>
Bold Lawyers	Criminal	\$5,395.56
	<b>Total</b>	<b>\$5,395.56</b>
Butler McIntyre & Butler	Civil	\$44,150.64
	Criminal	\$70,981.39
	Family	\$226,605.47
	<b>Total</b>	<b>\$341,737.50</b>
Cameron Scott - Barrister at Law	Civil	\$1,250.94
	Criminal	\$18,633.24
	<b>Total</b>	<b>\$19,884.18</b>

Cann Legal	Civil	\$39,155.61
	Criminal	\$5,105.62
	Family	\$45,913.05
	<b>Total</b>	<b>\$90,174.28</b>
Caroline Graves Barrister at Law	Civil	\$33,343.78
	Criminal	\$66,561.91
	Family	\$5,346.40
	<b>Total</b>	<b>\$105,252.09</b>
Charmaine Gibson	Civil	\$22,767.12
	Criminal	\$1,679.34
	Family	\$91,859.94
	<b>Total</b>	<b>\$116,306.40</b>
Claire Wong	Criminal	\$11,078.63
	<b>Total</b>	<b>\$11,078.63</b>
Clarke & Gee	Civil	\$22,350.03
	Criminal	\$141,760.65
	Family	\$71,779.13
	<b>Total</b>	<b>\$235,889.81</b>
Craig Rainbird Barrister & Solicitor	Criminal	\$83,802.76
	<b>Total</b>	<b>\$83,802.76</b>
Crotty Legal	Civil	\$2,369.05
	Criminal	\$20,935.31
	Family	\$7,345.34
	<b>Total</b>	<b>\$30,649.70</b>
David N Lewis Barrister at Law	Family	\$5,961.48
	<b>Total</b>	<b>\$5,961.48</b>
Dobson Mitchell Allport	Civil	\$7,624.58
	Criminal	\$3,024.54
	Family	\$57,115.63
	<b>Total</b>	<b>\$67,764.75</b>
Douglas & Collins	Civil	\$2,256.31
	Criminal	\$5,129.39
	<b>Total</b>	<b>\$7,385.70</b>
Everett Flight & Associates	Civil	\$3,258.78
	Criminal	\$5,977.56
	<b>Total</b>	<b>\$9,236.34</b>
FitzGerald and Browne	Civil	\$3,135.95
	Criminal	\$662.58
	Family	\$60,014.67
	<b>Total</b>	<b>\$63,813.20</b>
Friend & Edwards Lawyers	Civil	\$3,035.31
	Criminal	\$18,750.71
	Family	\$1,896.27
	<b>Total</b>	<b>\$23,682.29</b>

G A Richardson	Criminal	\$155,122.48
	Total	\$155,122.48
Garth Stevens	Criminal	\$42,944.21
	Total	\$42,944.21
Grant Tucker	Civil	\$28,390.71
	Criminal	\$151,842.95
	Family	\$11,179.89
	Total	\$191,413.55
Greens List Barristers	Criminal	\$3,598.58
	Total	\$3,598.58
Ian Guest & Associates	Civil	\$499.80
	Criminal	\$368.40
	Family	\$6,568.50
	Total	\$7,436.70
J.B. Lawyers	Civil	\$2,926.04
	Criminal	\$14,764.84
	Family	\$7,627.97
	Total	\$25,318.85
Jacobs Family Law	Civil	\$18,208.61
	Criminal	\$1,165.30
	Family	\$86,039.11
	Total	\$105,413.02
Jessica Bourke	Civil	\$5,461.02
	Criminal	\$65,267.82
	Total	\$70,728.84
Jessica Sawyer	Civil	\$428.40
	Criminal	\$18,935.96
	Total	\$19,364.36
Kate Cuthbertson	Civil	\$14,422.97
	Total	\$14,422.97
Kate Mooney	Civil	\$5,654.99
	Family	\$48,599.93
	Total	\$54,254.92
Kim Baumeler	Civil	\$9,130.90
	Criminal	\$270,375.66
	Total	\$279,506.56
Legal Solutions	Family	\$1,322.30
	Total	\$1,322.30
Logan & Partners	Civil	\$4,189.81
	Criminal	\$304,707.58
	Total	\$308,897.39
Mary Anne Ryan	Civil	\$7,562.86
	Family	\$40,378.25
	Total	\$47,941.11

Matthew Verney	Civil	\$25,505.07
	Family	\$86,654.97
	Total	\$112,160.04
Matthew Verney Lawyers	Civil	\$69,737.98
	Criminal	\$120,122.47
	Family	\$109,971.65
	Total	\$299,832.10
McGrath & Co.	Civil	\$4,455.86
	Family	\$13,497.25
	Total	\$17,953.11
McVeity Dean Lawyers	Civil	\$48,705.19
	Family	\$134,108.54
	Total	\$182,813.73
Michael Trezise	Family	\$32,019.00
	Total	\$32,019.00
Murdoch Clarke	Civil	\$22,867.27
	Criminal	\$65,092.98
	Family	\$53,401.11
	Total	\$141,361.36
Murray & Associates	Civil	\$15,487.05
	Family	\$115,740.06
	Total	\$131,227.11
Myler Law Practice	Family	\$873.96
	Total	\$873.96
Nick Beattie Barrister and Solicitor	Civil	\$655.47
	Total	\$655.47
Ogilvie Jennings	Civil	\$64,948.63
	Criminal	\$117,413.92
	Family	\$259,564.07
	Total	\$441,926.62
Pagett & Associates	Civil	\$28,466.64
	Family	\$51,505.71
	Total	\$79,972.35
Patrick O'Halloran	Civil	\$509.81
	Criminal	\$28,830.39
	Total	\$29,340.20
Paul Sullivan	Criminal	\$4,357.18
	Total	\$4,357.18
Peter Heerey Lawyer	Civil	\$17,513.04
	Total	\$17,513.04
Peter Neil Slipper	Civil	\$11,120.75
	Criminal	\$40,496.35
	Total	\$51,617.10

Petersen Legal	Civil	\$7,949.92
	Criminal	\$43,670.58
	Family	\$47,022.45
	<b>Total</b>	<b>\$98,642.95</b>
Philip Theobald	Family	\$32,939.57
	<b>Total</b>	<b>\$32,939.57</b>
Philip Welch	Civil	\$22,921.72
	Family	\$4,125.76
	<b>Total</b>	<b>\$27,047.48</b>
Philippa Morgan	Civil	\$5,692.20
	Criminal	\$91,635.46
	<b>Total</b>	<b>\$97,327.66</b>
Philippa Willshire	Civil	\$103,619.00
	Criminal	\$134,112.51
	Family	\$35,790.68
	<b>Total</b>	<b>\$273,522.19</b>
PWB Lawyers	Civil	\$9,095.28
	Family	\$59,280.62
	<b>Total</b>	<b>\$68,375.90</b>
Rae & Partners Devonport	Civil	\$13,263.33
	Family	\$84,608.78
	<b>Total</b>	<b>\$97,872.11</b>
Rae & Partners Lawyers	Civil	\$12,377.33
	Criminal	\$150,897.95
	Family	\$79,749.27
	<b>Total</b>	<b>\$243,024.55</b>
Ross A Hart Barrister and Solicitor	Civil	\$3,115.92
	<b>Total</b>	<b>\$3,115.92</b>
Schoenmaker Legal	Family	\$80.00
	<b>Total</b>	<b>\$80.00</b>
SGW Law	Criminal	\$84,102.94
	<b>Total</b>	<b>\$84,102.94</b>
Simmons Wolfhagen	Civil	\$38,994.64
	Family	\$10,656.81
	<b>Total</b>	<b>\$49,651.45</b>
Stephen R Hoskins	Family	\$2,811.49
	<b>Total</b>	<b>\$2,811.49</b>
Tasmanian Mediation Services	Family	\$3,972.52
	<b>Total</b>	<b>\$3,972.52</b>
The Cangelosi Firm	Criminal	\$52,639.31
	<b>Total</b>	<b>\$52,639.31</b>
Tierney Law Pty Ltd	Criminal	\$285.60
	Family	\$608.30
	<b>Total</b>	<b>\$893.90</b>

Todd P. Kovacic	Criminal	\$15,421.30
	<b>Total</b>	<b>\$15,421.30</b>
Tremayne Fay & Rheinberger Lawyers	Civil	\$22,551.14
	Family	\$49,048.11
	<b>Total</b>	<b>\$71,599.25</b>
Tyler Tipping & Woods	Family	\$2,124.90
	<b>Total</b>	<b>\$2,124.90</b>
Walker Henderson Lawyers	Civil	\$13,628.07
	Family	\$47,054.85
	<b>Total</b>	<b>\$60,682.92</b>
Wallace Wilkinson & Webster	Civil	\$5,920.65
	Family	\$99,820.20
	<b>Total</b>	<b>\$105,740.85</b>
Walsh Day James Mihal, Barristers & Solicitors	Civil	\$28,662.31
	Criminal	\$6,575.83
	Family	\$22,649.90
	<b>Total</b>	<b>\$57,888.04</b>
Wise Law	Civil	\$3,015.17
	Criminal	\$1,615.10
	<b>Total</b>	<b>\$4,630.27</b>
<b>Total</b>		<b>\$6,034,733.44</b>

*NB: Payments to private practitioners do not include other costs associated in providing legal services such as doctors, psychologists etc.*

# Our Strategic Priorities

# 1

## Implementing a client-focused approach

Placing our clients at the centre of everything we do is a priority commitment in our Strategic Plan. This means learning from our clients' lived experience to ensure our services meet their needs. The people who use our services are best placed to know what works and what needs to change. Our advocacy for justice system reform must also be informed by the lived experiences of the people and communities affected by it.

This year we have established two key client advisory groups: the First Nations Advisory Group, and the Family Violence Reform Group. These groups reflect our strategic focus on children, family violence and well-being and resilience.

The Family Violence Reform Group has seven members, all with experience of family violence and the family law system. They are providing valuable input into the review of our Family Dispute Resolution (FDR) service.

While the benefits of client engagement are evident, it is also important that the process is positive and useful for the people who are sharing their lived experience. Sharee Minnekan-Smith, a Family Violence Reform Group member, describes the benefits this way:

*"Part of the healing process for a victim when it comes to telling their story is to know their voices have been heard. Therefore, the value of a client's voice is essential. It brings empowerment and enhances opportunities to share their experiences and encourages the active participation of clients using community services. Participating and being part of the group has broadened my knowledge and understanding of how the legal system works. That helps me and means the system better understands me and other people."*



*Part of the healing process for a victim when it comes to telling their story is to know their voices have been heard.*



Our First Nations Advisory Group plays a key role in informing our advocacy for justice system reform for First Nations people.

Our commitment to this process is reflected in the comment by Bianca Templar, a member of our RAP Working Group and the First Nations Advisory Group:

*"The effort that Tasmanian Legal Aid has made to ensure accountability and community consultation through their Reconciliation Journey has been heart-warming. When orgs take their reconciliation journey, it can often feel like a tick and flick document, so to see how serious TLA has taken this, gives me confidence in their willingness to ensure not only accountability, but a better outcome for First Nations people. Their level of respect for community and culture and their willingness to learn is a breath of fresh air."*

It is an exciting and richly rewarding process to work with and learn from our clients and lived experience advisory groups. In the coming year we will build on our work to date by introducing our Client Engagement Strategy to implement a client-focused approach in all practice areas.

2

## Children are at the centre of our service delivery



In June, the Independent Children's Lawyers Practice Standards and Guidelines (PSG) were launched by the Chief Justice of the Federal Circuit Court and Family Court of Australia, the Honourable Chief Justice Alstergren.

Children are the most vulnerable members of our community and often the most invisible participants in the legal system. Independent Children's Lawyers (ICLs) ensure that the Court understands the wishes of a child and help protect the child's best interests. The PSG is an Australian first and the most comprehensive resource for lawyers representing vulnerable children.



*This work is all about putting children at the centre of our work and giving them a voice.*



The Honourable Chief Justice Alstergren supports the development of the practice standards and guidelines for Independent Children's Lawyers working in the jurisdiction of family law.

"Independent Children's Lawyers play an incredibly important role in representing the best interests of children who are the subject of family law disputes," Justice Alstergren said. "They provide children with meaningful opportunities to participate in decisions that are being made about them. In doing so they are instrumental in ensuring that Australia (through the Courts) meets its commitments as a signatory of United Nations Convention on the Rights of the Child."

The PSG provide lawyers the tools to engage a child, so the child feels understood, valued and believed. Children's lawyers work with children who have been impacted by trauma including family violence. Lawyers need to be aware of these issues and able to respond appropriately. Done right, this supports the safety, dignity and wellbeing of the child. The PSG responds to children's feedback about what they need.

We developed the guidelines over 18 months with input from child experts, the Federal Circuit and Family Court, the Commissioner for Children and Young People, the Child Advocate, the Law Society and the Family Law Practitioners of Tasmania, Tasmanian Aboriginal Centre, Tasmanian Aboriginal Legal Service, Australian Childhood Foundation, Migrant Resource Centre, Australian Institute of Family Studies, Departments of Education and Communities Tasmania.



L-R: Honourable Chief Justice Alstergren; Associate Director - Family Law, Kristen Wylie and Director Vincenzo Caltabiano at the launch of the PSG.

# 3

## Our staff feel valued and proud to work at Legal Aid

### Annual Staff Award



Yvette Walker was the recipient of this year's Annual Staff Award, nominated by staff. Yvette works in our Safe At Home program and as an FDR Chairperson.

Yvette is focused on the safety of her clients and ensures their voices are heard and respected by police, and the courts in

justice system responses to family violence. She also draws heavily on her family violence expertise in the FDR process, identifying and mitigating safety risks for the participants and their children.



*I love my job at Legal Aid and I love the people I work with. It's a safe place for me, and I feel like I'm doing some good.*



Yvette is an active participant in a range of TLA engagement activities. As a member of the Client Safety Framework Working Group and the Workplace Engagement & Wellbeing Committee, Yvette is always interested and willing to provide concise and valuable knowledge whenever asked.

Yvette is a supportive and engaged colleague and goes out of her way to create relationships with people not only in her team but across the organisation.

### Staff Survey

Results from our staff survey gave us insights into how our staff are valued and where we can build on our strengths. It was the first TLA-specific survey tailored for our organisational purposes. The survey drew out three main strengths:

- Performance – our pride in what we do
- Engagement – why do we come to work and do what we do
- Alignment – how we are all pulling in the same direction and working to the same goals

Using the survey data, staff developed actions which have resulted in many new initiatives including:

- Increase in the number of permanent roles within the organisation
- Improved communication channels between staff teams
- Increased training opportunities
- Expanded opportunities for staff to share information across TLA teams.

### Workplace Engagement & Wellbeing Committee

This year we launched the Workplace Engagement and Wellbeing Committee (WEWC) to contribute to and support the development and implementation of activities that increase staff wellbeing, engagement and satisfaction in the workplace.

Our Strategic Plan 2020-23 has as a focus on the wellbeing and resilience of our clients, legal partners and staff. The WEWC assists in creating an organisational culture that is supportive, consultative and accountable by representing our workforce's wellbeing interests and contributing to the activities associated with our People and Culture Strategy.

Since its launch, the WEWC has hosted and raised funds for Australia's Biggest Morning Tea, continued to develop our staff reward program as well as introduce and refine staff recognition and feedback processes.



4

## Reconciliation Action Plan

Led by the RAP Working Group, we have been working hard to implement the actions identified in our first Reconciliation Action Plan (RAP). Over the last year we have achieved some notable outcomes.

### The Rosie Smith Scholarship

We partnered with Riawunna Centre for Aboriginal Education and the Faculty of Law at UTAS to offer the Rosie Smith Law Scholarship for Aboriginal and Torres Strait Islander law students. The scholarship 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 a first year law student annually commencing in 2022.

### Training and engagement

22 of our staff undertook formal cultural awareness training either through the Tasmanian Training Consortium or the Tasmanian Aboriginal Centre.



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

### Artwork commissions

Aboriginal artists, Michelle Maynard and Cheryl Rose, were also commissioned to produce artwork in our offices, with recent pieces installed in the Hobart and Burnie offices.



Above: Vincenzo Caltabiano unveiled artworks created by contemporary Tasmanian Aboriginal designer, artist and cultural practitioner Michelle Maynard - 'The Family' and 'Remember you are so important, so very important they heard the stars say'.

Michelle's artworks highlight the collaboration between TLA and the Tasmanian Aboriginal community, and are a reflection of our ongoing commitment to working with community to strengthen our responses to our First Nations clients.



Above: 'Salt' by Aboriginal artist Cheryl Rose has written the following regarding her artwork:

"Sea salt cleanse the industrial environment on its shore, coastal winds abound us on the shore, the gulls hover along the board, woodchips twirl in the air, the wondrous sounds, this in all its glory and its ugly but this is our town.

We listen for the nightly sounds, it nestles us as we lay, cause this is our Town."

Cheryl's artwork can be viewed at the Burnie office.

## 5

### Our communications are accessible, informative and empowering

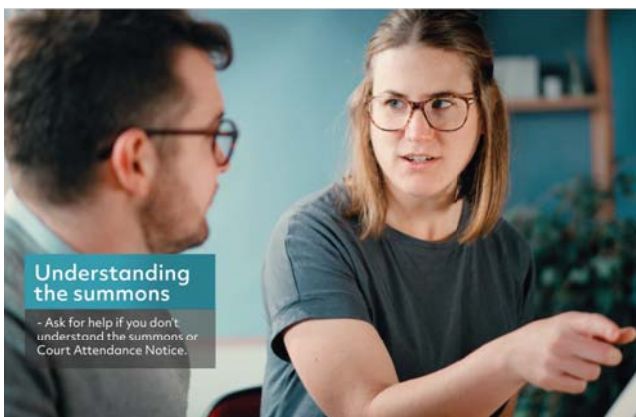
Our Community Legal Education and Information (CLEI) team visit schools to meet with thousands of students each year, and during Covid-19 lockdowns, we developed new ways to make information more accessible for students.

We produced videos for classes to watch online, as part of our 'flipped learning' classroom experience, and offered follow up sessions with students to ask questions and review the topics covered which included legal information about consent to sex and online safety.

We also produced a new collection of youth-specific fact sheets and infographics and redeveloped all our online legal information to streamline the process of finding relevant information.

New resources for seniors included a new Handbook for Attorneys and an online flipbook called 'Everyone deserves respect'. These are also available in print form. These resources have been received positively, particularly as we have not been able to provide face to face community legal sessions.

We also celebrated the release of a 4-part video series "Going to Court." The videos were produced with a focus on assisting people with low literacy and/or disability. The videos are useful for anyone engaging with the Magistrates Court. They were a collaboration between us and the Association for Children with Disability, Brain Injury Association of Tasmania, Equal Opportunity Tasmania, Magistrates Court of Tasmania, Department of Justice and Speak Out Advocacy.



'Going to Court' video series.

## 6

### Better use of digital technology

In April we launched our Digital Strategy. The Digital Strategy is fundamental to us fulfilling our purpose of providing legal help for Tasmanians. It will improve the way we deliver our services to make them more accessible and responsive to our clients' needs.

More of our staff now use laptops and mobile devices which supports them to work remotely when needed. Applying learnings gained through Covid-19 lockdown, we are adapting our use of technology to support our work. We have introduced new software to increase our efficiency and where appropriate we use cloud-based computing to support our work.

Over the coming years, the Digital Strategy will enable us to increase the accessibility and use of online technologies for our services, communication, and information sharing. It will also enable us to keep our systems and networks cyber-safe.

We will continue to adopt digital technologies to manage growing demands and legal system pressures, and to maintain a culture of continuous improvement.

7

## Increase community knowledge and understanding of Legal Aid

We have increased community knowledge and understanding of TLA through growing our reach into the Tasmanian community.

Over the year, TLA has participated in numerous community events, including Mental Health week activities, the Huonville community services event, and Elder Abuse Awareness events.

Our civil lawyers have conducted legal education sessions on a range of topics, including the NDIS. Our family lawyers have given talks to students at UTas. Our criminal lawyers have delivered sessions to school students. Our community education sessions always include an opportunity for questions and answers to ensure we can address the issues people want to raise.

We continue to disseminate important information through our website and social media platforms. During Covid-19 we updated the community of changing laws and regulations, we continued to reach people through social media on Facebook, increasing our rate of publishing and our following in the online community. We also launched a new presence on the social media platform LinkedIn, facilitating further awareness of our work, values and opportunities to engage with us.



L-R: TLA Case Manager, Senior Assist, Vicki Tattersall, Mandy Cooper, Margaret Barlow and Simon Reece from Relationships Australia.

8

## Improve the quality and quantity of representation of legal aid clients

### Client Safety Framework

Family violence is a factor in the lives of most of the people we deliver legal services to, across all our legal practice areas. People seeking legal services are often experiencing high levels of distress. At these times of heightened stress some people may cause harm to themselves or others.

Our Client Safety Framework is a client safety tool designed specifically for the legal practice context. It improves the safety of our clients by building staff skills and capabilities to better identify and respond to people who are at risk of family violence and self-harm.

All our staff have completed CSF training and it is a mandatory part of the induction for all new staff. Following the training, staff reported feeling better equipped to identify and respond to family violence and suicide risk.

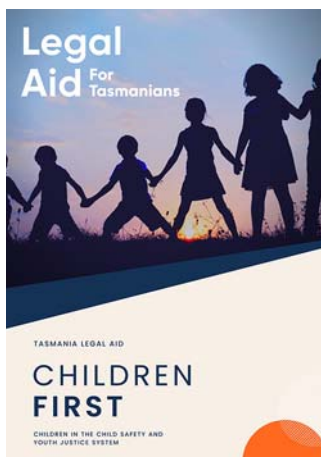
### Royal Commission into Defence and Veteran Suicide

In April we commenced the Defence and Veterans Legal Service (DAVLS) in support of the Royal Commission into Defence and Veteran Suicide. Our DAVLS lawyers have worked throughout the State to reach those who the Royal Commission need to hear from. Engaging with RSL clubs, Men's Sheds, and other community networks, we have ensured that as many people in the community know about the process to engage with the Royal Commission and receive the support they need to make a submission.



## Improve the operation of the legal system

### Children First Report



In August we delivered our findings about the impacts on “crossover children” who get stuck in the child safety and youth justice systems. The Children First: Children in the Child Safety and Youth Justice System report came days before the anniversary of the Raise the Age campaign, a

nationwide push to lift criminal culpability in all states and territories from 10 to 14.

The Children First report drew on more than a decade of our data. We found that most children don’t get caught up in the Youth Justice system, and if they do their involvement is often limited. However, some children have longer and more involvement in the youth justice system than their peers. About one in 10 children with a child safety file also has a youth justice file. These are the “crossover children”. Crossover children make up 15% of children with a youth justice file and they account for 24% of TLA youth justice files. They also make up 41% of children under 14 who are charged.

In seeking to improve the legal system we worked with key advocates for young people to launch the Report. These included indigenous rights activist at Amnesty International, Rodney Dillon and Tasmania’s Commissioner for Children and Young People, Leanne McLean.

The report makes 6 key recommendations for addressing unnecessarily high numbers of children in the Youth Justice System, which would benefit the community and its young people by keeping them out of the system.

### Submissions for law reform

We have also contributed submissions for law reform as follows:

- Reforming Tasmania’s Youth Justice System: Discussion Paper Response
- Criminal Code Amendment Bill 2022: insertion of ‘stealthing’ provision in s2A and a new crime of “Strangulation, &c.”.
- To address the criminal law backlog
- Submission to the Sentencing Advisory Council concerning the phasing out of suspended sentences
- The Family Violence Reform Bill
- A review of the Tasmanian Law Reform Institute
- A review of the *Mental Health Act 2013*

### Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability

In April, we gave evidence to the Disability Royal Commission hearings focusing on women and girls with disability who experience family or sexual violence.

Our evidence identified some of the barriers faced by women and girls with disability in accessing the justice system. These include not being believed when they report the abuse, and the higher risk of being misidentified as the perpetrator rather than the victim in a family violence incident. Our recommendations include establishing a specialist multidisciplinary disability legal service, further training for professionals across the justice system and increased housing options for women and girls with disability affected by family violence.

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## Strengthen the legal assistance sector

Just Healthy Families (JHF) is a partnership with Women's Legal Service Tasmania which delivers specialised legal services in a safe environment. We know that when people seek help on an issue, they often first speak with non-legal professionals such as a healthcare practitioner. JHF was set up to respond to this and is Tasmania's first Health Justice Partnership.

JHF is a two-year pilot that commenced in January 2022. It provides free, confidential legal help to people who are experiencing, or at risk of, family violence. The program involves lawyers being available at community settings such as Child Health and Parenting Centres and Child and Family Learning Centres to enable people contacting a lawyer at an early stage.

The program delivers 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. JHF also provides community legal education sessions and workshops across Tasmania to empower the community in addressing and preventing family violence.

### JHF project data to date

- 205** Total number of people who receive professional development training related to the HJP
- 426** Total number of clients and family members that benefit from consultations with a HJP lawyer
- 399** Total number of people that benefit from a secondary consultation with a HJP lawyer



# Our Financials



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

**Opinion**

I have audited the financial report of Tasmania Legal Aid, which comprises the statement of financial position as at 30 June 2022, 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 2022 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:

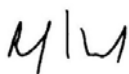
- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material 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 Tasmania 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.



Rod Whitehead  
**Auditor-General**  
Tasmanian Audit Office

26 October 2022  
Hobart



# Annual Financial Statements

Tasmania Legal Aid  
ABN 70 223 103 968  
For the year ended 30 June 2022

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# Certification of Financial Statements

## Tasmania Legal Aid For the year ended 30 June 2022

### 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 2022, 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



KRISTEN WYLIE

Acting Director

Dated: 26/10/2022

# Statement of Comprehensive Income

## Tasmania Legal Aid

For the year ended 30 June 2022

	NOTES	30-JUNE-22 (\$)	30-JUNE-21 (\$)
<b>Revenues</b>			
Commonwealth Grants and Contributions	3	9,003,328	9,477,809
State Government Grants and Contributions	4	10,767,717	8,762,288
Other Revenue	5	755,842	1,139,608
<b>Total Revenues</b>		<b>20,526,887</b>	<b>19,379,704</b>
<b>Expenses</b>			
Legal Services Expense	6	7,272,998	7,183,803
Employee Benefits Expense	7	9,655,810	9,359,020
Supplies and Services	8	449,894	497,392
Accommodation Expenses	9	419,984	350,225
Information Technology	10	522,433	690,819
Other Expenses	11	487,642	367,679
Depreciation and Amortisation Expenses	12	790,432	551,662
Debts Written Off	13	17,510	17,203
<b>Total Expenses</b>		<b>19,616,703</b>	<b>19,017,803</b>
<b>Net Surplus for the Year</b>		<b>910,184</b>	<b>361,902</b>
<b>Other Comprehensive Income</b>			
Asset Revaluation		-	77,699
<b>Total Other Comprehensive Income</b>		<b>-</b>	<b>77,699</b>
<b>Total Comprehensive Result</b>		<b>910,184</b>	<b>439,601</b>

# Statement of Financial Position

## Tasmania Legal Aid As at 30 June 2022

	NOTES	30-JUNE-22 (\$)	30-JUNE-21 (\$)
<b>Assets</b>			
<b>Current Assets</b>			
Cash and Cash Equivalents	14	5,544,987	4,712,310
Investments	15	4,753,000	3,421,000
Receivables	16	504,141	675,410
Other Assets		102,685	93,211
<b>Total Current Assets</b>		<b>10,904,813</b>	<b>8,901,931</b>
<b>Non-Current Assets</b>			
<b>Property, plant and equipment</b>			
Land and Buildings	17	410,301	418,711
Office Equipment	17	19,430	31,202
Furniture and Fittings	17	3,181	4,266
Leasehold Improvements	17	23,882	34,334
<b>Total Property, plant and equipment</b>		<b>456,794</b>	<b>488,513</b>
Intangible Assets	17	24,608	26,005
Right-of-Use Assets	19	1,776,326	2,068,239
<b>Total Non-Current Assets</b>		<b>2,257,728</b>	<b>2,582,757</b>
<b>Total Assets</b>		<b>13,162,540</b>	<b>11,484,688</b>
<b>Liabilities</b>			
<b>Current Liabilities</b>			
Payables	20	423,427	536,974
Contract Liabilities	21	2,324,638	1,192,046
Provisions	22	1,135,491	1,179,106
Other Liabilities	23	36,981	-
Lease Liabilities	25	248,259	311,998
<b>Total Current Liabilities</b>		<b>4,168,796</b>	<b>3,220,123</b>
<b>Non-Current Liabilities</b>			
Provisions	22	175,367	173,279
Other Liabilities	23	3,500	-
Lease Liabilities	25	1,649,888	1,836,481
<b>Total Non-Current Liabilities</b>		<b>1,828,755</b>	<b>2,009,760</b>
<b>Total Liabilities</b>		<b>5,997,551</b>	<b>5,229,883</b>
<b>Net Assets</b>		<b>7,164,989</b>	<b>6,254,805</b>

Statement of Financial Position

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	NOTES	30-JUNE-22 (\$)	30-JUNE-21 (\$)
<b>Equity</b>			
<b>Equity</b>			
Capital Contribution		325,000	325,000
Asset Revaluation Reserve		313,528	313,528
Civil Disbursement Fund Reserve		1,125,501	1,160,830
Accumulated Surplus		5,400,961	4,455,447
<b>Total Equity</b>		<b>7,164,989</b>	<b>6,254,805</b>

# Statement of Cash Flows

## Tasmania Legal Aid For the year ended 30 June 2022

	NOTES	30-JUNE-2022 (\$)	30-JUNE-2021 (\$)
<b>Statement of Cash Flows</b>			
<b>Cash flows from Operating Activities</b>			
<b>Operating Receipts</b>			
Commonwealth Grants and Contributions		10,477,052	9,817,107
State Government Grants		10,428,541	8,792,288
Contributions and Recovered Costs from Clients		208,394	325,142
Net GST Received / (Paid)		708	54,535
Interest Income		38,782	35,947
Other		655,654	1,044,119
<b>Total Operating Receipts</b>		<b>21,809,131</b>	<b>20,069,138</b>
<b>Operating Payments</b>			
Payments for Legal Services		(7,272,998)	(7,183,803)
Employee Benefits Expense		(9,662,006)	(9,283,734)
Administrative Expense		(1,993,714)	(1,884,858)
<b>Total Operating Payments</b>		<b>(18,928,718)</b>	<b>(18,352,395)</b>
<b>Total Cash flows from Operating Activities</b>	26	<b>2,880,413</b>	<b>1,716,743</b>
<b>Cash flows from Investing Activities</b>			
Payments for Investments		(1,332,000)	(599,609)
Purchase of Plant and Equipment		(403,568)	(183,158)
<b>Total Cash flows from Investing Activities</b>		<b>(1,735,568)</b>	<b>(782,767)</b>
<b>Cash flows from Financing Activities</b>			
Principal Lease Repayments	27	(312,168)	(295,596)
<b>Total Cash flows from Financing Activities</b>		<b>(312,168)</b>	<b>(295,596)</b>
Net increase / (Decrease) in cash and cash equivalents		832,677	638,380
Cash and cash equivalents at beginning of the period	14	4,712,310	4,073,930
Cash and cash equivalents at end of the period	14	5,544,987	4,712,310

# Statement of Changes in Equity

## Tasmania Legal Aid

For the year ended 30 June 2022

	CONTRIBUTED EQUITY	ASSET REVALUATION RESERVE	CIVIL LAW DISBURSEMENT FUND LOAN SCHEME RESERVE	ACCUMULATED SURPLUS	TOTAL EQUITY
<b>Change in Equity (\$)</b>					
<b>2022 Financial Year</b>					
Balance as at 1 July 2021	325,000	313,528	1,160,830	4,455,447	6,254,805
Total Comprehensive Result	-	-	-	910,184	910,184
Transfers to Reserves	-	-	(35,329)	35,329	-
Balance as at 30 June 2022	325,000	313,528	1,125,501	5,400,961	7,164,989
<b>2021 Financial Year</b>					
Balance as at 1 July 2020	325,000	235,829	1,148,140	4,106,235	5,815,204
Total Comprehensive Result	-	77,699	-	361,902	439,601
Transfers to Reserves	-	-	12,690	(12,690)	-
Balance as at 30 June 2021	325,000	313,528	1,160,830	4,455,447	6,254,805



# Notes to the Financial Statements

## Tasmania Legal Aid

### For the year ended 30 June 2022

#### 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 18 March 2022, a change to section 4(1) of the *Legal Aid Commission Act 1990* came in effect that changed the name of the organisation to 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 Commonwealth / State National Partnership agreement. This agreement commenced on 1 July 2020, and has 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 2022 financial year that apply to, or 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 2022.

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.

### Adjustment to Prior Year Comparative

With the preparation of the 2022 financial statements it has been determined that the revaluation of the Burnie property asset was to be more appropriately recognised as Other Comprehensive Income in the Statement of Comprehensive Income, rather than as a direct transfer to the Asset Revaluation Reserve. Accordingly, this adjustment has been reflected and the impact to the 2021 comparative figures in these financial statements is as follows.

	<b>30-June-21 Original (\$)</b>	<b>30-June-21 Adjusted (\$)</b>
<b>Statement of Comprehensive Income</b>		
Net Surplus for the Year	361,902	361,902
Other Comprehensive Income	-	77,699
Total Comprehensive Result	361,902	439,601
<b>Statement of Financial Position</b>		
Asset Revaluation Reserve	313,528	313,528
Accumulated Surplus	4,455,447	4,455,447
<b>Statement of Changes in Equity</b>		
Total Comprehensive Result	361,902	439,601
Transfers to Reserves	77,699	-
<b>Total Changes in Equity</b>	<b>439,601</b>	<b>439,601</b>

The change to the comparatives in the Statement of Comprehensive Income has no impact on the Statement of Financial Position. The changes in Equity that were split between the Total Comprehensive Result and the Transfers to Reserves are now combined to be solely reflected through the Total Comprehensive Result.

### 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.

### 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 net of GST are recognised on the asset register but fully charged to expense as incurred. Items with a cost of more than \$5,000 net of GST 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

## 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 25 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.

## 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 2022 TLA employed 92.41 (2021: 87.06) 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.

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 13.45 per cent of salary.

Superannuation expenses relating to defined contribution schemes are paid directly to superannuation funds at a rate of 10 per cent of salary in the 2022 financial year (increasing to 10.5 per cent of salary in the 2023 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

## 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.

#### *Interest Rate Risk*

TLA's exposure to market risk for changes in interest rates relates primarily to the investment of surplus operating funds.

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-22	30-June-21
	(\$)	(\$)
At Call Cash Management Account No 1 – Operating Account	<b>400</b> On Call – Interest Rate of 0.85%	<b>400</b> On Call – Interest Rate of 0.10%
At Call Cash Management Account No 2 – Civil Law Disbursements Fund	<b>1,984</b> On Call – Interest Rate of 0.85%	<b>1,982</b> On Call – Interest Rate of 0.10%
Westpac Operating Accounts	<b>5,542,603</b> On Call – Interest Rate of 0.60%	<b>4,709,928</b> On Call – Interest Rate of 0.35%
Westpac Term Deposits	<b>2,715,000</b> Fixed - Interest Rate of 0.57%	<b>3,421,000</b> Fixed - Interest Rate of 0.30%
	<b>2,038,000</b> Fixed - Interest Rate of 1.61%	
	<b>10,297,987</b>	<b>8,133,310</b>

A 1 percentile upward movement in the interest rate will create \$102,980 (2021: \$81,330) 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-22 (\$)	30-JUNE-21 (\$)
<b>3. Commonwealth Grants and Contributions</b>		
Commonwealth Government Base Grant	6,615,000	6,482,000
Family Advocacy Support Service Funding	1,037,000	1,022,000
National Disability Insurance Scheme Funding	127,051	193,210
Family Violence Cross-Examination Funding	126,148	187,797
Senior Assist Funding	447,234	524,164
Your Story Disability Legal Support Funding	129,228	145,905
Property Mediation Funding	118,597	226,024
COVID-19 Support Funding	-	696,709
Defence and Veterans Legal Service Funding	30,102	-
Child Sexual Abuse Prosecutions Funding	48,000	-
Vulnerable Women Funding	324,969	-
<b>Total Commonwealth Grants and Contributions</b>	<b>9,003,328</b>	<b>9,477,809</b>

All grant funds received without specific obligations, as defined by the Accounts Standards, are utilised for the agreed grant purpose.

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

#### **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. The receipt of this funding is recognised on fulfilment of specific obligations.

#### **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.

#### **Defence and Veterans Legal Support Funding**

The purpose of this funding is to provide legal advice and information to members of the public engaging with the associated Royal Commission. The receipt of this funding is recognised on fulfilment of specific obligations.

#### **Child Sexual Abuse Prosecutions Funding**

This funding is for the contribution towards grants of legal aid for Commonwealth child sexual abuse prosecutions. This funding has been recognised on receipt as there are no specific performance obligations attached to the terms of the agreement.

### Vulnerable Women Funding

The purpose of this funding is to increase legal assistance for vulnerable women, including those experiencing or at risk of family violence. This funding has been recognised on receipt as there are no specific performance obligations attached to the terms of the agreement.

	30-JUNE-22 (\$)	30-JUNE-21 (\$)
<b>4. State Government Grants and Contributions</b>		
State Government Base Grant	8,234,000	7,914,000
State One Off Funding	481,520	83,600
Serious Cases Funding	500,000	250,000
Safe at Home Program	719,750	514,688
Duty Lawyer and Mental Health Funding	832,447	-
<b>Total State Government Grants and Contributions</b>	<b>10,767,717</b>	<b>8,762,288</b>

All grant funds received without specific obligations, as defined by the Accounts Standards, are utilised for the agreed grant purpose.

#### State Government Base Grant

The State Government 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.

#### 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.

#### “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.

#### Duty Lawyer and Mental Health Funding

This funding is to support the Tasmanian legal assistance sector. Directed to the maintenance of core services previously funded from the Solicitors' Guarantee Fund and the recent Public Account funded grants round. The receipt of this funding is recognised on fulfilment of specific obligations.

	30-JUNE-22 (\$)	30-JUNE-21 (\$)
<b>5. Other Revenue</b>		
Client Contributions and Cost Recoveries	178,798	196,162
Interest Income	42,890	35,259
Civil Disbursement Fund Loans Contributions	15,090	36,054
Solicitors' Trust Distributions	1,956	437,187
Insurance Recovery	-	22,500
Court Enforced Cost Recoveries	4,249	-
CDF Administration Fee Income	22,254	-
Conference Ticket Sales	127	-
<b>Miscellaneous Income</b>		
National Legal Aid (NLA) Administration Fee	69,922	42,000
National Legal Aid (NLA) Cost Recoveries	420,555	370,445
<b>Total Miscellaneous Income</b>	<b>490,478</b>	<b>412,445</b>
<b>Total Other Revenue</b>	<b>755,842</b>	<b>1,139,608</b>

**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*.

**Insurance Recovery**

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

**Court Enforced Cost Recoveries**

Monies received as ordered by the courts to be paid.

**CDF Administration Fee Income**

Recovery for the associated costs of maintaining the CDF program.

**Conference Ticket Sales**

For the attendance of external parties at TLA's ICL conference.

**Miscellaneous Income**

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

	30-JUNE-22 (\$)	30-JUNE-21 (\$)
<b>6. Legal Services Expense</b>		
Grants of Legal Aid	6,698,136	6,695,379
Social Worker Services	472,584	397,496
Weekend Duty Lawyer Service	65,326	84,931
Weekday Duty Lawyer Service	-	5,998
Project Contribution	10,000	-
Women's Legal Service Tasmania Contribution	26,951	-
<b>Total Legal Services Expense</b>	<b>7,272,998</b>	<b>7,183,803</b>

**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.

**Project Contribution**

TLA's contribution to the National Legal Aid 'Do Your Own Divorce' online legal assistance project.

**Women's Legal Service Tasmania Contributions**

TLA's contribution to Women's Legal Service Tasmania costs under the Health Justice Partnership.

	30-JUNE-22 (\$)	30-JUNE-21 (\$)
<b>7. Employee Benefits Expense</b>		
Salaries, Superannuation and Related Costs	9,127,343	8,935,014
Temporary Staff and Agency Staff Engagements	480,213	321,103
Professional Development	49,299	102,079
Annual Leave and Long Service Leave Entitlements and On-Costs	(1,046)	824
<b>Total Employee Benefits Expense</b>	<b>9,655,810</b>	<b>9,359,020</b>

**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 and On-Costs**

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

	30-JUNE-22 (\$)	30-JUNE-21 (\$)
<b>8. Supplies and Services</b>		
Communication	190,842	216,118
Travel Costs	118,708	138,884
Office Machines and Equipment	39,024	39,024
Consumables and Safety	101,320	103,366
<b>Total Supplies and Services</b>	<b>449,894</b>	<b>497,392</b>

	30-JUNE-22 (\$)	30-JUNE-21 (\$)
<b>9. Accommodation Expenses</b>		
Property Rent	74,603	61,435
Cleaning and Security	144,428	125,753
Property Maintenance	83,633	48,327
Rates and Taxes	58,862	54,079
Water Rates	5,029	3,141
Electricity	41,695	46,222
Insurance	11,732	11,268
<b>Total Accommodation Expenses</b>	<b>419,984</b>	<b>350,225</b>

## Notes to the Financial Statements

	30-JUNE-22 (\$)	30-JUNE-21 (\$)
<b>10. Information Technology</b>		
IT Systems and Consulting	424,140	554,126
Library	98,293	132,253
NLA Archiving and Storage	-	4,440
<b>Total Information Technology</b>	<b>522,433</b>	<b>690,819</b>
	30-JUNE-22 (\$)	30-JUNE-21 (\$)

**11. Other Expenses**

Department of Justice Administration Costs	125,230	123,867
Audit Fee and Costs	26,890	25,850
<b>Other Expenses</b>		
Advertising	16,486	2,284
Archiving	-	56,920
Bank Charges	326	338
Consultant Fees	117,690	47,865
Corporate Projects	52,591	8,061
Lease Interest	44,531	50,129
NLA Cost Recoveries	11,722	9,997
Registrations	-	368
TLA Administration Charge (CDF Only)	22,254	-
TLA Services Fee Expense (NLA Only)	69,922	42,000
<b>Total Other Expenses</b>	<b>335,522</b>	<b>217,962</b>
<b>Total Other Expenses</b>	<b>487,642</b>	<b>367,679</b>

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.

A review of the CDF program in 2022 determined that a charge for the administration associated with maintaining the program was appropriate. A recovery amount in line with this expenditure is represented in Note 5.

	30-JUNE-22 (\$)	30-JUNE-21 (\$)
<b>12. Depreciation and Amortisation Expenses</b>		
Depreciation - Office Equipment	391,971	153,504
Depreciation - Furniture & Fittings	2,585	3,749
Depreciation - Leasehold Improvements	10,451	13,261
Depreciation - Buildings	8,409	8,409
Depreciation - Software (Intangibles)	23,265	19,554
Amortisation - Leases	353,749	353,185
<b>Total Depreciation and Amortisation Expenses</b>	<b>790,432</b>	<b>551,662</b>

	30-JUNE-22 (\$)	30-JUNE-21 (\$)
<b>13. Debts Written Off</b>		
Civil Disbursements Fund - Write-Offs	17,510	17,203
<b>Total Debts Written Off</b>	<b>17,510</b>	<b>17,203</b>

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.

#### 14. Cash and Cash Equivalents

	30-June-22 (\$)	30-June-21 (\$)
<b>Unrestricted Cash and Cash Equivalents</b>		
Cash on Hand – Petty Cash	2,050	2,050
Bank Accounts	4,568,173	3,724,023
	<b>4,570,223</b>	<b>3,726,073</b>
<b>Restricted Cash and Cash Equivalents</b>		
Bank Account	972,780	984,255
Investments – TASCORP No. 2	1,984	1,982
	<b>974,764</b>	<b>986,237</b>
<b>Total Cash and Cash Equivalents</b>	<b>5,544,987</b>	<b>4,712,310</b>
<b>Held as</b>		
Operating Cash	4,570,223	3,726,073
State Civil Law Disbursements Fund Loans Scheme	974,764	986,237
<b>Total and Balance as per Statement of Cash Flows</b>	<b>5,544,987</b>	<b>4,712,310</b>

#### 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 \$1,125,501 (2021: \$1,160,830).

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 2022 are shown at Note 13.



	30-JUNE-22 (\$)	30-JUNE-21 (\$)
<b>15. Investments</b>		
Term Deposits	4,753,000	3,421,000
<b>Total Investments</b>	<b>4,753,000</b>	<b>3,421,000</b>

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 12 months. Investments are held with major financial institutions.

	30-JUNE-22 (\$)	30-JUNE-21 (\$)
<b>16. Receivables</b>		
Contributions Receivable	16,444	16,019
Provision for Doubtful Debts	(2,000)	(2,000)
Loan - Civil Disbursement Fund	154,957	164,143
Accounts Receivable	326,728	488,529
Goods and Services Tax (GST)	8,011	8,719
<b>Total Receivables</b>	<b>504,141</b>	<b>675,410</b>

#### Contributions Receivable

Contributions consist of small amounts owing by clients as a contribution toward the cost of their legal matter. A provision for impairment is recognised against these contributions. 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 State Legal Aid organisations 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 court enforced cost recoveries.

#### Grants Receivable

There are no Grants Receivable at 30 June 2022. Grants Receivable are funds agreed upon but not yet received at 30 June 2022.

**Credit Risk**

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

<b>2022</b>	<b>Gross Amount</b>	<b>Past Due and Impaired</b>	<b>Due &lt; 30 Days</b>	<b>Past Due but not Impaired 31 – 60 Days</b>	<b>Past Due but not Impaired 61 – 90 Days</b>	<b>Past Due but not Impaired &gt; 90 Days</b>
Contributions Owing	16,444	2,000	3,730	4,271	1,751	6,692
Accounts Receivable	326,728	-	322,479	-	-	4,249
	<b>343,172</b>	<b>2,000</b>	<b>326,209</b>	<b>4,271</b>	<b>1,751</b>	<b>10,941</b>

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

## Notes to the Financial Statements

	30-JUNE-22 (\$)	30-JUNE-21 (\$)
<b>17. Non-Current Assets</b>		
<b>Property, Plant and Equipment</b>		
<b>Land &amp; Buildings</b>		
Land and Buildings at Cost	405,236	405,236
Revaluation of Land and Buildings	149,534	149,534
Accumulated Depreciation of Land and Buildings	(144,469)	(136,060)
<b>Total Land &amp; Buildings</b>	<b>410,301</b>	<b>418,711</b>
<b>Office Equipment</b>		
Office Equipment at Cost	886,216	506,017
Accumulated Depreciation of Office Equipment	(866,786)	(474,815)
<b>Total Office Equipment</b>	<b>19,430</b>	<b>31,202</b>
<b>Furniture and Fittings</b>		
Furniture and Fittings	23,840	22,340
Accumulated Depreciation of Furniture and Fittings	(20,659)	(18,074)
<b>Total Furniture and Fittings</b>	<b>3,181</b>	<b>4,266</b>
<b>Leasehold Improvements</b>		
Leasehold Improvements at Cost	217,753	217,753
Accumulated Amortisation of Leasehold Improvements	(193,870)	(183,419)
<b>Total Leasehold Improvements</b>	<b>23,882</b>	<b>34,334</b>
<b>Total Property, Plant and Equipment</b>	<b>456,794</b>	<b>488,513</b>
	30-JUNE-22 (\$)	30-JUNE-21 (\$)
<b>Intangibles</b>		
Software Assets	649,925	643,546
Accumulated Amortisation of Software	(625,318)	(617,541)
<b>Total Intangibles</b>	<b>24,608</b>	<b>26,005</b>

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

	30-June-2022 (\$)	30-June-2021 (\$)
<b>LAND &amp; BUILDINGS</b>		
Opening Written Down Value	418,711	349,422
Revaluation	-	77,698
Depreciation Expense	(8,410)	(8,409)
Closing Written Down Value	<b>410,301</b>	<b>418,711</b>

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.

	<b>30-June-2022</b>	<b>30-June-2021</b>
	<b>(\$)</b>	<b>(\$)</b>
<b>OFFICE EQUIPMENT</b>		
Opening Written Down Value	31,202	52,298
Additions	380,199	132,408
Depreciation Expense	(391,971)	(153,504)
Closing Written Down Value	<b>19,430</b>	<b>31,202</b>

	<b>30-June-2022</b>	<b>30-June-2021</b>
	<b>(\$)</b>	<b>(\$)</b>
<b>FURNITURE &amp; FITTINGS</b>		
Opening Written Down Value	4,266	5,352
Additions	1,500	2,663
Depreciation Expense	(2,585)	(3,749)
Closing Written Down Value	<b>3,181</b>	<b>4,266</b>

	<b>30-June-2022</b>	<b>30-June-2021</b>
	<b>(\$)</b>	<b>(\$)</b>
<b>LEASEHOLD IMPROVEMENTS</b>		
Opening Written Down Value	34,334	39,431
Additions	-	8,164
Depreciation Expense	(10,452)	(13,261)
Closing Written Down Value	<b>23,882</b>	<b>34,334</b>

	<b>30-June-2022</b>	<b>30-June-2021</b>
	<b>(\$)</b>	<b>(\$)</b>
<b>INTANGIBLES</b>		
<b>Computer Software</b>		
Opening Written Down Value	26,005	5,637
Additions	21,868	39,923
Amortisation Expense	(10,229)	(19,555)
Disposals	(13,036)	-
Closing Written Down Value	<b>24,608</b>	<b>26,005</b>

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.

**18. Impairment of Assets**

There were no indications of impairment of property, plant and equipment and intangible assets at 30 June 2022.

**19. Right-of-Use Assets**

	<b>158 Liverpool Street, Hobart (\$)</b>	<b>64 Cameron Street, Launceston (\$)</b>	<b>Total (\$)</b>
<b>Carrying value at 1 July 2021</b>	<b>1,959,867</b>	<b>108,372</b>	<b>2,068,239</b>
Adjustment for Changes in Lease Conditions	61,985	(149)	61,836
Lease amortisation expenses included in Note 12	(263,579)	(90,170)	(353,749)
<b>Carrying value at 30 June 2022</b>	<b>1,758,273</b>	<b>18,053</b>	<b>1,776,326</b>

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

	30-JUNE-22 (\$)	30-JUNE-21 (\$)
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**20. Payables**

Accrued Employee Entitlements	197,345	202,496
Other Operating Costs	226,082	334,477
<b>Total Payables</b>	<b>423,427</b>	<b>536,974</b>
	30-JUNE-22 (\$)	30-JUNE-21 (\$)

**21. Contract Liabilities**

Unexpended Grants	2,324,638	1,192,046
<b>Total Contract Liabilities</b>	<b>2,324,638</b>	<b>1,192,046</b>
	30-JUNE-22 (\$)	30-JUNE-21 (\$)

**22. Provisions**

<b>Current</b>		
Provision for Annual Leave	563,803	542,719
Provision for Long Service Leave	571,688	636,387
<b>Total Current</b>	<b>1,135,491</b>	<b>1,179,106</b>
<b>Non-Current</b>		
Provision for Long Service Leave	175,367	173,279
<b>Total Non-Current</b>	<b>175,367</b>	<b>173,279</b>
<b>Total Provisions</b>	<b>1,310,858</b>	<b>1,352,385</b>

	30-JUNE-22 (\$)	30-JUNE-21 (\$)
<b>23. Other Liabilities</b>		
<b>Current</b>		
Employee Benefit Liabilities – On-Costs	36,981	-
<b>Total Current</b>	<b>36,981</b>	<b>-</b>
<b>Non-Current</b>		
Employee Benefit Liabilities – On-Costs	3,500	-
<b>Total Non-Current</b>	<b>3,500</b>	<b>-</b>
<b>Total Other Liabilities</b>	<b>40,481</b>	<b>-</b>

The 2022 financial year is the first financial year that TLA has recognised On-Costs separately from the provisions disclosed at Note 22. Therefore, a comparative balance is not reflected above.

## 24. 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.

## 25. Commitments for Expenditure

### Legal Case Commitment

At 30 June 2022 TLA's case management system disclosed a commitment of \$1,535,551 (2021: \$1,404,162) 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. At 30 June 2022 terms of a lease extension had not been agreed. At the time of preparation of these annual financial statements, the lease extension is still under negotiation. As a result, a lease liability and right of use asset for this extension has not been reflected. It is expected that the extension will be agreed post the date for completion of the financial statements and will be reflected in the 2022/2023 financial statements.

**Lease Liabilities**

The following amounts are recognised in the Statement of Financial Position:

<b>Current</b>	<b>30-June-22 (\$)</b>	<b>30-June-21 (\$)</b>
Lease Liabilities	248,259	311,998
<b>Non-current</b>		
Lease Liabilities	1,649,888	1,836,481
<b>Total</b>	<b>1,898,147</b>	<b>2,148,479</b>

Maturity analysis of lease liabilities:

	<b>30-June-22 (\$)</b>	<b>30-June-21 (\$)</b>
One year or less	248,259	311,998
From two to three years	243,886	244,319
From three to four years	255,760	238,360
From four to five years	268,048	248,721
More than five years	882,194	1,105,081
<b>Total</b>	<b>1,898,147</b>	<b>2,148,479</b>

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

	<b>30-June-22 (\$)</b>	<b>30-June-21 (\$)</b>
Interest on lease liabilities included in Note 11	44,531	50,129
Lease amortisation expenses included in Note 12	353,749	353,185
<b>Net expenses from leasing activities</b>	<b>398,280</b>	<b>403,314</b>

	30-JUNE-22 (\$)	30-JUNE-21 (\$)
<b>26. Reconciliation of Net Surplus for the year to Net Cash Flows Provided by/(Used In) Operating Activities</b>		
<b>Cash flows from operating activities</b>		
Net Surplus for the year	910,184	361,902
<b>Non-Cash Items</b>		
Depreciation and Amortisation	790,432	551,662
<b>Total Non-Cash Items</b>	<b>790,432</b>	<b>551,662</b>
<b>Change in assets and liabilities</b>		
Decrease / (Increase) in Receivables	171,269	336,652
Decrease / (Increase) in Other Assets	(9,473)	79,967
Increase / (Decrease) in Payables	(113,545)	16,439
Increase / (Decrease) in Contract Liabilities	1,132,592	369,296
Increase / (Decrease) in Provisions	(41,527)	825
Increase / (Decrease) in Other Liabilities	40,481	-
<b>Total Change in assets and liabilities</b>	<b>1,179,797</b>	<b>803,179</b>
<b>Total Cash flows from operating activities</b>	<b>2,880,413</b>	<b>1,716,743</b>



## 27. Reconciliation of Liabilities Arising from Financing Activities

Lease Liabilities	
	(\$)
<b>Balance as at 30 June 2021</b>	<b>2,148,479</b>
Additions	-
Other Movements	61,836
Principal Repayments	(312,168)
<b>Balance as at 30 June 2022</b>	<b>1,898,147</b>

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

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.

## 28. Financing Facilities Available

	30-June-22	30-June-21
	(\$)	(\$)
Facility Limit	92,000	83,000
Less Used / Committed	(11,980)	(12,472)
	<b>80,020</b>	<b>70,528</b>

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.

## 29. 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.

### 30. Remuneration of Auditors

	30-June-22	30-June-21
	(\$)	(\$)
Audit Fees	26,890	25,850
	<b>26,890</b>	<b>25,850</b>

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

### 31. Remuneration of Commissioners

30-June-22					
		Short-Term Benefits (\$)		Long-Term Benefits (\$)	Total Benefits (\$)
Band	Commissioners	Salary	Other Benefits	Superannuation	Total
\$0 - \$10,000	1	8,407	-	841	9,248
\$10,001 - \$20,000	2	22,418	-	2,242	24,659
\$20,001 - \$30,000	1	21,017	-	2,102	23,119
<b>Remuneration Total</b>	<b>4</b>	<b>51,842</b>	<b>-</b>	<b>5,184</b>	<b>57,026</b>

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

Commissioners are remunerated on an annual basis. Superannuation is paid to Commissioners in accordance with the superannuation guarantee legislation. There were no leave benefits, termination benefits, or other benefits paid to any Commissioner in the 2021 or 2022 financial years.

### 32. 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-22							
		Short-Term Benefits (\$)			Long-Term Benefits (\$)		Total Benefits (\$)
Band	Number of Employees	Salary	Allowances	Leave Benefit	Super	Leave Benefit	Total
\$140,001 - \$160,000	1	146,537	480	(6,547)	14,581	3,546	158,597
\$240,001 - \$260,000	1	195,398	16,835	4,752	21,223	5,663	243,871
<b>Remuneration Total</b>	<b>2</b>	<b>341,935</b>	<b>17,315</b>	<b>(1,795)</b>	<b>35,804</b>	<b>9,209</b>	<b>402,468</b>

30-June-21							
		Short-Term Benefits (\$)			Long-Term Benefits (\$)		Total Benefits (\$)
Band	Number of Employees	Salary	Allowances	Leave Benefit	Super	Leave Benefit	Total
\$140,001 - \$160,000	1	143,330	480	(3,037)	13,549	3,291	157,613
\$220,001 - \$240,000	1	190,994	16,836	4,044	19,744	5,116	236,734
<b>Remuneration Total</b>	<b>2</b>	<b>334,324</b>	<b>17,316</b>	<b>1,007</b>	<b>33,293</b>	<b>8,407</b>	<b>394,347</b>

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

### 33. 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 are 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	Academic Lead Employability
Gavin Wailes	Department of Justice	Director of Finance
Matthew Verney	Matthew Verney Lawyers	Proprietor

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

### 34. Client Trust Funds

TLA did not hold client funds in a Trustee capacity pending final settlement of case files as at 30 June 2022 (2021 Nil).

### 35. 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 Australian Accounts Standards the base 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 base grants and other grants as identified in Note 3 and 4 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 25.

TLA for a number of years paid out additional aid based on accumulated surpluses that did not appropriately 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.

<b>Underlying Accumulated Surplus</b>	<b>30-June-22</b>	<b>30-June-21</b>
	<b>(\$)</b>	<b>(\$)</b>
Accumulated Surplus	5,400,961	4,455,447
Granted but unpaid at 30 June	(1,535,551)	(1,404,162)
<b>Accumulated Surplus Including Granted but Unpaid Aid</b>	<b>3,865,410</b>	<b>3,051,285</b>
<b>Underlying Net Surplus for the Year</b>		
Net Surplus for the Year	910,184	361,902
Movement in Granted but Unpaid Aid	(131,389)	(220,826)
<b>Net Surplus Including Movement of Granted but Unpaid Aid</b>	<b>778,795</b>	<b>141,076</b>

# Tasmania Legal Aid

Tasmania Legal Aid  
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1300 366 611  
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