

InFOCUS

Welcome to the second edition of *InFOCUS* where we introduce our Civil Law team.

At TLA we have three main areas of law that we help people with – Civil Law, Family Law and Criminal Law.

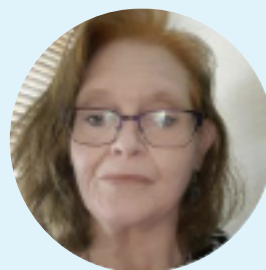
Family and criminal law are familiar to most people, but what is civil law?

There is no standard definition, but civil law usually involves legal issues between people (and sometimes between a person and an organisation). These types of issues are common and often have a huge impact on a person's life.

Some examples of common civil law matters are debts, contract disputes, fines, discrimination, neighbour disputes, tenancy issues, employment issues, wills and estates and court matters that are not criminal. Our Civil Law team can help with many issues and if we can't help, we refer you to someone who can.

Our Civil Law team of around 30 people includes:

- **Receptionists** who greet everyone who contacts TLA and arrange appointments with our lawyers.
- **Advice and Legal Service Lawyers** give free advice on many legal matters by phone, video link or face to face in our offices at Burnie, Devonport, Hobart or Launceston.
- **A civil lawyer** who provides legal assistance on contract disputes, restraint orders, magistrate and supreme court documents.
- **Defence and Veterans Legal Service** – helps people to safely engage with the Royal Commission into Veterans' Suicide.
- **Mental Health and Disability lawyers** – provide representation for people who have guardianship and mental health hearings at the Tasmanian Civil and Administrative Tribunal and the Supreme Court.
- **NDIS Appeals lawyers** – provide legal help to challenge decisions about support plans or whether someone can get NDIS.



MEET

Helen Beswick

Helen is one of our welcoming faces in our Launceston office. Our receptionists have a passion for helping

people and make sure people who call or visit our offices feel safe, welcome and are treated with respect. Helen says:

"When a client comes in completely deflated/upset or distraught and we are able to give them hope and offer them solutions as to who can help them with their issue. Sometimes just taking the time to listen and direct them through to clinic services makes so much difference to their state of mind."

- **Senior Assist** – provides case management and legal options to older people experiencing or at risk of elder abuse.
- **Your Story Legal Service** – helped people engage safely with the Disability Royal Commission up until December 2022 when submissions closed. We now help people with disability with any legal issues they have.

Last year we helped thousands of Tasmanians with civil legal issues.

You are welcome to contact our advice line on freecall 1300 366 611 weekdays 9am–5pm if you would like to speak to a lawyer about any legal issue that you have.



Sarah Campbell

Associate Director
Civil Law

Building on success

We have recently expanded our specialist mental health legal and disability service.

Our lawyers represent people who are treated or detained under the Mental Health Act or have an application to appoint a guardian or administrator. . We ensure that our client's legal rights are protected. More recently we have taken on a new role representing people as a Separate Representative in the Mental Health and Guardianship streams of the Tasmanian Civil & Administrative Tribunal (TASCAT).

Following recommendations by the Tasmania Law Reform Institute, TASCAT can now appoint a Separate Representative lawyer for someone who may not be able to instruct a lawyer themselves. The Tribunal may appoint a Separate Representative because it is concerned that someone is particularly vulnerable and needs additional protection. This may be because a person is unable to make decisions themselves as they have an illness or medical condition, language and cultural barriers, or because the person is a child.



Toby MacGregor



Elizabeth Dalgleish

Toby and Elizabeth are Separate Representative lawyers at TLA. Both have valuable experience working with people with a disability including mental illness.

Our Separate Representative lawyers help people who have a medical condition that affects their thoughts, mood, perception, or memory and as a result they are unable to make decisions about their life and finances. This includes people with dementia, depression and anxiety disorders. In these instances, our lawyers will meet with the person and their support network i.e. family, doctor or nursing home, to ensure their legal rights are protected.

We are currently developing Australia's first Mental Health Separate Representative Guidelines to help protect the interests of people who have Mental Health, guardianship or administration orders.

Criminal Law InFOCUS

Our criminal lawyers speak up for people who are affected by homelessness, unemployment, mental health issues, addictions, family violence and other difficult circumstances. We are proud of our work and excel in the technical and difficult legal aspects of criminal law work – including representation, hearings, pleas of guilty, and trials in the Supreme Court.

Anyone can get free legal advice over the phone or by attending a clinic at one of our offices. When someone needs ongoing legal representation, we make an application for a grant of aid so that if a

person has their own lawyer who does legal aid work, that lawyer can apply for a legal aid grant to help that person. Clients that come to our in-house practice will see one of our specialist criminal lawyers. If we can't help a client in-house, we can ask a private lawyer to assist.

All applications for legal aid are assessed by our independent grants team, using our grant guidelines.

Our civil team includes



Shamitaa S
NDIS lawyer,
Hobart



Gemma Misrahi
Senior Assist Manager,
Hobart



Jess Mewis
NDIS lawyer,
Launceston



Peter Briffa
ALS lawyer,
Launceston



Victor-David Murray
Civil Manager,
Hobart



Donetta Ditton
DAVLS lawyer,
Launceston



Eve Wardrop
Mental Health lawyer,
Hobart



Jane Green
Your Story lawyer,
Hobart

Family Law InFOCUS



Kirsty Van Helvoirt
FDR Conference
Coordinator

Our Family Dispute Resolution (FDR) team is just one part of our wider Family Law team. The FDR team works with separated parents to help them agree on how they will continue to care for their children. This service offers a supportive environment for parents who are unable to reach an agreement on decisions

related to their children – without going to court. Each parent is typically helped by their own lawyer and particular care is given to any parent without a lawyer to ensure that they are fully informed and engaged about the process.

**Tasmania
Legal Aid**

Preventing elder abuse

Our Senior Assist team includes lawyers and case managers who provide free legal advice, assistance and support to seniors who are experiencing elder abuse.

Elder abuse is a complex problem that takes many forms. It can be physical, psychological, sexual, financial abuse and neglect and unfortunately elder abuse is still largely a hidden problem. Women are more likely to report elder abuse than men. The most common form of abuse relates to issues about property or money. Most elder abuse is by adult children against their parents. Legal assistance is mostly sought when seniors are experiencing either physical or financial abuse – or both.

Tasmania Legal Aid's Senior Assist service provides an integrated response to elder abuse across Tasmania. Our legal team works alongside our case managers who have social work qualifications and provide safety planning, counselling and access and referrals for supports. Our case managers can also assist clients who lack legal capacity as well as clients who are unable or uncomfortable coming into our offices.

We are proud to report that in the previous 6 months, 96.5% of our clients expressed a high level of satisfaction with our Senior Assist services.



Visit our website for more information, including:

- [Powers of attorney & enduring powers of attorney](#)
Your duties if you are a power of attorney for someone
(www.legalaid.tas.gov.au/factsheets/handbook-for-attorneys-powers-of-attorney-enduring-powers-of-attorney-tasmania)
- [Everyone deserves respect](#)
A booklet for seniors in Tasmania
(www.legalaid.tas.gov.au/wp-content/uploads/2023/02/TLA-Everyone-deserves-respect-handbook.pdf)

 **1300 366 611**

 www.legalaid.tas.gov.au

Hobart: 158 Liverpool Street
Launceston: 64 Cameron Street
Devonport: 8 Griffith Street
Burnie: 50 Alexander Street

Connect with us



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

**Tasmania
Legal Aid**