

Protected: Problem with an Independent Children's Lawyer (ICL)

Anyone can talk to a lawyer for free at Tasmania Legal Aid.

To get free legal information call 1300 366 611, drop into our Hobart or Launceston office (no appointment necessary) or use the Legal Talk chat function on our website. We are open Monday to Friday, 8.45am to 5pm.

A lawyer can listen to your story and help identify the next steps you can take.

Tasmania Legal Aid cannot remove an ICL from a matter unless the ICL agrees to this or the court decides to remove them.

I'm unhappy with an ICL – what should I do?

The role of an Independent Children's Lawyer (ICL) is complex. You can find out more information about the role of an ICL on [Independent Children's Lawyers](#).

How was the ICL appointed?

The court will decide to appoint an ICL to a matter. Tasmania Legal Aid is told by the court that a matter needs an ICL and we appoint a qualified lawyer to be the ICL. We appoint ICL's according to rules and processes set out in a document called the [ICL Panel Document](#).

Lawyers who are appointed as ICLs are paid by a grant of aid. This grant of aid tells the lawyer what kind of work they are to do. A lawyer who is appointed an ICL must also follow our [ICL Practice Standards and Guidelines](#) for how they work with the child.

What if I want to complain about an ICL?

It is unlikely that Tasmania Legal Aid will take any action if we receive a complaint about someone disagreeing with the views of an ICL. The way in which an ICL acts or the things the ICL presents to court may not be what the child prefers or is happy with. Parents or other people who know the child may not approve of the ICL's decisions either, but this does not mean that the ICL has done the wrong thing or failed their professional responsibility.

If someone believes that an ICL is not performing their professional responsibilities, the following options are available:

- Make an application to the court for the ICL to be removed. You should speak to your lawyer about this (if you have one) or
- Make a complaint to the [Legal Profession Board of Tasmania](#) that an ICL is not discharging their professional obligations. The Legal Profession Board of Tasmania deals with complaints about lawyers.
- Make a complaint to us at [Tasmania Legal Aid](#). We may be able to investigate some aspects of the ICL's conduct if they are a breach of our [ICL Practice Standards and Guidelines](#).

This is written for people who live in or who are affected by the laws of Tasmania, Australia. The law changes all the time – this information is not legal advice. If you have a legal problem, you should talk to a lawyer before making a decision about what to do.