



Tasmanian Aboriginal Legal Service

Annual Report 2020 – 2021

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Vision, Purpose and Values

OUR VISION

Achieving true justice, dignity, fairness and respect for all Tasmania's First Peoples.

OUR PURPOSE

TALS empowers Aboriginal Tasmanians by providing culturally appropriate, quality legal services, and leading advocacy for justice reform.

OUR VALUES

Culturally strong – we have clear awareness and respect for culture and our services are delivered in a culturally safe, sensitive and appropriate manner.

Self-determining – self-determination for Aboriginal people is central to our organisation, how we engage with clients and how we design and deliver our services.

Strengths based – the strengths of our service, our clients and their communities are harnessed to determine and guide delivery of optimal outcomes.

Client focused – the best outcome for the client is at the heart of all we do.

High quality – we are innovative and creative, and we strive for excellence in the services we deliver.

Collaborative – we collaborate within and outside our organisation for the benefit of our clients and the broader Aboriginal communities in Tasmania.

Accountable – we are accountable to ourselves, our organisation and the community.

Truth telling – we are honest about the past, and value the truth in all its forms, past, present and future.

OUR CHALLENGE

"We have set a strong, courageous challenge to drive our work over the next ten years:

To halve Aboriginal Tasmanians' rate of negative contact with the justice system in a decade.

we acknowledge up front that meeting this target requires strong collaboration and commitment across multiple organisations and our community, and we make no apologies for setting an ambitious long-term challenge.

This challenge will underpin our dialogue and outward facing communication about what really drives our organisation, including with potential new partners and funding organisations"



Message from the Chair

It is with great pride that we can present and celebrate our inaugural Annual report.

I would like to take this opportunity to acknowledge the Board of Directors and advisors for their tireless effort, leadership, support and knowledge expertise to myself, the senior management and staff as our governance and leadership platform enables us to embrace self-determination.

Also, I would sincerely like to commend and thank the staff for their hard work and perseverance in delivering a safe, inclusive and culturally appropriate service that works with and for our clients as these people are the entire reason that we are funded to provide the services that we do.

In 2020 TALS was established, marking the return of control of Tasmanian Aboriginal Legal Services to our communities. We know that TALS and other community controlled Aboriginal organizations are the best equipped to provide services for our people as no other body could provide the same level of service and I truly believe that this is something that all involved should be proud of accomplishing.

As challenging as this last year has been, I am pleased to say that overall we are continuing to provide high quality, accessible legal services to our clients and are slowly but surely stepping towards completing our goal of halving the rate of negative contact with the justice system for our people. We will continue to practice strong governance and capacity building of the organisation to ensure that it is at its best to manage these programs for our communities.

I am also thrilled to announce that we are in the embryonic stages of working on some new community focused and advocacy projects in partnership with stake holders and other key persons to develop strategies and initiatives that will fundamentally change the negative experiences for our people, these include but are not limited to:

Memorandum of Understanding with Legal Aid Tasmania.

Family Violence Legal Programs.

Prison Programs.

Indigenous Remand & Reintegration Program.

Raising the Age.

I would like to congratulate everyone's endeavor and I look forward to working with you all in the near future.

John Clark - Chairperson



CEO's Message

Looking back over our first year the Tasmanian Aboriginal Legal Service (TALS) has fought hard to get the legal service back to Tasmania. Through sheer determination the Board have worked hard and focused on getting its governance and administration processes established, it has been a hard road with competing interests.

TALS now exercises true self-determination by managing its own local affairs. Tasmania has input into the legal service from many independent Aboriginal organisations statewide. Through these relationships our organisation responds to local issues impacting Aboriginal & Torres Strait Islander people with a clear understanding of the issues on the ground. Reports are provided to members of this network bi-monthly on issues impacting our people on legal and justice matters.

I would also like to mention the resilience of the TALS staff who continued to work with the existing Tasmanian leadership of the legal service as they moved through our transition and continually stepped up along the way. A special thanks to Hannah Phillips who is now the Principal Lawyer for her diligence and tenacity. The organisation has gone through many challenges arising from having leadership offshore and to regularly changing circumstances, however they have come out the other end with a new enterprise agreement with excellent work conditions.

We have increased our programs, funding and staffing complement and are outgrowing our office accommodation. New programs are the Prison to Work Pilot, the Family Violence Prevention Legal Service along with the increased funding for a Covid-19 and the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability positions. We also have other programs ready to be received, the Custody Notification Service, the Justice Policy Partnership – Policy Officer, and the Child Safety Early Intervention Unit Pilot programs.

There has been a lot of work conducted in readiness for TALS to be accredited under the National Accreditation Scheme with the Community Legal Centres. This should be achieved by the end of this year and will give comfort to our clients, members and stakeholders that TALS operates at a standard giving them greater peace of mind that we are continually improving the quality of services.

Never have we been seen to be working so closely with the sector. We have built strong relationships with members of the Community Legal Centres (CLC's), Tasmanian Legal Aid, other community sector organisations and we have worked together individually and collectively on recent policy, reforms, and programs.

The Government have also been receptive to TALS and now the Executive is in Tasmania together we have formed a closer relationship. It is clear the leadership coming from Tasmania has seen us working more closely with the government on many initiatives and they are now seeking our input. I am privileged to sit on the Department of Justice Corrections Strategic Plan 2022-2026 Advisory Group providing input into a plan that addresses rehabilitation and reintegration to reduce the rate of reoffending.

I also want to thank Judy Clark, David Ware, & Jenny Samms for their support and expertise through our establishment phase and with our staff. Additionally, I would like to thank Rodney Dillon for connecting with the Victorian Aboriginal Legal Service to bridge the gap between the two services.

During the transition from the previous provider in Victoria TALS made huge changes with its workforce, improving their conditions and was undergoing accreditation with the under the National Accreditation Scheme with the Community Legal Centres.

TALS' focus is clear - our role is to provide quality legal services, advocacy and policy reform in the justice space through self-determining principles and an increased presence in the sector. We will do that with our communities in this phase of Closing the Gap for our people to reduce the numbers of Aboriginal and Torres Strait Islander people in justice system.

Tracey Dillon – Chief Executive Officer



Principal Lawyer

The Legal Service:

The Aboriginal Legal Service provides legal services to Aboriginal and Torres Strait Islander people living in Tasmania. We represent clients across many areas of the law including criminal, family, child safety and minor civil matters. We aim to deliver a culturally appropriate legal service for Aboriginal people and communities in Tasmania. In line with TALS strategic plan, TALS aims to halve Aboriginal Tasmanians' rate of negative contact with the justice system in the next ten years.

In July 2020, the Aboriginal Legal Service returned to Tasmania after operating out of Victoria for the preceding five years. This is a very welcome return. The priority during July and August of 2020 particularly was to ensure that client service delivery was maintained without disruption and that staff transitioned from the Tasmanian Aboriginal Community Legal Service to the Tasmanian Aboriginal Legal Service ("TALS").

There are many combined years of experience within both offices, with many staff having been at the service for years, some since 2015. The staff experience was fundamental during the transition to ensure that policies and procedures were continued to the new service and that client's continued to receive representation from lawyers they knew, trusted and had a rapport with.

The year also saw the service continue to deal with the COVID-19 pandemic, which challenged the judicial system, our clients, and our service in many ways. TALS worked closely with the courts, police, corrections, and other stakeholders during this time. The Supreme Court was already facing a significant backlog of criminal matters, and the pandemic meant that jury trials were not able to be conducted for much of the year as the jury rooms and court buildings could not meet social distancing requirements. The ceasing of trials did however allow both defence counsel and prosecution an opportunity to consider matters in detail and in advance and negotiate outcomes with more time in the office rather than at Court.

Many Supreme Courts have now been renovated to allow for social distancing, and trials have re-commenced in all locations but there continues to be limits on court lists as the health and safety of all stakeholders continues to be the main consideration. TALS Lawyers are now allowed back in the prisons, after a significant period having to speak to client's only by electronic means due to the pandemic.

Most services that TALS provide are representation services, which require more than one court appearance. On average a criminal file in the Magistrates Court has around four court appearances ranging in length from 2 minutes up to multiple days for contested hearings. A contested matter in the Supreme Court that requires a trial, faces delays of two to three years, and sees lawyers supporting a client at court every few months up until the trial date. If a client is in custody, the trial is reached quicker but there is still a substantial delay, which is a key consideration when considering applications for bail. A TALS indictable custody matter from the end of 2019 was reached only this year, with the client in custody for 18 months prior to the matter resolving despite many bail applications to have the client released pending trial.

All attempts are made for family matters to resolve either by agreement or at negotiations however TALS does support many clients through to the court stage of proceedings up to and including contested trials. Likewise for Child Safety matters, where attempts are made to negotiate, but in all circumstances, we advocate through the court process for either the return of children to their family and/or community.

Principal Lawyer cont.

TALS lawyers in addition to their day-to-day work, are responsible for servicing the out of hours notification service. This works on a roster system, with each lawyer completing on average a weekend every three months and around four weeknight shifts during the same period. TALS out of hours number can be called every hour of every day throughout the entire year. Officers of Tasmania Police are required to contact TALS if there is a person in custody who identifies as Aboriginal and/or Torres Strait Islander. TALS lawyers provide advice, support, and undertake welfare checks during the call.

TALS currently has twelve (12) lawyers working across areas of civil, family (including child safety) and criminal law. This number is double the number of lawyers that were employed at the commencement of the legal service in 2015. There continues to be an increase in demand for the Aboriginal Legal Service across the state in all areas of law.

Whilst TALS is a legal service provider, the work that we undertake requires so much more than a direct and strictly legal approach. A housing crisis in Tasmania, low employment, a broken health system, among other things have a significant impact on the health, safety, and well-being of our client base. Our staff support clients with non-legal issues by providing referrals to support services.

Our team:

The year 2020 saw the TALS legal team continue to grow to meet demand and extend services.

A Senior Criminal Lawyer was appointed in the Launceston Office, Ben Ashman. Mr Ashman has been working at TALS since 2017, in criminal law predominantly but has undertaken some civil work. Mr Ashman is responsible for most of the indictable crime in the North and Northwest and has three other criminal lawyers in his team in the Launceston office. This team services the entire North and Northwest of the state in addition to Flinders Island, Scottsdale, and St Helens courts.

A Senior Criminal Lawyer was appointed in the Hobart office in May 2021. TALS were fortunate to have Mr Lewis Shillito join the team in this position, an experienced lawyer and advocate who had been practising at the Aboriginal Legal Service in Queensland for many years. Mr Shillito works with a team of four other lawyers in the Hobart criminal team. It is hoped his expertise within the team will see the indictable work in Hobart continue to grow, including trial and Court of Criminal Appeal advocacy.

A Senior Family Lawyer was also appointed this year, Ms Tyne McConnon who runs the family law section of TALS for the state. Ms McConnon started at TALS in the middle of 2020, moving from Western Australia where she worked in an Aboriginal organisation that delivered legal services to women experiencing family violence. Ms McConnon is known for her approachable nature and persuasive advocacy in the area in which she works. Child Safety also comes within the family law team, and various lawyers across the state work in this area as well.

In addition, TALS also has a Your Story lawyer (*further details below*) who also undertakes the minor civil work for the state.

Principal Lawyer cont.

The Criminal Law Practice:

TALS assist clients from the early stages of police investigation, to arrest, to court and to appeal stage.

Early advice might be a client contacting the office asking what their rights are when Police are at their door with a search warrant. Our lawyers providing advice at this stage can avoid additional charges being laid, including obstructing police if there is an argument about police powers.

When our criminal team are notified of a person in custody, they obtain as much information as possible to be able to support the client and provide advice. If the client is going to be held in custody overnight, with the information gathered at this stage, we can commence the process of preparing for any bail applications for the following day or later that day depending on when the notification is received. It also allows our staff to follow up with Police if we believe that a person is being unreasonably being kept in custody as we know when they were arrested and what has been occurring. By the time the matter reaches the stages of being a bail application, TALS often has already spoken to the client, their family or support person if appropriate. One of the important aspects of this process is that the client knows that they will be represented and supported through the Court process which often reduces anxiety felt about being held in custody without someone on their side.

The legal team advocate for client's to be granted bail pending the resolution of their matters in all appropriate cases. There are bail applications almost every single day across the state being conducted in both the Magistrate and Supreme Courts.

Our lawyers appear across the state in all the Magistrates Courts, including Hobart, Launceston, Devonport, Burnie, Smithton (when it sits), Scottsdale, St Helens, Whitemark, and Queenstown. We assist with adjournments, bail applications, plea in mitigation, negotiations with Police up to contested hearings.

We also appear across all Supreme Courts in Tasmania, including in Burnie, Launceston and Hobart where the courts are located. This includes matters like serious assaults, robberies, rape, among other crimes. We appear for bail applications, directions hearings, plea in mitigation and sentence matters as well as contested trials. We have several trial advocates, who are also supporting more junior lawyers with some Supreme Court matters. Senior advocates also provide regular advice in respect of appeals to the Court of Criminal Appeal and TALS has filed and appeared on appeals when there is merit in doing so.

TALS lawyers are required to complete professional development throughout the year to maintain and extend their knowledge, expertise, and competence in their practice. In addition to the program that runs through the Law Society, we have commenced additional training sessions that are run internally by lawyers on their areas of expertise to other staff. We have also commenced inviting members of the profession to speak to lawyers about discreet areas of the law to further the training our lawyers receive.



Principal Lawyer cont.

Below is an example of the type of work our criminal lawyers do:

Chris is mature war veteran suffering from PTSD and alcohol abuse disorder. He was arrested at his home by Tasmania Police after they were contacted on allegations of family violence.

When he was being arrested, he resisted and abused police. A contributing factor to his offending was his PTSD. A Tals lawyer was able to negotiate the charges and avoid the matter going to hearing. In sentencing submissions, the lawyer obtained information from Chris's treating psychiatrist and copies of his service record to support the mitigation.

The client was placed on good behaviour for a period of six months, and he was not convicted of the offending. The client was extremely thankful for the assistance they obtained from TALS. The result was able to be obtained due to the lawyer's diligence in obtaining support material and preparing specific submissions to address the impact a conviction would have on Chris's future business prospects. Despite the fact the original offending was traumatic for Chris, he was able to be supported through the Court process to reduce his anxiety.

I note we have changed our client's name and some facts to protect their privacy

A further case study:

Sarah was sentenced in November 2020 to a short period of imprisonment and a Home Detention Order. At that time, Sarah was also in breach of a six-month suspended period of imprisonment. The submissions at this time in respect of sentence largely focused on the need for Sarah to retain her Housing property, which is a significant stabilising factor for her. There is often a two year wait for a Housing property. After her release from custody, Sarah was able to serve the rest of her sentence, being 10 months as a Home Detention Order.

In February 2021, Sarah had a further three matters listed in Court which pre-dated her sentence. They were serious driving offences.

However, Sarah had taken steps towards her rehabilitation during the period of Home Detention. She had ceased illicit drug use, completed drug and alcohol rehabilitation, and had engaged with her Probation Officer. Sarah now has regular care for her two children and is in a stable and supportive relationship.

Sarah's lawyer was able to persuade the Magistrate to not impose any further custodial sentence or Home Detention, and she received community service and the mandatory disqualification periods and fines for the additional offending.

The Home Detention Order is now complete, and Sarah has even gone out of her way to participate in programs to assist with her reintegration into the community after being at home for such a long period.

The use of the various sentencing options allowed for appropriate punishment for her crimes, her to keep her home to give her the best chance of rehabilitation and allowed her to give back to the community by completing community service hours.

I note we have changed our client's name and some facts to protect their privacy

Principal Lawyer cont.

Further case study:

Clint was charged with multiple counts of breaching family violence orders, assaults and breaches of bail conditions arising from several incidents over a short period. The client denied all of the violence alleged and denied having even been present at the time of the various incidents.

There was little corroborative evidence, the complainant had provided a photo of an injury to her knee and asserted this was from one of the assaults, but there were no other witnesses who claimed to have seen the assaults or indeed any injuries on the complainant. The complainant provided a statutory declaration to Police saying that she had lied on at least one occasions and had made up an allegation.

The matters proceeded to hearing and the complainant commenced giving evidence. It quickly became apparent her evidence was not going to accord to that which she provided to the police. The prosecution successfully applied to be able to cross examine her to put to her what she had told police previously. She was cross-examined on discreet matters to demonstrate certain issues in her evidence. A submission was ultimately made by his TALS lawyer that absent any further evidence the court could not be satisfied that any of the key acts had occurred as originally alleged.

The court accepted this, and the presiding magistrate dismissed all the charges relating to family violence. The client plead guilty to some remaining offences, largely concerning breaches of his bail conditions and there was no custodial sentence imposed.

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TALS Notification Service:

Between July 2020 and the end of June 2021 TALS received 1893 notifications to the 1800 out of hours number. Of those notifications, 355 identified as women, 1534 identified as men and there were 4 people who did not identify by their sex. The station that we received the most notifications from was Hobart, which is unsurprising given the general population size and the fact that many stations in the greater Hobart area, take people in custody through to Hobart give the station is bigger and it is next to the Court and Remand Centre. Launceston had the second highest notification rate, with 357 notifications.

Out of the 1893 notifications, 147 were under the age of 18.

The most common reason for a person to be arrested was on warrant, the most likely cause being that they had failed to attend Court (548 people). The second most common cause of arrest was on investigation into family violence or charges relating to family violence, with 415 people being arrested under this category. Other areas with high arrest rates were dishonesty offending, driving and drug related matters.

The notification service in Tasmania is an extremely unique service, as many jurisdictions do not have lawyers on call out of hours. There were 943 of the total 1893 notifications that were out of business hours, with almost all being offered the opportunity to speak to a lawyer. In some instances, it cannot be accommodated due to safety concerns for the client at that time, but generally Tasmania Police officer offer the opportunity again prior to interview.

The notification service model with TALS lawyers answering the phone is very effective, as generally the lawyer will have some knowledge of existing clients within the service. On many occasions, due to knowledge held by the lawyer, TALS client's have been released without charge or bailed. For example, if they are arrested for breaching bail but there has been a recent amendment to conditions that have not reached Police yet. Or there are difficulties in complying with bail

Principal Lawyer cont.

Your Story:

There was a continuation of the Your Story project in 2020 and 2021, which is a free support service for those who want to participate in the Royal Commission into Violence, Abuse, Neglect and Exploitation of people with Disability.

Your Story is a collaborative national service which is delivered by National Legal Aid and the National Aboriginal and Torres Strait Islander Legal Services and is funded by the Commonwealth until 30 June 2022. It supports the whole of Tasmania with outreach around the state.

Tals Your Story Lawyer, Josie Short, continues to build relationships with a wide range of services and organisations to assist in the promotion of the service. She has provided advice to many people who are wanting to tell their story and assisted with submissions.

Your Story case study:

Your Story Disability Legal Support Lawyer, Josie Short, has assisted client Ms Tiff Rock with sharing her story with the Disability Royal Commission. Tiff has been supporting her brother, who has quite significant intellectual disabilities and is non-verbal, since he was 11.

Tiff watched the health and wellbeing of her brother deteriorate as he spent years in care facilities which neglected and abused her brother, and in the care of service providers who neglected him or provided inadequate care. Tiff had many suggestions about how the disability sector could be improved so that other people do not have to suffer the way her brother has and how the community can learn from people with disability if it were more inclusive.

Josie supported Tiff in sharing her story directly with the DRC's First Nation's Engagement team and then through a private session with Commissioner Mason. Having legal support allowed Tiff to do so confidently and with the reassurance that her story would be shared in a safe way which protected her rights. Tiff told the Commissioner that she was grateful for and impressed with the legal support TALS provided and that sharing her story made her feel like she was contributing to improving the sector.

I note we have changed our client's name and some facts to protect their privacy

Principal Lawyer cont.

Civil Law:

Tals has a small civil team, but we assist across a range of matters. The most common request for service that we have in the civil area would be in respect of Restraint Orders, where we assist both applicants and respondents. We also assist with employment law, including unfair dismissal, debt recovery, defamation, discrimination, and we give advice in respect of personal injury and negligence matters and assist with referrals for ongoing legal case work in the civil area.

Tals advises and represents clients who are involved in Mental Health Tribunal and Guardianship and Administration Board hearings. It is important that those involved in the hearings understand what the process is, what is going to happen and ensure that their voices are heard.

Child Safety Matters:

Child safety work is extremely difficult for all involved, there is significant trauma and loss. The system is far from perfect and in many instances, there are breakdowns in relationships between clients and Child Safety. A child is removed from its family in often distressing circumstances and the parents and carers are expected to calmly deal with the very people who took their child only a moment ago.

Proceedings are brought about very quickly after, meaning there is a small window to obtain instructions from clients, provide advice and prepare submissions to avoid children away from their families on an interim basis. Once an interim order is made, it is very difficult to change that status quo as the more a child bonds with foster or other carers, and the less time with family and their parents the harder the argument becomes.

Tals is in a unique position to be able to assist clients as soon as child safety are involved and sometimes even before. The importance of this cannot be underestimated given the general sense of hopelessness and disengagement that occurs with what is perceived to be an untrustworthy system. They see the outcome as likely predictable.

Aboriginal organisations often refer clients to our service as soon as there is contact from Child Safety. We can provide the client advice and liaise with child safety on their behalf so that there are clear lines of communication and reduce the amount of negative material that will be included to support the application. We can also support the client with referral pathways to address any risk that Child Safety may have identified.

Our ability to provide the advice early and support clients allows us to intervene and hold Child Safety accountable. We are also able to follow up with Child Safety while Orders are in place to ensure that they are keeping their promises that they made about what they were going to do to reunify the child or for the parent to have access. The converse to this, is that Tals are involved again when a further Order is applied for because they haven't been able to do what was promised during the last Order. Tals model of service delivery is that we support client's every step of the way.

Ultimately, if a child stays with its family and community and everyone is supported, it is the best outcome for all. Persuasive and considered advocacy in these types of matters has the capacity to change the life of that child forever. In circumstances where it is not safe for the child to return to the parents, we can advocate strongly for culturally appropriate family placements to ensure children remain connected to family, community, and culture.

Principal Lawyer cont.

Case Study (Child Safety):

Mary was a criminal client of TALS and had several outstanding criminal matters. She was addicted to methamphetamine, had no stable housing and was in a bad family violence relationship and was pregnant. With the support of other stakeholder, she left the state and commenced rehabilitation. Tasmania Police were aware and supportive of what had occurred.

It was identified that Child Safety would likely want involvement and Mary was advised by a TALS lawyer to proactively engage with Child Safety.

She returned to Tasmania, continued her rehabilitation and abstinence from drugs and delivered a healthy baby. She had supported accommodation with family and the father of the child remained in custody for family violence.

Child Safety were at the hospital asking Mary to sign documents as soon as she had given birth, with a view to having custody of the baby for the next four weeks at least. Mary received advice and support from Tals in respect of her rights and what she should do.

As expected, Child Safety applied to take custody of the child whilst Mary was still in hospital. Tals at this time had full instructions from Mary having supported her through the entire process and was able to successfully persuade the Magistrate that custody should not be granted to the Secretary and that the child should remain in the custody of Mary.

The child remains in Mary's care and Child Safety are supervising her. The ability to prepare this argument ahead of time with the client's instructions to address perceived risks, meant that the child was able to remain with its mother.

I note we have changed our client's name and some facts to protect their privacy

Principal Lawyer cont.

Family Law matters:

There is one full time lawyer who undertakes the family law work across the state. There are multiple other lawyers, who predominantly work in other areas but assist with family law matters.

Tals assists with parenting and children's matters only, with funding not being extended to divorce and property settlements.

The family lawyer often supports around sixty clients at one time and the priority is to provide advice and try and assist the parents in reaching agreement about what happens with their children.

There are many instances where there are complex issues at play, involving mental health issues, criminal allegations or convictions, alienation of a parent, or risk to children. The focus in this area always must be what is in the child's best interest.

Case Study:

Mark had not been spending regular time with his youngest son for around a year. He was concerned around the welfare of the child as he feared the child was not attending school regularly and was fearful that the mother was extremely unwell and an alcoholic. The Mother denied all concerns.

On TALS' advice, Mark requested the child's school attendance records which were indicative of irregular attendance and found out that the child was falling behind. After a health scare with the Mother, TALS made an application to the Federal Circuit Court for the child to live with the Mark. TALS subpoenaed numerous documents which provided evidence of the Mother's serious health and alcohol issues.

The child is now residing with Mark and has improved significantly at school. He is also residing with his siblings who also live in the home.

I note we have changed our client's name and some facts to protect their privacy

Principal Lawyer cont.

Community Legal Education

Tals commenced in 2020 a Community Legal Education (“CLE”) program, which was largely developed by our CLE lawyer, Isabelle Patch. This position was funded through additional funding to support frontline services during the pandemic. The pandemic did however create a barrier to the delivery of programs across the State.

Lawyers did however deliver CLE in various parts of the State, including at the South East Tasmanian Aboriginal Corporation, the Circular Head Aboriginal Corporation, and the Flinders Island Aboriginal Association. There were also sessions delivered to schools in the Circular Head region about cyber security.

We recognise that CLE needs to be a very important component of the work that we do, and it can take many forms. We welcome any requests for our lawyers to undertake CLE across the state from stakeholders.

Overall:

The transition to TALS and the pandemic have been challenging times, but both have highlighted the strength and unity of staff and their commitment to the organisation and to the Aboriginal communities of Tasmania. TALS is fortunate to have staff who are passionate about social justice and come to work to make a difference not just to do their job.

I take this opportunity to extend my thanks on behalf of the legal team to all staff at TALS and all stakeholders, including Aboriginal organisations across Tasmania for their continued support and referrals.

Regards,

Hannah Phillips

Principal Lawyer

Tasmanian Aboriginal Legal Service

Operations

In July 2020, TALS had 316 active clients, approximately two thirds of those clients identified as male and one third identified as female. There were 241 criminal files, 23 child safety files, 10 civil files and 46 family files.

Move forward to April 2021, and there were 430 active files, again there was a similar split between male and female clients. On average, TALS closes between 50-100 files per month based on the last years data.

In the first 6 months of 2021, TALS had a total of 735 representation services (matters that go to Court). Our family law team undertook approximately 35 dispute resolution conferences during the same period. Out of the 735 representations, 51 were young people and 25 were older people.

TALS has identified that there is greater opportunity in respect of data collection that can assist our service in understanding our client base and how we can improve the service. Given the limitations that we have had with collating data, TALS will transition to a new client management system in the beginning of 2020. Key TALS staff will be trained during the migration to the new system in respect of information entry and collection, to ensure that data can be captured accurately.

Financial Statements and Reports

See attached finance and auditors report.

Funded Programs

National Strategic Framework for Legal Assistance (NLAP). The objective of the NLAP is to contribute to integrated, efficient, effective and appropriate legal assistance services which are focused on improving outcomes and keeping the justice system within reach for vulnerable people facing disadvantage with available resources. The funding is for five years and commenced on 1 July 2020. **Your Story** - Providing legal advice and information to support the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (the “Royal Commission”), by providing legal advice and information to Aboriginal and Torres Strait Islander people with disability, their families, carers and supporters in Tasmania to access and engage with the Royal Commission, as part of a national service to members of the public engaging with the Royal Commission presented as a single, unified service in partnership and co-operation with the Customer and National Legal Aid (NLA). This program is funded from 1 January 2021 30 June 2022. *In conjunction with South East Australian Aboriginal Justice Services Limited.*

COVID-19 Legal Assistance Funding. TALS received funding to assist with the increased demand in legal needs during the COVID-19 pandemic. This funding included resources for front-line services along with resources to use on Information Technology. The front-line assistance funding was used to create a dual role, which was a Legal Practitioner and Community Legal Education Co-Ordinator, with the position to be in the Launceston office. The role was filled at the end of September 2020. We utilised the funds to create a project that both assisted those that had been charged with criminal offences navigate the Court system, provide support and in addition the community engagement was to try and prevent crime from occurring. We wanted to create awareness for the services that our service offers to assist Tasmanian Aboriginal communities. TALS continues to have increased demand, this is partly to be contributed to by issues surrounding COVID-19 which includes delay in Court matters being able to be addressed but also as a result of social disadvantage that continues to be faced by Aboriginal people. Social issues were exacerbated during the pandemic.

Further, TALS received funding for the **Indigenous Remand and Reintegration Officer (IRRO)** program from the Tasmanian State Government on 30 June 2021. This program will run for 2 years and will provide individualized support to First Nation people remandees and sentenced prisoners with short sentences to successfully transition from prison into community and to be better positioned to gain sustainable employment. TALS will report on this in 2021-2022 annual report.

Board of Directors



John Clark
Chairperson of the
Board



Dianne Baldock
Non-Executive Director
of the Board



Daniel Hall
Non-Executive Director
of the Board



David Ware
Non-Executive Director
of the Board



Rodney Dillon
Non-Executive Director
of the Board



Tracey Dillon
CEO and Executive Director
of the Board

Staff Hobart Team



Lewis Shillito
Senior Criminal
Lawyer



Tyne McConnon
Senior Family
Lawyer



Amanda Ripper
Indigenous Remand &
Reintegration Officer



Daniel Hall
Aboriginal
Liaison Officer



Rosie Battaglione
Lawyer



Neicha Pearce-
Rasmussen
Lawyer



Isabelle Patch
Lawyer



Josie Short
Lawyer



April Van der Meer
Lawyer



Danielle Price
Administration
Officer



Bonnie Fletcher
Administration
Officer



Christina Edge
Administration
Officer

Staff Launceston Office



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