

T A S M A N I A

LAW REFORM

I N S T I T U T E

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Annual Progress and Financial Report 2018

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1. Structure, Board Members and Staff

The Institute was established on 23 July 2001 by Agreement between the State Government, the University of Tasmania and the Law Society of Tasmania. In April 2015, the Partners to the Institute Agreement finalised a renewal agreement extending the agreement for five years, until November 2019.

The functions and operations of the Institute are undertaken by its Director, with assistance from Board members, research assistants and Law Faculty staff and students. Current Director, Assoc Prof Terese Henning was appointed in April 2015.

Assistant Director, Rikki Mawad, left the Institute in March 2018. Jess Feehely was appointed as Executive Officer (Research) in September 2018.

The Institute's work is supported by Executive Officer (Administration), Kira White. We are also grateful for the regular assistance of Bruce Newey in editing reports, and the administrative support provided by University staff (see Financial statements for in-kind contributions).

All written proposals for law reform projects are presented to the Board, which then makes recommendations for consideration by the Institute (Tasmania Law Reform Institute Renewal Agreement, clause 3.3), including identifying a recommended project's extent, time for completion, expected output and cost (clause 3.4).

Board members

- Associate Professor Terese Henning, Director of the Institute, appointed by the Vice-Chancellor of the University of Tasmania
- Professor Tim McCormack, Dean of the Faculty of Law at the University of Tasmania (from May 2018)
- The Honourable Justice H Wood, appointed by the Honourable Chief Justice of Tasmania
- Kristy Bourne, appointed by the Attorney-General
- Rohan Foon, appointed by the Law Society
- Dr Jeremy Prichard, appointed by the Council of the University
- Craig Mackie, nominated by the Bar Association
- Ann Hughes, appointed by the Board as a community representative
- Kim Baumeler, appointed by the Board
- Rosie Smith, appointed by the Board as a member of the Tasmanian Aboriginal community

The Board met eight times in 2018. Each meeting was held at the University of Tasmania Law Faculty.

Legal researchers during 2018

- Dr Helen Cockburn BA, LLB (Hons), PhD
- Dr Rebecca Bradfield BA/LLB (Hons), PhD
- Dr Elise Histed BA, LLB (Hons), PhD
- Kate Hanslow
- Dylan Richards
- Michael Stokes
- Leigh Sealy SC
- Ken Mackie

2. Activities

(a) Completed Projects

Court intermediaries

Background

In June 2015, the Institute received a reference from the then Attorney-General to examine the feasibility of instituting an expert intermediary scheme as a special measure to facilitate the reception of evidence in criminal trials from child witnesses and witnesses with cognitive impairments in Tasmania.

The reference examined the special measures currently available in Tasmania to support people with communication needs throughout the criminal trial process. It considered the approaches in other Australian jurisdictions and overseas, concentrating on communication assistant schemes but also noted the range of special measures available to ensure victims, witnesses and accused persons with communication difficulties have equal access to justice.

In preparing the Issues paper on this reference, the Institute conducted a number of discussions with key stakeholders and subsequently co-hosted with the then Attorney-General, the Hon Dr Vanessa Goodwin, a Ministerial Roundtable attended by over 35 key stakeholders to obtain advice about key issues to be addressed in the Issues Paper.

Reports and recommendations

The Issues Paper, along with an Easy Read summary, was released in May 2016, followed by a comprehensive program of consultation meetings and a Community Conversation on Access to Justice. Approximately 20 written submissions and over 300 oral responses to the Issues Paper were received.

After consideration of the submissions and comments, the Final Report and Easy Read summary were released in January 2018.

The report recommended significant changes to the State's criminal justice system including using appropriately trained communication experts (intermediaries) to assist victims, witnesses and defendants who have communication needs to engage with police, lawyers and the courts. It was recommended that intermediaries not be advocates, but rather act as independent advisors and quasi-translators for people with communication needs. They would provide expert advice to police, lawyers and judges about the best way to communicate with people with communication needs and may intervene in questioning that does not match their linguistic capacities.

The Institute's recommendations correspond with those made by the Royal Commission into Institutional Responses to Child Sexual Abuse that intermediary schemes should be implemented in all Australian jurisdictions. They would also ensure that Tasmania's laws are consistent with international human rights obligations.

Researchers

Rikki Mawad and the Director prepared the Issues Paper and undertook consultation. Crown counsel, Kate Brown, was seconded from the Office of the Director of Public Prosecutions to work with Rikki Mawad and the Director on the Final Report.

Funding

Completion of the project was assisted by a \$16,482 grant from the Solicitors' Guarantee Fund, with an additional amount of \$5,000 secured to cover the cost of producing Easy Read versions of both the Issues Paper and Final Report.

Responding to the Problem of Recidivist Drink Drivers

Background

In 2013 the Tasmanian Institute of Law Enforcement Studies (TILES) and the University of Tasmania's Faculty of Law hosted an international workshop designed to map pathways in addressing the problem of recidivist drink driving. The workshop identified as one of the main issues in this area the poor fit of some criminal justice responses to instances of repeat drink driving.

Research focused on whether a therapeutic approach might be the most appropriate response in cases of repeat drink driving. As part of this research, the Institute constructed the State's first profile of repeat drink driving offenders.

Reports and recommendations

An Issues Paper was released by the Institute in May 2017, followed by a six-week consultation period. After reviewing all comments received, the Final Report was released in April 2018.

Key recommendations include a statutory Drug Treatment (Driving While Intoxicated) order option, to be available where the court is satisfied that an offender has an underlying alcohol problem that contributed to the commission of a series of drink driving offences and establishing a pilot program for implementing such orders.

Researchers

The Issues Paper and Final Report were prepared by Dr Rebecca Bradfield.

A reference group was formed to provide expert advice. Members of the reference group were: Tasmania's former Chief Magistrate Michael Hill, Dr Isabelle Bartkowiak-Théron of the Tasmania Institute for Law Enforcement Studies, Victor Stojcevski, Senior Policy Adviser, Magistrates Court of Tasmania, and Liz Moore, Court Diversion Officer, Mandated Diversion team, Department of Justice.

Funding

This project was completed with funding of \$16,482 from the Solicitors' Guarantee Fund, with research supporting the development of a recidivist drink drivers profile funded by a grant of \$15,635.20 from the MAIB.

Consensual assaults

Background

The Institute received a reference on the issue of consensual assaults from the then Attorney-General in May 2015. Questions about justifiable State intervention in consensual acts of violence pit the right to personal autonomy against the public interest in preventing violence. The issue is particularly complex where the violence occurs in the context of sports, sadomasochistic behaviours or partner violence.

Research focused on the tensions between the valuable role consensual assault provisions play and the importance of addressing public concerns about violence in the home, as well as the difficulties caused by outdated language.

Researchers

The Issues Paper was prepared by Dr Helen Cockburn. Dylan Richards was recruited to undertake the consultation phase of project, and to prepare the Final Report.

Reports and Recommendations

An Issues Paper was released in June 2017. After reviewing all comments made during the consultation period, the Final Report was released in May 2018.

The Institute recommended reforms to the Tasmanian Criminal Code to modernise its operation and application to consensual assaults, while restricting use of the defence for assaults committed in the presence of children. Recommendations sought to navigate identified policy tensions and set out potential reforms that would preserve the function of the consensual assault provisions while addressing the failure of the provision to adequately address violence in the home.

The report recommended a further targeted study before considering amendments to the *Family Violence Act 2004*.

Funding

This project was undertaken with funding support from the Department of Justice and the Faculty of Law.

Review of the Guardianship and Administration Act 1995 (Tas)

Background

The Attorney-General first approached the Institute in 2015 to review the operation of the *Guardianship and Administration Act 1995 (Tas)*. The Act covers the laws relating to people with disability who, because of their disability, are unable to make decisions about their personal and financial matters, or medical treatment.

This project was the first comprehensive review of the Act since it was introduced more than 20 years ago. Community attitudes towards disability have changed since Tasmania's Guardianship laws were first introduced, and this review aims to ensure that reforms are consistent with the international human rights framework and are responsive to the needs of all Tasmanians.

Reports and Recommendations

An Issues Paper was released in December 2017, together with an Easy Read version to maximise its accessibility. A short video was also released to support the Issues Paper and encourage submissions. A number of consultation meetings were held to canvas views across Tasmania.

The Final Report and an Easy Read summary were released in December 2018. The Report recommends a significant overhaul of the *Guardianship and Administration Act 1995* to ensure people with disability have the opportunity to participate equally in the legal system, and that our laws and practices conform to obligations established by the Convention on the Rights of Persons with Disability. Significantly, the Institute recommends reorienting the focus of the Act away from whether a person has a disability to whether they are able to make decisions if assisted to understand and communicate information relevant to the decision.

Researchers

The Issues Paper, consultation and Final Report were undertaken by Kate Hanslow, with support from an expert reference group comprising Jennifer Dunbabin, Philippa Shirley, and John Blackwood.

Funding

This project was supported by a grant of \$120,000 from the Solicitors' Guarantee Fund.

(b) Ongoing Projects

Review of the Judicial Review Act 2000 (Tas)

Background

The Institute accepted a request from Community Legal Centres Tasmania and the Law Society of Tasmania to conduct a review of the *Judicial Review Act 2000 (Tas)*. The major concerns with the current statutory scheme are that it limits judicial review to decisions made 'under an enactment', and that the High Court has adopted a narrow construction of the necessary link between the enactment and the decision subject to review.

Status

An Issues Paper outlining a range of possible reform options was released for comment in September 2018. A Final Report is expected to be released by May 2019.

Researchers

Michael Stokes prepared the Issues Paper, with the support of an expert reference group comprising Prof Matthew Groves, Associate Prof Terese Henning, Ben Bartl, and Claire Bookless.

Due to Mr Stokes moving interstate, Dylan Richards is undertaking the consultation and will prepare the Final Report.

Funding

This project is being progressed with funding of \$21,345 from the Law Foundation of Tasmania.

Insanity and Fitness to Plead: Review *Criminal Justice (Mental Impairment) Act 1999 (Tas)* and s 16(3) of the *Criminal Code Act 1924 (Tas)*

Background

In November 2016, the Institute accepted a request from the then Attorney-General to review the options for clarifying the defence of insanity in s 16(3) of the *Criminal Code Act 1924 (Tas)* and the operation of the fitness to stand trial provisions in the *Criminal Justice (Mental Impairment) 1999 (Tas)*. The need for such a review was flagged in the Institute's Final Report on Self-defence in 2015.

Status

An Issues Paper is expected to be released in March 2019.

Researchers

Dr Rebecca Bradfield is undertaking work on this reference, with support from an expert reference group comprising The Hon Justice Helen Wood, Dr Aaron Groves, Daryl Coates SC, Yvonne Chaperon, Marita O'Connell and Dr Jeremy Prichard.

Funding

The review is supported by a grant of \$87,171 from the Solicitors' Guarantee Fund. In 2018, the Institute applied for additional funds for empirical research to profile the use of the fitness to plead and insanity provisions but was unsuccessful.

Notional Estates Legislation for Tasmania

Background

Following an approach by the Treasurer, the Hon Peter Gutwein MP, on behalf of a constituent, the then Attorney-General, the Hon Vanessa Goodwin MLC, requested the Institute to prepare a report on whether notional estate legislation should be introduced in Tasmania. The Board accepted the reference in February 2017.

The project examines whether Tasmanian succession law should be reformed to allow eligible family claimants who have not been adequately provided for from a deceased's estate, to extend their claim beyond the deceased's actual estate to the deceased's "Notional Estate". The work builds on the uniform succession laws project, and reforms adopted in New South Wales.

Status

An Issues Paper is expected to be released in March 2019.

Researchers

Dr Elise Histed, Ken Mackie and Dylan Richards prepared a draft Issues Paper for consideration by the Board. Kate Hanslow will finalise the Issues Paper, undertake consultation and prepare the Final Report.

Funding

The project is supported by a grant of \$65,022 from the Solicitors' Guarantee Fund.

Review of the Tasmanian Constitution Act 1934

Background

In 2016 the Tasmanian Chapter of the Australian Association of Constitutional Law (AACL) partnered with the Law Foundation of Tasmania, UTAS Faculty of Law, and the TLRI to undertake a year-long deliberative review of the Tasmanian Constitution. This process was initiated with an expert symposium comprised of constitutional experts from the Crown Law Office, the academy, the Bar, the Judiciary, NGOs and Parliament.

This symposium identified a number of problems with the Tasmanian *Constitution Act 1934*, which produce uncertainty and inefficiency in the governance of the State and undermine core conventions such as the rule of law, access to justice and governmental accountability. The symposium participants concluded that a formal review of the State constitution should be referred to the TLRI.

The Board accepted the reference to analyse and recommend the most appropriate ways to reform the Tasmanian Constitution in response to the wide-ranging deficiencies identified by the symposium.

Status

The project has been delayed due to Mr Sealy SC's significant work commitments, however the Issues Paper is expected to be released for comment in May 2019.

Researchers

Leigh Sealy SC will prepare the Issues Paper and Final Report.

Funding

The Law Foundation has provided funding for both the initial expert symposium (\$7,335) and the detailed review (\$33,114).

Social Media, Jurors and Fair Trials

Background

In early 2018, the Board accepted a reference from barrister and Board member, Ms Kim Baumeler, about the effect of online information on whether the accused received a fair trial. There was seen to be an increasing problem of jurors doing their own research about accused persons via online sources, despite directions to the contrary.

In accepting the reference, it was understood that this is a difficult problem to solve. The project will raise awareness of the issue and look at the adequacy of directions to jurors.

Status

A Supervised Research Paper was finalised in June 2018. The Institute has engaged a researcher to develop the research paper into an Issues Paper, undertake consultation and produce a Final Report. The Issues Paper is expected to be released in August 2019.

Researchers

Law Honours student, Victoria Geason, prepared the Supervised Research Paper, under the supervision of Dr David Plater, Deputy Director of the South Australia Law Reform Institute at the University of Adelaide, and the TLRI Director.

Jemma Holt has been engaged to complete the project, commencing in February 2019.

Funding

The project is supported by a grant of \$46,000 from the Law Foundation of Tasmania.

Conversion Therapy

Background

The Institute has received a reference from representatives of the LGBTIQ community to investigate the extent to which conversion therapy (also known as reparative or sexual reorientation therapy) occurs in Tasmania and whether current laws adequately address the legal issues surrounding the practice.

The UN High Commissioner for Human Rights has said that such therapy is “unethical, unscientific and ineffective, and may be tantamount to torture”.

The Institute has approached the Attorney-General requesting that the government consider formally referring this issue to the TLRI for consideration.

Status

TLRI staff have met with the Attorney-General, representatives of the LGBTIQ community and others to discuss the reference. At the end of 2018, discussions were ongoing.

TLRI applied to the Solicitors’ Guarantee Fund for funds to support the project but was not successful. TLRI has established a fund within the University Foundation to accept donations specifically for the project and promoted the option to contribute to the fund.

Transgender and Intersex Law Reforms

Background

In November 2018, the Attorney-General requested that the Institute investigate the following issues:

- What steps should be required to register a change of sex or intersex status on official documents?
- What categories of sex / gender should be displayed on birth certificates and other documents?
- What, if any, reforms should be made in relation to consent to medical treatment to alter a person’s sex or gender?
- What, if any, reforms should be made in relation to the definitions or use of terms relating to sex and / or gender in Tasmanian legislation?

The reference was accepted by the Board in January 2019.

Status

The Institute will commence work on the reference in January 2019 and anticipates delivering a final report by October 2019. Given the level of public interest in the reference, comprehensive consultation will be undertaken throughout the project.

A representative expert reference group will also be established to assist Institute researchers.

Funding

The project is supported by a grant of \$77,000 from the Solicitors' Guarantee Fund.

(c) Additional activities

In addition to its core business of undertaking law reform projects and developing proposals for reform, the Institute engages in a range of other activities which contribute to public awareness of the law and the process of law reform, forge links with other law reform bodies and develop scholarly communities of practice to foster excellence in law reform research.

Research collaborations

Prior-Fault in Criminal Law: UK research partnership

In December 2018, the Institute agreed to be a Collaborating Organisation in research being conducted by Dr John Child of Birmingham Law School, Dr Hans Crombag (University of Sussex) and Professor Rudi Fortson QC regarding the role of regulation of prior-fault. The research involves a comparative analysis of the application of prior-fault to offences, defences and sentencing decisions in a number of countries.

Dr Rebecca Bradfield will participate on behalf of the Institute, in light of her involvement in relevant reviews including intoxication rules and recidivist drinking driving.

The project is expected to commence in 2019 and conclude in 2022.

The Operation of the Special Hearing Scheme under Section 6A Evidence (Children and Special Witnesses) Act 2001 (Tas)

This work aims to evaluate and improve the operation of the justice system and improve the quality of legal services provided to the public.

The research consists of a partnered investigation with the South Australian Law Reform Institute and the University of Adelaide on major reforms to the criminal justice process, with the focus of the Tasmanian work being the operation of the pre-trial recording of the evidence of children and special witnesses under ss 6 & 6A *Evidence (Children and Special Witnesses) Act 2001* (Tas).

The Institute has obtained the necessary ethics approvals and consent from the Supreme Court to observe relevant matters. We have scheduled regular meetings with members of the legal profession with experience working with this legislation to discuss its operation, the benefits it offers witnesses, and what more needs to be done to optimise opportunities for children and other vulnerable witnesses to participate in the criminal justice process.

A significant hurdle for this project has been the restricted ability for researchers to gain access to recordings and transcripts of interviews. Proposed amendments to s.7C of the *Evidence (Children and Special Witnesses) Act 2001* (Tas), expected to go before parliament in early 2019, will facilitate research efforts.

The Institute has recently received a \$50,870 grant from the Solicitors' Guarantee Fund grant to support research to progress this project. The project is expected to be completed by December 2020.

Prevention of Elder Abuse in Tasmania (PEAT)

The Institute continued its work in 2018 with a cross-disciplinary group of academics across health sciences, social sciences and law. The PEAT Research Team is also part of a working group to prevent and remedy elder abuse and neglect in Tasmania with Equal Opportunity Tasmania (EOT) and the Council on the Ageing Tasmania (COTA).

Topics being investigated by the PEAT team include:

- The incidence of elder abuse in Tasmania;
- The current State and national regulatory framework applying to elder abuse in Tasmania;
- The dimensions of abuse of older women in Tasmania with a focus on socio-legal responses to elder sexual abuse in Tasmania;
- Institutional policy and practice frameworks for dealing with elder abuse in Tasmania;
- Institutional cultures that affect responses to elder abuse.

Work has commenced on this research with seed funding from the University of Tasmania.

In 2018, the Institute applied for a Solicitors' Guarantee Fund grant to undertake preliminary research into the difficulty many people experience in finding accurate information about complaints procedures - when complaints can be made, to whom, what investigation and enforcement powers exist, how often complaints are made, how are complaints dealt with, and what have been the outcomes of those complaints – and to compile a report addressing identified difficulties. While the application was unsuccessful, the Institute will continue to seek funds to support this work.

Drink-driving Individual Risk Evaluation

In August 2018, the Institute, along with Dr Isabelle Bartkowiak-Théron (School of Social Sciences), Mr Grant Blake (Clinical Psychologist) and Dr Rebecca Bradfield (Law Faculty), applied for a Criminology Research Grant for the development and pilot implementation of a Recidivist Drink-driving Individual Risk Evaluation (DIRE) tool.

In November 2018, a similar application was made to the Solicitors' Guarantee Fund, without success.

If funding is secured to develop the DIRE, the evaluation tool will be used to assess risk factors, facilitate referrals, and enable a comprehensive assessment by clinical specialists to develop risk management and treatment plans.

Evaluation of Tasmanian Problem-Solving Courts

In partnership with the Tasmanian Institute of Law Enforcement Studies (TILES), the Institute is continuing research into Tasmanian problem-solving courts, particularly the operation of the Drug Court and Mental Health Diversion list. This complements the work being done to establish an evaluation mechanism for a Recidivist Drink Driving list.

Researcher in Residency Program

The Institute has continued the ‘Researcher in Residency’ program, following the success of the funded pilot program in 2017-2018. To maintain this program will require recurrent funding, which the Institute will continue to seek. A major component of this work is to foster law reform partnerships with the Department of Foreign Affairs and Trade in the arena of rights-based education and empowerment for women and girls (such as the *Girls Gotta Know* India pilot in 2017 – see 2017 Annual Report for details).

In addition, the program involves secondments from various sectors in the Tasmanian legal profession. In 2018, the Institute employed Kate Hanslow and Dylan Richards, from the private profession. Ms Hanslow has completed the *Review of the Guardianship and Administration Act 1995* (Tas) and will work on the Notional Estates project in 2019. Mr Richards worked on the consensual assault reference, is finalising the Review of the *Judicial Review Act 2000* (Tas), and will lead the transgender and intersex law reform research.

International Partnerships and Projects

The Institute is working towards a partnership agreement with the OP Jindal Global University in India. The partnership will enable student law reform exchanges as well as opportunities for teaching and research partnerships.

The Institute is also working with the Tasmanian Office of the Department of Foreign Affairs and Trade to explore opportunities to contribute to law reform in the Asia Pacific Region. In 2017, the Institute was part of several discussions with representatives of DFAT and also assisted to host visiting Nepalese MP Mahalaxmi Upadhyay ‘Dina’.

The Institute is also a key part of the University of Melbourne-led Disability Access to Justice Research Consortium. The Consortium is comprised of over forty researchers from Universities and Disabled People’s Organisations in Australia and New Zealand who are focused on co-produced, cross-disciplinary research on measures to improve access to justice for people with disability.

TLRI Scholarship and Bursary Program

The Institute is continuing its efforts to establish a TLRI Scholarship Trust, to enable University of Tasmania undergraduate and post-graduate students to work on law reform projects.

\$30,000 seeding funding has been obtained from the University. Following advice regarding the minimum quantum of funding needed to establish a self-sustaining bursary fund, the Institute has applied for further funding from the Solicitors’ Guarantee Fund. If secured, the Institute hopes to establish an annual law reform scholarship in honour of the late former Attorney-General, Dr Vanessa Goodwin MLC. We have the support of Dr Goodwin’s family to establish the scholarship and look forward to the fund providing opportunities for students to engage with complex law reform issues for years to come.

The Institute has also established a fund specifically for the Conversion Therapy reference. Donated funds will be used to engage student researchers for the project.

Clinical Legal Education

The Institute has continued to work with the Clinical Legal Education program in the Law Faculty to provide work integrated learning opportunities in law reform as a practicum for undergraduate students.

Meetings with the Attorney-General

The TLRI Director and key staff met with Attorney-General, the Hon. Elise Archer MP in July and November 2018. Throughout the year, the Director and staff also met with Departmental officers to discuss key reports.

Meetings with other key stakeholders

Throughout 2018, the TLRI Director and key staff met with justice stakeholders to discuss the Institute's work:

- University of Tasmania Vice Chancellor, Prof Rufus Black;
- President and CEO, Law Society of Tasmania;
- Labor opposition Shadow Attorney-General, Ella Haddad MP;
- Tasmanian Greens Leader, Cassy O'Connor MP and Spokesperson on Attorney General, Corrections and Justice, Dr Rosalie Woodruff MP; and
- Speaker of the House, Sue Hickey MP.

(d) Reform commentary

In addition to providing formal reports to the Government on references undertaken by the TLRI, the Institute provided comment on the following:

- Bail Reform position paper;
- *Sentencing Amendment (Assaults on Off-Duty Policy) Bill 2018*;
- *Senencting Amendments (Mandatory Sentncing for Seious Sexual Offences Against Children) Bill 2018*;
- Review of the Tasmanian Legal Assistance Sector;
- *Criminal Code and Related Legislation Amendment Bill 2018*;
- Tasmanian Institute for Law Enforcement Studies' Issues Paper on Law Enforcement and Public Health
- *Justice and Related Legislation (Marriage Amendments) Bill 2018*.

(e) Community and media engagement

Public communication

The Institute has continued efforts to improve communication regarding our work by:

- maintaining a Facebook platform with regular posts regarding Institute projects and related developments. The Facebook page currently has only 300 followers, but efforts to grow the audience will continue;
- publishing Easy Read versions of relevant Issues Papers and Final Reports, including for the Review of the *Guardianship and Administration Act 1995* and the Court Intermediaries project;
- producing short videos on relevant references to encourage community participation. A video was produced to support the review of the *Guardianship and Administration Act 1995*, and videos are planned for the notional estates review and the jurors and social media review. The videos are available through the University of Tasmania YouTube page, the Institute's website and the Institute's Facebook Page;
- submitting Talking Point articles to support the release of Issues Papers and Final Reports;
- implementing a media strategy to promote the release of key Issues Papers and reports.

Media

The Institute's media profile has continued to grow. In 2018, the Institute obtained 461 items, with a cumulative audience of 3,039,880 and ASR (Advertising Space Rate) of \$963,398 – more than double the previous year.

The following media engagement occurred in 2018:

- Media alerts regarding the release of:
 - Court Intermediaries Final Report;
 - Recidivist Drink Drivers Final Report;
 - Consensual Assault Final Report;
 - Review of the *Guardianship and Administration Act 1995* Final Report;
 - Review of the Judicial Review Issues Paper.
- Talking Point articles regarding Recidivist Drink Drivers and the benefits of a Drug Treatment (DWI) order, Court Intermediaries, and Consensual Assaults.
- Radio and television interviews regarding the Recidivist Drink Driving Final Report and the Guardianship review Final Report
- Article published in the Law Letter regarding the work of the Institute.

Public events

The TLRI Director and staff were involved with the following events in 2018:

- In March 2018, Assistant Director, Rikki Mawad, facilitated a session at the Law Society Criminal Law Conference entitled “Preliminary Proceedings: Do They Fulfil Their Intended Purpose?” The panel for the discussion featured Linda Mason SC (Deputy Director of Public Prosecutions), Evan Hughes (Partner, Rae and Partners) and Garth Stephens (Barrister, Liverpool Chambers).
- In March 2018, the Director delivered a presentation to the Tasmanian Leaders Forum on “Good Governance – issues, opportunities and ideas for reform”
- In October 2018, the Director and former Assistant Director presented at the 2018 International Criminal Law Congress on ‘Witness Intermediary Schemes in Australia’.
- In October 2018, the Institute co-hosted a forum with Transforming Tasmania in October 2018 discussing legal reforms for gender diverse and intersex equality.
- In December 2018, the Director delivered the keynote speech at celebrations to mark the 20th anniversary of the *Anti-Discrimination Act 1998* (Tas), hosted by Equal Opportunity Tasmania.

Summary of publications in 2018

- *Facilitating Equal Access to Justice: An Intermediary/Communication Assistant Scheme for Tasmania?*, Final Report No. 23 (***Court Intermediary report***)
- *Responding to the Problem of Recidivist Drink Drivers*, Final Report No. 24 (***Recidivist Drink Drivers report***)
- *Consensual Assault*, Final Report No. 25
- *Review of the Judicial Review Act 2000* (Tas), Issues Paper No. 26
- *Review of the Guardianship and Administration Act 1995* (Tas), Final Report No. 26 (***Guardianship review report***)

3. Financial Statement for the period 1/1/18 - 31/12/18

Summary of all TLRI Account Balances at 31 December 2018 (full details below)

	\$
General Operating Funds	125,572.36
Solicitors' Guarantee Fund – Guardianship Review	14,761.15
Solicitors' Guarantee Fund – Notional Estates	46,958.16
Solicitors' Guarantee Fund – Insanity & Fitness to Plead	14,444.03
Law Foundation – Review of Judicial Review Act	2,121.38
Law Foundation – Review of Tasmanian Constitution	33,074.73
	236,931.81
Less balance earmarked for TLRI Trust PhD scholarships	30,000.00
Balance (surplus) at 31 December 2018	206,931.81

General Operating Funds

Balance at 31 December 2017 **146,343.95**

Income

Contract annual grant from State Govt Dept of Justice	50,000.00	
Additional SGF grant	50,000.00	
Royalty income	19.95	
		100,019.95

Expenditure

Salary (including superannuation, payroll tax and workers' compensation insurance)	110,815.18	
Subscriptions	14.09	
Travel	1,054.66	
Printing	7112.00	
Other	1,795.61	
		120,791.54

Balance (surplus) at 31 December 2018 **125,572.36***

**Note: \$30,000 of General Operating Funds has been earmarked for new TLRI Trust PhD scholarships. Thus, available operating balance is \$95,572.36*

Solicitors' Guarantee Fund – Guardianship Review

Balance carried forward from 31 Dec 2017		80,533.22
Expenditure		
Salaries and salary on-costs	62,224.55	
Easy Read Translation	3,400.00	
Travel	147.52	
		65,772.07

Balance at 31 Dec 2018	14,761.15
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Solicitors' Guarantee Fund – Notional Estate Legislation

Balance carried forward from 31 Dec 2017	61,149.05
Expenditure	
Salaries and salary on-costs	18,063.84

Balance at 31 Dec 2018	46,958.16
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Solicitors' Guarantee Fund – Insanity & Fitness to Plead

Balance carried forward from 31 Dec 2017	47,123.76
Expenditure	
Salaries and salary on-costs	32,679.73

Balance at 31 Dec 2018	14,444.03
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Law Foundation – Review of Judicial Review Act

Balance carried forward from 31 Dec 2017	21,345.00
Expenditure	
Salaries and salary on-costs	19,223.62

Balance at 31 Dec 2018	2,121.38
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Law Foundation – Review of Tasmanian Constitution

Balance carried forward from 31 Dec 2017		\$33,114.00
Expenditure		
Salaries and salary on-costs	0.00	
Other	39.27	
		39.27

Balance at 31 Dec 2018	\$33,074.73
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University Contributions (in kind)

Academic Support*

Salary and salary on-costs

Terese Henning (Director) 34 days @ \$1,518	51,612.00
Assoc Prof Rick Snell (Board member) 2 days @ \$1,518	3,036.00
Prof Tim McCormack (Board member) 3 days @ \$1,822	5,466.00
Jeremy Prichard (Board member) 5 days @ \$1,518	7,590.00
Helen Cockburn (Proxy Board member 2 days @ \$1,327	2,654.00
Rosie Smith (Board member) 4 days @ \$1,027	4,108.00
	74,466.00

Administrative Support*

Salary and salary on-costs

David McGuire 4 days @ \$1,213	4,852.00
Rachael Ormerod 5 days @ \$1,027	5,135.00
Samantha Howlett 2 days @ \$1,027	2,054.00
Alexandra Haddad (website) 40 hrs @ \$123.40	4,936.00
IT support 11 days @ \$1,027	11,297.00
	28,274.00

Office and Running Costs (Law Reform Inst. Office) **	9,975.00
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Total	112,715.00
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* calculated on University consultancy rates, exclusive of GST

** includes office rental, computer depreciation, furniture depreciation, stationary, heating and electricity and use of fax, photocopier and printer.