

T A S M A N I A

LAW REFORM

I N S T I T U T E

Faculty of Law, Private Bag 89, Hobart, TAS 7001

Phone: (03) 62262069, fax: (03) 62267623
law.reform@utas.edu.au
www.law.utas.edu.au/reform

Annual Progress and Financial Report 2021

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Director's Report

The COVID-19 global pandemic continued to affect people and workplaces across the world. Institute staff worked under a hybrid model, with some time spent on campus and other operations carried out remotely.

After releasing three reports in 2020, 2021 was a year of preparation and work on ongoing projects. No TLRI-badged issues publications were finalised for release, although Adjunct Associate Prof Terese Henning was a member of the Preventing Elder Abuse Tasmania (PEAT) research group, which finalised its project.

Work continued on existing projects including on references relating to Privacy Law, the Minimum Age of Criminal Responsibility, LGBTQA+ Conversion Practices and Human Rights. The Institute expects to release publications from these projects in 2022 or early 2023.

The availability of public funding was again restricted as funds were diverted to deal with the consequences of the COVID crisis. The Solicitor's Guarantee Fund, which had been the primary funding stream for the Institute, was again not issued for 2021.

The Attorney-General determined that the surplus funds should be made available across the Tasmanian legal assistance sector, and these would be allocated to innovative projects to improve Tasmanians' access to justice. The Institute lodged an expression of interest for these funds but was unsuccessful.

The lack of grant funding continued to compound existing limitations on baseline funding. Institute Board members expressed grave concerns about the long-term ability of the Institute to sustainably contribute to law reform in the state.

In 2019, TLRI partners had planned to conduct a review of the Institute, with a view to resolving issues about its sustainability. The review was delayed by staff changes and the pandemic, but in late 2021 the terms of reference were settled, and a review panel appointed, consisting of Chair, Professor John Williams, Emeritus Professor Kate Warner and Associate Professor David Plater. It is anticipated that the panel will seek submissions from stakeholders and the TLRI Board in early 2022, before preparing its report and recommendations.

The Board thanks Kira White, Martin Clark and Bruce Newey, who maintained the operational work of the Institute throughout 2021 under difficult circumstances. Thanks are also due to interns Gina Goh (Vanessa Goodwin scholar) and Megwyn Mosenthal (Prevention of Elder Abuse Tasmania scholar).

1. Structure, Board Members and Staff

The Tasmania Law Reform Institute (TLRI) was established on 23 July 2001 by Agreement between the State Government, the University of Tasmania and the Law Society of Tasmania. In November 2019, the Institute partners finalised a renewal extending the agreement for three years, until November 2022, with funding held at the same level as that under the founding 2001 agreement.

A proposal to conduct a review of the TLRI was raised prior to the 2019 renewal Agreement in a letter from the Attorney-General to the then Dean of Law, Professor Tim McCormack. Shortly after, Professor Williams and Dr Plater were invited to conduct the review. Due to the resignation of Professor McCormack as Dean in June 2020 and travel restrictions associated with the COVID-19 pandemic, no progress was made on the review in 2020. In late 2021 the terms of reference were settled, and a review panel appointed, consisting of Chair, Professor John Williams, Emeritus Professor Kate Warner and Associate Professor David Plater.

It is anticipated that the panel will seek submissions from stakeholders and the TLRI Board in early 2022, before preparing its report and recommendations.

The work of the Institute, and the nature of the references it receives have developed significantly over its twenty-year existence. The 2001 funding level is no longer adequate and undermines Tasmania's ability to eliminate defects in the law, and to undertake regular modernisation, simplification and consolidation of its law compared to other jurisdictions in Australia.

Previously, the functions and operations of the Institute were undertaken by its Director,

with assistance from Board members, executive officers, research assistants and Law Faculty staff and students. However, the University did not appoint a replacement to the Director's role after Assoc Prof Terese Henning retired in late 2019. Dr Brendan Gogarty acted in the role on a part-time basis for 2020-21.

Similarly, the University did not appoint a replacement Executive Officer (Research) since Jessica Feehely resigned from that role in July 2019. The casual Executive Officer (Administration) has covered a portion of the work formerly undertaken by that position.

All written proposals for law reform inquiries are presented to the TLRI Board, which then makes recommendations for consideration by the Institute including identifying a recommended inquiry's scope, time for completion, expected output and cost. The Board also reviews and approves all papers and reports before their publication.

The Institute's work was supported in 2021 by part-time casual Executive Officer (Administration), Kira White. We are also grateful for the assistance of Bruce Newey in editing reports in the early part of the year, before he resigned to take up a more secure position with the Tasmanian government. Administrative support was also provided by University staff (see Financial statements for in-kind contributions).

Board members 2021

- Dr Brendan Gogarty, Acting Director of the Institute, appointed by the Vice-Chancellor of the University of Tasmania
- Prof Di Nichol, Head of Discipline, Faculty of Law UTas (to Mar 2021, acting replacement for Dean of the Faculty of Law)
- Professor Michael Stuckey, Dean of the Faculty of Law, UTas (from Mar 2021)
- The Honourable Justice H Wood, appointed by the Honourable Chief Justice of Tasmania
- Kerry Crowder appointed by the Attorney-General to April 2021 - maternity leave replacement for Ms Bourne)
- Kristy Bourne appointed by the Attorney-General (from April 2021 – return from maternity leave)
- Rohan Foon, appointed by the Law Society
- Dr Jeremy Prichard, appointed by the Council of the University (absent for 2021 due to reduced time fraction)
- 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 once in 2021, as there were no completed publications requiring approval. Due to COVID safety measures, the meeting was held online.

Legal researchers during 2021

- Martin Clark

- Bruce Newey
- Mx Ashleigh Barnes
- Leigh Sealy SC
- Ms Jess Feehely

2. Activities

(a) Completed Work

After the release of three reports in 2020, 2021 was a year of preparation and work on ongoing projects. No TLRI-badged issues papers or reports were finalised for release.

However, Adjunct Associate Prof Terese Henning was a member of the Preventing Elder Abuse Tasmania (PEAT) research group, which finalised its project.

Service-driven approaches to preventing & responding to elder abuse (Northern & Southern Tasmania)

Background

Tasmania is an ‘ageing’ state, and has a population with significant, known risk factors for elder abuse. These concerns prompted the State Government to seek to respond comprehensively to the increasing risk of elder abuse, in hand with the National reforms already underway.

Through Tasmanian multi-sector research conducted by the Preventing Elder Abuse Tasmania (PEAT) research group, it was established that while individual services (State, Commonwealth and NGO) have elder abuse policies and responses, these policies have largely arisen independently of existing State policy directions. The service level responses have been moulded by the context of the service including access to other services and community supports. The research identified that at the service level there is expertise and a passion to resolve issues recognised as elder abuse, but there was an equal amount of frustration with the lack of support or coordination by State Government and slowness of known response pathways. It was also found that several services have, or are, developing their own policies and protocols for responding to elder abuse without any reference to State policy.

In 2019, the University of Tasmania research group PEAT (Preventing Elder Abuse Tasmania), was approached by State Government to propose a study into state-wide, service-driven responses to elder abuse. Under the Department of Communities (DoCT) Community Support Program (CSP) - Protecting Older Tasmanians: Elder Abuse Prevention Strategy, two projects – North and South - were approved early in 2020.

Status

The first workshop for the project was undertaken in June 2020. The methodology had originally been designed for face-to-face workshops, however because of lockdowns (especially for health services), a change to on-line workshopping was initiated. This method worked well, and the participants’ contributions were very data rich. Hence, analysis took longer than expected.

The final report for the Southern project was submitted to the funder in December 2020.

For the Northern project, an interim report was submitted to the funder in July 2020, with the final report completed and submitted in June 2021.

Researchers

The Preventing Elder Abuse Tasmania (PEAT) research team comprised Dr Suanne Lawrence (Health and Law), Adjunct Assoc. Prof. Terese Henning (Law) and Dr Susan Banks (Sociology). Further research assistance was provided by Alexander Pemberton (Law), Eli Preston (Sociology), Dr Joshua Boland (Sociology). In 2021, the team welcomed the inaugural PEAT Scholarship recipient, student Megwyn Mosenthal (Law) who undertook an internship in the area of elder abuse.

Dr Lawrence was responsible for project management - ethics applications, communication, project design, recruitment, data collection, analysis and report preparation. Dr Banks and Adjunct Assoc. Prof. Henning directed and shaped the research, analysis and report preparation. Research assistants contributed to parts of the project (workshops, writing and analysis) as their study commitments allowed.

Funding

This project (split into North and South Tasmania) was funded via a grant from the Department of Communities Tasmania, and support of the University of Tasmania.

The funding agreement (FA00002672 Research Preventing Elder Abuse North) for \$36,813.60 (ex GST) was paid to the University by August 2020. This project was completed in June 2021.

The funding agreement (FA00002671 Research Preventing Elder Abuse South) for \$31,521 (ex GST) was paid to the University by June 2020 and this project was completed in November 2020.

(b) Ongoing Work

Conversion Practices

Background

The Institute received a reference in late 2016 from representatives of the LGBTQA+ community to investigate whether current Tasmanian laws adequately address the legal issues surrounding sexual orientation and gender identity (SOGI) conversion practices (also known as reparative or sexual reorientation therapy), and the extent to which these practices occur in Tasmania.

The Board accepted the reference, and the Institute approached the Attorney-General requesting that the government consider formally referring this issue to the TLRI. The government did not make a reference.

Status

After making unsuccessful funding applications over a period of years, the Institute arranged for some initial work to be undertaken on a voluntary basis by a law graduate. In

December 2019, the University Vice-Chancellor agreed to provide funding for the inquiry.

An expert advisory group was formed for the project. Disciplinary contributions to the preparation of the Issues Paper and Final Report were provided by Group members: Mr Stuart Davey; Dr Brendan Gogarty; Ms Anja Hilkemeijer; Associate Professor Amanda Neil; Professor Margaret Otlowski; and Dr Jessica Roydhouse.

Mr Chris Csabs, a SOGI conversion practice survivor, and Rev Jeff Savage, a Christian minister and accredited youth worker, were community members of the expert advisory group who provided guidance and feedback on the Issues Paper which will lead to the Final Report. In line with Institute protocol, the community members did not participate in the preparation of the Final Report or recommendations.

The Issues Paper was released in November 2020 with a call for public feedback. Various options for law reform were presented for public consideration.

Submissions were originally scheduled to close in mid-December 2020 to allow completion of the inquiry within the existing timeline and budget. However, in late December 2020, the Vice Chancellor agreed to provide a small amount of additional funding, to allow an extension to the consultation phase, in response to an extraordinary number of contributions from members of the community. Submissions were accepted until March 2021. They were received by both online questionnaire and in writing.

Work on analysing submissions, consulting stakeholders and drafting the Final Report took place throughout 2021. There were some delays brought about by the early scheduling of the Tasmanian State election. This placed government into caretaker mode, which impeded consultation with certain statutory office holders. The anticipated release date for the Report is approximately April 2022.

Researchers

Dr Martin Clark drafted the Issues Paper. Work on analysing submissions. Drafting of the Final Report was conducted by Dr Brendan Gogarty, Dr Clark and social science coding specialist Mx Ashleigh Barnes. Research assistance had been provided in the initial stages of the project by Ms Siobhain Galea, volunteer graduate, and Lilli Roberts, the inaugural Vanessa Goodwin Scholarship recipient, as part of her internship.

Funding

The Institute received a grant of \$42,000 from the University Vice-Chancellor Prof Rupert Black in late 2019. In late December 2020 the Vice Chancellor agreed to provide an additional \$4,537.33 funding to extend the researcher's contract. This allowed for an extension to the public consultation period. In addition, the University funded the services of a social science coding specialist to assist with processing the volume of submissions.

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 deliberative review of the Tasmanian Constitution. The process began with an expert symposium comprised of constitutional experts from the Crown Law Office, the academy, the Bar, the Judiciary, NGOs and Parliament.

The symposium identified 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. 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 inquiry was delayed due to Mr Sealy SC's significant work commitments; however he provided an advisory draft summarising known issues with the state Constitution Act in 2019. Further work is planned to prepare an Issues Paper for the Board. Reduced staffing levels at the Institute have delayed this work, as the identified issues are considered to be long-term matters, and resources have been diverted to time critical inquiries. It is expected that an Issues Paper will be finalised in mid-2023 for public consultation and a Final Report in late 2023.

Researchers

Leigh Sealy SC has prepared a first draft of the Issues Paper. Dr Brendan Gogarty will probably undertake further work on the Issues Paper, and prepare the Final Report, subject to reaching agreement with his current employer.

Funding

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

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

Background

This project aims to enable people with communication needs to participate more equitably in the criminal justice process. The goal is to evaluate and improve the operation of the justice system and enhance the quality of legal services provided to the public.

The research involves 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 obtained the necessary ethics approvals and consent from the Supreme Court to observe relevant matters. Meetings were held with members of the legal profession who have 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.

Status

The Institute was unable to conduct further work on this review until it was prescribed as a Law Reform Body for the purposes of relevant legislation.

An amendment to the *Evidence (Children and Special Witnesses) Act 2001* (Tas) received Royal Assent on 2 October 2019. Late in 2019, the Attorney-General instructed her Department to commence the work required to have the Tasmania Law Reform Institute prescribed as a 'law reform body' for the purposes of section 7D of the Act. TLRI staff continued to follow up with staff in the Department of Justice and met with them for preliminary discussions about the necessary research protocols. The Institute was eventually informed that prescription had occurred in late July 2021.

A researcher could not be appointed to the project until prescription had occurred. The position was advertised in Oct-Nov 2021, through the Law Society of Tasmania, under the Institute's Researcher in Residence program.

By that time, Dr Gogarty hesitated to recruit, in the belief that there would not be anyone available in the TLRI to supervise the researcher and manage the project. With his resignation, no further action was taken in 2021 to fill the position, however recruitment will proceed in early 2022.

Funding

The Institute has received a \$50,870 grant from the Solicitors' Guarantee Fund grant to support research to progress this review. This was originally envisaged as a two-year project, but given the delays in commencement, which were beyond the control of the TLRI, the existing grant funds are no longer sufficient to fund salary for the full two-year period. The completion date for the project is therefore uncertain, but is likely to be in 2024.

Re-examination of the Case for Tasmanian Human Rights Act

Background

In late 2019 the Institute received a reference from the Tasmanian Human Rights Act Campaign Committee, supported by eight community organisations. The reference was for the Institute to consider and report on developments in Australian human rights law and practice that bear on its previous recommendation, made in 2007, for a Tasmanian Human Rights Act. (*TLRI Final Report No. 10 A Charter of Rights for Tasmania*).

The Board accepted the reference, recognising that the output would be a research report only, and that the review would not involve community consultation.

Status

An expert advisory group was established comprising: Ms Sarah Bolt, Tasmanian Anti-Discrimination Commissioner; Dr Rebecca Bradfield, legal researcher; Mr Vincenzo Caltabiano, Director, Legal Aid Commission of Tasmania; Ms Terese Henning, former TLRI Director and author of 2007 TLRI Report *A Charter of Rights for Tasmania*; and Ms Anja Hilkemeijer, lecturer in law with expertise in human rights law.

The expert group met several times. Initially they reviewed a precis of the original 2007 report, and gave feedback on a plan for the review. They have met subsequently with both

Bruce Newey and his successor Jess Feehely to review progress on the paper, and will consider it again at a later stage. Their input has shaped the approach taken by the project.

Researchers

Bruce Newey was appointed to write the research paper in collaboration with Brendan Gogarty. However, before completing the paper, he left the Institute in May 2021 for a more secure position with the public service,

It took some time to identify a replacement within the limited remaining funding. Jess Feehely, former TLRI Executive Officer (Research), agreed to finish the paper remotely, outside of her current work commitments. She prepared a first draft for the expert reference group to review, and is working on revisions for a final draft. It is expected that the paper will be presented to the TLRI Board in 2023.

Funding

The Institute received funding of \$ 23,015.00 from the Law Foundation of Tasmania.

Review of Privacy Laws in Tasmania

Background

The Hon Meg Webb MLC requested that the Institute undertake a reference on Tasmanian privacy laws and protections with the following terms of reference:

In view of -

- the rapid and extensive advances in information, communication, storage, surveillance and other relevant technologies;
- possible changing community perceptions of privacy and the extent to which it should be protected by legislation;
- the expansion of State and Territory legislative activity in relevant areas; and
- emerging areas that may require privacy protection.

that the Institute will inquire into, review and report on:

1. the current protections of privacy and of the right to privacy in Tasmania and any need to enhance or extend protections for privacy in Tasmania.
2. The extent to which the *Personal Information Protection Act 2004* (Tas) and related laws continue to provide an effective framework for the protection of privacy in Tasmania and the need for any reform to that Act.
3. Models that enhance and protect privacy in other jurisdictions (in Australia and overseas).

The TLRI Board accepted the reference. Funding was sought from the Solicitors' Guarantee Fund for \$122,040, but in May 2020 the Institute was informed that it had been granted a lesser amount of \$76,353.98. To allow predictable financial control the Institute engaged subcontracted researchers from ANU to complete part of the project for a set sum.

Status

The pandemic resulted in a delay in the execution of the grant deed for the inquiry. Due to

the smaller amount of funding, the original research plan was amended to subcontract the preparation of the issues paper to external researchers with direct expertise in statutory privacy principles in Australia and internationally. The expectation was that this phase would be completed by mid 2021. This would be followed by consultation and the preparation of a final report and recommendations.

Subsequently, COVID-related staff changes at ANU gave rise to new work allocations for the remaining staff. This, together with one of the researchers needing to take extended personal leave, delayed commencement of the work, with ANU requesting an amendment to the contracted deadline.

The Institute received a draft issues paper from the sub-contractors in July 2021, however the Director returned it to the authors for re-writing. The revised version was presented to the TLRI Board in late 2021, but the Board considered the paper needed further work to meet a suitable standard for release. This work is planned for 2022.

Researchers

Dr Daniel Stewart, Dr Damian Clifford and Dr Jelena Gligorijevic of ANU worked on the first phase of the inquiry. Subsequent work on revising the issues paper was done by Chun Yu, a recent Law graduate, together with Brendan Gogarty.

Funding

The Institute applied to the Solicitors' Guarantee Fund for \$122,040 to complete the inquiry however in May 2020 they were informed that they had been awarded a lesser amount of \$76,353.98

Review of Minimal Age of Criminal Responsibility in Tasmania

Background

The Institute had been approached by community groups in early 2020 proposing a law reform inquiry and pilot study directed to raising the age of criminal responsibility in Tasmania to 14 (abolishing *doli incapax* and moving the statutory minimum age of responsibility from 10 to 14). This inquiry did not proceed due to lack of funding.

However, subsequently the Commissioner for Children and Young People (CCYP) requested that the Institute undertake a review of the minimum age of criminal responsibility ("MACR") in Tasmania, to complement her ongoing work to reduce the prevalence of children in detention.

The Commissioner, along with peak legal, medical, child protection and international bodies have recommended raising the MACR to fourteen years old. The Institute was to provide some early draft advice, followed by a completed Research Paper later in the year.

Status

Following a forum hosted by the CCYP in February 2021, the Institute worked on providing an objective evidence base on the legal implications of raising Tasmania's MACR, appropriate avenues of criminal law reform, and the ways in which the criminal and youth justice system might be adapted to minimise any negative impacts on the Tasmanian community and Tasmanian children from raising the MACR.

A draft paper was provided to the Commissioner in April 2021, and work proceeded on the Research Paper. Given staffing losses in the Law School during 2021, there were no suitably qualified academics to undertake the work. Hence Dr Gogarty undertook the work himself, in addition to his normal Director's duties. This delayed completion of the Paper, but it is expected that it will be completed in early 2022.

Researchers

This review is being undertaken by the Acting Director Dr Brendan Gogarty, and Ms Chun Yu.

Funding

The review is funded by a grant of \$17,719 from the Law Foundation of Tasmania

(c) New Work

The Institute has not received funding to commence any new projects in 2022.

(d) Other Activities

In addition to its core business of undertaking law reform research 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

South Australian Law Reform Institute

The TLRI continued its ongoing collaboration in 2021 with the South Australian Law Reform Institute which is based at the University of Adelaide. Because of COVID travel restrictions. Professor John Williams and Dr David Plater were unable to visit Hobart in 2021, but still provided valuable input to our work. Discussions were held about the review of the TLRI.

Prevention of Elder Abuse in Tasmania (PEAT)

The Institute continued its work in 2021 with a cross-disciplinary group of academics from 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) and is also a member of SEAPAC which advises the State Government on elder abuse issues.

Topics 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.

PEAT obtained funding from the Tasmanian Community Fund in 2019 to undertake research through participatory on-line workshops into Institutional Responses to Elder Abuse. Details of this work are included in this annual report under *Completed Projects* and are linked [via the TLRI website](#).

In 2021, funding from the Tasmanian Community Fund allowed the awarding of a \$5000 PEAT Scholarship. The recipient was law student Megwyn Mosenthal, who undertook an internship in the area of elder abuse.

Researcher in Residency Program

The Institute aims to continue the ‘Researcher in Residency’ program, following a successfully funded pilot program in 2017-2018, and productive secondments from various sectors of the legal profession in subsequent years.

There were no appointments under the program in 2021, but the Institute anticipates a possible appointment in 2022 to undertake work on the Special Hearing Scheme Study.

Vanessa Goodwin Scholarship in Law

The Vanessa Goodwin Scholarship in Law was established in 2019 with an initial \$30,000 contribution from the TLRI, which was supplemented by an additional grant of \$60,000 from the Solicitors’ Guarantee Fund following a successful application by Assoc Prof Henning. Additional funding from Dr Goodwin’s estate enabled the launch of the scholarship. The scholarship is awarded annually for a student entering Year 4 or 5 of a Bachelor of Laws or combined Law degree, or final year of a Criminology major. It includes a research internship with the Tasmania Law Reform Institute. The selection criteria include an interest in law reform and social justice.

Ms Gina Goh was selected as the 2021 Vanessa Goodwin Scholar. Gina undertook an internship with the Institute in 2021, focussing on human rights legislation.

Meetings with the Attorney-General

The Acting TLRI Director met with Attorney-General, the Hon. Elise Archer MP twice in 2021. Throughout the year, the Director and staff also communicated with key Departmental officers to discuss relevant issues.

Meetings with other key stakeholders

The Acting TLRI Director met with justice stakeholders, either in person or remotely, to discuss the Institute’s work:

- Executive Dean of CALE, Prof Kate Darian-Smith;
- CEO, Law Society of Tasmania;
- Secretary and Deputy Secretary, Department of Justice;
- Labor opposition Shadow Attorney-General, Ella Haddad MP;

- Commissioner for Children and Young People (Tas);
- The Chief Civil Psychiatrist;
- Health Complaints Commissioner;
- Anti-Discrimination Commissioner
- Policy staff from the Department of Justice and DHHS; and
- Prof John Williamson, Director SALRI and Dr David Plater Deputy Director SALRI.

(e) Reform commentary

Reduced staffing levels within the Institute have limited the capacity to provide reform commentary in 2021. However, the Institute provided comment on the following:

- Defamation Amendment Bill 2021: Amendment to Uniform Defamation Laws in Australia (July 2021)
- OPCAT Implementation Bill 2021 (September 2021). The Institute had previously provided comment with TILES on its predecessor, the Custodial Inspector Amendment (OPCAT) Bill 2020. The *OPCAT Implementation Act 2021* was passed by Parliament on 29 November 2021 and proclaimed in January 2022.
- Workplaces (Protection from Protesters) Amendment Bill 2021 (October 2021)

(f) Community and media engagement

Public communication

The Institute has generally continued efforts to improve communication regarding our work via the use of social media, mainstream media and the use of videos.

Media

The Institute's continues to have a healthy media profile. In 2021, the Institute enjoyed numerous media mentions, although these were fewer than in recent years because no issues papers or reports were finalised for public release. The Institute anticipates increased engagement in 2022 with the planned release of several publications.

Summary of publications in 2021

Although work proceeded on research and writing in 2021, no publications were completed for release.

3. Financial Statement for the period 1/1/21 - 31/12/21

Summary of all TLRI Account Balances at 31 December 2021 (full details below)

	\$
General Operating Funds	84,349.62
Solicitors' Guarantee Fund – Special Witness Hearings Study	50,870.00
Solicitors' Guarantee Fund – Review of Privacy Laws in Tasmania	62,717.62
Law Foundation – Review of Tasmanian Constitution	33,074.73
Law Foundation – Re-examination of Case for Tasmanian Human Rights Act	10,188.89
Law Foundation – Review of the Minimum Age of Criminal Responsibility	5,586.16
Vice Chancellor – Conversion Practices	12,169.21
Dept Communities Tas- Responding to Elder Abuse in Northern Tasmania	0.00
Dept Communities Tas- Responding to elder abuse in Southern Tasmania	5,557.75

Balance (surplus) at 31 December 2021	264,513.98
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General Operating Funds

Balance at 31 December 2020	60,502.81
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Income

2022 Contract annual grant from State Govt Dept of Justice <i>paid early (Dec 2021)</i>	50,000.00	50,000.00
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Expenditure

Salaries and salary on-costs	26,407.06	
Refund on software costs	-263.87	
End-of-Project Transfer to Preventing Elder Abuse- Northern Tas Project	10.00	
		26,153.19

Balance (surplus) at 31 December 2021	84,349.62
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Solicitors' Guarantee Fund – Special Witness Hearings Study

Balance carried forward from 31 Dec 2020	50,870.00
Expenditure	
Nil	0.00

Balance at 31 Dec 2021	50,870.00
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Solicitors' Guarantee Fund – Review of Privacy Laws in Tasmania

Balance carried forward from 31 Dec 2020	76,353.98
Expenditure	
Collaborator research costs – issues paper	13,636.36
	13,636.36

Balance at 31 Dec 2021	62,717.62
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Law Foundation – Review of Tasmanian Constitution

Balance carried forward from 31 Dec 2020	33,074.73
Expenditure	
Nil	0.00

Balance at 31 Dec 2021	33,074.73
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Law Foundation –Re-examination of Case for Tasmanian Human Rights Act

Balance carried forward from 31 Dec 2020	13,096.15
Expenditure	
Salaries and salary on-costs	2,907.26
	2,907.26

Balance at 31 Dec 2021	10,188.89
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Law Foundation –Review of the Minimum Age of Criminal Responsibility in Tas.

Grant income	17,719.00
Expenditure	
Salaries and salary on-costs	12,132.84
	12,132.84

Balance at 31 Dec 2021	5,586.16
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Vice Chancellor – Conversion Practices

Balance carried forward from 31 Dec 2020		28,869.00
Expenditure		
Salaries and salary on-costs	16,699.79	16,699.79
Balance at 31 Dec 2021		12,169.21

Dept Communities Tas – Preventing Elder Abuse- Northern Tas

Balance carried forward from 31 Dec 2020		18,839.94
Income		
End-of-Project Transfer from TLRI	10.00	10.00
General Operating Fund		
Expenditure		
Salaries and salary on-costs	12,465.17	
Research Internship/Scholarship TLRI	5,000.00	
<i>Balance returned to funding body</i>	1,384.77	
		18,849.94
Balance at 31 Dec 2021		0.00

Dept Communities Tas – Preventing Elder Abuse- Southern Tas

Balance carried forward from 31 Dec 2020		5557.75
Expenditure		
Nil.		0.00
Balance at 31 Dec 2021 <i>(Project completed end of 2020. Balance was returned to funding body in 2022)</i>		5,557.75

University Contributions (in kind)

LABOUR COSTS				
Non casual staff * <i>Salary & on-costs</i>				
Role	Staff Type	Classification	Full Time Equivalent Percentage (FTE%)	Total Salary Costs
Institute Acting Director	Academic	Level C	50.00%	82,618.54
Board members	Academic & Professional	Various	5.05%	11,197.72
HDR + Hons supervisor	Academic	Level C	4.00%	7,009.39
Research – reports **	Academic	Level C	5.00%	8,761.73
Law School Co-ordinator & Administrators	Professional	Various	6.06%	6,275.02
Law social media	Academic	Level B	0.17%	252.28
IT support	Professional	HEO Level 7	4.2%	5,235.39
Web management	Professional	HEO Level 5	2.00%	2,011.79
TOTAL NON-CASUAL				123,361.85

Casual staff (paid hourly rate) * <i>Salary & on-costs</i>				
Role	Staff Type	Classification	Estimated No of Hours for year	Total Salary Costs
Research assistance	Professional	CRA1	113	\$6,198.45
TOTAL CASUAL				\$6,198.45
TOTAL LABOUR				129,560.30

OTHER EXPENSES		
Consumables & equipment depreciation ***		10,582.00
TOTAL OTHER EXPENSES		10,582.00

INDIRECT COSTS	
Labour costs component @ 35%	45,346.12
Non-Labour costs component @ 35%	3,704.00
TOTAL INDIRECT COSTS	49,050.12

TOTAL UTAS IN-KIND CONTRIBUTION	189,192.42
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* calculated on University contract research rates, exclusive of GST.

** annual average calculated from Faculty staff research on issues papers and reports over life of Institute.

***includes computer and furniture depreciation, postage, stationery, & photocopier and printer costs.