

Making a complaint

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

To get free legal information call 1300 366 611, drop into our Hobart or Launceston office (no appointment necessary) or use the Legal Talk chat function on our website. We are open Monday to Friday, 9am to 5pm.

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

Who can make a complaint?

You can make a complaint if you are not happy with the service, conduct, actions or lack of actions by Tasmania Legal Aid (TLA) or our staff members.

Things you can (and can't) complain to us about?

We want to know if:

- You were not feeling safe while we served you.
- You had unreasonable delays
- You weren't happy with the quality of services
- You aren't happy with our policies or processes
- Had an issue with how our staff behaved
- Issues related to privacy and confidentiality, including the handling of personal information.
- Reportable conduct (see below)

If we get a complaint that is not included in the above list, where appropriate we will pass it on to the relevant body or give you information on where best to direct your complaint.

You can't use our complaints process to complain about:

- A private lawyer
- A decision about your grant of aid
- Something that isn't about TLA services or our staff
- General feedback that doesn't need a response

If we receive a complaint we can't deal with, we'll try to help by letting you know where to send it.

How can I make a complaint?

You can make a complaint using any of the following methods:

- **In Person:** call 1300 366 611 to make an appointment
- **By Email:** to complaints@legalaid.tas.gov.au.
- **By Phone:** to our Client Engagement Officer on 6236 3822.
- **Online:** form is available [here](#).

Do I need to give my name?

You don't need to tell us your name when you make a complaint. However, for anonymous complaints we may not be able to contact you with a response or provide details about the outcome.

What is 'reportable conduct'?

The *Child And Youth Safe Organisations Act 2023* defines the following as reportable conduct:

- (a) a relevant offence committed against, with or in the presence of a child, whether or not criminal proceedings in relation to the offence have been commenced or concluded; or
- (b) sexual misconduct, that does not form part of a sexual offence, against, with or in the presence of a child; or
- (c) physical violence against a child; or
- (d) grooming of a child; or
- (e) conduct that causes, or is likely to cause, significant emotional or psychological harm to a child; or
- (f) significant neglect of a child; or
- (g) conduct prescribed for the purposes of this section –

regardless of whether or not the alleged conduct occurred within the course of a worker's duties in respect of an entity.

The Office of the Independent Regulator gives examples of what the above means. You can read them [here](#).

How will my complaints be handled if I am an Aboriginal or Torres Strait Islander person?

We acknowledge the experiences of Aboriginal and Torres Strait Islander people, including the impact of colonialism, historical laws and policies, discrimination and intergenerational trauma. We are committed to working in partnership with communities and providing culturally safe services.

We want our complaints process to be culturally safe we will endeavour to:

- Create a welcoming environment where Aboriginal and Torres Strait Islander people feel safe and supported in voicing their concerns
- Listen and make necessary adjustments to ensure you feel culturally secure
- Provide multiple ways for a complaint to be submitted, including anonymously, in person, or through a support person
- Ensure TLA staff have had cultural safety training
- Be as flexible as possible while working with you on your complaint because we you may have ongoing cultural and community obligations, and caring responsibilities
- Connect you with other organisations who may be able to provide additional support
- Seek feedback about your experience and whether you felt culturally safe.

How will my complaint be handled if I am a culturally and linguistically diverse person?

To support CALD individuals in our complaints process, we will endeavour to:

- Tailor additional support as needed, including utilising the Translating and Interpreting Service for anyone who needs translation or interpretation.
- Offer multiple methods for submitting complaints, such as in person, through a representative, or anonymously, ensuring a safe and supportive environment.
- Seek feedback on whether felt respected, heard, and supported throughout the complaints process.

How will TLA support me in the complaints process if I have a disability?

We are dedicated to supporting people with disability and empowering them to make complaints. In line with the guiding principles of the United Nations Convention on the Rights of Persons with Disabilities, we recognise that people with disability have the same right as others to pursue complaints.

We want people with disability to be readily able to make complaints we will endeavour to:

- Create a welcoming environment where anyone with disability feels safe and supported in voicing their concerns.
- Provide information about the complaints process in a format that is accessible.
- Ensure our staff are trained to understand and accommodate the specific needs of people with disability when handling complaints.
- Tailor additional support for those who need it, including utilising the Translating and Interpreting Service for those requiring translation or interpretation, and the National Relay Service for individuals with hearing or speech impairments.
- Facilitate support and arrangements from advocates or other representatives to support people with disability.

Can I make a complaint if I am a child or young person (under 18 years)?

We recognise the importance of safeguarding the rights and wellbeing of children and young people in our complaint handling process. We provide a safe and supportive environment for children and young people to raise their concerns, ensuring that their voices are heard and respected. To achieve this, we will endeavour to:

- Provide a child friendly complaints form
- Create a safe and supportive environment for children and young people to raise concerns
- Train our staff who receive complaints to respond appropriately and empower children and young people to speak up
- Ensure our interactions with children and young people are confidential and respectful to create a safe space to express their concerns without fear of retaliation
- Engage with children directly and only involve a parent or guardian when the child says it's okay to do this
- Use clear and age-appropriate language that is easy to understand and any technical words are explained
- Have our Director handle all complaints made by children and young people
- Adhere to the Child and Youth Safe Organisations Framework
- Promote support or access to an independent support person during complaints process
- Continually review and improve our practices to align with the latest child safety standards
- To learn more about how to be heard when you have concerns about the safety or wellbeing of a child or young person, read the [Guide to Tasmanian oversight bodies](#).

If I make a complaints, will my information be private?

We protect the personal and sensitive information that we collect as part of the complaints process and handle it in accordance with [TLA's Privacy Policy](#).

This means we:

- Only collect as much personal information as we need to assist in resolving a complaint.
- Use information collected as part of an investigation to resolve the complaint. This might include sharing information with the staff member who is being complained about. We will only do this if you are okay with this.
- May give personal information such as name and contact details to external regulators and integrity bodies including but not limited to the Tasmanian Legal Profession Board and the Tasmanian Ombudsman when required to initiate or respond to complaints.

We will collect deidentified statistical data and other information relating to complaints to:

- Identify and address systemic issues.
- Report information relating to complaints if requested to do so by the Department in accordance with the *Disability Services Inclusion Act 2003* (Cth).

Any data we collect like this will have general information and not your name or any details that can identify you.

What is the process to make a complaint?

We follow a 3-step approach to complaint handling:

Step 1 – Informal Complaint:

Clients are encouraged to raise concerns directly with the relevant TLA lawyer, staff member, or their manager. The goal is to resolve issues promptly and informally at this level.

Step 2 – Formal Complaint:

If early resolution isn't achieved, clients can submit a formal complaint by completing a complaints form which is available over the phone, online, in person, or by email. Once received, the complaint will be acknowledged by our Client Engagement Officer and delegated to the relevant senior manager (Associate Director), who will work with the appropriate people to address and resolve the complaint.

Step 3 – Escalation for Serious Complaints:

Serious complaints, including all complaints made by children or young people, are escalated to TLA's Director.

You can read more about our complaints procedure in our [Complaints Policy](#).

Who will handle my complaint?

Our Client Engagement Officer serves as the first point of contact. They will make sure that each complaint is recorded and dealt with properly.

You will get an acknowledge that we have your complaints within 3 business days. We will give you details about the complaint process, expected timeframes, and who to contact if you have questions. Our Client Engagement officer will read your complaints and get it to the appropriate senior manager (Associate Director).

The Client Engagement Officer maintains a secure record of all complaints, making sure that issues are resolved quickly.

How will I know what the outcome of my complaint is?

We will let you know in writing of the outcome of your complaint.

The outcome may include:

- Listening to your complaint and acknowledging your perspective
- Acknowledging and/or correcting an error or issue
- Giving you an apology
- Giving you an explanation for the conduct
- Discussion/feedback/training with the relevant staff members
- Referring your matter to another practitioner or service provider
- Making an improvement to our systems
- Referral to another service if we are required to do so (e.g. Legal Profession Board, Police etc.)

At the end of the complaints process, the Client Engagement Officer will provide you the opportunity to provide feedback about your experience of the process.

What if I am not happy with the outcome of my complaint?

We try hard to resolve complaints, but in some instances you may not be happy with the outcome. If you remain unsatisfied with the outcome you may contact the Tasmanian Ombudsman as you have the right to do so.

[Tasmanian Ombudsman](#)

Phone: 1800 001 170

Email: ombudsman@ombudsman.tas.gov.au

Write: GPO Box 960, Hobart 7001

Visit: NAB House, Level 6, 86 Collins Street, Hobart

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