

Legal Aid NSW Domestic Violence Unit

Process evaluation of the first nine months



January 2018



LAW AND JUSTICE
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SOUTH WALES

Legal Aid NSW Domestic Violence Unit

Process evaluation of the first nine months

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Law and Justice Foundation of New South Wales

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Shortened forms

ABS	Australian Bureau of Statistics
ADVO	Apprehended Domestic Violence Order
ATLAS	Legal Aid NSW's grants management system
AVO	Apprehended Violence Order
CARS	Client Assessment and Referral Service
CASES	Legal Aid NSW's administrative data system for assistance services (e.g. duty lawyer, advice and minor assistance)
CLE	community legal education
CLEI	community legal education and information
CLEMs	Legal Aid NSW's Community Legal Education Management database
CS	Central Sydney
DV	domestic violence
DFV	domestic and/or family violence
DVLO	Domestic Violence Liaison Officer
DVPS	Domestic Violence Practitioner Service
DVSAT	Domestic Violence Safety Assessment Tool
DVU	Domestic Violence Unit (of Legal Aid NSW)
EIU	Family Law Early Intervention Unit (of Legal Aid NSW)
FACS	Family and Community Services
Foundation	Law and Justice Foundation of NSW
IRO	Information and Referral Officer
LAW Survey	Legal Australia-Wide Survey
LCPs	Local Coordination Points
LGA	local government area
LSO	Legal Support Officer
nfs	not further specified
NSW	New South Wales
PINOP	person in need of protection
SAM	Safety Action Meeting
SSI	Settlement Services International
SWS	South West Sydney
WDVCAP	Women's Domestic Violence Court Advocacy Program
WDVCAS	Women's Domestic Violence Court Advocacy Service
WLS	Women's Legal Service NSW

Executive summary

The Domestic Violence Unit

The Domestic Violence Unit (DVU) of Legal Aid New South Wales (Legal Aid NSW) began operation in January 2016. It was established in response to an identified need for a more integrated and intensive response to the complex legal and non-legal needs of people experiencing or at serious risk of domestic and/or family violence (DFV). The DVU includes both lawyers and dedicated social workers and provides free legal advice, assistance, advocacy, ongoing litigation casework and social work support to help people experiencing DFV to stay safe and rebuild their lives. The DVU operates duty lawyer services at four local courts, two legal advice clinics, a telephone/email/webcam legal advice line and social work support services, and provides grants of legal aid.

Working with other Legal Aid NSW and human services, the DVU aims to provide accessible services to people experiencing DFV, as well as appropriate and proportionate assistance to clients according to their level of legal and non-legal need, vulnerability and capability, including holistic services and case management as needed.

The present evaluation

The Law and Justice Foundation of NSW (the Foundation) was engaged by Legal Aid NSW to articulate a program logic for the DVU that would detail the DVU's aims, nature and desired outputs and outcomes. Using this program logic as a basis, the Foundation was engaged to conduct a process evaluation of the DVU's first nine months of operation, to examine its early implementation and inform any refinements to improve its operation.

The Foundation also developed an evaluation framework that included a plan for the ongoing monitoring of the DVU, as well as a broad plan for an outcome evaluation to assess the DVU's impact on client outcomes, which was to be conducted at a later date. This report focuses on the process evaluation of the DVU, but also presents the program logic and broad evaluation framework.

Methodology of process evaluation

The process evaluation comprised both quantitative analysis of Legal Aid NSW administrative data (CASES, ATLAS, CARS and CLEMs), and qualitative analysis of feedback provided by internal and external stakeholders via semi-structured interviews and focus groups. The analysis focused on the following issues:

1. **DVU client profile:** Is the DVU reaching disadvantaged people experiencing DFV?
2. **DVU services:** Is the DVU providing relevant services to people experiencing DFV?
3. **DVU implementation:** Is the DVU operating as anticipated? If not, how is it operating and what factors (intended or unintended) are affecting its operation?
4. **Improving DVU processes:** What, if any, changes could be made to activities or processes to improve the function of the DVU?

Results and conclusions from process evaluation

The process evaluation of the first nine months of implementation of the DVU indicates that, overall, the DVU appears to be operating consistently with its aims.

The DVU reached disadvantaged people, predominantly women, who were experiencing DFV. More than two-thirds (69.1%) of DVU clients had dependants, more than half (51.8%) spoke a main language other than English, two-thirds (67.6%) were not employed and almost two-thirds (63.7%) received government benefits.

DVU clients received legal and social work assistance for a broad range of legal and related non-legal issues, in keeping with the aim of providing 'holistic' services to clients as

DVU clients received legal and social work assistance for a broad range of legal and related non-legal issues, in keeping with the aim of providing 'holistic' services to clients as needed

needed. Legal advice and assistance spanned family, civil and criminal law, addressing issues that included ADVOs; family law issues such as living with children, spending time with children, divorce and property settlement; civil law issues such as victim's compensation, immigration, human rights, housing and debt; and criminal law issues for defendants who are also primary victims of DFV. The range of social work services included advocacy, case management, referrals, and risk assessment and safety planning.

The pattern of services provided varied across DVU clients, consistent with the DVU's aim of triaging clients to receive appropriate types and intensity of service according to their specific needs and capability. While approximately three-quarters (74.2%) of DVU clients received only *one type* of service for their primary matters (e.g. only one or more duty services), the other quarter received multiple types of services for their primary matters (e.g. one or more duty service and one or more advice service).

To assist with its aim of providing accessible services, the DVU conducted and participated in numerous community legal education and information (CLEI) events for members of the general public and non-legal workers, and also provided in-house training to Legal Aid NSW staff.

In general, the interviews and focus groups conducted with internal and external stakeholders provided very positive feedback about the professionalism, expertise and dedication of the DVU team, the important gaps filled by the service, and the benefits of the service to both clients and service providers.

In particular, the DVU was seen as filling legal service gaps for victims of DFV by providing more integrated, holistic services via duty lawyer services at court, dedicated legal advice lines and clinics, and coordination with other practice areas within Legal Aid NSW. The victims assisted extended to those who are ineligible for legal aid grants and 'primary victims' who are also defendants. The DVU was also seen as filling gaps in social work support and assistance to people experiencing DFV, often complementing the court support roles of the Women's Domestic Violence Court Advocacy Services (WDVCASs).

Further, the DVU service was perceived as embracing a trauma-informed approach to service delivery, with processes in place to assess the client's risk of experiencing further violence and to provide safety planning, as needed, to reduce this risk.

Overwhelmingly, stakeholders provided very positive feedback about the impacts of the DVU service for clients, reporting numerous benefits. These benefits included timely access to services and earlier intervention; a safer, more supported and empowering experience for clients; and more streamlined wraparound services to address the range of legal and non-legal needs experienced by clients.

Benefits were also reported for internal and external partners and for the service system more widely. Benefits for Legal Aid NSW as an organisation included increased focus on the following: assisting victims, coordinating services across practice areas, valuing intensive services for vulnerable clients rather than only client volume and operating services with a trauma-informed approach. Benefits were also reported in terms of raising the profile of DFV in the system more broadly and streamlining legal and court processes in response to DFV.

Fostering relationships with partners at the local level was seen as instrumental to the successes achieved by the service. Typically, positive relationships were reported between the DVU and both internal and external partners, with warm referrals occurring in both directions via multiple pathways, facilitating timely and holistic legal and non-legal assistance.

Despite consensus about the clear value of the DVU service, some challenges with the early implementation of the DVU were nonetheless noted, and suggestions were provided for improving the service going forward. Most of the suggested improvements centred around facilitating more streamlined and more efficient collaborative working between the DVU and their partners. These suggestions included clearer

or more ongoing communication between partners to ensure shared understanding regarding referral processes, information sharing, conflicts of interests, holistic service coordination, eligibility for legal aid grants, and the distinct yet complementary roles of partners, particularly those of the DVU and WDVCS. Suggestions also included increasing communication and feedback between partners, enhancing continuity of services and more centralised triage. In addition,

a clear message from stakeholders was that the capacity of the DVU may need to be increased in order to meet increasing demand for the service. The benefit of better infrastructure for some of the court safe rooms was also raised. The ideal set-up was suggested to be a safe room located at the front of the court, that is large enough for all victims and has internal access (or nearby access) to separate interview rooms for DVU solicitors.

the capacity of the DVU may need to be increased in order to meet increasing demand for the service

Internal stakeholders also felt that it was important to continue the impetus that the DVU had provided for a 'cultural shift' within Legal Aid NSW towards more trauma-informed services for victims and coordinated service delivery across practice areas.

Implications for the expansion of the DVU

Although stakeholders felt that addressing the above issues would improve the DVU service, they unanimously supported the continuation of the service. The process evaluation provides valuable data to inform the roll-out of the DVU service to other local courts across NSW and into family court registries.

Notably, building good collaborative relationships with partners at the local level was important in the successes achieved by the DVU service to date. Investing time and having capacity to foster effective local relationships in new geographic areas and jurisdictions is therefore likely to be critical as the DVU expands, and may be a challenge that needs to be negotiated. As stakeholders suggested, clearer guidelines and protocols around collaborative working may facilitate shared understanding of the different roles and responsibilities of partners, as well as more streamlined, continuous and holistic services for clients. Bedding down referral and information-sharing processes, elucidating client eligibility for legal aid grants, and clarifying the roles of the DVU team compared to those of the WDVCSs were of particular note. Stakeholders reported that while good relationships between service providers were vital, reliance on just one or two familiar faces within a service in the absence of more formal, agreed protocols was less than ideal.

In addition, the capacity of the DVU in the face of increasing demand as its services expand is another key area that may need to be negotiated going forward. Stakeholder feedback clearly indicated that the DVU team was already stretched and also noted the challenge of potential 'burnout' resulting from working in a service area where 'vicarious trauma' can be a threat. Developing service guidelines and protocols, increasing communication and feedback with existing partners, and fostering local relationships with new partners all require sufficient investment in time and capacity within the DVU and partner organisations to come to fruition.

1. Introduction

Domestic and/or family violence

Research indicates that the people experiencing domestic and/or family violence (DFV)¹ are predominantly women, although men can also experience DFV. However, because much DFV goes unreported, it is difficult to determine the true extent of DFV in the population. As few as 14–52 per cent of people experiencing DFV report their victimisation to police.² It is thus possible that figures from crime victimisation surveys similarly underestimate DFV. The most recent of these surveys is the *Personal Safety Survey* conducted by the Australian Bureau of Statistics (ABS). It estimated that 17 per cent of Australian women and 5 per cent of Australian men experience violence by a (current or previous) partner in their lifetime, and 1.5 and 0.6 per cent, respectively, experience such violence in a 12-month period.³ The Legal Australia-Wide (LAW) Survey provided similar but slightly lower estimates with 1.3 per cent of female respondents and 0.3 per cent of male respondents reporting they had experienced DFV in the previous 12 months.⁴

There are also some indications that risk of DFV may be higher for younger women, separated women, pregnant women and women with certain types of disadvantage, such as women who have been victims of child abuse, Indigenous women, women living in rural and remote areas, women with disabilities, women from multicultural backgrounds and women experiencing financial disadvantage or financial stress.⁵

DFV covers a wide range of abusive behaviours and, by virtue of the dynamics of the relationship, the consequences for people experiencing this violence and their children can be extreme and can include physical, sexual, psychological, social, economic, cultural and legal harm. Research suggests that the legal problems experienced by people affected by DFV can be multiple, complex, interrelated and ongoing. They can include not only criminal law issues, but also child protection and family law issues, such as parenting, property settlement and child support, as well as civil law matters, such as housing, social security, immigration, credit/debt and rights issues. According to LAW Survey analyses, people who experienced DFV in the previous 12 months had elevated prevalence of legal problems from 11 of the 12 major categories of legal problems examined by the survey.⁶ Other research suggests that family violence is associated with heightened vulnerability to a cluster of problems associated with family breakdown, and closely linked ancillary issues concerning children.⁷ For instance, family violence and relationship breakdown

1 Although similar, the terms 'domestic violence' and 'family violence' are not always treated as identical terms, and are used inconsistently by different jurisdictions and organisations. Acknowledging the existence of these different definitions, for convenience, the present report uses the umbrella term of 'domestic and/or family violence' or 'DFV'.

2 Angus (2015).

3 ABS (2012); Phillips & Vandenbroek (2014).

4 Coumarelos, Macourt, People, McDonald, Wei, Iriana & Ramsey (2012); Coumarelos, McDonald, Forell & Wei (2015).

5 Angus (2015); Phillips & Vandenbroek (2014).

6 Coumarelos, McDonald, Forell & Wei (2015).

7 Pleasence, Coumarelos, Forell & McDonald (2014).

appears to be a leading trigger of first instance homelessness, with young people seeking assistance from specialist homelessness services commonly citing family violence and family breakdown as a reason for seeking crisis accommodation.⁸ In addition, according to the LAW Survey, family-related legal problems often appear to co-occur with credit/debt problems.⁹

Legal assistance services and political environment

The naming of Rosemary Anne 'Rosie' Batty as Australian of the Year in 2015 marked an impetus in policy reform to address and reduce DFV in Australia, at both state and national level. For example, the NSW Government's Safer Pathway reforms articulate preventing and responding to DFV as priorities.¹⁰ Commonwealth Government priorities regarding DFV are evident in the National Partnership Agreement on Legal Assistance Services 2015–20 and the \$100 million Women's Safety Package announced on 24 September 2015 by the Australian Government.¹¹

Legal Aid NSW DFV Strategy

The DFV Strategy 2016–2018 of Legal Aid New South Wales (Legal Aid NSW) aligns with government policies and priorities to ensure that Legal Aid NSW can deliver high quality, client-centred and holistic services to people who are affected by DFV. The guiding principles underpinning the strategy are:

- *clients at the centre* to receive a whole-of-organisation response to their needs
- *victims first*
- *raising the bar* with high quality legal services
- *coordination and collaboration* both internally and externally to deliver integrated, holistic services to clients
- *evidence-informed* service delivery
- *strategic leadership* by Legal Aid NSW in the response to DFV.

The objectives of the strategy are to:

1. *improve the capability and capacity* of Legal Aid NSW to provide services to people affected by DFV
2. *prioritise victims of DFV* in the delivery of Legal Aid NSW services
3. *provide coordinated, client-centred services* to people affected by DFV through effective internal and external partnerships
4. *contribute to early intervention and the prevention* and reduction of DFV, including through engagement with perpetrators
5. *promote awareness and understanding* of Legal Aid NSW's DFV services.

8 McLachlan, Gilfillan & Gordon (2013).

9 Coumarelos et al. (2012).

10 NSW Department of Justice (2014a, 2014b).

11 See Council of Australian Governments (2015) and <<https://www.dss.gov.au/women-programs-services-reducing-violence/womens-safety-package>>

The establishment and evaluation of a Domestic Violence Unit (DVU), which includes services in South West Sydney (SWS), is a key action under the first objective of the strategy.

Legal Aid NSW's DVU in SWS was one of 12 specialist DFV service units to be funded under the Women's Safety Package as part of a three-year national pilot to trial innovative service models to help address and respond to DFV. In October 2015, Legal Aid NSW received a Commonwealth grant to fund the SWS arm of the DVU. The Central Sydney (CS) arm of the DVU is not funded under the Commonwealth Women's Safety Package, but by Legal Aid NSW core funding.

The Domestic Violence Unit

The DVU of Legal Aid NSW began operation in January 2016. The DVU was established in response to an identified need for a more integrated and intensive response to the complex legal and non-legal needs of people experiencing or at serious risk of DFV. The DVU includes both lawyers and dedicated social workers to provide free legal advice, assistance, advocacy, ongoing litigation casework and social work support to help people experiencing DFV to stay safe and rebuild their lives. The DVU:

- operates duty lawyer services at four local courts
- operates two legal advice clinics, and telephone/email/webcam legal advice
- provides grants of legal aid
- operates social work support services
- coordinates with other Legal Aid NSW services and human services to provide holistic services.

The present study

The Law and Justice Foundation of NSW (the Foundation) was engaged by Legal Aid NSW to develop an evaluation framework for the DVU that would outline the planning, monitoring and evaluation activity relevant to the DVU. The evaluation framework was to articulate a program logic for the DVU that would detail the DVU's aims, nature and desired outputs and outcomes. Using this program logic as a foundation, the evaluation framework was also to provide a broad plan for:

- **a process evaluation** of the DVU's first nine months of operation – to examine its early implementation and inform any refinements to improve its operation
- **the ongoing monitoring** of the DVU – to facilitate regular reporting on the activities, progress and outputs of the DVU
- **an outcome evaluation** – to assess the DVU's impact on client outcomes.

The Foundation was also engaged to conduct the initial process evaluation. The outcome evaluation was scheduled to be conducted at a later date, after the DVU had been operating for approximately two years.

2. DVU program logic

The purpose of the evaluation framework for the DVU is to outline a plan for providing data and analysis to:

- inform the implementation and refinement of the program
- monitor progress and report on the activities, outputs and outcomes of the program
- inform decisions about the format, continuation and future funding of the model.

Central to all planning, monitoring and evaluation is a clear and shared understanding of the purpose of the DVU. Developed in consultation with Legal Aid NSW, the program logic for the DVU provides this shared understanding and forms the basis for the evaluation framework. The program logic describes the nature and goals of the DVU, detailing:

- the inputs to the service
- the activities of the service
- the desired outputs of the service
- the desired short- and long-term outcomes of the service
- external factors which may also impact on the desired outcomes.

A brief summary of the DVU program logic follows here, while the full program logic is presented in Appendix 1.

Goals of the DVU

The ultimate goal or desired long-term outcome of the DVU is to provide people who are experiencing or at risk of DFV with the legal and other assistance they require to build lives safer from DFV. Working towards this long-term outcome, the more specific aims of the DVU are to provide:

- accessible services to people vulnerable to DFV
- appropriate and proportionate assistance to people vulnerable to DFV
- increased capability within Legal Aid NSW to respond appropriately to DFV
- a costed, appropriate and sustainable model of service.

The inputs and activities relevant to each of these specific aims are briefly outlined below.

Accessible services

The DVU team consists of specialist solicitors trained in trauma-informed practice, social workers and support staff. The DVU team aims to make services for people experiencing DFV accessible by providing a range of services, including:

- *duty lawyer services* alongside Apprehended Domestic Violence Order (ADVO) lists at four local courts – at Bankstown and Liverpool Local Courts in SWS, and at Burwood and Fairfield Local Courts in CS

- *legal advice clinics* – at Bankstown Women’s Health Centre in SWS and at Burwood Community Welfare Service in CS
- *central telephone/email/webcam legal advice*
- *community legal education and information* – to frontline non-legal workers, partners and community members to inform them about the legal services available for people experiencing DFV and to support appropriate referrals to the DVU.

Note that, from 1 March 2017, DVU services were expanded into family court registries, which will facilitate DFV related matters moving from the local courts through to the family court. However, as the present process evaluation focuses on the first nine months of operation of the DVU, it does not cover the expansion into the family court registries.

Appropriate and proportionate services

A second aim of the DVU is to deliver appropriate and proportionate services that are tailored to each client’s legal and non-legal issues, vulnerability and capability, with more intensive and holistic services being provided to clients with the highest risk of DFV, the greatest or most complex legal and social needs and/or the lowest capability. The DVU activities that work towards this aim include providing:

- triage and risk assessment – to identify appropriate levels and types of legal and non-legal services and to provide safety planning
- different types/levels of legal services as appropriate – namely duty, legal advice, minor assistance, representation
- holistic legal services as appropriate – by addressing not only a range of DFV legal issues, but also other related legal issues through partnerships with other legal practice areas of Legal Aid NSW
- holistic services for related non-legal issues as appropriate – through the DVU social workers and through partnerships with non-legal agencies, including facilitated referral and case management as needed
- strategic advocacy on any relevant systemic issues identified
- a safe and trauma-informed approach to assisting clients.

Increased capability within Legal Aid NSW to respond appropriately to DFV

Another aim is to improve Legal Aid NSW’s in-house capability to respond appropriately to DFV, through the DVU providing information resources and training to other Legal Aid NSW staff about a holistic, safe and trauma-informed approach to DFV, and via the development of internal referral and service protocols for DFV.

An appropriate and sustainable model of service

A final aim is that the DVU model is costed and evaluated, so that the effectiveness and value of the program can be assessed in order to inform decisions concerning the continuation and sustainability of the model.

The challenge of external influences

The program logic recognises that the impact of the services provided by the DVU and their partners is not the only factor that can affect the outcomes experienced by clients, and is not necessarily independent of extraneous influences. Other available services may have an impact. Client choices and circumstances may also have an impact, and risk of serious harm from DFV can sometimes escalate when the perpetrator realises that the abused person is seeking assistance or wanting to terminate the relationship. The outcome evaluation will need to consider the possible role of any external influences.

3. Process evaluation

Purpose of the process evaluation

The purpose of the process evaluation was to provide information to Legal Aid NSW about the implementation of *the first nine months* of the program (from 1 January to 30 September 2016) and to inform any refinement of program activity and data collection strategies for the outcome evaluation of the DVU.

Key questions

The process evaluation aimed to examine or inform the following questions:

1. **DVU client profile:** Is the DVU reaching disadvantaged clients?
2. **DVU services:** Is the DVU providing relevant services?
3. **DVU implementation:** Is the DVU operating as anticipated? If not, how is it operating and what factors (intended or unintended) are affecting its operation?
4. **Improving DVU processes:** What, if any, changes could be made to activities or processes to improve the function of the DVU?
5. **Improving data collection:** What, if any, changes could be made to the intended outputs of the DVU and/or the data collection strategy?

Methodology

The process evaluation involved a mix of quantitative and qualitative analysis, using both data and documentary material provided by Legal Aid NSW and new fieldwork conducted by the Foundation involving semi-structured interviews with key stakeholders, as outlined further below.

Legal Aid NSW administrative data: ATLAS and CASES

ATLAS is Legal Aid NSW's grants management system, which is used to process all applications for grants of legal aid, and to manage and record grants of legal aid and representation services. CASES is Legal Aid NSW's administrative data system, which records assistance services provided by Legal Aid NSW, including duty lawyer, advice and minor assistance services.

Legal Aid NSW provided the Foundation with de-identified unit-record data from ATLAS and CASES, for all clients of the DVU from 1 January to 30 September 2016 – that is, for the first nine months of operation. The data represented all **services for primary matters** handled by the DVU. A separate Microsoft Excel file was provided for each of the following types of service:

- duty lawyer services (duty)
- (other) legal advice services (advice)
- legal minor assistance services (minor assistance)
- legal aid grant services (grant).

CASES also records 'secondary' matters, which are other matters under the same law type dealt with on that occasion of service for the same client. Legal Aid NSW generally reports only on primary matters as reporting on secondary matters using the CASES system results in overcounting the number of services delivered. For this reason, we have also based our analysis on primary matters only. One limitation of focusing on primary matters, however, is that it tends to undercount the range of legal issues concurrently facing clients.

For any one primary matter, a client may be provided with more than one service, which could be of the same type (e.g. two advices) or of different types (e.g. one duty, one advice and two minor assistances).

The ATLAS and CASES data included both demographic information about clients and information about the assistances provided by the DVU. Demographic data included:

- gender
- age
- number of dependent children
- postcode of residence
- Indigenous status
- multicultural background (i.e. English proficiency, main language spoken at home, interpreter required, interpreter language, country of birth, year of arrival in Australia)
- disability status
- employment status
- government benefit.

Data on duty, advice, minor assistance and grant services included:

- date of service
- type of service (i.e. duty, advice, minor assistance, grant)
- type of primary matter (i.e. law type, Commonwealth versus state matter, primary matter group, primary matter type)
- location of service.

The ATLAS and CASES data was analysed using IBM SPSS¹² to provide information on Questions 1, 2, 3 and 5 above (i.e. DVU client profile, DVU services, DVU implementation and Improving data collection, respectively).

Legal Aid NSW administrative data: CARS

The Foundation also received data from Legal Aid NSW in de-identified unit-record form from their Client Assessment and Referral Service (CARS) system on assistances provided to DVU clients by the DVU's social workers from 1 January to 30 September 2016. This data provided on social work services was not linked to type of matter.

It included:

- date of service

¹² IBM SPSS Statistics for Windows, Version 19.0, was used (IBM Corp 2010).

- type of social work assistance (e.g. advice to solicitor, advocacy, assessment, counselling, practical assistance, referral, risk assessment, safety planning, short-term case management).

The CARS data was analysed using IBM SPSS Statistics to address Question 2, 3 and 5 above (i.e. DVU services, DVU implementation and Improving data collection).

Legal Aid NSW administrative data: CLEMS

Data were also provided from Legal Aid NSW's Community Legal Education Management (CLEMs) database on the Community and Legal Education and Information (CLEI) events conducted by the DVU during the period from 1 January to 30 September 2016. This data included information on:

- date of the event
- CLEI type (e.g. presentation, workshop, forum)
- topic(s) covered
- location
- audience(s).

The CLEMs data was used to report on Question 2 (DVU services).

Key stakeholder interviews

Semi-structured focus groups/interviews/surveys were also conducted with key staff and stakeholders to provide information on the initial operation of the DVU. Stakeholders were contacted via email and invited to participate in an interview either face-to-face or over the telephone, with a few stakeholders electing instead to provide comments via email. The following stakeholders provided comments:

- DVU staff
- other Legal Aid NSW (internal) partners, namely:
 - Women's Domestic Violence Court Advocacy Program (WDVCAP) staff
 - family law personnel, including Early Intervention Unit (EIU) personnel
 - civil law personnel, including immigration lawyers
 - criminal law personnel providing duty services at relevant courts
 - grants personnel
- external stakeholders/partners, namely:
 - Women's Domestic Violence Court Advocacy Service (WDVCAS) staff at the relevant courts
 - magistrates and registry staff at the relevant local courts
 - NSW Police Domestic Violence Liaison Officers (DVLOs) at the relevant local courts
 - Bankstown Women's Health Centre (where one DVU advice clinic operates).¹³

¹³ Note that the Burwood WDVCAS provides services at Burwood Community Welfare Service where the DVU legal advice clinic operates in Burwood. Thus, the Burwood WDVCAS commented on the DVU services provided at both Burwood Local Court and at the Burwood legal advice clinic.

A more detailed list of the stakeholder participants is provided in Appendix 2.1.

The qualitative information received from stakeholders examined Questions 2 to 4 above (i.e. DVU services, DVU implementation and Improving DVU processes). The email sent to invite stakeholder participation, which included the question schedule, is provided in Appendix 2.2. Stakeholders were asked about the main activities of the DVU. For each activity, they were asked to comment on how well the activity is operating, and what, if any, changes could be made to this activity to improve the function of the DVU. They were also asked about the impact of the DVU. Each stakeholder was only asked about the particular DVU activities that were relevant to him or her (see Appendix 2.3). At the conclusion of the interview, stakeholders were thanked and asked for their consent for their comments to be cited in the present report (see Appendix 2.4).

The information from stakeholders was analysed using NVivo.¹⁴

DVU client profile

Consistent with the literature and clinical experience, DVU clients were predominantly female and were younger than the general population. DVU clients were also more disadvantaged than the general population on a number of indicators, including number of dependants, multicultural background, employment status and main source of income. Further details about the demographic profile of DVU clients are provided below.

Gender, age and dependants

Only a little over one per cent of DVU clients were male (see Table 1) compared to 49.2 per cent of the general NSW population.¹⁵

DVU clients were younger than the general population. Approximately two-thirds of DVU clients were aged between 25 and 44 years of age, and more than nine-tenths were under the age of 55 years (see Figure 1). In comparison, only 27.7 per cent of the NSW population are aged between 25 and 44 years, and less than three-quarters (73.7%) are aged under 55 years.¹⁶

Less than one-third (30.9%) of DVU clients had no dependants (see Figure 2), compared to 52.7 per cent in the general NSW population.¹⁷ The higher proportion of DVU clients with dependants is consistent with their higher representation in young and middle adulthood. The proportion of DVU clients with three or more dependent children was 17.8 per cent, compared to 13.4 per cent of the NSW population.¹⁸

¹⁴ NVivo Qualitative Data Analysis Software Version 10 was used (QSR International 2012).

¹⁵ ABS (2011b).

¹⁶ ABS (2011b).

¹⁷ ABS (2011b).

¹⁸ ABS (2011b). A dependent child is a person who is either a child under 15 years of age, or a dependent student aged 15-24 years. It includes up to three dependent children who were temporarily absent from the dwelling on Census night.

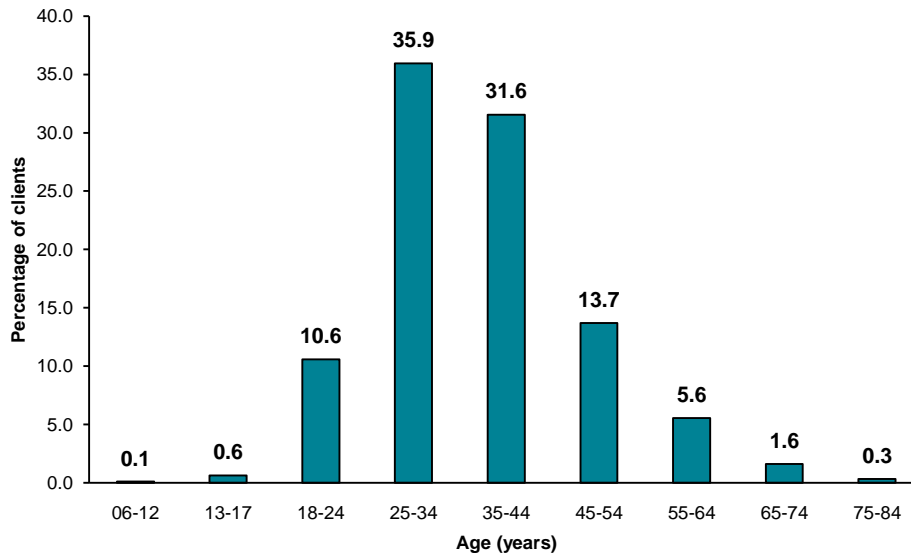
Table 1: Gender of DVU clients

Gender	%	N
Female	98.9	929
Male	1.1	10
Total	100.0	939

Note: N=939 DVU clients. Data was missing for 21 clients.

Source: Analyses of CASES and ATLAS data.

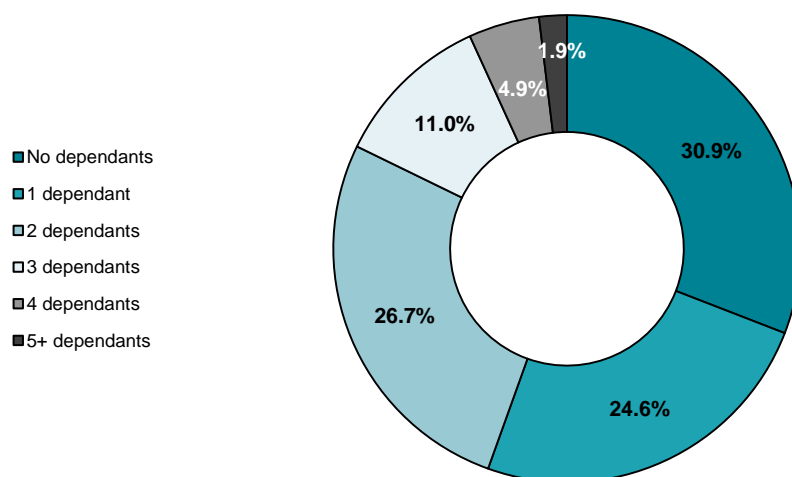
Figure 1: Age of DVU clients



Note: N=935 DVU clients. Data was missing for 25 clients.

Source: Analyses of CASES and ATLAS data.

Figure 2: Number of dependants of DVU clients



Note: N=939 DVU clients, including 649 with one or more dependants. Data on dependants was missing for 21 clients.

Source: Analyses of CASES and ATLAS data.

Postcode of residence

As would be expected, the majority of DVU clients resided in the local government areas (LGAs) in and around the locations of the DVU duty lawyer services and the DVU legal advice clinics – that is, in and around Liverpool, Bankstown, Burwood and Fairfield LGAs. These four LGAs accounted for almost half of all the DVU clients (see Table 2). However, it is of interest that DVU clients came from further afield than CS and SWS. For example, small proportions of clients resided in other areas of Sydney (including the more affluent northern and eastern suburbs), in areas of NSW outside Sydney and interstate.

It is worth noting that DVU clients are likely to be a mobile group given that the experience of DFV may lead to leaving a relationship, and it may be of interest to examine mobility as part of the outcome evaluation to be conducted at a later date.

Table 2: LGA of residence of DVU clients

LGA	%	Cumulative %	N
Liverpool	20.8	20.8	189
Bankstown	13.1	33.9	119
Fairfield	12.2	46.1	111
Canterbury	9.0	55.2	82
Auburn	5.6	60.8	51
Holroyd	4.0	64.8	36
Parramatta	3.1	67.8	28
Sydney	2.3	70.2	21
Ashfield	2.2	72.4	20
Burwood	2.2	74.6	20
Canada Bay	2.2	76.8	20
Ryde	2.2	79.0	20
Rockdale	1.9	80.8	17
Campbelltown	1.8	82.6	16
Blacktown	1.5	84.1	14
Strathfield	1.3	85.5	12
The Hills Shire	1.2	86.7	11
Hurstville	1.1	87.8	10
Camden	1.0	88.8	9
Other Sydney LGA^a	6.3	95.0	57
Other NSW LGA^b	4.0	99.0	36
Interstate LGA^c	1.0	100.0	9
Total	100.0		908

a Includes Botany Bay, Hornsby, Kogarah, Leichhardt, Manly, Marrickville, North Sydney, Penrith, Pittwater, Randwick, Sutherland Shire, Warringah, Waverley, Willoughby and Woollahra.

b Includes Albury, Ballina, Blue Mountains, Byron, Clarence Valley, Cowra, Forbes, Gosford, Goulburn Mulwaree, Hawksbury, Kiama, Kyogle, Lake Macquarie, Lithgow, Maitland, Muswellbrook, Nambucca, Newcastle, Parkes, Port Macquarie-Hastings, Queanbeyan, Shellharbour, Shoalhaven, Wyndham and Wyong.

c Includes Brisbane, Gold Coast, Lockyer Valley and Sunshine Coast in Queensland; Darwin in the Northern Territory; Moreland in Victoria; and Unincorporated Australian Capital Territory.

Note: N=908 DVU clients. Data was missing for 52 clients.

Source: Analyses of CASES and ATLAS data. Postcodes were assigned to LGAs using the ABS (2011a) geographic classification.

Indigenous status

The proportion of DVU clients with an Aboriginal or Torres Strait Islander background was 3.7 per cent (see Table 3). Although the DVU service did not specifically target Indigenous Australians, this proportion is somewhat higher in raw terms than the figure of 2.5 per cent for the NSW population, and the figures for the relevant LGAs of no more than 1.5 per cent, again suggesting that DVU services are reaching relatively disadvantaged people.¹⁹

Table 3: Indigenous status of DVU clients

Aboriginal or Torres Strait Islander	%	N
No	96.3	911
Yes	3.7	35
Total	100.0	946

Note: N=946 DVU clients. Data was missing for 14 clients.

Source: Analyses of CASES and ATLAS data.

Multicultural background

The DVU service operates in local courts and legal advice clinics located in areas of Sydney where there is high ethnic diversity, namely Bankstown, Burwood, Fairfield and Liverpool. Most DVU clients reside in or near these areas. Thus, as would be expected, a high proportion of DVU clients were from a multicultural background compared to the NSW population on a number of indicators, as detailed below.

More than half (51.8% or 486) of the DVU clients had a main language that was not English (see Table 4).²⁰ This percentage was appreciably higher than that for the NSW population as a whole (22.3%), but more similar to the percentages for the Bankstown, Burwood, Fairfield and Liverpool LGAs (of 54.3%, 57.8%, 69.3 and 49.5%, respectively).²¹

The specific non-English language spoken as the main language by DVU clients was well recorded. Arabic, Vietnamese, Chinese languages, Hindi and Spanish accounted for 60.3 per cent of the main non-English languages (see Table 5). However, it is of note that the main language of DVU clients included a large number of different languages (see Table 5).

CASES has a field for recording the English proficiency of clients whose main language is not English.²² However, as Table 6 shows, 146 (or 30.0%) of the 486 DVU clients with a

¹⁹ ABS (2011b). The figure for each of Burwood, Bankstown and Fairfield LGAs was under 1 per cent, while the figure for Liverpool LGA was 1.5 per cent.

²⁰ Recording whether clients have a non-English main language is mandatory on the CASES database. Nonetheless, 7 DVU clients were missing information on main language as they had a '1' rather than a 'yes' or 'no' entered in this field. In addition, we were not provided with demographic information (including main language) for 14 of the DVU clients who received social work services and thus appeared on the CARS system, but did not receive any other DVU services (i.e. duty, advice, minor assistance or grant services) and hence did not appear on the CASES system.

²¹ ABS (2011b).

²² Those whose main language is English usually have English proficiency recorded as 'unavailable'. However, 10 of the 453 DVU clients whose main language was English had English proficiency recorded as 'not stated' (3) or 'very well' (2), 'well' (4) or 'not well' (1).

non-English main language were missing information in the English proficiency field.²³ Nonetheless, at least 122 of the 486 (25.2%) DVU clients with a non-English main language were recorded as speaking English not well or not at all, representing at least 12.7 per cent of all of the 960 DVU clients.²⁴

The level of English proficiency was in fact better captured by another CASES field which records whether the client required an interpreter, as this field contained very little missing data. Table 7 shows that 184 DVU clients required an interpreter, representing 38.7 per cent of those with a non-English main language and 19.6 per cent of all DVU clients. The high proportion of DVU clients requiring an interpreter (19.6%) demonstrates their multicultural background, given that only 3.9 per cent of the NSW population identified as not speaking English well or at all (and speaking a language other than English). The corresponding population percentages for Bankstown, Burwood, Fairfield and Liverpool LGAs were 10.9, 11.8, 20.3 and 8.7 per cent, respectively.²⁵

The most commonly used interpreter languages were Arabic, Chinese languages, Vietnamese and Thai, which together accounted for over two-thirds (69.0%) of these languages (see Table 8).

More than half of DVU clients (56.3%) were born outside Australia, with the most common overseas countries of birth being China (6.3%), Vietnam (4.5%), Lebanon (4.4%), Iraq (3.5%), New Zealand (3.4%), India (2.8%), the Philippines (2.5%) and Fiji (2.0%); see Table 9). Again, DVU clients were born in a large number of different countries. These figures are notably different to those of the general population of NSW. Only 28.3 per cent of the NSW population were born overseas, with the most common overseas countries of birth being the United Kingdom (4.2%),²⁶ China (2.6%) and New Zealand (1.8%).²⁷

Again, the DVU clients showed demographic similarities to residents of the four LGAs. In Burwood, only 41.7 per cent of people were born in Australia, with the most common overseas countries of birth being China (14.9%),²⁸ India (4.7%), Republic of Korea (i.e. South Korea, 3.8%), Italy (3.5%) and Nepal (2.9%).²⁹ In Fairfield, 42.4 per cent of people were born in Australia, with the most common other countries of birth being Vietnam (14.6%), Iraq (7.7%), Cambodia (3.7%), Italy (2.2%) and China (2.1%).³⁰ In Bankstown, 56.2 per cent of people were born in Australia, followed by Lebanon (7.1%), Vietnam (6.8%), China (2.9%),³¹ New Zealand (1.3%) and Greece (1.2%).³² In Liverpool, 53.8 per

23 These DVU clients had 'not stated' entered in the English proficiency field.

24 The DVU noted that the high proportion of missing information on English proficiency was because the duty form used during the process evaluation period did not include English proficiency.

25 ABS (2011b).

26 This includes Channel Islands and the Isle of Man.

27 ABS (2013).

28 This figure excludes SARs and Taiwan.

29 ABS (2011c).

30 ABS (2011c). The figure for China (excludes SARs and Taiwan).

31 This figure excludes SARs and Taiwan.

32 ABS (2011c).

cent of people were born in Australia, followed by Fiji (3.6%), Iraq (3.4%), Vietnam (2.9%), India (2.3%) and Philippines (2.0%).³³

Considerable proportions of the DVU clients born overseas were relatively recent arrivals to Australia. More than one-quarter of the DVU clients born overseas (28.9%) arrived in Australia in 2010 or later (see Figure 3), including 1.4 per cent, 5.5 per cent and 6.1 per cent arriving in 2016, 2015 and 2014, respectively (see Figure 4).

Table 4: Main language of DVU clients

Main language	%	N
English	48.2	453
Language other than English	51.8	486
Total	100.0	939

Note: N=939 clients. Data was missing for 21 clients.

Source: Analyses of CASES and ATLAS data.

33 ABS (2011c).

Table 5: Type of non-English main language spoken by DVU clients

Main non-English language	%	Cumulative %	N
Arabic	28.1	28.1	135
Vietnamese	8.3	36.4	40
Chinese language:	12.5	48.9	60
<i>Mandarin</i>	7.7		37
<i>Cantonese</i>	1.5		7
<i>Chinese – nfs*</i>	3.3		16
Hindi	6.9	55.7	33
Spanish	4.6	60.3	22
Urdu	2.9	63.2	14
Farsi	2.5	65.7	12
Tagalog	2.5	68.2	12
Korean	2.3	70.5	11
Turkish	2.3	72.8	11
Bangla/Bengali	2.3	75.1	11
Italian	2.1	77.1	10
Serbian	2.1	79.2	10
Greek	1.9	81.1	9
Thai	1.7	82.7	8
Nepali	1.2	84.0	6
Filipino	1.0	85.0	5
Indonesian	1.0	86.1	5
Khmer	1.0	87.1	5
Tamil	1.0	88.1	5
Tongan	1.0	89.2	5
Other ^a	10.8	100.0	52
Total	100.0		481

* Not further specified.

^a Includes Afrikaans, Amharic, Assyrian, Burmese, Cambodian, Croatian, Czech, Dari, Dutch, Fijian, French, Hazaragi, Iranian, Japanese, Kurdish, Lao, Macedonian, Malay, Maltese, Maori, Nigerian, Pashto (Afghanistan), Polish, Portuguese, Punjabi, Rohingya, Russian, Samoan, Sinhalese and Swahili.

Note: N=481 DVU clients with a non-English main language. Data was missing for 5 clients.

Source: Analyses of CASES and ATLAS data.

Table 6: English proficiency of DVU clients whose main language was not English

English proficiency	% (missing included)	N
Not at all	1.9	9
Not well	23.3	113
Well	36.2	176
Very well	10.1	49
Not stated	30.0	146
Total	100.0	486

Note: N=486 DVU clients whose main language was not English.

Source: Analyses of CASES and ATLAS data.

Table 7: DVU clients requiring an interpreter

Interpreter required	%	N
No	80.4	755
Yes	19.6	184
Total	100.0	939

Note: N=939 DVU clients. Data was missing for 21 clients.

Source: Analyses of CASES and ATLAS data.

Table 8: Interpreter language for DVU clients requiring an interpreter

Interpreter language	%	Cumulative %	N
Arabic	30.4	30.4	56
Chinese language:	23.9	54.3	44
<i>Mandarin</i>	17.9		33
<i>Cantonese</i>	2.2		4
<i>Chinese – nfs*</i>	3.8		7
Vietnamese	10.3	64.7	19
Thai	4.3	69.0	8
Korean	3.8	72.8	7
Farsi	3.3	76.1	6
Spanish	3.3	79.3	6
Urdu	3.3	82.6	6
Assyrian	1.6	84.2	3
Turkish	1.6	85.9	3
Bangla/Bengali	2.2	88.0	4
French	1.1	89.1	2
Hindi	1.1	90.2	2
Indonesian	1.1	91.3	2
Other ^a	8.7	100.0	16
Total	100.0		184

* Not further specified.

a Includes Amharic, Cambodian, Croatian, deaf sign language, Filipino, Iranian, Italian, Khmer, Lao, Malay, Nepali, Punjabi, Rohingya, Russian, Samoan and Serbian.

Note: N=184 DVU clients who needed an interpreter.

Source: Analyses of CASES and ATLAS data.

Table 9: Country of birth of DVU clients

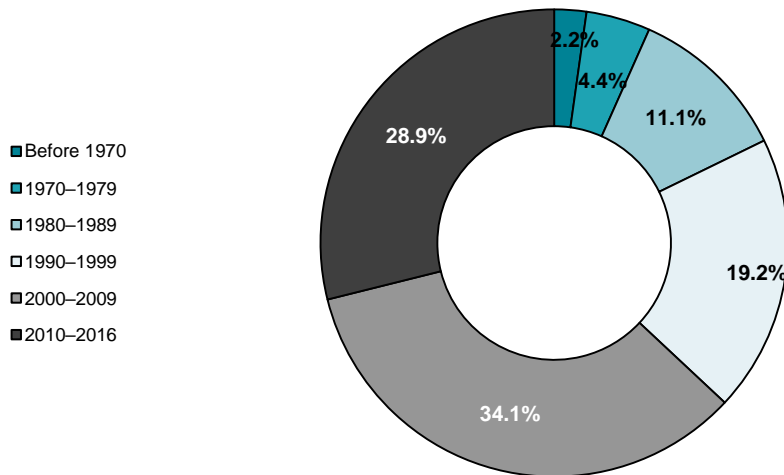
Country of birth	%	N
Australia	43.5	405
China	6.3	59
Vietnam	4.5	42
Lebanon	4.4	41
Iraq	3.5	33
New Zealand	3.4	32
India	2.8	26
Philippines	2.5	23
Fiji	2.0	19
Iran	1.8	17
Pakistan	1.6	15
Korea, Republic of (South)	1.3	12
Syria	1.3	12
Thailand	1.2	11
Turkey	1.2	11
Bangladesh	1.1	10
United Kingdom	1.0	9
Afghanistan	0.8	7
Egypt	0.8	7
Italy	0.8	7
Nepal	0.8	7
Sudan	0.8	7
Indonesia	0.6	6
Serbia	0.6	6
South Africa, Republic	0.6	6
United States of America	0.6	6
Chile	0.5	5
Kuwait	0.5	5
Cambodia	0.4	4
Greece	0.4	4
Malaysia	0.4	4
Samoa	0.4	4
Cook Islands	0.3	3
El Salvador	0.3	3
Ethiopia	0.3	3
Germany	0.3	3
Nigeria	0.3	3
Peru	0.3	3
Russia	0.3	3
Sierra Leone	0.3	3
Sri Lanka	0.3	3
Argentina	0.2	2
Bolivia	0.2	2

Bosnia/Herzegovina	0.2	2
Brazil	0.2	2
Czech Republic	0.2	2
Hong Kong	0.2	2
Jordan	0.2	2
Poland	0.2	2
Tonga	0.2	2
Other	2.7	25
Total	100.0	932

Note: N=932 DVU clients. Data was missing for 28 clients.

Source: Analyses of CASES and ATLAS data.

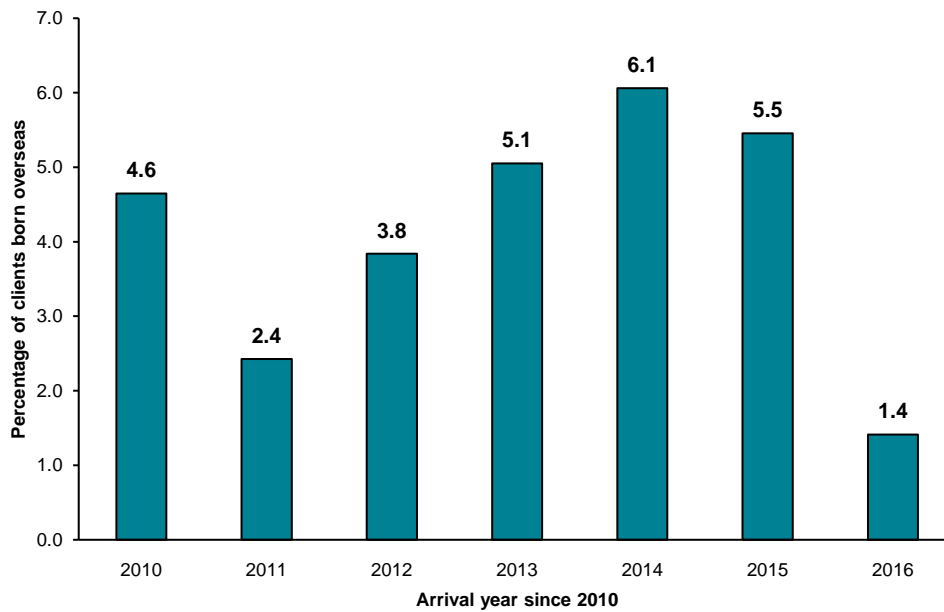
Figure 3: Year of arrival in Australia of DVU clients born overseas



Note: N=495 DVU clients born overseas. Data was missing for 32 clients.

Source: Analyses of CASES and ATLAS data.

Figure 4: Year of arrival in Australia since 2010 of DVU clients born overseas



Note: N=495 DVU clients born overseas, including 143 arriving in Australia since 2010. Data was missing for 32 clients.

Source: Analyses of CASES and ATLAS data.

Disability status

As shown in Table 10, approximately one-third of DVU clients were missing information on whether or not they had some type of physical or psychological disability. At the time of the process evaluation, disability status was not a mandatory field in the CASES database, and was also not included on the section of the Legal Aid NSW duty form that is completed by clients. While some improvements have since been made to the collection of these data, on the present figures it is not possible to assess whether their prevalence of disability differs from that of the general population. It is estimated that 18.1 per cent of the general NSW population have some type of physical or psychological disability.³⁴ The proportion of DVU clients with a disability falls somewhere between 9.9 per cent (if none of the clients with missing data have a disability) to 44.1 per cent (if all of the clients with missing data have a disability).

Data on the type of disability was only recorded for 10 of the 95 DVU clients recorded as having a disability. Improvement of data collection on disability status and type of disability would be useful to inform the extent to which DVU services reach disadvantaged clients. The LAW Survey suggests that people with a disability tend to have multiple legal and non-legal problems and may have reduced capability to achieve legal resolution.³⁵

Table 10: Disability status of DVU clients

Disability status	% (missing included)	N
No	55.9	537
Yes	9.9	95
Missing	34.2	328
Total	100.0	960

Note: N=960 DVU clients, including over one-third (34.2% or 328) with missing data. Due to the missing data, the proportion of DVU clients with a disability is unclear, and would fall somewhere between 9.9% (n=95) and 44.1% (n=95+328=423).

Source: Analyses of CASES and ATLAS data.

Employment and government benefits

DVU clients were also relatively disadvantaged in terms of their financial status.

As shown in Figure 5, only about one-third of DVU clients were employed, with 67.6 per cent not being employed. Recent ABS figures show that the converse is true for the NSW population, which has a labour force participation rate of 63.2 per cent overall and a participation rate for women of 57.2 per cent.³⁶

Almost two-thirds (63.7%) of DVU clients were receiving government benefits (see Table 11). Furthermore, more than three-quarters (77.4% or 394) of the DVU clients who received government benefits received the maximum benefit amount (see Table 12). These 394 DVU clients receiving the maximum government benefit represent at least 41.0 per cent of

34 ABS (2016).

35 Coumarelos et al. (2012); Coumarelos, Pleasence & Wei (2013).

36 ABS (2017).

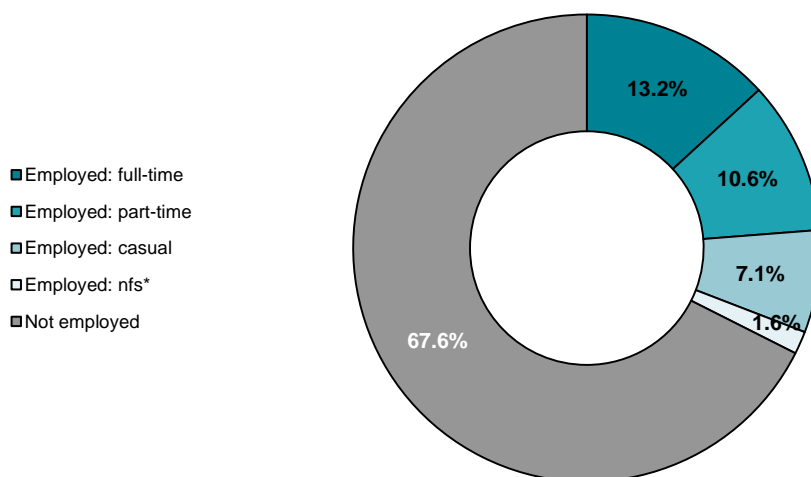
the 960 DVU clients.³⁷ The proportion of NSW households receiving a government benefit as the main household income is 25.5 per cent.³⁸

It should be noted that among clients not on benefits will be people who:

- are not entitled to any Centrelink payments because of their visa status (e.g. partner visa applicant on a bridging visa)
- have not yet claimed Special Benefit because they are at an early stage after their separation (mainly women on temporary partner visas)
- for other reasons may be eligible and/or in need of benefits but not accessing Centrelink.

Consistent with the high proportion of DVU clients with dependants (see Figure 2), the most common type of government benefit received was the Parenting Payment for single parents (44.5%), which was followed by the Newstart Allowance (16.7%), the Disability Support Pension (9.2%) and the Carer payment (6.9%; see Figure 6).

Figure 5: Employment status of DVU clients



* Not further specified.

Note: N=888 DVU clients. Data was missing for 72 clients.

Source: Analyses of CASES and ATLAS data.

³⁷ Note that the percentage of all DVU clients receiving the maximum benefit amount could be somewhat higher than 41.0 per cent given that 89 clients who received government benefits had missing data on whether they received the maximum. The possible range is between 41.0 per cent (i.e. 394 of 960) and 50.3 per cent (i.e. 394+89=483 of 960) of all DVU clients receiving the maximum government benefit amount.

³⁸ ABS (2015). Note that the population figure is based on household income rather than personal income.

Table 11: DVU clients receiving government benefits

Government benefit	%	N
No	36.3	341
Yes	63.7	598
Total	100.0	939

Note: N=939 DVU clients. Data was missing for 21 clients.

Source: Analyses of CASES and ATLAS data.

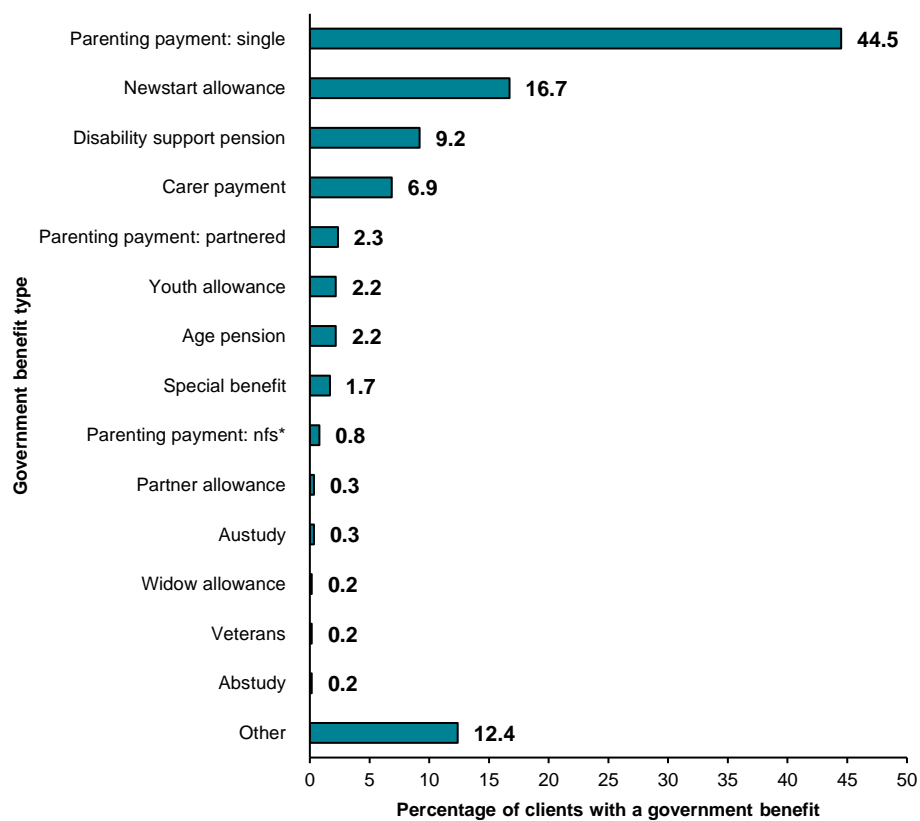
Table 12: DVU clients receiving the maximum government benefit amount

Maximum government benefit	%	N
No	22.6	115
Yes	77.4	394
Total	100.0	509

Note: N=509 DVU clients who received a government benefit. Data was missing for 89 clients.

Source: Analyses of CASES and ATLAS data.

Figure 6: Type of government benefit for DVU clients receiving government benefit



* Parenting payment where single versus partnered payment was not specified.

Note: N=598 DVU clients with a government benefit.

Source: Analyses of CASES and ATLAS data.

DVU services

As is further detailed below, analyses of ATLAS, CASES, CARS and CLEMs data revealed that, consistent with its aims, the DVU is providing a range of legal and social work assistances to people experiencing or at risk of DFV. In addition, the pattern of services provided was not identical for all DVU clients, which is consistent with the DVU's aim of triaging clients to receive appropriate types and intensity of service according to their specific needs and capability.

As noted earlier, the analyses below on duty, advice, minor assistance and grant services used data drawn from the ATLAS and CASES systems on services provided for *primary* matters only. Analyses on social work services used data drawn from the CARS system but was not linked to type of matter. CLEMs data is used to report on specific CLEI events delivered by the DVU.

Services per client

During the nine-month reporting period, the DVU provided one or more types of service to a total of 960 clients. These service types could include duty lawyer services (duty), legal advice services (advice), legal minor assistance services (minor assistance), grants of legal aid (grant) and social work services.

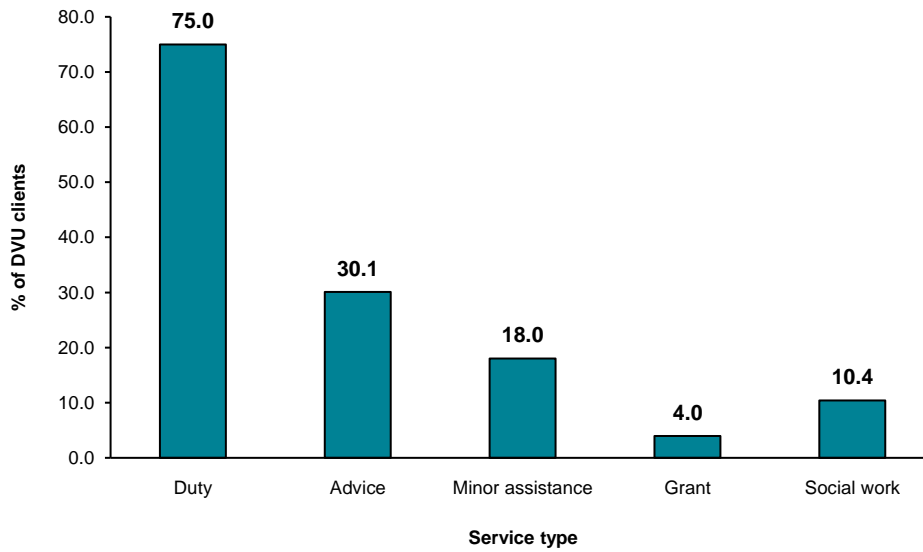
The most common type of service provided by the DVU for clients' primary matters was duty, with 75.0 per cent (or 720) of the 960 DVU clients receiving duty services (see Figure 7). However, the DVU also provided advice services to 30.1 per cent (or 289) of their clients, minor assistance services to 18.0 per cent of clients, grants to 4.0 per cent of clients and social work services to 10.4 per cent of clients (see Figure 7).³⁹

Almost three-quarters of DVU clients received only one type of service for their primary matters. The remaining DVU clients received multiple types of service, with 18.5 per cent receiving two service types, 5.8 per cent receiving three service types and 1.5 per cent receiving four or all five service types (see Figure 8).

Table 13 shows which service types were provided in combination to different DVU clients for their primary matters. For example, clients who received only two service types most often received duty together with minor assistance (6.4% of all clients) or advice together with minor assistance (5.1%) or duty together with social work (2.5%). Clients who received three service types most often received a combination of duty, minor assistance and social work (1.9%) or a combination of duty, advice and minor assistance (1.8%).

³⁹ Note that these figures are based on entries in the various Legal Aid NSW databases at the time the data was received by the Foundation for analysis. It is possible that a small number of DVU services for primary matters provided in the first nine months of operation had not yet been entered into the databases at the time the Foundation received the data.

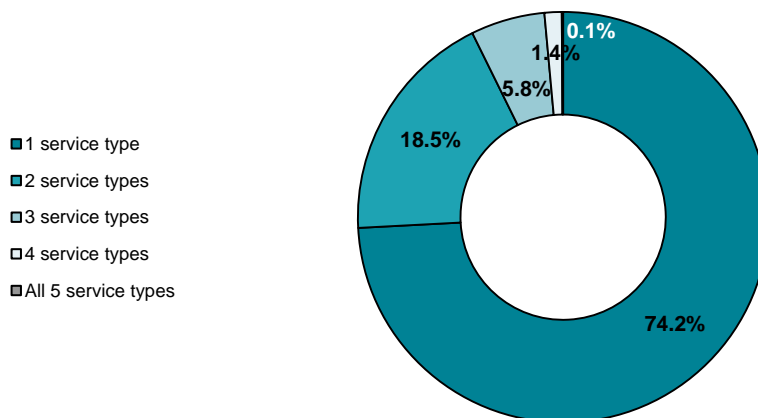
Figure 7: DVU clients by service type, primary matters



Note: N=960 DVU clients, with 720 receiving duty, 289 receiving advice, 173 receiving minor assistance, 38 receiving grant and 100 receiving social work services. Some DVU clients received multiple service types.

Source: Analyses of CASES, ATLAS and CARS data.

Figure 8: Number of service types per DVU client, primary matters



Note: N=960 DVU clients. Service types are duty, advice, minor assistance, social work and grant.

Source: Analyses of CASES, ATLAS and CARS data.

Table 13: Combinations of service types for DVU clients, primary matters

Service types	%	N
1 service type only	74.2	712
Duty	56.8	545
Advice	15.0	144
Minor assistance	0.3	3
Grant	0.6	6
Social work	1.5	14
2 service types	18.5	178
Duty, advice	1.9	18
Duty, minor assistance	6.4	61
Duty, grant	1.1	11
Duty, social work	2.5	24
Advice, minor assistance	5.1	49
Advice, grant	0.1	1
Advice, social work	1.0	10
Minor assistance, grant	0.0	0
Minor assistance, social work	0.0	0
Grant, social work	0.4	4
3 service types	5.8	56
Duty, advice, minor assistance	1.8	17
Duty, advice, grant	0.0	0
Duty, advice, social work	0.4	4
Duty, minor assistance, grant	0.4	4
Duty, minor assistance, social work	1.9	18
Duty, grant, social work	0.4	4
Advice, minor assistance, grant	0.0	0
Advice, minor assistance, social work	0.7	7
Advice, grant, social work	0.2	2
Minor assistance, grant, social work	0.0	0
4 service types	1.4	13
Duty, advice, minor assistance, grant	0.1	1
Duty, advice, minor assistance, social work	0.8	8
Duty, advice, grant, social work	0.0	0
Duty, minor assistance, grant, social work	0.4	4
Advice, minor assistance, grant, social work	0.0	0
All 5 service types	0.1	1
All clients	100.0	960

Note: N=960 DVU clients provided with 1 or more service types.

Source: Analyses of CASES, ATLAS and CARS data.

Thus, appreciable proportions of DVU clients received *multiple service types* for their primary matters (e.g. duty and advice services). In addition, DVU clients sometimes received *multiple services of a given type* (e.g. more than one duty service).

Figure 9 shows the number of duty services provided to DVU clients. As noted earlier, 75.0 per cent of DVU clients received duty services while 25.0 per cent did not. Of all DVU clients, 55.4 per cent received one duty service, while 12.2 per cent received two duty services and 7.4 per cent received three or more (see Figure 9).⁴⁰

Figure 10 displays the number of advice services provided to DVU clients. Approximately seven-tenths (69.9%) of all DVU clients did not receive an advice service, while 21.4 per cent received one advice service, 5.2 per cent received two advice services and 3.5 per cent received three or more (see Figure 10).⁴¹

As Figure 11 shows, 82.0 per cent of DVU clients did not receive minor assistance, while 10.2 per cent received one minor assistance service, 4.1 received two minor assistance services and 3.8 per cent received three or more.⁴²

The ATLAS data indicated that 38 DVU clients received grants of legal aid in the first nine months of operation.⁴³ Thirty-four of these 38 DVU clients received one grant of legal aid, while each of the other four clients received two grants for separate primary matters.⁴⁴

40 See Figure A3.1 in Appendix 3 for the equivalent graph based only on the 720 clients who received duty services.

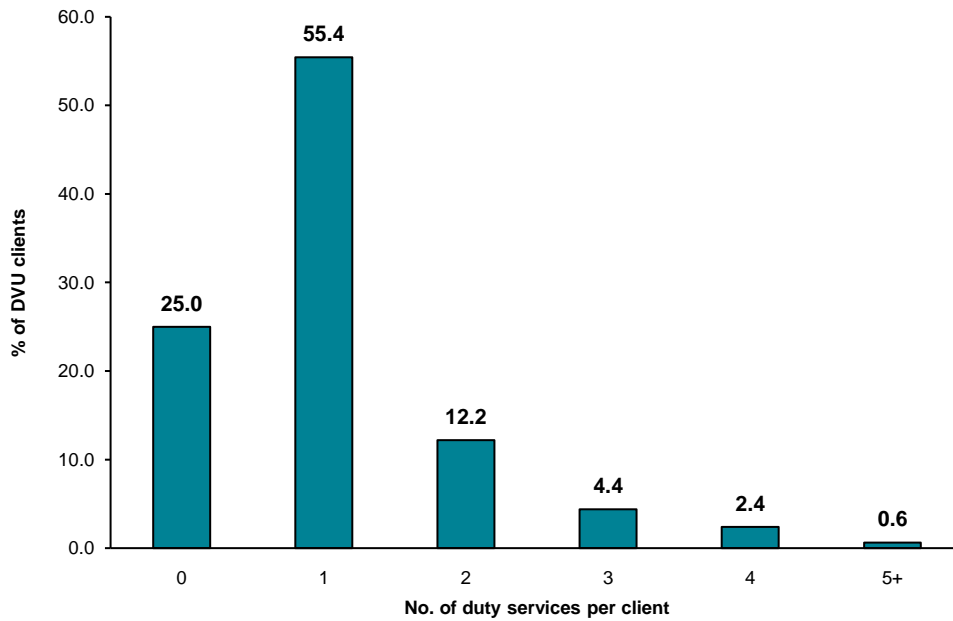
41 See Figure A3.2 in Appendix 3 for the equivalent graph based only on the 289 clients who received advice services.

42 See Figure A3.3 in Appendix 3 for the equivalent graph based only on the 173 clients who received minor assistance services.

43 Note that these figures are based on entries in the ATLAS database at the time the data was received by the Foundation for analysis. It is possible that some grants of legal aid provided to DVU clients during the first nine months of operation had not yet been entered into the database at the time that the Foundation received the data.

44 Each grant of legal aid is for one primary matter only.

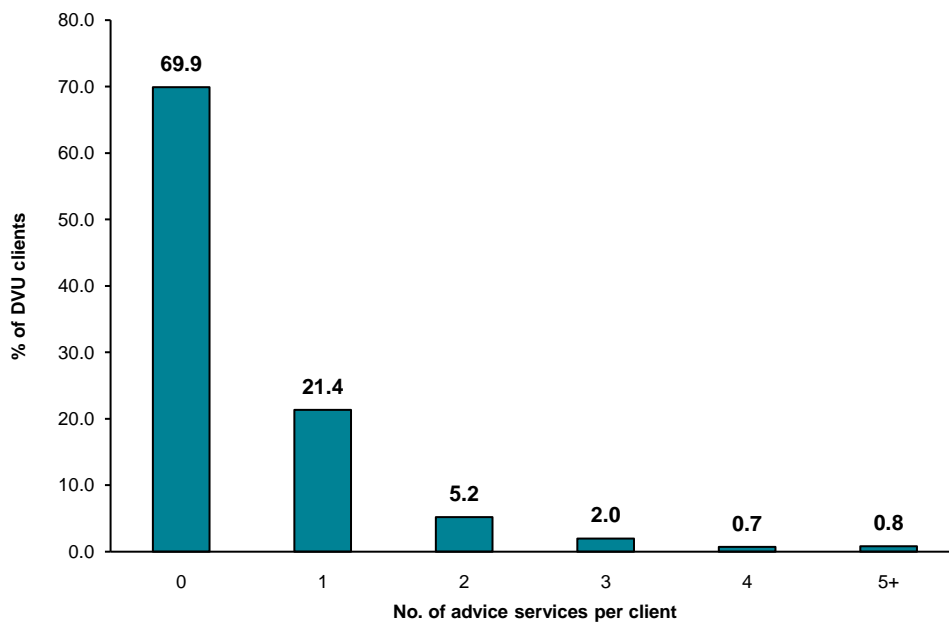
Figure 9: Number of duty services per DVU client, primary matters



Note: N=960 DVU clients, including 720 clients receiving duty services. See Figure A3.1 in Appendix 3 for the equivalent graph based only on the 720 clients who received duty services.

Source: Analyses of CASES data.

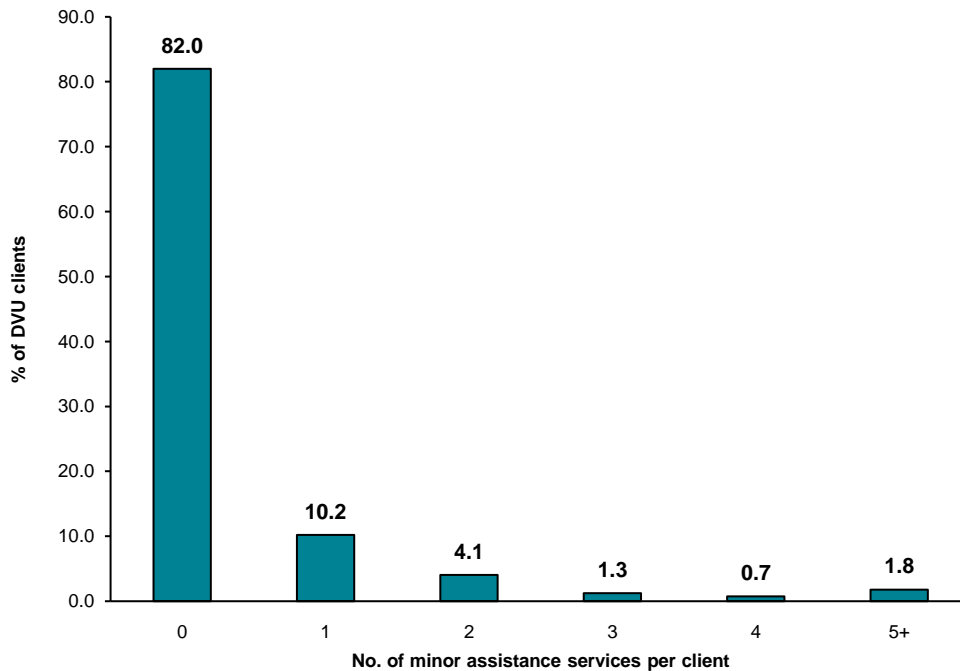
Figure 10: Number of advice services per DVU client, primary matters



Note: N=960 DVU clients, including 289 clients receiving advice services. See Figure A3.2 in Appendix 3 for the equivalent graph based only on the 289 clients who received advice services.

Source: Analyses of CASES data.

Figure 11: Number of minor assistance services per DVU client, primary matters



Note: N=960 DVU clients, including 173 clients receiving minor assistance services. See Figure A3.3 in Appendix 3 for the equivalent graph based only on the 173 clients who received minor assistance services.

Source: Analyses of CASES data.

One hundred (or 10.4%) of the 960 DVU clients in the first nine months of operation received one or more social work services. We do not report the number of social work services provided per client because Legal Aid NSW informed us that their recording practices regarding what constitutes a single social work service were inconsistent during the early operation of the DVU. Apparently, some social work staff recorded each separate interaction (e.g. a phone call to the client, advice to a lawyer) as a separate service, while other social work staff grouped interactions into a single service if they pertained to the same issue. To encourage more consistent recording of social work services in the future, the DVU is providing additional data entry training to staff as appropriate.

It is also noted that the proportions of risk assessment, safety planning, practical assistance and counselling services provided to clients (as demonstrated below) are likely to be a significant undercount as these service type options were added to the CARS database only towards the very end of the evaluation period.

The data on social work support detailed the types of social work services or interactions provided by the DVU social workers, as shown in Table 14. Please note, however, that due to the inconsistent recording practices, the percentages should be treated with caution, as they may not be reliable and could change once data entry issues have been fully addressed.

Table 14: Types of social work interactions and/or services to DVU clients

Social work service/interaction type	%
Advice to solicitor	24.7
Assessment	23.1
Advocacy	21.6
Short-term case management	14.3
Referral	10.2
Advice and Information	2.5
Counselling	1.3
Practical assistance	0.9
Safety planning	0.8
Risk assessment	0.3
Assisted referral	0.1
Consent	0.1
Report	0.1
All social work services/interactions	100.0

Note: Based on social work services and/or interaction types provided to 100 DVU clients.

Source: Analyses of CARS data.

Services by primary matter types

While the CASES database records both primary and secondary matter types within each program area for each occasion of service, here we report services by primary matter type dealt with only (see methodology for rationale). A key limitation of this approach is that it undercounts the *range of matters* being faced by clients, and may systematically undercount certain matters. For instance, an ‘ADVO (Person in Need of Protection)’ will routinely be recorded as the primary matter, even where there may be a secondary ‘live with’ matter which is also being dealt with on that occasion of service. In civil matters ‘victim support’ may be recorded as the primary matter and ‘immigration’ as the secondary, again, undercounting the latter. Consequently, the following data should be read with this limitation in mind.⁴⁵

Figure 12 shows the total number of legal services provided by the DVU in the first nine months for primary matters by service type.⁴⁶ The DVU provided 1,872 legal services for primary matters, including 1,017 duty, 441 advice, 372 minor assistance and 42 grant services. Tables 15 to 18 show the primary matter types addressed by each legal service type. Consistent with the DVU’s aim of providing holistic legal services to people experiencing DFV, DVU services for primary matters were not restricted to family law matters, but also included criminal and civil law matters.

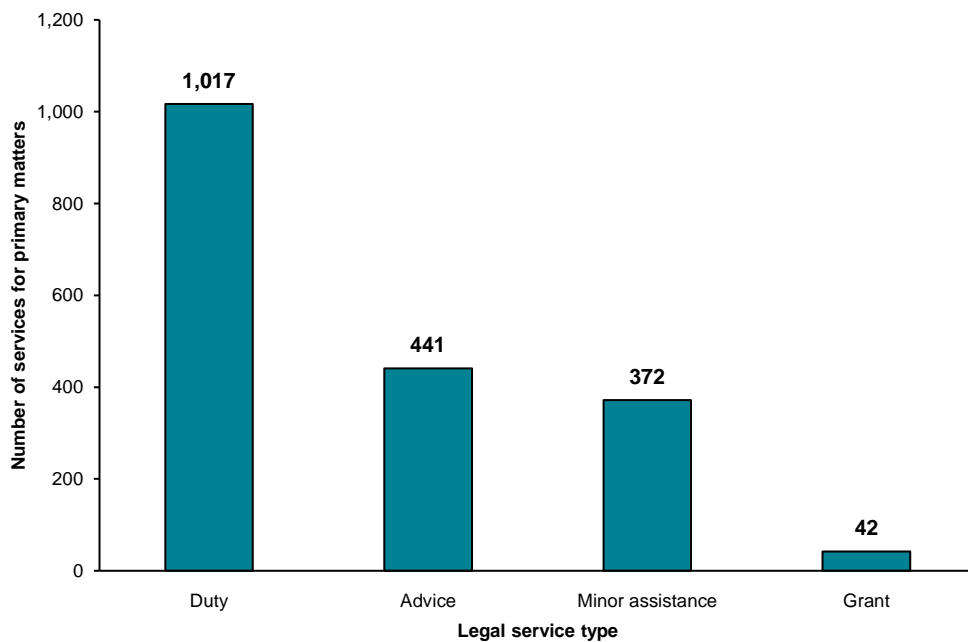
As shown in Table 15, almost two-thirds (64.0%) of DVU duty services for primary matters involved advising people in need of protection about ADVOs. The second most common

⁴⁵ As already noted, consistent with Legal Aid NSW reporting, the present evaluation reports only on primary matters as reporting on secondary matters using the CASES system results in overcounting the number of services delivered. One limitation of focusing on primary matters, however, is that it tends to undercount the range of legal issues concurrently facing clients.

⁴⁶ The number of DVU social work services is not included in the graph due to the inconsistent recording practices of what constitutes a single social work service in the early months of operation.

type of primary matter for which duty services were provided involved criminal law matters where defendants who had ADVOs sought against them were assisted, with one-fifth (20.8%) of duty services for ADVO defendant matters. Typically, these defendants disclosed that they are actually the victims of significant DFV, but have had ADVOs sought against them for reasons such as acting in self-defence to protect themselves and their children.⁴⁷ However, DVU duty services for primary matters were not restricted to advising on ADVOs, but included advice on a range of family law issues (e.g. living with children, spending time with children, divorce and property settlement) and some criminal law issues.

Figure 12: Total number of DVU legal services for primary matters by service type



Note: N=1,872 legal services (to 960 DVU clients), including 1,017 duty services (to 720 clients), 441 advice services (to 289 clients), 372 minor assistance services (to 173 clients) and 42 grant services (to 38 clients).

Table 16 shows that DVU advice services, like DVU duty services, also most commonly involved advising people in need of protection about ADVOs, with approximately two-fifths (39.5%) of advice services being provided for this primary matter type. Six per cent of advice services were for defendants of ADVOs, again most likely reflecting defendants who were also primary victims of DFV. DVU advice services also covered a range of other family law matters, such as spend time with children (10.2%), live with children (9.8%), divorce (5.0%) and child abduction under The Hague Convention (4.1%). Advice services also covered a number of civil law matters that can be related to DFV, most commonly victims' compensation (10.7%), but also immigration, human rights, housing and debt-related issues.

Although minor assistance services provided by the DVU for primary matters were most commonly related to ADVOs as the protected person (37.6%) or as the defendant (16.1%), they also included a range of family, criminal and civil matters, the most common being

⁴⁷ Legal Aid NSW (2017).

victims' compensation (21.0%), live with children (5.1%), spend time with children (4.3%), primary care and protection order (2.2%), divorce (2.2%) and immigration (2.2%; see Table 17).

Most commonly, grants of legal aid provided to DVU clients were for spend time with children (26.2% or 11 grants), live with children (21.4% or 9 grants), ADVO for person in need of protection (14.3% or 6 grants), ADVO for defendant (9.5% or 4 grants), ADVO application (9.5% or 4 grants), independent children's lawyer (4.8% or 2 grants) and DV related assault/injury (4.8% or 2 grants; see Table 18).

Table 15: Primary matter types for duty services

Matter group	Matter type	%	N
Family law (state)		64.6	657
Family law other	ADVO (person in need of protection)	64.0	651
Care & protection	Primary care & protection order	0.4	4
Family law other	Adoption	0.1	1
Property & maintenance	Property settlement – de facto	0.1	1
Family law (Commonwealth)		11.8	120
Children	Live with	3.8	39
Children	Spend time with	3.0	31
Family law other	Divorce	1.4	14
Property & maintenance	Property settlement – married	1.2	12
Children	Enforcement & other	0.9	9
Children	Hague Convention (child abduction)	0.8	8
Children	Location/recovery order	0.2	2
Child support	Child support application	0.1	1
Child support	Enforcement, stay & other	0.1	1
Property & maintenance	Enforcement, variation & other	0.1	1
Family law other	Family law other	0.1	1
Property & maintenance	Property settlement – de facto	0.1	1
Criminal law (state) ^a		23.6	240
AVOs/harassment	ADVO (defendant)	20.8	212
AVOs/harassment	ADVO application	1.8	18
AVOs/harassment	Other DV related harassment	0.2	2
Assault/intentional injury	DV related assault/injury	0.4	4
AVOs/harassment	Breach ADVO	0.1	1
Fraud/dishonesty	Fraud/dishonesty	0.1	1
AVOs/harassment	Non-DV related harassment	0.1	1
Miscellaneous matters	Warrant/extradition	0.1	1
All duty services		100.0	1,017

^a AVO refers to apprehended violence order.

Note: N=1,017 duty services for primary matters (to 720 DVU clients). The table excludes secondary matter types that were dealt with during duty services.

Source: Analyses of CASES data.

Table 16: Primary matter types for advice services

Matter group	Matter type	%	N
Family law (state)		43.3	191
Family law other	ADVO (person in need of protection)	39.5	174
Care & protection	Primary care & protection order	2.3	10
Family law other	Family law other	0.5	2
Care & protection	Variation/rescission	0.5	2
Care & protection	Contact care section 86	0.2	1
Property & maintenance	De facto maintenance	0.2	1
Property & maintenance	Property settlement – de facto	0.2	1
Family law (Commonwealth)		34.9	154
Children	Spend time with	10.2	45
Children	Live with	9.8	43
Family law other	Divorce	5.0	22
Children	Hague Convention (child abduction)	4.1	18
Property & maintenance	Property settlement – married	2.7	12
Family law other	Family law other	1.4	6
Children	Location/recovery order	0.9	4
Child support	Child support application	0.5	2
Property & maintenance	Enforcement, variation & other	0.2	1
Property & maintenance	Property settlement – de facto	0.2	1
Criminal law (state) ^a		7.3	32
AVOs/harassment	ADVO (defendant)	6.3	28
Assault/intentional injury	DV related assault/injury	0.5	2
AVOs/harassment	ADVO application	0.2	1
Miscellaneous state matters	Other miscellaneous state offence	0.2	1
Civil law (state)		12.5	55
Personal injury & accidents	Crime (inc. victims' compensation)	10.7	47
Human rights/civil liberty	Complaint against police	0.5	2
Housing (loss of dwelling)	Other loss of dwelling	0.5	2
Debts (non-consumer)	Fines	0.2	1
Debts (non-consumer)	Money owed by applicant – non-consumer	0.2	1
Other civil	Other civil	0.2	1
Housing (not dwelling loss)	Private tenancy	0.2	1
Civil law (Commonwealth)		2.0	9
Immigration	Other migration matter	1.4	6
Consumer	Credit (inc. credit guarantee)	0.2	1
Social security	Other social security matter	0.2	1
Immigration	Permanent residence	0.2	1
All advice services		100.0	441

^a AVO refers to apprehended violence order.

Note: N=441 legal advice services for primary matters (to 289 DVU clients). The table excludes secondary matter types that were dealt with during advice services. For example, matter types such as immigration will be undercounted where they have been recorded on CASES as 'secondary' rather than 'primary' matters.

Source: Analyses of CASES data.

Table 17: Primary matter types for minor assistance services

Matter group	Matter type	%	N
Family law (state)		41.7	155
Family law other	ADVO (person in need of protection)	37.6	140
Care & protection	Primary care & protection order	2.2	8
Care & protection	Variation/rescission	1.9	7
Family law (Commonwealth)		16.7	62
Children	Live with	5.1	19
Children	Spend time with	4.3	16
Family law other	Divorce	2.2	8
Child support	Child support application	1.3	5
Children	Hague Convention (child abduction)	1.3	5
Children	Location/recovery order	1.1	4
Property & maintenance	Property settlement – married	1.1	4
Property & maintenance	Property settlement – de facto	0.3	1
Criminal law (state) ^a		16.9	63
AVOs/harassment	ADVO (defendant)	16.1	60
AVOs/harassment	ADVO application	0.3	1
Assault/intentional injury	DV related assault/injury	0.3	1
AVOs/harassment	Non-DV related harassment	0.3	1
Civil law (state)		22.6	84
Personal injury & accidents	Crime (inc. victims' compensation)	21.0	78
Housing (loss of dwelling)	Other loss of dwelling	0.8	3
Debts (non-consumer)	Money owed to applicant – non-consumer	0.3	1
Other civil	Other civil	0.3	1
Housing (not dwelling loss)	Public tenancy	0.3	1
Civil law (Commonwealth)		2.2	8
Immigration	Other migration matter	2.2	8
All minor assistance services		100.0	372

^a AVO refers to apprehended violence order.

Note: N=372 legal minor assistance services for primary matters (to 173 DVU clients). The table excludes secondary matter types that were dealt with via minor assistance services. For example, matter types such as immigration will be undercounted where they have been recorded on CASES as 'secondary' rather than 'primary' matters.

Source: Analyses of CASES data.

Table 18: Primary matter types for grant services

Matter group	Matter type	%	N
Family law (state)		14.3	6
Family law other	ADVO (person in need of protection)	14.3	6
Family law (Commonwealth)		57.1	24
Children	Spend time with	26.2	11
Children	Live with	21.4	9
Children	Independent children's lawyer	4.8	2
Children	Hague Convention (child abduction)	2.4	1
Property & maintenance	Property settlement – married	2.4	1
Criminal law (state) ^a		28.6	12
AVOs/harassment	ADVO (defendant)	9.5	4
AVOs/harassment	ADVO application	9.5	4
AVOs/harassment	Other DV related harassment	2.4	1
Assault/intentional injury	DV related assault/injury	4.8	2
Property/environment damage	Malicious damage to property	2.4	1
All grant services		100.0	42

^a AVO refers to apprehended violence order.

Note: N=42 grant services for primary matters (to 38 DVU clients). Recording of grants for DVU clients began only part-way through the reporting period, from 9th February. Thus, more than 38 DVU clients may have received grants in the reporting period.

Source: Analyses of ATLAS data.

Location of services

Table 19 shows that, of the four local courts where the DVU provides a regular duty service, Burwood Local Court had the highest volume of DVU duty services for primary matters (32.7%), followed by Liverpool (27.4%).⁴⁸

Table 20 displays the location and mode of advice services for primary matters delivered by the DVU. Telephone was the most common mode of delivery of advice services (271 or 61.5% of 441 services), followed by face-to-face advice (164 or 37.2% of 441 services). Only 6 of the 441 advice services for primary matters were provided via email.

Together, the Sydney and Liverpool Legal Aid NSW offices accounted for just over three-quarters of advice services for primary matters delivered face-to-face (78.6%) and almost all such advice services were delivered by phone (99.6%). The DVU legal advice clinics at Bankstown (9.8%) and Burwood (4.3%) provided a small proportion of the face-to-face advice services.

Table 21 shows the location and mode of minor assistance services for primary matters delivered by the DVU. Sydney Legal Aid NSW office provided more than one-third of the minor assistance services for primary matters delivered face-to-face (37.5%). A large proportion of the minor assistance services for primary matters were provided at the four local courts as an extension of duty services (44.3%).

⁴⁸ Note that services for primary matters do not equate with number of clients for which the DVU provided a duty service.

Table 22 shows the court type and location of grant services for primary matters for DVU clients. These included family, federal circuit and local courts. Note that 11 of the 42 grant services had no court information entered because they were family matters dealt with by family dispute resolution processes.⁴⁹

Table 19: Location of duty services for primary matters

Court type	Court location	%	N
Local court	Bankstown	18.7	187
	Burwood	32.7	327
	Fairfield	20.9	209
	Liverpool	27.4	274
	Other ^a	0.4	4
Total		100.0	1,001

^a Albion Park, Downing Centre, Newcastle.

Note: N=1,001 duty services for primary matters (to 720 DVU clients). 16 matters have been removed from the table due to likely data entry error.

Source: Analyses of CASES data.

Table 20: Location and mode of advice services for primary matters

Service type	Location	Service mode						
		Face-to-face		Telephone		Email	All modes	
		%	N	%	N	N	%	N
Legal Aid NSW office	Sydney	53.0	87	75.3	204	4	66.9	295
	Liverpool	25.6	42	24.4	66	2	24.9	110
	Bankstown	4.3	7	0.0	0	0	1.6	7
	Fairfield	1.8	3	0.0	0	0	0.7	3
Legal advice clinic	Bankstown ^a	9.8	16	0.0	0	0	3.6	16
	Burwood ^b	4.3	6	0.4	1	0	1.8	8
Community legal service:	Liverpool	0.0	1	0.0	0	0	0.0	0
Hospital/mental health:	Bankstown	1.2	2	0.0	0	0	0.5	2
All advice services		100.0	164	100.0	271	6	100.0	441

^a Includes entries on CASES of the following services at Bankstown: community service (general), community service (health), community service (women).

^b Entries on CASES of community service (general) at Burwood.

Note: N=441 legal advice services for primary matters (to 289 DVU clients).

Source: Analyses of CASES data.

⁴⁹ There were another 4 grant services that had no court type and location entered. These 4 services were for Commonwealth family law matters but there was no further information in the data provided about whether they involved family dispute resolution. It is possible that these may be instances where the client intends to file proceedings but has not yet done so.

Table 21: Location and mode of minor assistance services for primary matters

Service type	Location	Service mode								All modes	
		Face-to-face		Telephone		Email		Letter		%	N
		%	N	%	N	%	N	%	N		
Legal Aid Office	Sydney	37.5	33	78.4	91	66.1	76	83.0	44	66	244
	Liverpool	11.4	10	6.0	7	10.4	12	3.8	2	8	31
	Bankstown	1.1	1	0.0	0	0.0	0	0.0	0	0	1
Legal Advice Clinic	Bankstown ^a	5.7	5	0.0	0	0.0	0	1.9	1	2	6
	Burwood ^b	0.0	0	0.9	1	0.9	1	1.9	1	1	3
Local court	Bankstown	13.6	12	0.0	0	0.0	0	0.0	0	3	12
	Burwood	4.5	4	5.2	6	9.6	11	1.9	1	6	22
	Fairfield	9.1	8	3.4	4	5.2	6	3.8	2	5	20
	Liverpool	17.0	15	6.0	7	7.8	9	3.8	2	9	33
All minor assistance services		100.0	88	100.0	116	100.0	76	100.0	53	100	372

a Includes entries on CASES of the following services at Bankstown: community service (general) and community service (health).

b Entries on CASES of community service (general) at Burwood.

Note: N=372 minor assistance services for primary matters (to 173 DVU clients).

Source: Analyses of CASES data.

Table 22: Court type and location for grant services for primary matters

Court type	Location	N
Family court	Sydney	1
Federal circuit court	Sydney	2
	Parramatta	6
Local court	Bankstown	3
	Burwood	8
	Fairfield	3
	Liverpool	3
	Newtown	1
Family dispute resolution		11
Missing		4
Total		42

Note: N=42 grant services for primary matters (to 38 DVU clients). 11 grant services did not have a court type and location entered because they were family law matters that were dealt with by family dispute resolution processes. Another 4 grant services had no court type and location entered. These 4 services were for Commonwealth family law matters but there was no further information in the data provided about whether they involved family dispute resolution.

Source: Analyses of ATLAS data.

Community legal education and information (CLEI) services

To improve the accessibility of their services and to support referrals into the DVU, the DVU team delivered CLEI to frontline non-legal workers, partners and community members. The CLEI events provided information to workers and the public about the types of legal needs that can accompany the experience of DFV and the services available for people facing DFV, including information about the DVU services.

In the first nine months of operation, the DVU was involved in delivering a total of 48 CLEI events. Table 23 summarises the types of CLEI event and the audience types, target groups and topics covered, while full details are provided in Appendix 4. More than half (52.1%) of the events were in the form of presentations and a further 27.1 per cent were forum/panel events. Just over 10 per cent (10.4%) were workshops and the remainder were stalls/stands (6.3%) and interviews (4.2%).

Noting that there could be more than one audience type for the same event, more than half of all events (52.1%) listed the 'general public' as one of the audience types. One-third listed 'community workers' (33.3% of events) and 31.3% listed 'other professionals'.

Three-quarters of the events listed two or more target groups. The majority of events (75%) listed 'any group' as one of the target groups. The most common specific target group was 'people in domestic violence (DV) situations' (62.5% of events), followed by 'people from multicultural backgrounds' (35.4%) and 'women' (33.3%).

The 48 events canvassed a range of topics (26 in total).⁵⁰ While one-third focused on a single topic, the remainder covered two or more topics, with some covering as many as 17. The most common subject area was 'DFV', which featured in 91.7 per cent of the 48 events, followed by 'general' (43.8%) and 'Legal Aid NSW policies and services' (also 43.8%), 'care & protection' (39.6%) and 'going to court' (also 39.6%). The topics of 'divorce' and 'separation' each featured in 35.4 per cent of events and 'family dispute resolution' featured in 31.3 per cent of events.

⁵⁰ CLEMS has fields for both 'family violence' and 'domestic violence'. In keeping with the rest of this report, these two fields have been collapsed into a single category of 'domestic and/or family violence' (DFV), reducing the total number of topics canvassed from 27 to 26.

Table 23: Summary of CLEI events delivered by the DVU

CLEI type	% of events
Presentation	52.1
Forum/panel	27.1
Workshop	10.4
Stall/stand	6.3
Interview	4.2
Audience type	% of events
General public	52.1
Community workers	33.3
Other professionals	31.3
Students (school, AMEP, VET, university)	12.5
Health professionals	4.2
Teachers, tutors, lecturers	2.1
Target group	% of events
Any group	75.0
People in DV situations	62.5
People from multicultural backgrounds	35.4
Women	33.3
Newly arrived migrants (first 5 years of settlement)	27.1
Separating families	18.8
Older people (40+ for Indigenous; 65+ for others)	8.3
Young adults (18–25 years)	8.3
Young people (10–17 years)	8.3
Aboriginal people	6.3
Homeless people	4.2
People with a disability (physical/intellectual/psychological)	4.2
Topics covered	% of events
DFV	91.7
General	43.8
Legal Aid NSW policies & services	43.8
Care & protection	39.6
Going to court	39.6
Divorce	35.4
Separation	35.4
Family dispute resolution	31.3
Children's issues	29.2
Other	27.1
Property & financial issues	27.1
Child support	25.0
Parentage issues	20.8
ADVOs	18.8
Advocacy	16.7
Children's representation	16.7
Migration	10.4

Talking to police	10.4
Housing law	8.3
Civil liberties	4.2
Committals	4.2
Harassment	4.2
Litigation	2.1
Menacing behaviour	2.1
Social security	2.1
Victims' compensation	2.1

Note: N=48 CLEI events between 12 January and 27 September 2016. Some events featured multiple audiences, multiple target groups and/or multiple topics. Thus, percentages for each of these features add to more than 100 per cent. Audience type was missing for one event, and target group was missing for one event.

Source: CLEMs database.

DVU implementation and improving processes

Feedback from internal and external stakeholders was obtained to assess:

- *how well the DVU is operating*
- *whether any improvements could be made to DVU processes.*

Stakeholders were asked to comment on the main areas of activity of the DVU, including referral processes, triage, safety and trauma-informed processes, and working relationships with partners. Stakeholders were also invited to comment on the perceived impact of the service for clients and for partners, and the service system more broadly.

The key themes that emerged regarding the implementation of the DVU are detailed below. For each area of implementation, we firstly present comments on the aspects reported to be working well, followed by comments about any challenges and suggested improvements.⁵¹

In brief, stakeholders overwhelmingly reported that the DVU is a highly professional and dedicated team, who provide legal and social work assistance that fills critical gaps in services to people experiencing DFV via trauma-informed processes. The DVU service was reported to provide a more supported and empowering experience for clients, and access to more timely and holistic services. Benefits were also reported for Legal Aid NSW as an organisation, with the DVU representing major cultural shifts in prioritising services for victims in-house, working collaboratively across practice areas and pioneering a more trauma-informed approach to service delivery.

Although the feedback from stakeholders was positive overall, there were nonetheless some teething problems and challenges associated with the implementation of the new service. Suggestions for improving the DVU service included improvements to referral and information-sharing protocols, clarification of partner roles and responsibilities, as well as considerations relevant to the expansion of the DVU service into other geographic areas and jurisdictions.

⁵¹ Note that some emerging themes were relevant to more than one area of implementation and, thus, are discussed accordingly.

Referrals: what is operating well

Multiple referral pathways

As envisaged, there have been multiple referral pathways in and out of the DVU, in keeping with the aim of providing accessible and holistic services for people experiencing DFV. As anticipated, the referrals from the WDVCAS teams at the various courts have been ‘the most important referral link’ (DVU team). Typically, most police DVLO referrals go through the WDVCASs, who then refer people facing DFV to the DVU for legal advice, often regarding ADVO and related matters.

Referrals into the DVU have also been provided by other external agencies and sources, including directly from police DVLOs, for cases such as where parenting agreements are needed and defendants may also be primary victims of DFV. The DVU has received referrals via Safety Action Meetings (SAMs) and Local Coordination Points (LCPs), which are part of the NSW Government’s Safer Pathway project, as well as via hospitals and Family and Community Services (FACS). In addition, other practice areas within Legal Aid NSW have made referrals, including the EIU and other family lawyers, civil lawyers such as immigration lawyers, criminal duty lawyers at the relevant courts and Grants personnel. Finally, the DVU has provided referrals back to internal and external partners as needed.

Referrals in and out of the DVU were reported as generally working well, providing clients with early, accessible and wraparound services as required. There was confidence that clients referred to the DVU would receive the assistance that they needed:

The DVU has improved access for clients. (WDVCAS)

It’s just been a godsend for clients. (Immigration lawyer, Legal Aid NSW)

I am just thrilled that we have the DVU ... it just works really well. We get the referral and all the information is there and we can see the client quickly. (Immigration lawyer, Legal Aid NSW)

Various processes have been put in place by the DVU to facilitate efficient referrals including:

- referral protocols between the DVU and each of the Civil, Criminal and Family Law Divisions
- referral guidelines (intake criteria for DVU clients)
- *Staff Tip Sheet: Referring Clients to the Domestic Violence Unit*
- a dedicated DVU telephone line and email inbox
- dedicated DVU information and referral officer role
- centralised DVU legal support hub (with five legal support positions dedicated to intake, referral and legal support for DVU clients)
- DVU lawyer rostered every day to respond to DVU referrals
- electronic fillable referral form for automatic internal referrals through to the dedicated DVU email inbox
- DVU intranet page, with information about DVU services, referral guidelines/intake criteria, links to information, photographs and contact details of all DVU staff, and electronic fillable referral form for internal staff to refer clients to the DVU

- communications about referrals to the DVU with Legal Aid NSW staff including through Verbals, Table Talk, the quarterly Family Violence Specialist Network meetings,⁵² the civil and family law annual conferences and the mandatory DFV training for all frontline staff.

Other teams have also changed their referral processes. For example, the DVU team uses a referral form that the immigration lawyers have created so that the relevant information can easily be sent through to the immigration solicitor who will take on the matter (*immigration lawyer, Legal Aid NSW*).

Timely access and intervention

One of the key benefits of the new DVU service according to stakeholders is that it provides an easy point for quick, timely and effective referrals, resulting in earlier access to legal advice for clients and facilitating 'early intervention'. In addition to providing referrals on court days, WDVCASs have also been able to make appointments for clients with the DVU ahead of the court day, for example, through the DVU advice clinic. Such early referrals have the benefits of less waiting time for clients, the earlier establishment of trust and rapport between lawyers and clients, and clients being more informed sooner (WDVCASs; DVU team). Referrals to the DVU were contrasted with those to the existing Domestic Violence Practitioner Scheme (DVPS), which only occurred at court, resulting in the DVU having 'better capacity to help clients [and] ... more consistency than the DVPS' (WDVCAS).

Benefits of 'warm' or facilitated referral processes in and out were reported by the DVU, including those around sharing of background information:

Otherwise a lot of the time clients are just given a number, they call it, they're waiting and they just give up. Or they might not have that initiative to call because they've got so much other stuff on their plate. (DVU team)

If we're providing, with our client's consent, information by way of referral to the civil/crime lawyer, they're developing some trust ... it's a nice two-way street. (DVU team)

clients get massive relief when you say "I can refer you to an immigration lawyer in Legal Aid ..." (DVU team)

EIU personnel similarly reported good referrals in both directions that have facilitated urgent matters being addressed quickly, such as urgent airport watch list orders and urgent recovery orders.

The DVU team noted that the referrals via SAMs and LCPs also often represented 'early intervention', given that 'there have been that many call-outs, but the police are not taking action' (DVU team).

⁵² The Family Violence Specialist Network is a Legal Aid NSW network which meets on a quarterly basis to share information about ways to best help our clients who are affected by DFV. It has members from every practice division and nearly every Office across NSW.

In the area of civil law, it was noted that the DVU has facilitated timely referral, and that this is critical for people experiencing or at risk of DFV:

It's just given us a different portal for clients to enter into the legal assistance treadmill, and they get here earlier. (Civil lawyer, Legal Aid NSW)

It's a timing thing, so unless you grab the client when they're ready, you will lose that client. (Civil lawyer, Legal Aid NSW)

The focus of the Civil Law Division on early intervention 'fitted in well with what the DVU was trying to do' (civil lawyer, Legal Aid NSW). Civil law personnel and the DVU worked together to establish efficient, streamlined referral processes for referral of clients between both teams. For example, immigration law personnel instigated guidelines around daily checking of their DFV referral box and responding within 48 hours. They also set up specialised civil referral contacts (e.g. regarding Centrelink benefit, housing and immigration issues) so that the DVU could ring to check if matters are appropriate to refer. They noted that developing good, streamlined referral protocols took some adjustment as:

All of a sudden, two different departments were working together and it was a bit clunky sometimes and it didn't work. We had different languages, had different ways that we deal with clients and somehow we had to find some sort of common ground. (Civil lawyer, Legal Aid NSW)

However, they emphasised that establishing such good referral protocols and facilitating early referrals has translated into better outcomes for clients:

The earlier they come in, the more options they've got and the better outcomes they can get [for civil law issues]. (Civil lawyer, Legal Aid NSW)

The DVU team noted that FACS similarly have a 'real push towards early intervention/prevention', which has:

resulted in sort of an increased awareness of organisations like us and our unit, and better referrals coming through. (DVU team)

For example, the DVU attends the SWS Combined Family and Community Services (FACS) and NGO Panel (at the invitation of FACS). This panel refers clients who have legal and social problems relating to DFV to the DVU where a risk of serious harm report has been received by FACS but the family is currently unallocated for casework. Criminal law personnel reported the important service gap filled by the DVU acting as a referral point for defendants in DFV matters who present as 'primary victims' of DFV:

When we had ones [i.e. defendants] where we thought they're probably more the victim, it's been good to have somewhere to refer them to ... someone who's better at it – can sort that out. (Criminal lawyer, Legal Aid NSW)

The visible presence of the DVU lawyers at court was reported as being important for ad hoc referrals:

If we're able to see them floating around, we'll approach them. (DVLO)

Many Legal Aid NSW partners expressed the benefit of being able to refer clients to a specialist DVU team, who can offer not only timely legal assistance for a range of DFV related issues, but also social work support to vulnerable clients who may have low capability (e.g. due to mental health issues) as well as complex, critical non-legal needs. Essentially, referrals to the DVU allow Legal Aid NSW partners to focus on providing assistance in their legal areas of expertise, as well as facilitating quick access to holistic services for clients:

The addition of the social worker has made an enormous difference to us because we can focus on just the immigration aspects. (Immigration lawyer, Legal Aid NSW)

The DVU also takes care of the associated family law issues. (Immigration lawyer, Legal Aid NSW)

We will refer those clients ... [who need social work support] ... [We] do not have the time and resources to deal with the range of complex needs that they have. (Family lawyer, Legal Aid NSW)

Referrals: what could improve

Although the DVU is filling a service gap by providing an easy access point for early, accessible and holistic services to people experiencing DFV, a range of views were expressed by stakeholders about referral processes and possible improvements.

Stakeholders' awareness and experience of existing guidelines and processes vary. Reflecting stakeholders' experiences and perspectives, their comments may have implications for the guidelines and referral processes *and/or* the communication of these.

Referral guidelines and pathways

As already noted, the DVU has provided partners with written guidelines and communications about referral processes and eligibility criteria. Nonetheless, the criminal lawyers consulted felt unsure about whether some clients were appropriate to refer to the DVU and proposed that clearer communication about referral guidelines and protocols would be useful. The criminal lawyers remarked that referrals to the DVU operate on a rather ad hoc basis and require guesswork and reliance on one or two contacts within the DVU:

It's pretty much just grabbing the solicitor when you see them, and saying: "That person needs to see you". It's not a formal process ... the way we've been doing it. (Criminal lawyer, Legal Aid NSW)

I don't even know whether something is going to be referrable, because I don't know what the guidelines are ... I just send ... [the DVU solicitor] whatever, and she tells me "yes" or "no". I've gotten it wrong, but I've also gotten it right. (Criminal lawyer, Legal Aid NSW)

One criminal lawyer stated that they had to make their own enquiries in order to develop an understanding of relevant referrals in and out of the DVU:

I would have thought by now there would have been something firmed up with every office ... [to have] those written guidelines. I'm surprised that hasn't happened yet. (Criminal lawyer, Legal Aid NSW)

In order to inform appropriate referrals to the DVU, criminal lawyers said they would like a better understanding of the role of the DVU solicitors, such as:

- the matters for which they provide legal advice (e.g. is it only family law matters?)
- the representation they can provide in court (e.g. is it only mentions or also contested interim applications for ADVOs? Is it only police ADVO applications or also private applications?).

They also noted that clearer guidelines or better understanding would be useful for ADVO matters where it is uncertain whether or not charges are going to be laid.

Thus, the comments above from the criminal lawyers indicate that more ongoing communication about referral processes and eligibility criteria would be useful.

Other suggestions were that, when referring clients to the DVU, it would be useful to be able to provide clients with a card/pamphlet containing information about DVU services and contact information. Similarly, posters at court were suggested as a means of providing potential clients information about the DVU.

Family law personnel also suggested that more structured referral processes and clearer pathways would be useful going forward, especially concerning pathways for moving DVU clients into the litigation stream:

The DVU is doing such intensive, specialised work and when they need to move that client into the litigation stream, that client is given no priority by the in-house practice, and there is no distinguishable pathway ... [We need to] look at a process involving the handover of that client from one lawyer to another, or from the social worker to the lawyer, and I don't think we're doing that at the moment ... it's a system issue that we haven't set the office up in a way that facilitates the prioritisation of those clients. (Family law personnel, Legal Aid NSW)

The DVU team noted that guidelines for legal aid grants could be improved as it can be difficult to know when to refer a client and when a client can be retained.

Bankstown Women's Health Centre noted that referrals from the DVU could be further facilitated by the DVU team becoming more familiar with the range of services offered by the centre.

Finally, while there is comprehensive information on the Legal Aid NSW website, it was suggested that the website could be improved to provide a clearer pathway to assistance. The observation was made that clients may find it difficult to navigate the website in order to understand and differentiate the roles of the DVU, WDVCS and DVPS (*Criminal lawyer, Legal Aid NSW*).

Capacity

The capacity of the DVU in the face of increasing demands for their services was noted by several stakeholders as an emerging issue that will need to be addressed:

sometimes our poor solicitor's run off her feet all day ... workload is probably the only [issue]. (DVLO)

In the very early days, the DVU were at pains to take those referrals because it was change management; it was about showing that you were relevant, that you could assist, and people embraced that. However, I suspect that as their workloads have increased their ability to take many matters on referral has decreased and again that's a resourcing issue. (Family law personnel, Legal Aid NSW)

[The DVU need to be] realistic in terms of what they ... are expected to achieve ... and whether it's manageable or not. So it's a capacity issue; you cannot be everywhere and do everything at the same time ... there's few of them and there's so much expectation. (WDVCAS)

In the area of family law, it was stated that most clients have DFV issues, and so most clients would be relevant to refer to the DVU. However, as the capacity of the DVU to take on such a workload is an issue, the family lawyers prioritise referring the clients with complex needs who really need social work support:

Capacity is and will be an ongoing issue. There is so much need. They cannot take them all on. (Family lawyer, Legal Aid NSW)

Criminal law personnel also reported that they didn't know what capacity the DVU has and so were unsure what volume of referrals they could take on. They similarly noted that the capacity of the DVU might be a 'foreseeable issue' in-house.

Duplication of intake and referrals

An important consideration when designing the DVU was to put in place protocols to avoid potential duplication between the DVU and their partners. In particular, distinguishing the roles of the DVU and WDVCAS was recognised as critical given that the WDVCAS historically acted as the initial point of contact with clients at court and also the primary agency for referring clients to outside agencies for human service support.

According to DVU protocols, in terms of intake, the WDVCAS maintains the role of initiating contact with clients at the local court, and then refers relevant clients to the DVU for legal advice and assistance and for intensive/ongoing social support. Client intake can also occur through the DVU Intake and Referral Officer outside the local court context when the client initiates contact with the DVU, for example, via the DVU telephone and email line. The DVU social worker does not initiate client contact at court and only attends court if required to support an existing client at the client's request.⁵³

The DVU protocols also distinguish the nature of assistance provided to clients by the WDVCASs as opposed to the DVU, and the nature of the referrals made to outside agencies. Legal advice and assistance are provided by the DVU solicitors. The WDVCASs provide social support services in the context of ADVOs and the local court, particularly information, referral and case coordination services. The protocols acknowledge that the

⁵³ The DVU stated that, during the reporting period, there were only a few exceptional circumstances where a DVU social worker attended a local court to assist with highly vulnerable clients in crisis, and this occurred in coordination with and/or at the specific request of the WDVCAS.

WDVCASs have long established relationships with NSW Police and other DFV services, and are key to assisting women to navigate the state-based ADVO jurisdiction. Thus, the WDVCAS tends to provide one-off referrals to human services in this context. In contrast, the DVU social workers provide more intensive social support and/or ongoing case management to relevant clients with complex needs who have already been referred to the DVU.⁵⁴

The DVU protocols also identify specific processes for avoiding duplication between the DVU and the WDVCAS. For example:

- The *DVU internal intake process* includes the criterion that the client currently has no or only limited social support from other sources, and the *Staff Tip Sheet: Referring Clients to the Domestic Violence Unit* includes the criterion ‘*Would your client benefit from the support of a social worker?*’
- The *Protocol for referrals between the DVU lawyer and the DVU social worker* requires the lawyer to inform the social worker about any other services involved with the client.
- The DVU social workers also coordinate with the WDVCAS to determine what referrals have already been made by the WDVCAS.

Despite these protocols, a few instances of overlap in intake and referral were reported in the early days of operation of the DVU:

Women have already been contacted by the WDVCAS worker, so you then don't want a referral and intake worker then contacting [them] again. It's ... confusing. (WDVCAP, Legal Aid NSW)

a client had contacted saying, "Look, I'm a bit confused ... I've got two names for two different services, so are these two services the same or are they different?" So what happened, when we've completed the work with them at court, we've provided the client, upon her request, with a service. When she was talking to the DVU, they provided her with a parallel service. (WDVCAS)

These few early overlaps are perhaps not surprising given the multiple pathways in and out of the DVU, and the complexity of the multiple needs faced by clients, and they suggest that a shared understanding of the distinct roles of partners had not yet been cemented. It was reported that open communication between the DVU and WDVCAS was instrumental in addressing these teething problems and minimising the potential for duplication:

we had ... this open conversation ... in terms of we need to work [in] parallel and complementary with each other for what's in the best interest of the client. (WDVCAS) more recently, ... [they] will say, you know, "Does she need any referrals?" or when we give our brief, we'll say, "This is who [we've] ... already referred her to" or "This is what we're looking at referring this client to" ... so they've already got a heads-up for that and they know that those things are already taken care of. (WDVCAS)

⁵⁴ Examples have included attendance at Centrelink with a client to sort out their payments, ongoing help to a client to obtain a tax file number and enrol their child in school, liaison with NSW Police to set up and attend with a client to make a statement to police about unreported violence, as well as preparation, court support and de-briefing alongside ongoing family law proceedings.

The comments above highlight the value of well-defined, consistent pathways in and out of assistance as well as clear communication and shared understanding between partners of how their services fit together to support clients. The WDVCSAs noted that working collaboratively with the DVU reaped benefits for clients, ensuring that 'every single concern that the client may have would be touched on and would not be forgotten'.

Triage and safety: what is working well

Triaging clients experiencing DFV to receive appropriate and trauma-informed services according to their legal and non-legal needs, their risk of facing further violence and their legal capability is a key aim of the DVU. Clients can often be at crisis point when they first present to the DVU, making appropriate risk assessment, triage and safety planning vital, especially given that clients may not always have insight into the urgency of their matter:

Sometimes clients risk assess their own emergency and think that their matter is very urgent. Sometimes they downplay it and it's really urgent and they don't realise it. (DVU team)

Intake and risk assessment

To manage what can often be complex matters, the DVU and their partners have processes in place for intake, risk assessment, safety planning and triage.

In the case of the DVU telephone legal advice line, the intake officer lists all of the client's issues on an advice form, and tries to make an assessment about which is the main legal issue. The advice form is then used by DVU solicitors to follow up that client with advice or referral as appropriate. Typically, DVU solicitors will follow up clients received through the telephone advice line within 24 hours. The telephone legal advice line was seen as providing a valuable access point for clients:

I do think that intake and referral position is great. (WDVCAP, Legal Aid NSW)

In the case of referrals from the WDVCSAs, an assessment of risk to the client's safety (i.e. likelihood of further violence) has usually been conducted by police using the Domestic Violence Safety Assessment Tool (DVSAT), as part of the NSW Government's Safer Pathway reforms. The DVSAT results are available to the WDVCSAs. The extent to which the WDVCSAs share the DVSAT results and other client background information with the DVU solicitors varies for different courts. For example, one WDVCSA noted that, with client consent, they share their client notes with the DVU solicitor, but do not share notes from any risk assessments (e.g. DVSAT) completed by the police because they perceive these to be 'a bit more confidential' given that they can contain information from police that is not present in the grounds for the ADVO. When the WDVCSAs do not provide the DVSAT results to the solicitor, they informally communicate to the solicitor the client's assessed risk:

WDVCAS are pretty communicative with us about what they know the level of risk to be. (DVU team)

One WDVCSA noted that they usually brief the DVU solicitor ahead of their initial consultation with the client so that the solicitor knows 'what needs to be spoken about'.

The DVU noted they do not rely solely on the DVSAT conducted by police to assess the client's risk of experiencing violence. Risk assessment is not conducted once off, but is an ongoing process, assessed in a range of ways:

It's not like we're just doing it once and forgetting about it ... It's integrated into our normal practice. (DVU team)

In their initial consultation with a client, the DVU solicitor may assess risk via more informal means than the DVSAT, given the time constraints of duty lawyer work and given that repeating the DVSAT too often may 're-traumatise' the client and also reduce its reliability. The DVU stated that the risk assessment by police is not always reflective of the client's current situation, for example, when a client fails to disclose relevant information to the police (e.g. sexual assault) but does disclose this information to the solicitor.

For ongoing clients retained by the DVU, the DVU social worker will usually conduct a risk assessment (either via the DVSAT or more informally, as appropriate), and this will be used as the basis for safety planning:

if they need to go through a safety plan, they quickly run through it or they refer it back to us ... (WDVCAS)

The DVU team noted that appropriate risk assessment and triage includes consideration of not only immediate risk of harm but also broader vulnerability:

they may not be at traditional risk of immediate harm ... But the vulnerabilities and the impact on their mental health ... – if not triaged effectively there and then – can lead to greater risks. So it's about sort of making sure that we address that. (DVU team)

An alert or 'safety flag' is now being placed on Legal Aid NSW's ATLAS database to identify clients whose safety is at high risk and where particular steps should be taken to safeguard their safety. This alert ensures that all Legal Aid NSW staff across practice areas are aware of any steps which need to be taken to manage a client's legal matter in a safe way:

so people are aware across Legal Aid, if they need to look up the client, that there's, you know, a safe way to contact them [i.e. the client] or not contact them via specific ways. (DVU team)

The urgency and severity of legal matters are used as a key criterion for triage. For example, one WDVCAS reported that they:

prioritise things like parenting agreements and female defendants and then all the women who have matters on that particular court day have advice before appointments, so they get the priority. (WDVCAS)

The DVU noted that the referral processes and relationships that they have with other practice areas of Legal Aid NSW, including sharing of relevant information, also facilitate client safety.

Trauma-informed approach

Appropriately using risk assessment and safety planning to inform service delivery are not the only key aspects of trauma-informed service delivery.

Client rapport

The establishment of good rapport with clients is another important aspect of a trauma-informed approach. The DVU team noted that, given the pressurised context of duty services, the time available for establishing rapport is short. Nonetheless, stakeholders agreed that the DVU staff quickly establish rapport with their clients, and are 'sensitive', 'compassionate', 'empathetic', 'trustworthy', 'respectful', 'knowledgeable' and 'reliable':

I think they're amazing ... They put a lot of time into the victims they are talking to. (DVLO)

Previously we'd have solicitors that would go, "This is the law, this is what you need to do, thanks very much." They don't care about your DV situation, they kind of go in with the blinkers on ... [They've said] very un-DV things to them [i.e. clients] like ... "Why didn't you just leave him?" and "Why didn't you just stay there, he only hit you once..." (DVLO)

[The DVU solicitors are] compassionate about their clients. (Criminal lawyer, Legal Aid NSW)

The [DVU] solicitors that we've had, they're very empathetic, the clients all trust them and they ask for them again ... They go out of their way to make it a very positive experience for the woman and to explain as well as they can what everything means ... (WDVCAS)

they are respectful to clients ... They do follow through with the clients when they say they will ... [Clients] felt heard and respected. (WDVCAS)

Coordination facilitates trauma-informed service

Good communication, information sharing and continuity of service among the DVU team and partners were also generally seen to contribute to a trauma-informed approach as clients 'don't have to keep retelling their story over and over again to people' (WDVCAS).

You can provide a really thorough handover, so we don't have to ask those questions again. We've got a really good understanding of what was going on. We don't have to ask [clients again]. (DVU team)

Social worker role facilitates trauma-informed service

The role of the DVU social workers in facilitating trauma-informed service delivery was seen as critical. The social workers allow clients to 'feel heard', provide emotional support during legal processes and provide support in addressing fundamental human needs:

One of the most fundamental things for DV victims is to feel heard, so to have people [i.e. social workers] available to listen, and who have time dedicated to do that is really important. (DVU team)

[The social workers] can sort of pre-empt or explain what their [i.e. the client's] legal experiences could be like. (DVU team)

It's not just a hand-holding thing ... Having the trained aspect of a social worker who can explain to clients...what's actually ... happening for them, for trauma ... "This is why I'm having bad dreams." ... normalising those aspects ... (DVU team)

[Clients are] getting a better service ... for what they need immediately, especially when it's stressful; they're at court and they can't necessarily hold a lot of information. Then following up so that they don't ... fall through the gaps. (DVU team)

It's really important to acknowledge that when someone leaves [an abusive relationship] ... they're in crisis and you want to look at ... the basic hierarchy of human needs ... People need basic shelter, they need safety. You need all of that stuff before you can even engage in anything ... If you can help with that, then I think that's important. (DVU team)

Specialist team facilitates trauma-informed service

Having a team with specialist knowledge across all aspects of DFV was also reported to contribute to a trauma-informed approach:

Having a specialist service is actually really important for that trauma-informed kind of approach ... [because] ... to dabble in DV is risky for clients. (DVU team)

The DVU's specialist legal role in providing representation at court for people experiencing DFV, who may otherwise have been unrepresented, was also thought to help clients feel 'less vulnerable' and 'safe' (Magistrate). The DVU provide an important role in:

taking care of their client's interests and representing them in court, when they feel nervous or don't want to speak for themselves. (Criminal lawyer, Legal Aid NSW)

Having female DVU solicitors to assist a predominantly female client group was also seen as sometimes being helpful in terms of a trauma-informed approach:

[While] male solicitors with the DVPS are excellent ... It's sometimes easier for the women to approach the female staff. (WDVCAS)

Use of safe rooms at court

The safe rooms at court were consistently identified as critical to a trauma-informed approach to delivering services at court for people (usually women) experiencing DFV. They provide a 'buffer' between the victim and the defendant, who is often also present at court, allowing victims to feel safe while at court and to be provided with the support and assistance they need:

Sometimes they'll [i.e. the defendants will] turn up to court and still be intimidating them [i.e. the victims] to drop the case, whereas if they do have that barrier [i.e. the safe room] ... (WDVCAS)

The placement of the DVU duty lawyers in or near the safe room was generally seen as appropriate, providing women experiencing DFV with easy and safe access to legal advice, out of earshot of the alleged perpetrator. It was noted that this arrangement facilitates providing legal advice to some women who would otherwise not be picked up (Magistrate).

We'd much prefer to have the solicitor there [i.e. in the safe room] instead of up in one of the interview rooms ... [otherwise] the client would have to go upstairs and they can be exposed to the perpetrator if they're there that day. (WDVCAS)

It's very practical to have the duty lawyers in the safe room as it provides privacy for the PINOPs [i.e. persons in need of protection], so they are away from the defendants. (DVLO)

Placement of lawyers in the safe rooms was also reported to facilitate liaison between the different professionals working at court, especially the WDVCASs, DVU and DVLOs. The DVU noted that proximity to the WDVCAS was very helpful as they frequently receive referrals and background information from the WDVCAS. Some DVLOs similarly noted that the safe room provides good access to all the 'key players'.

The physical infrastructure of the safe rooms is different at the four local courts at which the DVU operates duty services. The best layout for the safe room appeared to be at Liverpool Local Court, where the DVU duty lawyer has a dedicated interview room that is accessed from within the safe room. This arrangement means that clients' safety is not compromised by having to leave the safe room to receive legal advice, while privacy and confidentiality are ensured. At Bankstown Local Court, the DVU lawyer has their own office towards the back of the court near the safe room, and this close proximity was seen as necessary (DVLO). As will be further detailed in the section on possible improvements, the most challenging layout was reported to be at Burwood Local Court, which has a small safe room and no separate space for the DVU duty lawyer.

Triage and safety: what could improve

Challenges to triage

As already discussed in the context of referrals, there was concern that the demand for DVU services might outweigh the capacity to manage all urgent matters:

[The client is] being referred from all over the place and ... managing urgency is hard ... That's always really hard when you're dealing with people in crisis, because everything is exaggerated too at the time that you see them. (DVU team)

The DVU team also noted that some clients present with a wide range of complex legal and non-legal needs, and it can be challenging to decide which legal issue should be dealt with first, and hence, whether the DVU retains or refers that client:

when it's a whole group of things, it sometimes gets a bit difficult to analyse ... Should we be looking at them as an AVO [i.e. apprehended violence order] matter and then refer them on to other services...? (DVU team)

Challenges to trauma-informed service

Risk assessment at court

The DVU team reported that time constraints at court can make it difficult to conduct formal risk assessments on a busy duty list, and that protocols may assist with this:

That's part of the process in culture changing and putting systems in place; prioritising things on the day and then having a structure to come back to it. (DVU team)

Continuity

It was noted that the ideal trauma-informed approach would include the client seeing the same solicitor throughout their matter:

If a client comes back and sees a different solicitor the next week, that isn't trauma-informed. (Bankstown Women's Health Centre)

In terms of the legal advice clinics, both Bankstown Women's Health Centre and a WDVCS noted that, if possible, it would be useful to have more continuity in the solicitors who attend the clinics. Further, it would be useful to know in advance which solicitors are likely to be rostered on each day, as that would facilitate matching up clients with the same solicitor or with a solicitor who has the particular area of expertise needed. One of the WDVCSs noted that they had rosters in the past for the DVPS solicitors. Since the fieldwork for the present evaluation, rosters for the DVU solicitors are now being provided to WDVCSs and to outreach locations.

However, seeing the same solicitor is not always feasible, given the demanding nature of duty lawyer work and given that a client can present with numerous, linked legal issues that span across many different areas of legal expertise. Advice clinics on the other hand, are less demanding for staff than providing duty lawyer services, so rotating lawyers through advice and duty services may reduce burnout. It was stated that a trauma-informed approach could still be realised by good coordination between service providers:

While you might not have the same solicitor, you can be supported by the same small team working together. This allows for leave for staff and for still having continuity. (EIU personnel, Legal Aid NSW).

Empowerment model

The DVU team noted that working from a client empowerment model, while desirable overall, can present challenges, particularly in the complex field of DFV where safety is often an issue. However, working within a specialist team who have protocols around risk assessment and safety planning is helpful in these situations:

Sometimes we do have a lot of clients who ... might not be thinking of their safety first or they're not ready to leave [their abusive partner] or they're in a situation where they're wanting to downgrade their AVO. You've got that kind of ethical dilemma of working from an empowerment model – still wanting them to have some autonomy, having trust and rapport with them, but also ... questioning, "Am I trying to get them something that's going to put them at risk ...?" So being able to ... talk to your colleagues about that, and as a unit have a kind of consistent approach in those situations, I think is really important. (DVU team)

Duplication

As raised earlier, the WDVCSs and DVU ironed out a few early teething problems regarding overlap between the roles of the DVU and the WDVCSs to minimise the potential for duplication in intake and referral processes. One WDVCS noted the

importance of avoiding duplication from the perspective of a trauma-informed approach to services:

So we've built the rapport and done the paperwork and then they [i.e. the DVU] have got to go in and do a whole heap of paperwork again. (WDVCAS)

Since the reporting period, the WDVCAS and DVU have implemented a joint form so that the client only has to complete paperwork once.

Telephone versus face-to-face advice

A few stakeholders noted that, in the sensitive area of DFV, it can be more challenging to deliver legal advice over the telephone rather than face-to-face:

one case that I was dealing with [where the client] ... disengaged... [was] when the solicitor was talking to them over the phone, which is the phone thing. (WDVCAS)

However, in the case of clients received via the telephone/email/web line, the urgency of matters will not always allow face-to-face to consultation.

Protocols for sharing information

As noted, there are inconsistent practices at the different courts regarding the sharing of client information, including DVSAT results, and it would be useful to have an agreed, systematic approach that works for both partners and clients alike. The inconsistent practices appeared to result from different interpretations of appropriate sharing of information under Safer Pathway protocols. One issue related to sharing DVSAT results concerns the observation that the utility of the tool can be compromised if it is repeated too often.

Unnecessarily repeating the DVSAT and other background information is not ideal from the point of view of a trauma-informed approach. The DVU team acknowledged that while progress had been made in terms of sharing client information, there was more work to be done in this area:

we're getting there. I don't think it's perfect but I think it's the other thing that you ... get a bit of trial and error out of this process. (DVU team)

Centralised triage

Legal Aid NSW partners suggested that going forward, more centralised triage, adding in the expertise of civil and family lawyers to that within the DVU would be valuable. EIU personnel proposed that, with the expansion of the DVU, a more 'substantial administration hub' or 'centralised point that can do triage' may help identify urgent matters.⁵⁵ They suggested rostering on a solicitor to deal with urgent matters who is there when clients are ready to talk.⁵⁶

⁵⁵ Since the present fieldwork, a centralised administration and triage hub has been introduced.

⁵⁶ As the DVU does, in fact, have a lawyer rostered on each day; therefore, this suggestion implies that more work may need to be done to clearly communicate the roles and functions of DVU solicitors to other Legal Aid NSW staff and partners.

Similarly, the immigration team felt that there would be value in more central triage of immigration matters. They suggested placing an immigration lawyer centrally at the DVU to help triage and deal with urgent immigration matters, and having a single email address that the DVU could use to inform the immigration law personnel of the details of matters so that they could be triaged at a central point.

It was also pointed out that there would need to be good communication between the central hub and the local services (family lawyer, Legal Aid NSW).

Safe rooms at court

As already noted, interview rooms for DVU duty lawyers, either accessed from within the safe room or next to the safe room, were seen as a beneficial physical arrangement for providing accessible duty lawyer advice to those experiencing DFV in an environment where they feel safe, separate from the perpetrator.

The least adequate physical infrastructure was reported to be at Burwood Local Court, where the safe room is only small and the DVU lawyer must consult women in this small room as there is no separate, nearby office for this purpose. Challenges were raised concerning privacy and confidentiality, and concerning clients misapplying to their own situation legal advice that they overheard being provided to others:

Everyone is working together in the safe room to try and ensure there is some degree of privacy. This is not always possible. (Registrar)

[It] changes the conversation you can have as well, you know, with 20 other people and kids floating around ... (DVU team)

You don't want people to pick up random advice that you're giving someone else, because their circumstances are different. (DVU team)

[Sometimes a client might be] going off and ... traumatising all the others waiting to see you. (DVU team)

Several stakeholders still preferred to have the DVU lawyer in the Burwood safe room, rather than upstairs in a separate room, in order to facilitate safe access for clients to legal advice. However, the WDVCAP were concerned about the physical capacity of the safe room to cater for the needs of the high number of women waiting to go to court, and the particular needs of women receiving assistance from the DVU:

... the practical logistics ... [are] seriously impacting on ... the women who are waiting to go to court ... (WDVCAP, Legal Aid NSW)

Nonetheless, the lack of privacy in the Burwood safe room was reported to sometimes have incidental positive effects, such as women feeling less isolated in their experience of violence and feeling more comfortable about obtaining legal advice:

Sometimes that ... lets them know that they're definitely not alone in what they're experiencing. (WDVCAS)

They can observe how the solicitor is talking to another client ... that makes them feel quite comfortable ... This person [i.e. the lawyer] is not this formidable person sitting in a suit ... that's the vision they have. They don't have the vision of, you know, a nice pleasant woman. (WDVCAS)

Sometimes the clients are talking among themselves and the solicitor may have overheard the conversation and something they've said is not actually correct ... [The solicitor can then inform] them on the spot, what their legal rights are ... (WDVCAS)

The location of the safe room near the back of Bankstown Local Court, which was described as a 'rabbit warren', was also viewed as less than ideal. It was felt to be less than ideal both in terms of client safety, given that clients could more easily come into contact with the perpetrator, and because things that happen in the courtroom can be 'missed' (DVU team).

Another challenge was noted at Liverpool Local Court, following a fire alarm:

You've got women from the safe room exiting into the foyer area and the forecourt [together] with perpetrators of violence. (DVU team)

It may be useful to consider having protocols for this eventuality. If there were opportunities to redesign court buildings, it was also noted that the close proximity of the DVU to the WDVCAS was highly beneficial: 'you'd still put yourselves together' (DVU team).

Given that clients can be accompanied by small children, it was noted that if courts could have 'crèches or something like that, it would be amazing' (DVU team).

Criminal law personnel noted that their interview rooms can be some distance from the safe rooms where the DVU solicitors are located. For example, at Burwood Local Court, the criminal duty lawyer interviews upstairs and the safe room is downstairs. The distance can pose a safety concern when the criminal lawyers refer a client (e.g. a defendant who is a primary victim) to the DVU, as the client has to get to the safety room 'on their own' and the main perpetrator could be at court. They suggested that a direct telephone line to the DVU at court would be useful so that they can notify the DVU that they are about to refer a client.

Relationships with partners: what is working well

It was acknowledged by WDVCAP and the WDVCASs that the establishment of the DVU represented a major transition in working relationships at court for the WDVCASs, who previously worked very closely with DVPS solicitors and, in some cases, had quite long-term relationships with the DVPS (WDVCAP, Legal Aid NSW). The WDVCAP noted that the introduction of the DVU occurred in a 'rush' and would ideally have involved wider consultation with both internal and external stakeholders.

The swift implementation of the DVU can, in part, be explained by the circumstances of its funding. The Commonwealth Attorney-General's Department announced funding for the DVU in SWS on October 2015 and tied to that funding was an expectation that it be

implemented immediately. Given this expectation, the DVU noted that consultation with stakeholders was governed by what was practicable in the circumstances.⁵⁷

Nonetheless, as outlined below, after nine months of operation, there was generally very positive feedback about the professionalism of the DVU and the working relationships that the DVU had established with partners.

A committed DVU team

The DVU were seen as highly professional, knowledgeable, approachable, respectful, and committed.

They're really knowledgeable and ... understanding of the whole DV spectrum ... they're well needed. (DVLO)

they're not just solicitors that are stepping in and going, right, legal, blah. They take into account the whole DV side and it makes it a lot easier to see things. (DVLO)

Complementary roles

As will be detailed later, the DVU fills a number of service gaps to people experiencing DFV. Partners stressed the value of the DVU being able to provide services that are complementary to those they can provide themselves. For example, one WDVCAS noted not only the complementary role of the DVU solicitors in providing legal advice and assistance, but also that of the DVU social worker:

It's been useful to have the [DVU] solicitors come but ... [having] that added social worker [i.e. the DVU social worker] can be a bit of a complementary thing if there's anything that maybe we don't have access to. It's been helpful to have that little bit of extra support. (WDVCAS)

They provided an example of DVU social workers being able to find temporary accommodation for a young mother and baby who were homeless, and noted that 'we've had some great outcomes and we're very grateful, not just for ourselves but obviously for our clients'.

Fostering relationships and working collaboratively

Overall, working relationships were reported to be excellent, with the DVU being seen as very collaborative, communicative, consultative, open and flexible. It was noted that the mutual interest in attaining good outcomes for clients facilitated good relationships:

We understand the needs of our clients and we are all for the same cause. (Family lawyer, Legal Aid NSW)

The DVU recognise the importance of fostering and maintaining good relationships with their partners and put considerable effort into doing so:

⁵⁷ For example, prior to the implementation of the DVU, letters were sent to external stakeholders, including the WDVCASs and DVPS, and meetings were held with the SWS and Burwood WDVCASs and with some individual DVPS members.

I think the relationship aspect of the unit is critical, because without the relationships we can't function. We don't have information sharing – we don't have clients. (DVU team)

The lawyers in the DVU are really good connectors. Really great balance of technical skills and skills connectors. (EIU personnel, Legal Aid NSW)

We can chat about things ... quite freely and easily, and ... [the DVU are] really responsive and really helpful. We can throw random questions at them and they've been quite good in responding and helping us out ... even if they're a little left of field. (DVLO)

[The] DVU makes an effort to work well with everyone. (Grants personnel, Legal Aid NSW)

A civil lawyer noted the value of the regular meetings that they had with the DVU in the early days of operation to 'feedback what was working and what wasn't' in order to develop effective collaboration processes.

The DVU made special note of the importance of good working relationships with the WDVCSs, who provide them with many referrals and who can provide a bridge in working with police:

It's a very relational sector and the relationship between the police, CAS [i.e. WDVCS] and the DVU ... is one you've got to manage carefully because you're not always in agreement and you're acting in different interests. (DVU team)

The WDVCS workers have more sway with the DVLOs than we do. (DVU team)

The DVU also reported good working relationships with other Legal Aid NSW practice areas:

Everyone at Legal Aid's kind of friendly and you can give them an informal call and just try and talk something out. (DVU team)

EIU personnel provided an example of valuable collaboration with the DVU to develop CLEI for recent immigrant arrivals.

Information sharing

The importance of information sharing at the point of referral has already been discussed. In addition, some partners noted that they had also experienced benefits from sharing of information at later points. For example, the DVU report back to immigration lawyers on court outcomes regarding ADVOs, which can help inform the immigration matter.

Relationships with partners: what could improve

Responsiveness at court

One WDVCS expressed that the pressurised context at court sometimes created challenges for collaborative working, given that the DVU cannot always action matters as quickly as other stakeholders would prefer:

Sometimes we have to be a bit pushy [with the DVU solicitor] ... Police are getting cranky because they're trying to call matters, and parenting agreements are taking too long or whatever. (WDVCAS)

One WDVCAS felt that the DVU duty lawyer had 'too much paperwork' that they needed to complete (e.g. background information, consent forms and applications), and wondered whether some of the paperwork could be completed after the DVU provide legal advice to the client at court.⁵⁸ They noted that, on occasion, due to time constraints/management, the DVU lawyer is unable to provide advice to clients referred by the WDVCAS.

WDVCAS staff also noted that clearer communication and quicker turn-around about eligibility for legal aid grants would assist responsiveness at court:

the matter's coming up [in court] very soon so ... if the answer's "No, we can't help you in this [with a grant]", then the timeframe for trying to find somebody else to represent is very, very small ... (WDVCAS)

Thus, it may be useful to examine possible means of increasing responsiveness at court, such as further streamlining paperwork, increasing capacity (i.e. additional duty lawyers), increasing sharing of client information and streamlining processes to determine eligibility for grants of legal aid.

As was shown earlier, English is not the main language for a considerable proportion of DVU clients, with clients speaking a large number of different languages. The DVU team noted that another challenge with duty work is that interpreters can be difficult to organise at short notice, and courts do not always have them booked for each language required.

Clarification of partner roles, responsibilities and capacity

Particularly in the initial stages of implementation of the DVU, there were some misunderstandings about the purpose and capacity of the DVU among internal and external partners. It was suggested that further communication and clarification of partner roles, responsibilities and capacities would assist collaborative working.

For example, differences in professional responsibilities with regard to mandatory reporting of DFV sometimes provided challenges to collaborative working:

We're not mandatory reporters, but the CAS [i.e. WDVCAS] workers are ... That is just something we have to manage. (DVU team)

As previously noted, concern was expressed about potential overlap in the roles of the DVU social workers and that of the WDVCAS. Improved clarity of these roles was suggested, for example through agreed guidelines and/or ongoing communication:

It's needing an opportunity to sit down and clarify those positions. (WDVCAP, Legal Aid NSW)

Although professional respect was without exception reported by all of the DVU partners, it was noted that differences between partners' roles and responsibilities can potentially

⁵⁸ As noted earlier, the DVU and WDVCASs now have a joint form so that clients do not need to complete multiple forms.

result in disagreement about what is best for the client, particularly in the high-pressure environment at court:

the solicitors can come across as, a bit, telling us what to do ... At court, it's ... [an] intense sort of atmosphere, we have clients that have ticked maybe all the boxes ... Respect has always been maintained, but ... we do have ... sometimes greater understanding in terms of the background of a matter. And yes, we're not solicitors and we do not provide legal advice, but... our ... job is to advocate on ... [the client's] behalf ... (WDVCAS)

Protocols around conflicts of interest, information sharing and holistic services

Different roles and responsibilities can lead to conflicts of interest, for example, in matters where lawyers are advising or assisting opposing parties. In particular, the criminal lawyers consulted stressed the importance of Legal Aid NSW developing better protocols around both conflicts of interest and information sharing between different divisions (e.g. between the Criminal Law Division and the DVU or Family Law Division more broadly) in DFV matters. Criminal lawyers remarked that the absence of such policies and clear guidelines on information sharing affected their otherwise positive working relationship with the DVU:

[I am] ... pretty cautious about exchanging any information ... there's no real exchange of information between us because of the situation. (Criminal lawyer, Legal Aid NSW)

It would actually improve working with them if we actually knew what we could and couldn't do. (Criminal lawyer, Legal Aid NSW)

Further, the criminal lawyers noted that the lack of clear protocols on information sharing in situations involving conflict of interest between Legal Aid NSW lawyers could potentially affect the service provided to clients:

It's more the ethical, conflict side of it that we've got to be pretty wary of ... I can see that there may be circumstances where it would be good if we could talk to them [i.e. the DVU lawyers] a bit more. (Criminal lawyer, Legal Aid NSW)

If our client who was primarily a victim is found guilty or pleads guilty to something, if there's stuff that the DVU have that would help us present that case to the court on sentence, that would be helpful – as in, their background, or maybe they've seen the social worker through the DVU, and things like that. (Criminal lawyer, Legal Aid NSW)

The DVU team similarly stated that their new service represents an opportunity to consider the roles of different Legal Aid NSW lawyers within the DFV area to make improvements in processes across the system, in particular with regard to the provision of services and referrals for defendants who are also primary victims:

we've started some discussions between Crime [i.e. the Criminal Law Division] and WDVCAP, but I think a clearer process probably needs to be finalised and at least trialled ... and then considered for wider roll-out across NSW ... when you have an in-house presence and there's four courts you go, "Well, ... Burwood's doing this, and Liverpool's doing this, and ... what should it then be?" Then, obviously, you have Legal Aid manages WDVCAP, which manages WDVAS and manages Crime, which manages internal Crime and external Crime, and then also the DVPS ... It's a challenge, but there's at least a capacity to change things across the system. (DVU team)

Linking local court and family court matters

One magistrate suggested that the expansion of DVU services into the family court registries (from 1 March 2017) may create more opportunities for the DVU lawyers to inform local courts about any family court directions (e.g. concerning contacts with children) that are relevant to an ADVO matter being heard in the local court (magistrate).⁵⁹

Building further local relationships

As already noted, the DVU team expressed that good relationships with partner organisations at the local courts and clinics where the DVU service operates are critical for successful referrals and holistic service. They reported that it would also be beneficial to develop local relationships with additional external agencies who work in the DFV space in the local areas where the DVU service operates, such as *Brighter Futures* and the *Staying Home Leaving Violence* program. They emphasised that building local relationships was especially important because the model of safety planning through information sharing is 'place-based'.

Ongoing communication and feedback with partners

The benefit of more regular communication between partners was an improvement that was suggested by several partners, such as feedback on client progress through the court system:

we could use that information in a sentence if our client, who was primarily a victim, is found guilty or pleads guilty to something. If there's stuff that the DVU have that would help us present that case to the court – that would be helpful. (Criminal lawyer, Legal Aid NSW)

Similarly, a civil lawyer noted that the initial, regular meetings with the DVU had dropped off, and although processes are working fine, they are perhaps missing opportunities to 'build that 360-degree profile of what our client looks like'. The WDVCSs and Legal Aid NSW Grants personnel similarly felt that more regular meetings with the DVU would be potentially useful.

It was also noted that reliance on relationships with just one to two people from the DVU was not ideal given that people can take leave or move on. Meetings between the DVU team and partners may be helpful in this respect.

It is worth noting that increasing meetings and other communications with partners requires having time available for this purpose, and increasing the capacity of the DVU may assist here.

Impacts for clients: what is working well

Overwhelmingly, stakeholders reported that the DVU was of benefit to people experiencing or at risk of DFV, filling important service gaps to people in this group, including those who

⁵⁹ As the present process evaluation focuses on the first nine months of operation of the DVU, it does not cover the expansion into the family court registries. However, since reporting, the new Family Advocacy Support Service has enabled this to occur.

need advice at court, and defendants who are primary victims of DFV. Furthermore, the nature of the services provided – accessible, supported and trauma-informed, streamlined and holistic – were reported to provide valuable benefits for clients, including more timely intervention, a better service experience, continued engagement and better outcomes across a broader range of both legal and non-legal needs.

Filling service gaps

Targeted legal services and referrals

By providing duty services, the DVU was seen to fill a gap for people who may not be eligible for legal aid grants but could benefit from the legal assistance and support provided at court.

Family law personnel further noted that the DVU service opened the way for timely warm referrals to family law assistance for very vulnerable clients identified at the local court on ADVO list days:

[They can] ... pick up the phone and say, "There's a really highly vulnerable client with DV issues who we want you to manage", and the forced marriages is an example of that. (Family law personnel, Legal Aid NSW)

Victims who need legal advice at court

Duty lawyer services for people facing DFV were previously provided by the DVPS in the four local courts where the DVU service is now operating. The DVPS is a Legal Aid NSW initiative that still operates in other local courts in NSW where private lawyers are funded to assist people experiencing DFV who need legal protection through an ADVO.⁶⁰ The commencement of the DVU service, which saw the placement of the duty lawyer service within a specialist DVU team, was viewed as a useful pathway to more integrated assistance and representation at court:

[The DVU is] overwhelmingly positive in terms of getting access to legal representation and advice ... with a level of continuity. (WDVCAP, Legal Aid NSW)

The DVU was also reported to fill a service gap by picking up people experiencing DFV who don't want to engage with police (DVLO).

The value of DVU duty lawyer services to explain legal processes at court for those experiencing DFV was highlighted, even for clients who do not receive any further services after court:

they seem to really have a need to be told, "Well this is going to happen next. Then you'll be going here. Then you can ..." So even if it's not someone that we're going to possibly provide a service to ... the intake is a good opportunity to explain what's going on. (DVU team)

Even when we're not taking the client long-term, if we can pick up someone on duty who's unsure, like, in that process of leaving a relationship and is wanting to dip in and

60 See <<http://www.legalaid.nsw.gov.au/what-we-do/services/domestic-violence-practitioner-scheme>>.

out of legal and social assistance, then they can bounce back between the solicitor and the social worker. (DVU team)

We cannot provide legal advice and there are urgent legal issues that [need] to be attended to at court. (WDVCAS)

DVU duty lawyers were seen as having an important advocacy role for their clients, with several examples being recounted of the types of valuable assistance provided by DVU lawyers, including cases where clients have limited English and cases where parenting arrangements are an issue:

the fact that someone can ... give them [i.e. victims] a voice is really helpful. (DVLO)

some magistrates insist that there has to be a parenting agreement regardless of whether or not it is safe to do so ... [the DVU solicitor is] able to go in there and say, "Look, we've had that conversation and I've spoken to this woman at length and can unequivocally say that this is not appropriate". I think that's really important, because we've had women go into meltdown when they've been told ... they must have a parenting agreement. (WDVCAS)

Defendants who are primary victims

Another important service gap addressed by the DVU is the provision of legal advice and other assistance to people named as defendants who are, in fact, also 'primary victims' of DVF. Typically, these primary victims are women. It was noted that DVF situations can be very complicated, with some cases where primary victims try to defend themselves by responding with violence or abuse against the perpetrator. As a result, primary victims can be charged as defendants. The DVU is filling this service gap to these primary victims:

[She] was unbelievably in everything that had gone on. She was much more a victim than she was anything else and the only reason she was a defendant was purely by circumstance. She ended up being charged and ... police officers that had initially been supportive of her then turned on her, and the matter just escalated ... until it got to ... epic proportions ... So the DVU got involved and they were brilliant ... they were really supportive of her and really went into bat for her. The outcome ... ended up being much better. (WDVCAS)

Sometimes with the female defendants they just kind of throw their hands in the air and go, "Look it's all too hard, whatever, I'll just plead [guilty]" ... So it's definitely been good for the female defendants; to give them the option of ... someone's there to help them as opposed to just being in the pool of defendants where they don't get that. (DVLO)

Gaps in private lawyer services

It was also noted that the DVU service addresses a service gap that cannot easily be provided by private lawyers, due to the complex, multiple legal and other needs that can be faced by people experiencing DVF:

Our clients come through with lots of needs that require a lot of time, and from experience, in-house solicitors can provide ... this time. (Family lawyer, Legal Aid NSW)

Gaps in social work support

The Burwood WDV CAS also noted that the DVU social worker fills a service gap for some vulnerable clients, such as elderly people and single people, for whom it can be difficult to get case workers:

we do push with them to see if the [DVU] social worker will be able to assist them even if there is no ongoing litigation ... We definitely struggle in this area to find case workers for people that are vulnerable in those two categories. (WDV CAS)

Better client experience

As detailed below, there were numerous comments that the accessible services provided through the DVU, which include both legal assistance across multiple types of legal problems and social work support for a range of related non-legal needs, result in a better, more supported experience for clients. This supported experience for clients was reported to foster client empowerment and continued engagement with the service system, and hence, to facilitate client safety and more holistic and enduring outcomes.

Supported, empowering client experience

The availability of duty lawyer services for the range of legal needs experienced by people in need of protection (PINOPs) in ADVO matters was reported as the first step towards supporting and empowering this group:

Just saying that a lawyer is available to speak to them about all the issues they are facing is a positive impact and the first step to them gaining back some control ... It builds confidence as victims can see they are able to get help. (Registrar)

They're clearer on what they want to do and how to get it the right way ... [They're] more informed on how the law impacts them and fits into the dynamics of them and their families. (WDV CAS)

the client feels like she's got a face and there's someone there to sort of put her voice forward without her. (WDV CAS)

[For migrants], explaining their rights to them in Australia ... I think that's definitely empowering them to be able to speak out. (WDV CAS)

The social work support provided by the DVU was highlighted as a 'key advantage' (family lawyer, Legal Aid NSW), assisting clients emotionally through legal processes and empowering them to make more informed decisions:

[It is] helpful to have someone from outside of the system being able to relate to clients who say: "I hate going to court ... and I hate the AVO system" ... Legitimate and understandable feelings that the social worker is able to support them through. (DVU team)

Once they've spoken to the social worker they're able to give you clearer instruction. They feel calmer about what's going to happen. They feel like they're more able to, you know, decide what they want to happen ... It's empowered our clients to make, some of them, better decisions. (DVU team)

[For a long-running family law litigation case], the impact of bringing a social worker in ... it's just immeasurable ... it is a real indication of the benefits of this team because it's just being able to leave ... [the client] for ... court support, non-legal support, that just wasn't open to her before. (DVU team)

Culturally supported

The high proportion of current DVU clients from multicultural backgrounds (see section on *DVU client profile*) can mean that clients have 'cultural, religious [and] other pressures on them as well' (DVU team). The supported experience for clients was reported to extend to culturally sensitive support:

Case workers that I have dealt with have helped them deal with cultural stuff too around the shame of being separated or challenging that narrative about men being dominant in relationships. (Civil lawyer, Legal Aid NSW)

Continuity of service

The DVU provides greater continuity of legal and related services than was previously available for people experiencing DFV. Where possible, the same DVU lawyer will see a client for repeat consultations. Where the same lawyer is not possible, client information is shared among the DVU team to streamline services, facilitate consistency and operate with a trauma-informed approach:

even if there happens to be a different solicitor on the day, she'll go, "Oh I know about your case" because she'd been able to talk to the other one, and they're all on top of things and they know what's going on ... That's definitely been a benefit we've seen with the victims ... to have consistency is something really good. (DVLO)

The more streamlined service for victims, including sharing of background information, was reported to be a distinct advantage in the sensitive area of DFV, because victims don't have to 'tell their whole story again and again' (DVLO).

The fact that the DVU social workers and lawyers act as a coordinated unit was also reported to provide continuity in services and to be instrumental to the client feeling supported and empowered:

Clients better understand the roles of the lawyer and social worker respectively and they know that we are talking to each other and that gives them more emotional safety that something is going to work out. (Immigration lawyer, Legal Aid NSW)

she identifies us differently and knows our roles and knows what assistance she can get, where and how we can help her together. (DVU team)

The role of the DVU in linking vulnerable clients who have complex needs to case workers (whether this is the DVU social worker or someone else) was also important for continuity of services:

Some of my clients come with case workers and that's helped that continuity. (Civil lawyer, Legal Aid NSW)

One WDV CAS noted that having access to the DVU social worker, who can act as a case worker, can save time, especially in some complex cases where it can be difficult to find services.

The specialist expertise of the DVU team across the range of issues relevant to DFV was also reported to provide more streamlined progression through legal processes and be less stressful for clients:

The continuity across AVO, family care, and ... a victim support application is really important ... It just helps the matter progress ... Needless adjournments don't happen ... because we know what should happen ... There's far less messing around. And in the local court every mention matter was ... just stretching out someone's ... stress levels ... you can be stuck there for a long time. (DVU team)

Continued engagement

One of the key benefits of the more supported and streamlined experience for clients was reported to be better engagement with the service system, which ultimately assists in better outcomes:

That experience of feeling socially supported through a process and having someone as a contact point, I think, changes their experience of their time and potentially their willingness to engage on a long-term basis or to come back at another time. (DVU team)

Often then those clients that we've referred to the social workers end up coming back to us. There's a lot of boomerang, which is good because it's keeping the high risk clients that need us in touch with us if they need to get back. (DVU team)

The DVU team noted that they had quite a few 'repeat' clients, who feel comfortable coming back for help if their circumstances take a turn for the worse at a later stage:

I have seen clients return and because they can talk to the same social worker they did and the same lawyer they did the first time they went round in court ... the social worker is more of a ... soft entry back into the system. They're coming back when they want to talk about leaving [their partner] again. (DVU team)

Better outcomes

Early intervention

As discussed earlier with regard to referrals, the easy accessibility of the DVU via duty lawyer services at court, other practice areas of Legal Aid NSW and external agencies was reported to provide earlier entry into legal advice for clients and to facilitate timely, earlier intervention, with better outcomes:

The earlier they come to us, the more options they have. So clients whose partner has left ... all of a sudden have to pay twice the rent. If they can get some advice early ... we can maintain the tenancy ... or release them from their tenancy, rather than have them at the other end when they're homeless. (Civil lawyer, Legal Aid NSW)

In immigration cases, it was highlighted that DVU services to facilitate ADVOs are 'very timely' for those on bridging visas, given the 'increasing complexity and delays' in the immigration system:

Having the DVU assist at that early stage in helping the client get the AVO is so crucial for the immigration matter, because magistrates can be reluctant to grant AVOs in some circumstances, and it's very important the client ... understand[s] how important the AVO is, not just to their safety, but also for their ability to stay in the country. (Immigration lawyer, Legal Aid NSW)

It was noted that the DVU not only provides an accessible portal to the service system, but also the benefits associated with faster and more coordinated connections between service partners:

especially those women that have ... multiple needs ... They've got case management, legal case management ... They'll get referrals much faster, and they'll get service much faster. (WDVCAP, Legal Aid NSW)

The relationship the DVU has with the family law solution ... has been amazing for recovery orders for the women that have had their children taken from the defendant ... They've sent them down to Family Law Court, linked them in, and they've had the recovery order and the child's been returned that day. (WDVCAS)

someone might be in a local court three or four times with ... different ADVOs before they make a decision to end a relationship and end up in a family court, and of course there may be some gap of six months, two years ... [before] ending up in the family court. By that stage, the information's lost, the continuity is lost ... and they end up in a very alien system. But that ability to connect that person at a much earlier stage, I think, is very consistent with the national recommendations on the topic. (Family law personnel, Legal Aid NSW)

Holistic outcomes

The DVU was typically seen as providing the starting point for wraparound, streamlined services, or a 'one-stop shop' for DFV, with the effect of avoiding client fatigue, and producing better and more holistic outcomes across a broader range of needs:

[The DVU is able] to provide a holistic range of services that are both legal and therapeutic. (Family law personnel, Legal Aid NSW)

Women are getting that holistic view of all their legal problems. (WDVCAP, Legal Aid NSW)

[It's] a bit more wraparound compared to before ... If they [i.e. clients] have to do it themselves, quite often they'll just put it to the bottom of the pile [be]cause there's other more important things that need to be done. (WDVCAS)

It's a more formalised process and so the services work together which makes it far less confusing for the client and it's just more streamlined. (Immigration lawyer, Legal Aid NSW)

A lot of our clients have family, a bit of civil, crime. With DV, the clients have all of these related issues. So it's good to have a unit that know how to service DV clients. (Family lawyer, Legal Aid NSW)

I've seen it's a big difference to be able to send a victim to the one person ... like it's all-in-one, and I think that's made a big difference to the people we've seen with the bigger issues. (DVLO)

It's best if you've got someone who understands DV across all the systems to make sure that the client's getting the best outcome. (DVU team)

The feedback from clients is amazing. I had one client last week actually jump on me. She was off the floor in happiness because she was getting a visa. (Immigration lawyer, Legal Aid NSW)

It was highlighted that the specialist knowledge of the DVU team across the range of legal and non-legal issues related to DFV was critical to providing the client with a holistic service:

It's one thing simply to be able to give legal advice, but ... it's on a whole other level when you're talking about DV because we know it's such a complicated and complex thing to begin with. So I think that understanding of DV [that the DVU team has] is really, really crucial to dealing with our clients ... It's the whole package. (WDVCAS)

As an example of the holistic service provided by the DVU and their partners, one client received legal assistance and social work support to address legal issues and non-legal issues related to children, ADVOs, immigration, government benefits and employment:

We were writing to FACS, making sure that things didn't get out of hand ... and then with [the social worker's] support, ... [the client's] attitude changed and she wanted the AVO and she wanted to report the breaches and ... [the social worker] supported her through court ... The evidence she gave was brilliant ... She's now safe. She also has spousal visa issues, so we've linked her up with immigration ... She had some Centrelink issues, so we were able to information-share that, and now she's in this really great position. She's really happy, she's got supports, she's got a job, she's safe and it's a really great outcome. (DVU team)

Further case studies are presented in Appendix 5, providing examples of clients who the DVU has assisted with a range of issues. These include ADVO, family law and civil law issues (e.g. child safety, emotional abuse, immigration and housing), and also a defendant who was a primary victim of DFV.

Impacts for clients: what could improve

Overwhelmingly, the impacts of the new DVU service for clients were seen as positive. Nonetheless an area that might benefit from further improvement was noted to be in the continuity of services:

Having to have more than one lawyer involved creates a risk of losing your client or losing the trust. But I think it's inevitable. (Civil lawyer, Legal Aid NSW)

Impacts for partners and the system: what is working well

As discussed earlier, a consistent comment from both Legal Aid NSW partners and external stakeholders was that the DVU is a much needed service, filling significant service gaps in the area of DFV. The clear message was that the DVU service should continue and expand to other geographical areas:

The DVU is ... much needed. (Family lawyer, Legal Aid NSW)

It would be wonderful to have a DVU in every DV court because they are stretched far and wide at the moment. (Immigration lawyer, Legal Aid NSW)

I would hate to see it [i.e. the DVU] not there. I now don't really remember what it was like before it was there. (Magistrate)

[The DVU] ... implementation has been a great idea and it was well needed ... I think that we'd really feel it if it ever went away. (DVLO)

[The DVU is] a great concept, I'm hoping it continues and it expands because it's really needed. (WDVCAS)

Impact for Legal Aid NSW

The DVU was seen as representing a major cultural shift in legal service practice within Legal Aid NSW in a number of key respects, as outlined below.

Prioritising victim services

First, the DVU has brought a change in focus on prioritising in-house assistance for victims rather than only for offenders:

We have perceived as an organisation that the people who get the first service from Legal Aid are the clients in crime and therefore we are conflicted from providing services to the victims, and this has meant that we haven't prioritised victims of family violence. (Family law personnel, Legal Aid NSW)

[We are] now prioritising victims of violence in-house, whereas previously we referred them out. (Grants personnel, Legal Aid NSW)

It must be good for the public image [of Legal Aid NSW], and ... for clients ... in our legal advice clinics... It's really nice to be able to refer them somewhere in-house and not just say, "Sorry, we can't help you. See you later." It feels more like a holistic approach, which is nice ... A lot of people drift into our clinics not quite knowing where they stand and where they can access services. (Criminal lawyer, Legal Aid NSW)

The shift in focus to assisting victims of DFV in-house has included assisting those who have been charged as defendants, but are in fact primary victims:

The stats will bear out that there are primary victims who end up as defendants in AVOs or dealing with criminal charges, and the awareness in Legal Aid that Legal Aid can act for these people has increased dramatically, and this has been a result of the creation and focus of the DVU ... Ordinarily we wouldn't assist defendants in AVOs but we can in those circumstances. That's a significant cultural shift. (EIU personnel, Legal Aid NSW)

Coordination across practice areas

Second, the DVU was reported as 'pioneering' collaborative working across the different practice divisions of Legal Aid NSW to provide better holistic services for clients:

[The DVU is] working towards ... holistic service. It's not perfect yet, but it's ... a great step forward for Legal Aid ... We've very much worked in our different silos and don't really have a common language ... The DVU has said, "No, we can work differently in an organisational context". It's really marking that territory ... Before ... we'd refer somebody off to another part of Legal Aid and they were gone, whereas now ... we work collaboratively. (Civil lawyer, Legal Aid NSW)

It's melding two practice areas [i.e. family law and criminal law] and it's had benefits for both those divisions, and that will only develop further with planned significant organisation-wide training that will occur in 2017 from the DVU. (EIU personnel, Legal Aid NSW)

[Previously, we dealt] with presenting problems ... [Now] we're a lot better about unpeeling those layers ... and having awareness of DV and how we can support that client at the same time as helping their housing issue. (Civil lawyer, Legal Aid NSW)

Good coordination among DVU staff, and also between the DVU and other partners, means that each professional can focus on their own area of expertise to facilitate efficient holistic service:

It essentially frees up components of our time to then focus on the legal work because we're not, you know a Jack-of-all-trades. We're able to actually, ... in our respective roles, do what we need to from that holistic perspective for the client. (DVU team)

often before we even see the client, the social worker has already gotten them into a program so we don't have to waste time on that. (Immigration lawyer, Legal Aid NSW)

Better coordination has also enabled a 'cradle-to-grave' approach to service provision where a more 'holistic' service for clients can include better long-term service:

The client comes in at crisis point ... We're doing the advice and duty and carry them through with the prime AVO matter and then hopefully, with capacity, the family law matter, which ... you could be with them for 10 years. (DVU team)

Vulnerability rather than volume

The DVU was also seen as an initial step towards Legal Aid NSW placing value on intensive assistance to particularly vulnerable clients, rather than having a more narrow focus on assisting a high volume of clients:

It's forced us to reconsider the way that we deliver services in quite a significant way and how we prioritise clients. We've been so high-volume [focused] for so long ... focused on how many matters we can take on, and focused on conflict ... that we probably haven't prioritised vulnerability ... That's actually what I think the DVU will force us to ultimately do, but it's part of a much broader organisation need to articulate the value of Legal Aid. (Family law personnel, Legal Aid NSW)

Trauma-informed approach

The DVU was also seen as testing or pioneering a more trauma-informed approach for in-house service delivery to vulnerable clients:

It built our skill in working with DV clients. (Civil lawyer, Legal Aid NSW)

[The DVU does] transformative legal work ... [They have] wonderful tools and resources ... that are not present in the toolkit for lawyers who are in a non-specialised service ... Their use of those tools like, say, a safety plan, has led to much more embedded practices across the whole of the organisation, or at least the Family Law Division ... They've led the way with that because you can't have a safety plan that's developed by the DVU and then transition the client into litigation and ignore it. So they're very important. (Family law personnel, Legal Aid NSW)

trials things [e.g. safety planning] to see how that works and whether you could roll that out more broadly across legal services. (DVU team)

Systemic advocacy

The DVU has also brought to the fore opportunities for systemic advocacy by Legal Aid NSW. An area of note, as already discussed, has been in assisting female defendants in ADVO and DFV matters who are also primary victims. A second area has been in assisting in DFV matters involving forced marriage, in which the work of the DVU has led to the establishment of an inter-government agency network to examine referral and information exchange for these clients.

You start to see ... there is a service gap with female defendants who are primary victims, or ... there's these systematic issues to do with forced marriage ... When you start to have those case studies all kind of pooled in the one place, you identify the problems and potentially (hopefully) the solutions. (DVU team)

It will lead to systemic change. (Immigration lawyer, Legal Aid NSW)

In-house education on DFV issues

Family law personnel commented that the DVU is 'playing an absolute professional leadership role' in educating Legal Aid NSW staff about the subject area of DFV:

They have managed to get great engagement via the family violence specialist network, with development of resources and training; there is much more buy-in and education. So ... there's been real positives and real gains. (Family law personnel, Legal Aid NSW)

Other Legal Aid NSW staff similarly acknowledged the in-house gains resulting from the training provided by the DVU:

There has been really good education training flowing from those meetings. (Grants personnel, Legal Aid NSW)

The DVU have developed resources for solicitors and one of those is risk assessment tools ... also the social workers teach risk assessment. (WDVCAP, Legal Aid NSW)

Impact for the system more broadly

Raising the profile of DFV

The DVU was reported as raising the profile of DFV both within Legal Aid NSW and across the system more broadly:

It's lifted the profile of DV, and the more we can lift it and see it, legal officers representing victims more, people twig to it. It's good for the applicants to have that specialised area within Legal Aid. (Grants personnel, Legal Aid NSW)

DV is finally getting the attention that it should have [had] a long time ago. (Grants personnel, Legal Aid NSW)

[The DVU is] ... putting the information out there about ... how the law deals with DV ... Often community services don't have a good relationship with lawyers. They think that we sell our clients down the river or that we don't understand the nature of violence. (DVU team)

The fact that we now have this highly specialised in-house team who can feed in for the greater good is pretty good in terms of what impacts we can make beyond Legal Aid even to legal practitioners. (Family law personnel, Legal Aid NSW)

[The DFV networking group] in the last two years ... has been exceptional and that's thanks to ... [the director of the DVU]. (Grants personnel, Legal Aid NSW)

More efficient legal processes

The DVU was reported to have an important role in providing a voice for people experiencing DFV who are going through court processes, with one major advantage being more streamlined court processes:

The DVU is making DV lists days run smoothly. (DVLO)

The whole way we interact together ... the process is better ... we've got a better understanding of the matters that we are dealing with at court. (DVLO)

[The DVU] ... helps streamline the matter before the court and can result in fewer adjournments and, possibly, hearings. (Registrar)

[The DVU is] able to facilitate between a victim and a defendant and also us ... figuring out issues or coming to an agreement with ... temporary custody matters ... It makes things flow a lot better for us. (DVLO)

[The DVU] go to the police and advocate and ... say, ... "This is really a matter that you should be taking over" ... which I think is really important. (WDVCAS)

[The person experiencing DFV is able to] speak to someone about the implications of what she is asking for and can get that appropriate advice and support ... [which] saves court time. (Magistrate)

Another critical advantage of legal help at court for 'victims' was reported to be improved outcomes:

The fewer people who are unrepresented before me, the better, and these are serious matters with significant implications... On every AVO list day there are four or more representations from the DVU, and in each of these appearances the advocate has been sensible and immediately understood what needed to be done. (Magistrate)

The DVU and WDVCS work together to explain the implications to the client, but it helps when there is a solicitor there to convince the client of the seriousness of withdrawing [the ADVO]. (Immigration lawyer, Legal Aid NSW)

There was a time where victims weren't given the opportunity to have a say in what was to happen with the custody of the children ... The defendant and their solicitor may have been there, and the victim, not knowing how everything works, may have agreed or just kind of gone along with things, whereas now they obviously have someone there to, you know, take charge and to have an option and to do what's best for the victim. (DVLO)

As discussed earlier, one impact for clients of the DVU service was earlier, timelier intervention for clients. This earlier intervention for clients was also reported to save court time:

What it means for my organisation is that the work gets done and I feel more confident that people are understanding what's happening, which is really important for AVOs because that then affects whether we get more work or not down the track of a more serious nature. (Magistrate)

Impacts for partners and the system: what could improve

Defendants who are primary victims

While the DVU has broken new ground in providing assistance to female defendants who are primary victims of DFV, it was reported that there had been teething problems in working with partners to identify such defendants:

The DVU [is]...seeing women with criminal charges ... but that wasn't clearly enunciated to the WDVCSs and ... the WDVCS coordinators were maybe a bit resistant to that, but it was that they were trying to follow our policy [where a female defendant in a criminal matter would not normally be a priority client] ... that's another thing where change is happening quickly ... (WDVCAP, Legal Aid NSW)

It was also acknowledged that there was still work to be done in establishing clearer processes for identifying such defendants within the system. Identifying these clients is critical given that they may otherwise potentially miss out on grants of legal aid:

we still need to refine how we manage female defendants who are primary victims and how that works with crime ... there's a lot of clients that have that issue and it's a bit of a gap maybe ... it's very difficult to ... ensure ... all clients are being screened for that and they're going to the right place. (DVU team)

The DVU team noted that good coordination is required between the DVU, WDVCSs and criminal lawyers at court to identify and refer such defendants to the DVU for victim advice and support. These defendants can be identified at the intake point by the WDVCS or at a later point by the criminal duty lawyer. The DVU team noted that practices for referring such defendants to the DVU varied at the different courts, and that a system-wide approach would be helpful:

I think it's a relationship that needs to be figured out on how it's going to happen as a system and get all the players involved. (DVU team)

Court processes

One magistrate suggested that if the DVU solicitors could assist ADVO applicants who wanted to make a written agreement with the defendant about contact with children, it may assist with consent orders in court. However, the magistrate wasn't sure if this would be within the DVU's remit. The DVU advise that they assist with parenting plans alongside ADVOs at the local court. Although assisting with consent orders is within the scope of their services, this is rare in practice as it is often not in the interest of ADVO applicants.

Mix of DVU service types

The capacity of the DVU to deal with increasing demand has already been noted as an issue to be addressed. Consideration of the ideal mix of service types provided by the DVU to meet demand was also raised. It was acknowledged that although duty services are very important in that they are a key intake point for clients, they are very demanding and resource intensive. It was noted that, with limited capacity, there is a necessary trade-off between duty work and case work that needs to be navigated. The more duty work you do, the less 'ongoing case work capacity ... [you have to] stay connected with the same clients' (DVU team). The value of expanding the case work capability of the DVU was noted:

[If referrals from the DVU] could all come with case workers, that would just be brilliant, especially ones that can speak a [non-English] language. (Civil lawyer, Legal Aid NSW)

Telephone legal advice was also reported to be an important aspect of the service 'because it can provide advice at crisis point'. However, it was cautioned that telephone advice 'has the capacity to grow exponentially and that's going to have a massive capacity issue' (DVU team). Some days the demand via the telephone line was manageable, but other days, it was 'ridiculous' (DVU team).

Thus, as the DVU service continues to expand and roll out, it will be important to get right the 'balance' of service types provided by the DVU team.

Continuing the in-house cultural shift

While the DVU have already made great strides in shifting the in-house culture of Legal Aid NSW around providing assistance for victims of DFV, it was noted that this is a large undertaking that cannot be achieved all at once:

So the DVU has been tasked with developing in-house DV training for all workers and that's a challenge. (WDVCAP, Legal Aid NSW)

in terms of changing the culture of Legal Aid around DFV and how to work effectively with those victims and perpetrators, like that's a huge task in itself, and providing training, let alone rolling out these initiatives around practice ... So I do think a lot of things are being demanded of them [i.e. the DVU]. (WDVCAP, Legal Aid NSW)

A key area suggested for further training for both in-house staff and external partners concerned female defendants who are primary victims:

people ... find it really tricky ... talking in terms of primary victims ... I don't think it's being screened very well by a number of services who are working in the DV space. Very black and white in their approach and it's just an issue that you can't be black and white about ... it's complicated ... [Police sometimes] miss it ... We've started that process internally, but I don't think we're at the end yet. (DVU team)

The value of further in-house training on a trauma-informed approach to service delivery across the organisation and on the types of civil issues often faced by people experiencing DFV was also raised:

we need to have more understanding on how DV clients present and how it affects their presentation and how we can interact with them in the least traumatic way. (Civil lawyer, Legal Aid NSW)

we should all be trained in what a safe and trauma-informed approach is. (Criminal lawyer, Legal Aid NSW)

Family lawyers can benefit from training about the civil issues that DV clients may have. (Family lawyer, Legal Aid NSW)⁶¹

Legal Aid NSW policies for grants for people experiencing DFV

According to Grants personnel, one corollary of the in-house shift towards providing legal services for victims, including primary victims, is the need to develop appropriate policies at an organisational level for providing grants of legal aid for DFV. They felt that the suitability of the current means test for grants needed to be reconsidered for these cases. They suggested that it may be appropriate to have 'discretionary boundaries for providing grants.'

Vicarious trauma and burnout

There was also concern that working with clients who have often had very traumatic experiences can be difficult for professionals, and can potentially lead to 'vicarious trauma' and 'burnout'.

[There is a need to] deal with vicarious trauma ... family lawyers constantly deal with clients ... with ... complex needs, and it's draining ... We want continuity in representation ideally ... but it is a great challenge ... If they are so drained, they are not able to provide the quality of service that our clients need. So we need to look after our clients, but we also need to look after our staff, in order to look after our clients. (Family lawyer, Legal Aid NSW)

⁶¹ As part of the DV strategy, the DVU has undertaken specialist training with immigration and housing civil law personnel.

You can't actually dismiss the impact that [vicarious trauma] does have, and maybe that hard-core, long-term litigation where you're ... having a much longer relationship, maybe that's the area where we really need to be thinking about vicarious trauma. (Family law personnel, Legal Aid NSW)

I've noticed they [i.e. the DVU lawyers] are working longer and longer hours. I think they're starting to feel the pressure. (Criminal lawyer, Legal Aid NSW)

Thus, going forward, guidelines for reducing the risk of professional burnout, and for responding to it appropriately, may be useful. Guidelines for managing client volume may also assist with reducing burnout. To address the issue of vicarious trauma and burnout, the DVU has arranged for a psychologist to be made available for DVU staff to be able to make anonymous appointments. DVU social workers are also provided with external clinical supervision on a monthly basis. Collegial debriefing among DVU social workers is also commonplace. DVU staff are also receiving training in new methods of working with trauma.

Expansion and sustainability of DVU services

Universally, participants thought that DVU duty lawyer services should be expanded into additional local courts in NSW to provide legal advice on ADVO list days for people experiencing DFV. The initial implementation of these duty services in four local courts could be used to inform broader roll-out across the state, subject to funding availability:

instead of trying to implement an organisational change across the state, we said let's just do it in a small area, and understand what works there and then move on from there. (Civil lawyer, Legal Aid NSW)

In addition, as already noted, from 1 March 2017, DVU services, together with WDVCAS services, were expanded into family court registries, and this was described as a new challenge for the DVU:

So that will be a challenge. The DVU is going to get bigger. We are going to have to go through another period of expansion and re-defining roles and make some decisions about the best way to use our resources. (Family law personnel, Legal Aid NSW)

As noted earlier, some internal partners suggested that more centralised triage may be beneficial going forward, as DVU services expand into family courts and, potentially, other local courts. Since reporting, this recommendation has been implemented.

The DVU includes solicitors with expertise in family, criminal and civil law.⁶² A number of stakeholders noted that further broadening this legal expertise would be useful, either within the DVU team or in dedicated partnership with the DVU team. Views expressed included:

⁶² The DVU includes a part-time criminal lawyer, a victims support specialist and a number of lawyers with a background in a broad range of work including ADVOs and civil law.

the DVU should be a separate unit, not associated with family law and ... there should be lawyers employed in that unit that have civil, criminal and family ... all areas of expertise. (WDVCAP, Legal Aid NSW)⁶³

[Criminal law expertise is important because] the clients come in and they ask ... questions for the partner because whatever happens to that partner may actually determine what she's going ... to end up saying at court ... Or if it's a female defendant and they get charged later on, I think it's helpful to have that experience to provide that advice for the client. (WDVCAS)

As already discussed, the DVU team reported that good relationships with partners at the local level were critical to service success. They noted that local relationships are vital for good referrals into the DVU and also for safety planning, which is 'place-based'. The DVU team suggested that, ideally, local relationships would be developed not only with other professionals working at court, but more widely with additional local agencies working in the DFV sector, such as *Brighter Futures* and the *Staying Home Leaving Violence* program. Effectively building new local relationships is likely therefore to be critical in any expansion of the DVU.

Given that the DVU is a 'test case' for providing Legal Aid NSW services to victims using a trauma-informed approach, the WDVCAP suggested that the DVU should be a both 'policy' unit and a 'practice' unit.

Finally, a few internal stakeholders suggested the importance, going forward, of more systematically assessing the outcomes achieved for DVU clients and the sustainability of the DVU service:

[We need to] put our clients back together as a whole person and try and look at the impact of how working together has improved our client's outcomes. (Civil lawyer, Legal Aid NSW)

on the one hand it's resource intensive ... but on the other hand ... Does that careful case management of the client from that very early stage, does it lead to broader efficiencies? ... When you talk about sustainability ... you need to look at that. (Family law personnel, Legal Aid NSW)

⁶³ Under current organisational arrangements, the DVU must fall under a management structure of one of the program areas and thus Family Law has been deemed to be the most appropriate area.

Conclusions from process evaluation

The process evaluation of the first nine months of implementation of the DVU indicates that, overall, the DVU appears to be operating consistently with its aims.

Quantitative analysis

The quantitative analysis of administrative data indicates that the DVU is reaching disadvantaged people who are experiencing DFV, including those who have dependants, are from a multicultural background, are not employed and are receiving government benefits. As expected based on the estimated prevalence of DFV in the population, DVU clients are predominantly women.

The quantitative analysis also shows that DVU clients received legal and social work assistance for a broad range of legal and related non-legal issues, in keeping with the aim of providing holistic services to this group. Legal advice and assistance spanned family, civil and criminal law, addressing issues that included ADVOs; family law issues such as living with children, spending time with children, divorce and property settlement; civil law issues such as victims' compensation, immigration, human rights, housing and debt; and criminal law issues for defendants who are also primary victims of DFV. The range of social work services included advocacy, case management, referrals, and risk assessment and safety planning.

In addition, consistent with the DVU's aim of triaging clients to receive appropriate types and intensity of service according to their specific needs and capability, the pattern of services provided varied across DVU clients. While some DVU clients received only one type of service, others received multiple types of services which could include duty lawyer services, legal advice, minor assistance, legal aid grants and social work services.

To assist with its aim of providing accessible services, the DVU also conducted and participated in numerous CLEI events for members of the general public and non-legal workers, and provided in-house training to Legal Aid NSW staff.

Qualitative analysis

In general, the interviews and focus groups conducted with internal and external stakeholders provided very positive feedback about the professionalism, expertise and dedication of the DVU team, the important gaps filled by the service, and the benefits of the service to both clients and service providers.

In particular, the DVU was seen as filling legal service gaps for victims of DFV by providing more integrated, holistic services via duty lawyer services at court, dedicated legal advice lines and clinics, and coordination with other practice areas within Legal Aid NSW. The victims assisted extended to those who are ineligible for legal aid grants and 'primary victims' who are also defendants. The DVU was also seen as filling gaps in social work support and assistance to people experiencing DFV, often complementing the court support roles of the WDVCSs.

Further, the DVU service was perceived as embracing a trauma-informed approach to service delivery, with processes in place to assess the client's risk of experiencing further violence and to provide safety planning, as needed, to reduce this risk.

Overwhelmingly, stakeholders provided very positive feedback about the impacts of the DVU service for clients, reporting numerous benefits. These benefits included timely access to services and earlier intervention; a safer, more supported and empowering experience for clients; and more streamlined wraparound services to address the range of legal and non-legal needs experienced by clients.

Benefits were also reported for internal and external partners and for the service system more widely. Benefits for Legal Aid NSW as an organisation included increased focus on the following: assisting victims, coordinating services across practice areas, valuing intensive services for vulnerable clients rather than only client volume and operating services with a trauma-informed approach. Benefits were also reported in terms of raising the profile of DFV in the system more broadly and streamlining legal and court processes in response to DFV.

Fostering relationships with partners at the local level was seen as instrumental to the successes achieved by the service. Typically, positive relationships were reported between the DVU and both internal and external partners, with warm referrals occurring in both directions via multiple pathways, facilitating timely and holistic legal and non-legal assistance.

Despite consensus about the clear value of the DVU service, some challenges with the early implementation of the DVU were nonetheless noted, and suggestions were provided for improving the service going forward. Most of the suggested improvements centred around facilitating more streamlined and more efficient collaborative working between the DVU and their partners. These suggestions included clearer or more ongoing communication between partners to ensure shared understanding regarding referral processes, information sharing, conflicts of interests, holistic service coordination, eligibility for legal aid grants, and the distinct yet complementary roles of partners, particularly those of the DVU and WDVCAS. Suggestions also included increasing communication and feedback between partners, enhancing continuity of services and more centralised triage. In addition, a clear message from stakeholders was that the capacity of the DVU may need to be increased in order to meet increasing demand for the service. The benefit of better infrastructure for some of the court safe rooms was also raised. The ideal set-up was suggested to be a safe room located at the front of the court, that is large enough for all victims and has internal access (or nearby access) to separate interview rooms for DVU solicitors.

Internal stakeholders also felt that it was important to continue the impetus that the DVU had provided for a 'cultural shift' within Legal Aid NSW towards more trauma-informed services for victims and coordinated service delivery across practice areas.

Implications for the expansion of the DVU

Although stakeholders felt that addressing the above issues would improve the DVU service, they unanimously supported the continuation of the service, with several noting that doing without the service would be 'unimaginable'. The process evaluation provides

valuable data to inform the roll-out of the DVU service into family court registries and any expansion to other local courts across NSW.

Notably, building good collaborative relationships with partners at the local level was important in the successes achieved by the DVU service to date. Investing time and having capacity to foster effective local relationships in new geographic areas and jurisdictions is therefore likely to be critical as the DVU expands, and may be a challenge that needs to be negotiated. As stakeholders suggested, clearer guidelines and protocols around collaborative working may facilitate shared understanding of the different roles and responsibilities of partners, as well as more streamlined, continuous and holistic services for clients. Bedding down referral and information-sharing processes, elucidating client eligibility for legal aid grants, and clarifying the roles of the DVU team compared to those of the WDVCSs were of particular note. Stakeholders reported that while good relationships between service providers were vital, reliance on just one or two familiar faces within a service in the absence of more formal, agreed protocols was less than ideal.

In addition, the capacity of the DVU in the face of increasing demand as its services expand is another key area that may need to be negotiated going forward. Stakeholder feedback clearly indicated that the DVU team were already stretched and also noted the challenge of potential 'burnout' resulting from working in a service area where 'vicarious trauma' can be a threat. Developing service guidelines and protocols, increasing communication and feedback with existing partners and fostering local relationships with new partners all require sufficient investment in time and capacity within the DVU and partner organisations to come to fruition.

4. Ongoing monitoring and outcome evaluation

The Foundation developed a broad evaluation framework for the DVU which includes not only the plan for the process evaluation (reported on here), but also a broad plan for the ongoing monitoring of the DVU and for an outcome evaluation to be conducted at a later time. The evaluation framework document is presented in Appendix 6.

Improving data collection

One purpose of this process evaluation was to pilot the use of available administrative data for the outcome evaluation to come. The evaluation highlighted some areas for change and further development to support ongoing monitoring and the final evaluation. Some of these changes have already been made.

As indicated in the evaluation framework, Legal Aid NSW generally has in place data collection processes both for:

- the ongoing monitoring of the DVU service
- the aspects of an outcome evaluation that can reasonably be expected to be examined via administrative data (e.g. the extent to which the DVU is reaching vulnerable clients and providing appropriate services).

However, findings from the process evaluation have demonstrated that Legal Aid NSW's existing data collection measures have limitations (as discussed below). Furthermore, as noted in the evaluation framework, the outcome evaluation will require supplementation of administrative data with other methods to measure client outcomes and the extent to which DVU services operate with a trauma-informed approach. Thus, further work is required to determine appropriate methods for following up DVU clients to gather this information. For example, the suitability of the existing Legal Aid NSW client satisfaction survey for the purpose of measuring clients' experience of the DVU could be examined, but a more targeted survey specifically for DVU clients may be required. Measuring the outcomes achieved by clients is likely to require new purpose-built methods.

Limitations of existing data collection measures

The process evaluation highlighted a few areas in which the available administrative data did not capture the detail required about certain demographic characteristics of DVU clients and the services delivered to them. Limitations were noted regarding both the fields available on data collection forms (e.g. the duty form) at the time of the process evaluation, and the configuration of Legal Aid NSW's databases (notably CASES and CARS) to enable accurate reporting of important DVU activities.

As a result of these challenges, we could not accurately report here on the following demographic characteristics:

- disability status and disability type
- English proficiency (see section on *DVU client profile* for further details).⁶⁴

In addition, client income was not included in the present report due to too much missing data on CASES. A further complication was that the same code of '0' (i.e. zero) is used for both missing information on income and no income. That is, cross-checking with the employment and government payments fields suggested that zero entries for income were used both to indicate:

- *no income* for clients who were unemployed and not receiving government benefits
- *missing information on income amount* for clients who were employed or in receipt of government benefits.⁶⁵

Thus, more systematic capture of income amount would be needed before income could be reported on reliably. In addition, if CASES were replaced with a new database in the future, separate codes for missing income and no income are recommended to improve the ease of reporting, as simply relying on the income field (without cross-checking against other fields) would currently produce inaccurate results. Similarly, it was also not clear to what extent zero entries for net assets reflected that the client had no assets as opposed to missing information on net assets. Furthermore, there is currently no relevant variable on CASES for cross-checking that would enable separating no net assets from missing information on net assets.

A related issue was that there were also other fields where a particular code/entry did not appear to have consistent meanings, such as entries of 'not supplied' and 'not applicable'. 'Not applicable' should be used only if the data field is not relevant to the client, and should not be used when the data field is relevant but the information is missing because the data was not collected. To give one example, our investigations revealed that recordings of 'not supplied' in the field capturing whether the client received the maximum government benefit amount could mean either:

- the client did not receive a government benefit (in which case the entry should have been 'not applicable' rather than 'not supplied')
- the client did receive a government benefit, but information was missing on whether the government benefit received represented the maximum possible benefit amount (in which case the entry should have been 'not supplied').

Again, although there may be workarounds by cross-checking across related fields (e.g. government benefit=yes/no compared to maximum benefit=yes/no), any future database system would ideally have a consistent meaning and code for 'not applicable' as opposed to 'missing/not supplied'.

⁶⁴ These shortcomings may no longer be present, given that at the time data was extracted for this evaluation, the Legal Aid duty form that had been used by the DVU did not record disability status and English proficiency.

⁶⁵ Note that while some clients on government benefits had no income amount entered, others did have an income amount entered. Another issue with the income data was that there was a small percentage of clients who had different income amounts on the spreadsheets provided to us for different service types. This issue was not anticipated given that CASES purportedly retains only one entry for income, overwriting previous entries when an update is entered to reflect an actual change in the client's income. It is possible that the different incomes for the same client resulted from extracting information at different points in time for the different spreadsheets.

With regard to information on services, there were inconsistent recording practices in what constitutes a *single social work service*. As a result, the data provided to us by Legal Aid NSW on the number of social work services delivered to DVU clients may not be reliable. However, training is in place to address these inconsistent practices (see section on *Services per client* for further details). This inconsistent recording also speaks to the limitations of CARS during the reporting period. CARS was only updated to collect information on risk assessment, safety planning, counselling and practical assistance towards the end of the reporting period.⁶⁶ However, in the absence of an alternative database to electronically record case management, some social workers used CARS to record notes on interactions with clients and other activity.

In addition, given restrictions with the CASES system, secondary matters dealt with during a duty service cannot be recorded as part of that duty service. In the data provided to us, these *duty services for secondary matters* were instead recorded as *advice services for primary matters that were provided at court* because there is no option in the CASES database to record duty services in more than one area as one service. Although workarounds are possible if the data analyst is made aware of this recording practice, this situation is not ideal.

Furthermore, CASES allows reporting by service, but does not allow easy reporting by client, which does not facilitate obtaining a clear picture of the holistic needs of clients.

In summary, any future updates to Legal Aid NSW's administrative database capabilities should ideally consider mechanisms to facilitate:

- more comprehensive collection of relevant demographic information (such as income)
- more streamlined separation of missing information from non-applicable information
- reporting of both primary and secondary matters
- reporting by both service and client.

⁶⁶ Making changes to the CARS system, for example to better record case management activity, is not a quick process.

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Appendices

Appendix 1: DVU program logic

Problem(s) identified:

There are people, most often women and children, who require legal assistance to become and remain safe from domestic and/or family violence (DFV), but who face complex barriers to accessing assistance for their (often multiple) legal and non-legal issues. They can find their journey through the legal system to be re-traumatising and insensitive, and sometimes articulate feeling emotionally unsupported or isolated. This experience is in part due to the siloing of legal processes and services by type of legal problem within different jurisdictions (state versus Commonwealth), different courts and different areas of legal expertise. This siloing also challenges service delivery. Consequently, people can find it difficult to navigate through the legal system to address all of their legal and non-legal problems, and can find services and the system to be confusing, burdensome, repetitive and unresponsive to their needs.

Premises/assumptions underpinning the project

People experiencing or at risk of DFV may require legal assistance to become and remain safe.

They may have multiple legal issues that can include ADVOs, but also family law and child protection issues, such as parenting, property settlement and child support, as well as civil law matters, such as immigration, victims support, housing, social security and credit/debt, and also criminal law problems (e.g. female defendants who are primary victims of DFV). Therefore, Legal Aid NSW comes into contact with people experiencing or at risk of DFV in its family, civil and criminal law practices.

Clients require legal services that are delivered in a safe environment and are alert and responsive to the impact of trauma on clients resulting from DFV and other life experiences.

People experiencing or at risk of DFV may first seek assistance from agencies other than Legal Aid NSW.

Legal assistance is only part of the solution for helping people to become and remain safe from DFV.

The circumstances of victims and their experiences of DFV are varied.

Clients require a proportionate legal and social response which is adapted to their needs. Some clients who are at serious threat and have complex legal and social needs require intensive legal and social casework support.

Clients may not accept the advice/assistance offered, or may require time to accept advice/assistance. The decision-making remains with the client.

External factors that may influence project outcomes

The availability of other support and services that are also required to assist people to become and remain safe from DFV.

Risk of death or serious harm as a result of DFV, which can escalate when legal advice/assistance is sought.

Choices or circumstances which mean that people may continue to live with differing degrees of risk of DFV. Examples include financial and housing circumstances, children's needs and psychological, cultural and religious factors etc.

Relationships between all service providers involved.

Staffing changes.

Inputs	Activities	Outputs	Short-term outcomes	Overall outcomes
<p>The DVU team of specialist and trauma-informed solicitors, social workers and support staff:</p> <ul style="list-style-type: none"> • DV Specialist Solicitor • 2 Senior Solicitors • 3.5 Solicitors • 2 Social Workers • 1 Information and Referral Officer (IRO) • Legal Support Officers (LSOs). 	Make services accessible to vulnerable clients			
	<p><i>Direct, accessible services to people most vulnerable to DFV, including:</i></p> <ul style="list-style-type: none"> • duty lawyer service for DVF related issues alongside ADVO lists at Bankstown and Liverpool (SWS) and at Burwood and Fairfield (CS) Local Courts • specialist DVU clinics at Bankstown Women’s Health Centre, Burwood Community Welfare Service and at the local courts after the ADVO list • dedicated IRO staffed DVU phone and email line for clients and service providers to request advice/assistance from the DVU. <p>DVU IRO triaged telephone/email/webcam advice for WDVCS workers supporting clients experiencing DFV and related legal issues at selected courts that do not currently have a DVPS duty solicitor (not yet started).</p> <p><i>Legal education and information:</i></p> <p>Develop and deliver community legal education (CLE) to:</p> <ul style="list-style-type: none"> • frontline non-legal workers and community members to assist them to: identify people in need of legal help for DFV related issues; and to refer/support clients into the DVU – to both the SWS and CS arms of the DVU – as well as to other parts of Legal Aid NSW (e.g. legal information workshops in partnership with SSI) • community members to increase their knowledge about the dynamics of DFV, the availability of legal mechanisms and services to assist victims (and to some extent, perpetrators) and how to refer clients to the DVU as well as other parts of Legal Aid NSW. <p>Develop and/or distribute information resources to support appropriate referrals to the DVU by frontline workers and others.</p>	<p><i>Direct, accessible services:</i></p> <p>Number, types, locations and hours available of DVU services.</p> <p><i>Legal education and information:</i></p> <p>Number, type, topics and audience of CLEI sessions delivered to frontline non-legal workers.</p> <p>Number, type and topic of resources developed to support referrals to the DVU.</p>	<p><i>For clients:</i></p> <p>See section ‘Provide appropriate and proportionate assistance to vulnerable clients’.</p> <p><i>Referrals made to DVU by:</i></p> <ul style="list-style-type: none"> • other agency partners • workers receiving CLEI • others. 	<p><i>For clients:</i></p> <p>People, typically women and their children, are supported through legal processes to build lives safer from DFV.</p>

Inputs	Activities	Outputs	Short-term outcomes	Overall outcomes
Provide appropriate and proportionate assistance to vulnerable clients				
<p>DVU partners within Legal Aid NSW (e.g. that refer clients and take referrals), including:</p> <ul style="list-style-type: none"> • Family Law (inc. Early Intervention Unit – EIU), Civil Law (inc. government law personnel) and Criminal Law practice areas (particularly Liverpool, Bankstown, Fairfield and Burwood Local Court criminal law duty personnel) • Women’s Domestic Violence Court Advocacy Program (WDVCAP) • Grants and Complaints sections • Publications and CLE units. 	<p><i>Triage:</i></p> <p>Phone line and email contact has DVU IRO as first point of contact and triage.</p> <p>Identify clients at serious threat and/or with complex legal and social needs (including an assessment of vulnerability and capability), and triage to appropriate level and type of service.</p> <p>Provide service proportionate to need and capability.</p> <p><i>Types of DVU services:</i></p> <p>Provide advice, assistance, referral, representation and social work services for a range of DFV related legal issues. Assistance provided to each client takes account of their vulnerability, capability, legal needs and safety risk.</p> <p>Provide specialist legal advice to people experiencing or at risk of DFV through free advice clinics in SWS and CS, through a dedicated phone line and email inbox and at the safe rooms at court as referred by the WDVCAS.</p> <p>Provide duty lawyer service for DFV related issues alongside ADVO lists at Bankstown and Liverpool (SWS) and Burwood and Fairfield (CS) Local Courts.</p>	<p><i>Triage:</i></p> <p>Triage criteria, including risk assessment, are used to determine services provided.</p> <p>Number of clients assisted by different DVU services fitting the profile of high need/disadvantage e.g.:</p> <ul style="list-style-type: none"> • with disability • low income • postcode • multicultural background (e.g. country of birth, time in Australia, main language spoken, interpreter required) • dependent children • Indigenous • risk status • multiple legal issues. <p><i>Types of DVU services:</i></p> <p>Number/type of legal issues dealt with by DVU for different clients.</p> <p>Type/ intensity of service for different clients.</p> <p>Number and type of services provided by DVU social workers (e.g. safety planning, case management).</p> <p>DVU provides services in different formats for different clients/circumstances.</p>	<p><i>For clients:</i></p> <p>DVU services are provided to people experiencing or at risk of DFV.</p> <p>Clients are provided with legal and other services that are tailored to their legal issues, circumstances and capability, with more intensive services being provided to clients who are at serious threat and/or with complex legal and social needs.</p> <p>Clients are provided with legal and other services that support them to live safer from DFV.</p> <p>Clients feel respected and supported in addressing their legal and other needs relevant to becoming/remaining safe from DFV.</p> <p>Clients have an understanding of what can be achieved for them.</p>	

Inputs	Activities	Outputs	Short-term outcomes	Overall outcomes
<p>DVU partners from other agencies, including:</p> <ul style="list-style-type: none"> • Women’s Domestic Violence Court Advocacy Services (WDVCAS) • Bankstown and Liverpool Local Courts (SWS) and Burwood and Fairfield Local Courts (CS) • Domestic Violence Practitioner Scheme (DVPS) lawyers • SWS Legal Centre • Women’s Legal Services (WLS) NSW • Wirringa Baiya Aboriginal Women’s Legal Centre • Private lawyers • NSW Police (DVLOs) • Migrant Resource Services and Settlement Services International (SSI) • Family and Community Services (FACS) • Bankstown Women’s Health Centre • Burwood Community Welfare Service • Bankstown Domestic Violence Service and Staying Home Leaving Violence 	<p>Provide follow-up legal and social work assistance to advice and duty service clients as appropriate.</p> <p>Provide legal representation and social work casework to clients who are at serious threat or who have complex legal and/or social needs.</p> <p>Risk issues for clients are identified; and plans for client safety (in their lives; and in the management of their legal matters) are devised and implemented.</p> <p>Provide case management and/or facilitated referral of clients for legal and non-legal problems as needed (including through the sharing of information with other legal and non-legal services through client authority) to ensure that clients are supported through processes and the need for clients to recount traumatic experiences is minimised.</p> <p>In all work, adopt a safe, trauma-informed approach to assisting clients.</p> <p><i>Work in partnership to provide holistic services:</i></p> <p>Work in partnership with other sections of Legal Aid NSW (e.g. referrals/warm referrals to and from DVU and other sections) to ensure a holistic approach to addressing a range of DFV and related legal issues, including ADVOs, family law, care and protection, housing, social security, credit/debt problems, immigration, victims support and criminal law.</p> <p>Work in partnership with external agencies (e.g. referrals/warm referrals from DVU to external support services) to ensure:</p> <ul style="list-style-type: none"> • client safety • a holistic approach to addressing a range of non-legal needs related to safety from DFV. <p>Provide case management to identified clients (e.g. clients at serious threat or who have complex legal and/or social need) to support them to address non-legal issues and to keep them engaged with Legal Aid NSW to address their legal issues.</p>	<p>Continuity of service delivery as evidenced in rostering/administrative data.</p> <p>Positive feedback from clients on service delivery.</p> <p><i>Work in partnership to provide holistic services:</i></p> <p>DVU has identified and built strong and relevant partnerships.</p> <p>Partnership with the DVU is valued by other relevant stakeholders</p> <p>Effective internal and external referral processes are in place, as well as other outputs of effective partnering.</p> <p>Number and type of referrals/warm referrals between DVU and other sections of Legal Aid NSW.</p> <p>Number and type of legal issues dealt with by other sections of Legal Aid NSW.</p> <p>Total number and type of assistances (by DVU and other sections of Legal Aid NSW) per client.</p>	<p><i>For the community/funders:</i></p> <p>Legal Aid NSW works as part of a network of services to provide holistic assistance and support to people experiencing DFV.</p> <p><i>For partners:</i></p> <p>Increased collegial, supportive relationships, sharing of knowledge, less duplication, increased capacity for innovation.</p>	<p><i>For partners:</i></p> <p>Shared clients have the legal assistance they require to build lives safer from DFV.</p>

Inputs	Activities	Outputs	Short-term outcomes	Overall outcomes
<ul style="list-style-type: none"> Aboriginal support services Other non-government organisations. 	<p><i>Strategic advocacy</i></p> <p>Engage in strategic advocacy based on any relevant issues identified through the work of the DVU.</p>	<p>Number and type of referrals/warm referrals from DVU to other external support services.</p>	<p><i>Contribution to systemic change</i></p>	
Increase the capability of Legal Aid NSW to appropriately respond to DFV				
	<p>Review/develop in-house practice resources and tools, and provide systematic education and training for Legal Aid NSW staff (which can also be used externally).</p> <p>Deliver training for Legal Aid NSW staff to increase capacity to identify people experiencing and at risk of DFV and to respond holistically, using a trauma-informed approach.</p> <p>Develop referral protocols between DVU and other parts of Legal Aid NSW to ensure streamlined service delivery.</p>	<p>Number/type/topic of training/education sessions delivered to other sections of Legal Aid NSW and resources developed/updated.</p> <p>Key messages from training understood.</p> <p>Number/type/topic of relevant resources accessed by Legal Aid NSW staff on website.</p> <p>Number of appropriate referrals between (to and from) DVU and other parts of Legal Aid NSW.</p> <p>Wide use of the safety flag on the CASES system.</p> <p>Compliance with DFV protocols (e.g. for screening, risk assessment, safety planning, referrals, data recording, etc.).</p>	<p><i>For Legal Aid NSW:</i></p> <p>Improved capability of Legal Aid NSW to provide holistic, trauma-informed services to people affected by DFV.</p> <p>Any relevant lessons learned from DVU applied to Legal Aid NSW service delivery in other areas of practice or more broadly.</p>	<p><i>For Legal Aid NSW:</i></p> <p>Legal Aid NSW staff are skilled in identifying and appropriately supporting people experiencing or at risk of DFV.</p>
DVU model provides a costed, appropriate and sustainable model of service				
	<p>To examine the cost of the DVU using available information and data.</p>	<p>The cost of the DVU program can be assessed.</p> <p>Continued effectiveness against the outputs listed above.</p>	<p>The value of the program can be examined.</p> <p>Changes in practice and outcomes are sustained over time.</p>	

Appendix 2: Process evaluation stakeholder feedback

Appendix 2.1 List of stakeholder participants

The position titles of key stakeholders who provided their views are listed below, grouped by organisation/service.

Legal Aid NSW

Domestic Violence Unit (DVU) team

- Solicitor in Charge
- Senior Solicitor (Commonwealth position)
- Solicitor – based at Central Sydney
- Solicitor – based at Central Sydney
- Solicitor (Commonwealth position) – based at Liverpool
- Solicitor
- Legal Support Officer
- Information and Referral Officer
- Social Worker – based at Central Sydney
- Social Worker (Commonwealth position)
- Social worker

Family law personnel

- Executive Director Family Law
- Solicitor in Charge – Bankstown
- Solicitor in Charge Early Intervention Unit (EIU)

Civil law personnel

- Solicitor in Charge – Fairfield
- Immigration Solicitor
- Immigration Solicitor

Criminal law personnel

- Senior Solicitor – Liverpool
- Senior Solicitor – Fairfield
- Senior Solicitor – Burwood

Grants personnel

- Director Grants
- Senior Criminal Solicitor and Grants Officer

Women's Domestic Violence Court Advocacy Program (WDVCAP)

- Manager WDVCAP
- WDVCAS Training Officer

External stakeholders/partners

Women's Domestic Violence Court Advocacy Service (WDVCAS) – South West Sydney

Coordinator
Assistant Coordinator
Court Advocacy Worker
Culturally and Linguistically Diverse Court Support Worker

WDVCAS – Burwood

Coordinator
Assistant Coordinator

WDVCAS – Macquarie (Burwood and Parramatta Local Courts)

Coordinator

NSW Police Domestic Violence Liaison Officers (DVLOs) – Liverpool

Senior Constable
Senior Constable

NSW Police DVLO – Bankstown

Senior Constable

NSW Police DVLO – Burwood

Senior Constable

NSW Police DVLO – Fairfield

Senior Constable

Burwood Local Court

Magistrate
Registrar

Liverpool Local Court

Magistrate

Bankstown Women's Health Centre (in which a DVU advice clinic operates)

Manager

Appendix 2.2 Email to stakeholders re question schedule

The email began with an appropriate greeting and introductory comments, according to the particular stakeholder's knowledge of the Foundation and the study, and invited the stakeholder to participate in an interview. The email then provided the following information about the interview.

Feedback re Domestic Violence Unit (DVU)

Legal Aid NSW's Domestic Violence Unit (DVU) began operation in January 2016. It offers wraparound, intensive services to people at serious risk of domestic and family violence (DFV) who have complex legal and social needs. It provides both legal services and social work support for a range of legal problems related to DFV, including ADVOs, family law, care and protection, housing, social security, credit/debt problems, immigration, victims support and criminal law. The DVU operates a duty lawyer service alongside the ADVO lists at Burwood, Fairfield, Bankstown and Liverpool Local Courts, as well as free legal advice clinics and telephone and email advice services.

The Law and Justice Foundation has been engaged to consult key partners and stakeholders to assess the initial operation of the DVU and inform any further refinement of the service. We are an independent statutory body with extensive expertise in conducting research and evaluation to inform legal service delivery and access to justice.

We would like to invite you to provide your feedback on the **activities of the DVU** that are relevant to your work. **Could we please schedule a time for a face-to-face or phone interview at your earliest convenience?** For each activity we would like your thoughts on:

1. How well is this activity operating? What, if any, aspects are not operating well?
2. What, if any, changes could be made to this activity to improve the function of the DVU?

We would also like your thoughts on the **impact of the DVU**.

The table below details the DVU activities for which we would like to get your comments.

Thank you for your assistance. We look forward to hearing from you to schedule an interview time.

Activity	How well is the activity operating? Any issues/challenges?	Suggestions for improvements?
1. Risk assessment		
2. Intake and triage		
3. Referrals in and out of the DVU		
4. Effective working between the DVU and you/your service		
5. Placement of DVU duty lawyers in safe rooms at court		
6. Continuity of service for clients		
7. Safe and trauma-informed approach to assisting clients		
Impact	Comments	
8. What impacts is the DVU having for your clients?		
9. What impacts is the DVU having for you, your organisation and the system more broadly?		
10. Do you have any other comment, positive or negative, about the DVU? (E.g. about its operation, function or any improvements?)		

Appendix 2.3 Specific questions asked of each stakeholder

Activity	Stakeholders asked about this activity
1. Risk assessment	DVU; WDVCAS
2. Intake and triage	DVU; WDVCAS
3. Referrals in and out of the DVU	DVU; all internal (Legal Aid NSW) partners; WDVCAS; police DVLOs
4. Effective working between the DVU and you/your service	All
5. Placement of DVU duty lawyers in safe rooms at court	DVU; WDVCAS; police DVLOs; Magistrates
6. Continuity of service for clients	DVU; WDVCAS; relevant internal (Legal Aid NSW) partners, namely Family Law, Civil Law, Criminal Law, Grants personnel
7. Safe and trauma-informed approach to assisting clients	All
Impact	Stakeholders asked about this question
8. What impacts is the DVU having for your clients?	All
9. What impacts is the DVU having for you, your organisation and the system more broadly?	All
10. Do you have any other comment, positive or negative, about the DVU? (E.g. about its operation, function or any improvements?)	All

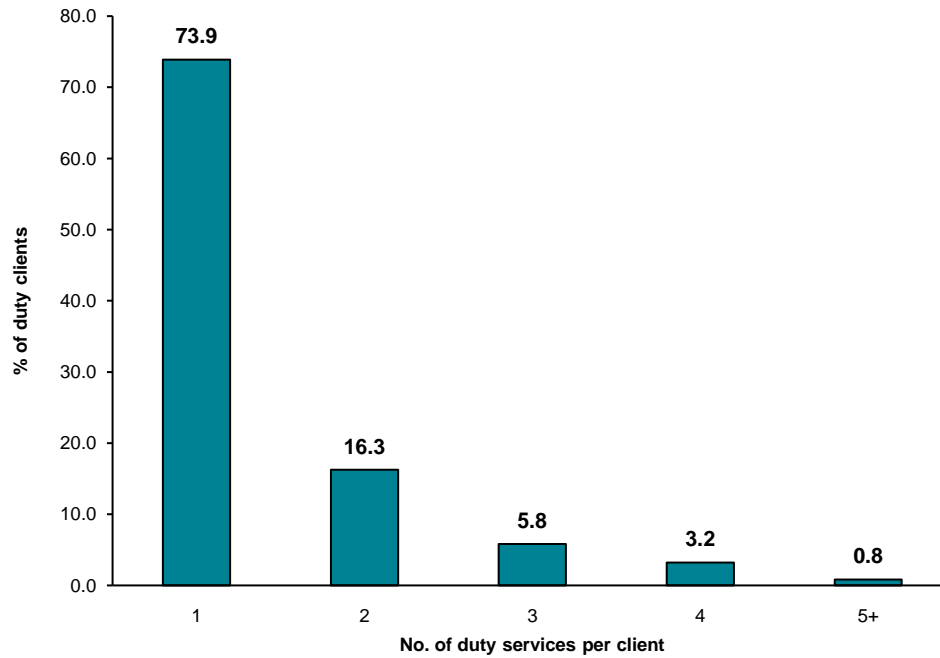
Appendix 2.4 Consent to include stakeholder comments

Thank you kindly for your useful feedback. Your comments and those from other stakeholders will help us to report on the operation of the DVU and suggest any useful improvements.

Our report may be published, and we would like to acknowledge everyone who participated by providing their position title and organisation. Can I please check if you are happy for us to refer to your comments in the report and to provide your position title and organisation?

Appendix 3: Number of services of each type

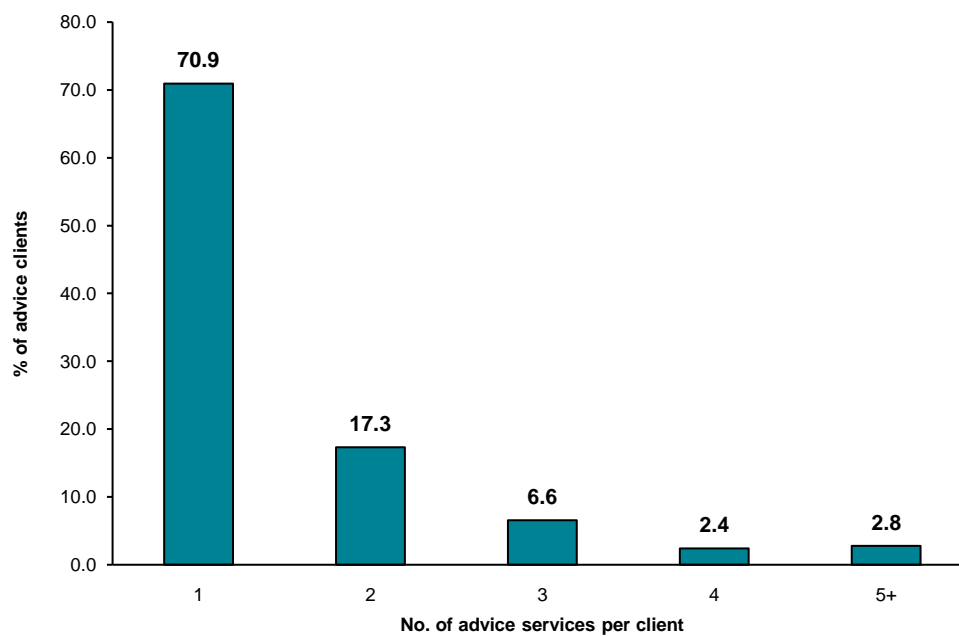
Figure A3.1: Number of duty services per client for DVU clients receiving duty, primary matters



Note: N=720 DVU clients receiving duty services.

Source: Analyses of CASES data.

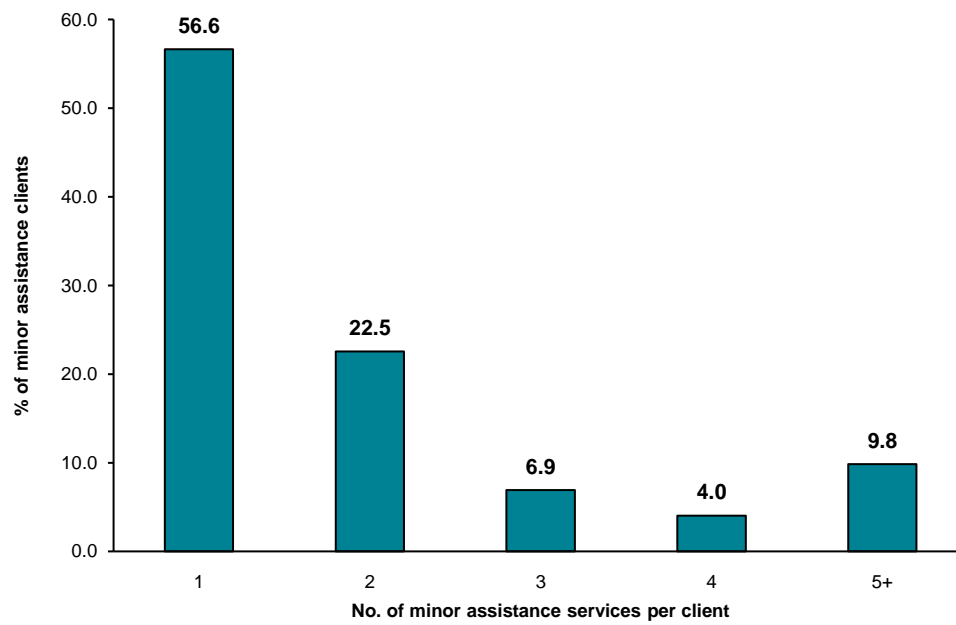
Figure A3.2: Number of advice services per client for DVU clients receiving advice, primary matters



Note: N=289 DVU clients receiving advice services.

Source: Analyses of CASES data.

Figure A3.3: Number of minor assistance services per client for DVU clients receiving minor assistance, primary matters



Note: N=173 DVU clients receiving minor assistance services.

Source: Analyses of CASES data.

Appendix 4: CLEI events delivered by the DVU

CLEI type ^a	Description	Target group(s)	Audience type(s)	Topic(s) covered	
S	Presentation on family law for the Muslim Women's National Network Australia	Multicultural background	General public	General	Legal Aid NSW policy/services
W	DFV: Law for Community Sector Workers workshop	Any group	Community workers	ADVOs DFV Going to court General	Legal Aid NSW policy/services Separation
P	Webinar – AVO applicants, Law Webinars for everyone	Any group	General public	DFV	Legal Aid NSW policy/services
P	The DVU partnered with the EIU and SSI to provide CLE seminars to newly arrived migrants, bilingual guides and workers on the laws in Australia, including family law and DV	New migrants ^b	General public	ADVOs Care & protection Child support DFV Divorce Family dispute resolution Going to court	Harassment Housing law Legal Aid NSW policy/services Migration Parentage issues Separation Talking to police
P	SSI presentation	Multicultural background New migrants ^b People in DFV situations Separating families Women	General public	ADVOs Children's issues Care & protection Child support DFV Divorce Family dispute resolution General	Going to court Harassment Housing law Legal Aid NSW policy/services Migration Property/financial issues Separation Talking to police
FP	The DVU were part of the panel providing family law and DV training to WDVCS workers	Any group People in DFV situations	Community workers	Care & protection Child support Children's issues DFV	Family dispute resolution Property/financial issues

F	Burwood WDV CAS ran a course called 'After the Storm' for women who had left DV relationships at least 3 months prior. The DVU presented the legal session.	Any group People in DFV situations	General public	Children's issues Child support DFV Divorce Family dispute resolution Going to court	Legal Aid NSW policy/services Property/financial issues Separation
P	Law Week event	Any group	Community workers	Care & protection Children's issues Divorce DFV Going to court Housing law	Migration Property/financial issues Separation Social security
P	Law Week event	Any group People in DFV situations Women	General public	ADVOs Care & protection DFV	General Other Talking to police
P	Law Week event	Multicultural background Older people ^c People in DFV situations Separating families Women	General public	Advocacy Care & protection Child support Children's issues Children's representation DFV Divorce Family dispute resolution	General Going to court Legal Aid NSW policy/services Other Parentage issues Property/financial issues Separation
P	Law Week event – The DVU helped organise this event but did not present	Multicultural background Older people ^c People in DFV situations Separating families Women	General public	ADVOs Care & protection DFV Divorce Going to court	Legal Aid NSW policy/services Parentage issues Property/financial issues Separation

S	Fairfield CLE Expo for Law Week	Any group Indigenous people ^d Homeless people Multicultural background New migrants ^b Older people ^c People in DFV situations People with a disability ^e Women Young adults (18–25 years) Young people (10–17 years)	Community workers General public Other professionals Students ^f	Civil liberties DFV Divorce Migration	
P	Law Week event	Multicultural background Older people ^c People in DFV situations Separating families Women	General public	Advocacy Care & protection Child support Children's issues Children's representation DFV Divorce Family dispute resolution	General Going to court Legal Aid NSW policy/services Other Parentage issues Property/financial issues Separation
P	Law Week event	Any group	General public	Advocacy ADVOs Care & protection Child support Children's issues Children's representation Committals DFV Divorce	Family dispute resolution General Going to court Legal Aid NSW policy/services Other Parentage issues Property/financial issues Separation
P	Law Week event – The DVU helped organise this event but did not present	People in DFV situations Women	General public	ADVOs Care & protection DFV	General Other Talking to police

P	Law Week event – The DVU helped organise this event but did not present	Any group	General public	Advocacy ADVOs Care & protection Child support Children's issues Children's representation Committals DFV Divorce	Family dispute resolution General Going to court Legal Aid NSW policy/services Other Parentage issues Property/financial issues Separation
P	Webinar – AVO applicants, Law Webinars for everyone	Any group	General public	DFV	Legal Aid NSW policy/services
P	SSI presentation	Multicultural background New migrants ^b People in DFV situations Separating families Women	Community workers	ADVOs Care & protection Children's issues DFV Divorce General Going to court Housing law	Legal Aid NSW policy/services Migration Separation Talking to police Victims' compensation
P	The DVU presented a session on DFV, family law and care & protection law at the NSW Health Aboriginal Health and Family Violence state-wide meeting	Any group Indigenous people ^d	Community workers	Care & protection Children's issues DFV Family dispute resolution General	Separation
W	SSI presentation	Any group Multicultural background New migrants ^b Separating families Women	Community workers Other professionals	Advocacy Care & protection Child support Children's issues Children's representation DFV Divorce Family dispute resolution	General Going to court Legal Aid NSW policy/services Other Parentage issues Property/financial issues Separation

P	SSI presentation	Any group Multicultural background New migrants ^b Women	General public	Advocacy Care & protection Child support Children's issues Children's representation DFV Divorce Family dispute resolution	General Going to court Legal Aid NSW policy/services Other Parentage issues Property/financial issues Separation
W	Domestic Violence and Family Law workshop at the Lebanese Muslim Association	Any group Multicultural background New migrants ^b People in DFV situations Women Young adults (18–25 years) Young people (10–17 years)	Community workers General public Students ^f	Advocacy Care & protection Child support Children's issues Children's representation DFV Divorce Family dispute resolution	General Going to court Legal Aid NSW policy/services Other Parentage issues Property/financial issues Separation
W	Workshop on Care and Protection and the Law at the Lebanese Muslim Association	Any group Multicultural background New migrants ^b Separating families Women	Community workers Other professionals Teaching professionals ^g	Advocacy Care & protection Child support Children's issues Children's representation DFV Divorce Family dispute resolution	General Going to court Legal Aid NSW policy/services Other Parentage issues Property/financial issues Separation
FP	The DVU presented at the Forced Marriage Network NSW meeting about the DVU, its services, particularly to victims of forced marriage	Any group People in DFV situations	Other professionals	DFV	
P	The DVU presented on the National DFV Bench Book at the Breaking the Cycle DFV Conference	Any group People in DFV situations	Other professionals	DFV	
P	CLE Seminar on Forced Marriage	Any group People in DFV situations	Community workers	DFV	
FP	Presentation at the Bankstown Court Users Forum	Any group People in DFV situations	Other professionals	DFV	
P	Presentation at Navitas on DFV	People in DFV situations	General public	DFV	

FP	Presentation at the Liverpool Court Users Forum	Any group People in DFV situations	Other professionals	DFV	
FP	Presentation to Macquarie WDV CAS (now Parramatta WDV CAS) about the services the DVU can provide, including at Burwood Local Court	Any group People in DFV situations	Other professionals	DFV	
P	'After the Storm' presentation	Any group People in DFV situations	General public	DFV Family dispute resolution	
P	Immigration and Family Violence presentation at the Lebanese Muslim Association	Any group People in DFV situations	General public	DFV General	
FP	Presentation to the Canterbury Domestic Violence Committee	Any group People in DFV situations	Other professionals	DFV	
FP	Presentation to Auburn Police	Any group People in DFV situations	Other professionals	DFV	
FP	Presentation to Fairfield Domestic Violence Committee	Any group People in DFV situations	Community workers	DFV	
FP	Presentation to the Ryde/Hunters Hill Domestic Violence Committee	People in DFV situations	Community workers	DFV	
FP	Presentation to the Burwood Local Court Registry Staff	Any group People in DFV situations	Other professionals	DFV	
I	Radio Interview about 'Revenge Porn'	People in DFV situations	General public	DFV	
P	SSI presentation	Any group People in DFV situations	General public	DFV	
S	Fairfield Child and Family Services Expo	Any group Multicultural background New migrants ^b People in DFV situations Women Young adults (18–25 years) Young people (10–17 years)	Community workers General public Other professionals Students ^f	Care & protection DFV Divorce Family dispute resolution General	Going to court Legal Aid NSW policy/services Other Separation

S	Fairfield Child Wellness and Safety Expo	Any group Homeless people Multicultural background New migrants ^b Separating families Women Young adults (18–25 years) Young people (10–17 years)	Community workers General public Health professionals Other professionals	Care & protection DFV Divorce General Going to court Other	
P	Presentation at Navitas: Let's Talk – Australian Law and You	Any group Multicultural background New migrants ^b	Students ^f	Civil Liberties General	Legal Aid NSW policy/services Menacing behaviour Other
P	Presentation at Navitas: Let's Talk – Australian Law and You	Any group Multicultural background New migrants ^b	No data provided	General	Legal Aid NSW policy/services Litigation
P	Presentation at Navitas: Let's Talk – Australian Law and You	Any group Multicultural background New migrants ^b	Students ^f	General	Legal Aid NSW policy/services
I	2SER Radio Interview on Technology facilitated abuse: how our devices are a battleground in the fight against DV	Any group People in DFV situations Women	General public	DFV	
FP	The DVU presented on a panel on developing an integrated approach to supporting victims in the legal system at the Breaking the Cycle DFV Conference	No data provided	Community workers Other professionals	DFV	
W	Court preparation training session	Any group Indigenous people ^d Multicultural background People in DFV situations People with a disability ^e Separating families Women	Community workers General public Health professionals Other professionals	DFV Going to court	
FP	Presentation to law students	Any group	Students ^f	DFV	Going to court

a FP=forum/panel, I=interview, P=presentation, S=stall/stand, W=workshop

b Migrants within first 5 years of settlement.

c Non-Aboriginal and non-Torres Strait Islander people aged 65+.

Aboriginal and Torres Strait Islander people aged 40+.

d Aboriginal and Torres Strait Islander people.

e People with a physical disability, intellectual disability or mental illness.

f School, AMER, VET and university students.

g School teachers, tutors and lecturers.

Note: 48 CLEI events between 12 January 27 and September 2016.

Source: CLEMs database.

Appendix 5: Case studies of DVU assistance to people experiencing DFV

Note that, for reasons of confidentiality, real names are not provided in the case studies below.

Case study 1: Fatima – ADVOs and keeping children safe

Fatima is the victim of physical violence, threats and controlling behaviour from her husband Ahmed. Fatima and Ahmed have six children together. Fatima wants to leave Ahmed.

One evening, Ahmed threatens to kill Fatima in front of their children, while wielding a machete. The police are called. Police apply for an ADVO to protect Fatima from Ahmed.

Before the ADVO is served on Ahmed, he removes one of the children, Nasreen from Fatima's care and refuses to tell anyone where he is keeping her.

At Liverpool Local Court, SWS WDV CAS refer Fatima to see the SWS DVU lawyer. After speaking with Fatima, the SWS DVU lawyer successfully advocates with police to apply for the children to be listed as persons in need of protection on the ADVO and to add additional conditions on the ADVO for the increased protection of Fatima and her children. This is based on the high risk nature of the DFV and the children's exposure to the violence. The court makes the ADVO as advocated for by the SWS DVU lawyer. This means that it is now a breach of the ADVO for Ahmed to retain Nasreen in his care.

While the proceedings are before the court, the police conduct welfare checks on various locations and discover the location of Nasreen. After the ADVO is made, the police escort Fatima to collect Nasreen; mother and child are reunited.

Because of the nature of the ADVO, no family law proceedings are required at this time.

Case study 2: Celia – female defendant and primary victim

Celia has been the victim of violence from Harry over a 20-year relationship. They have a child together.

There is an incident at their home. Police are called. Harry claims that Celia scratched his face. Police observe scratch marks on Harry. Police charge Celia with assault occasioning actual bodily harm and intimidation. Police apply for an ADVO against Celia. Celia is required to leave the home and cannot see her child.

Celia discloses to the SWS DVU lawyer that she has actually been the victim of serious physical and sexual violence by Harry for years. Harry has also been extremely controlling of her. Celia tells the SWS DVU lawyer that on the night in question, Harry had attempted to strangle her and tried to take her phone to stop her from calling the police. Celia feared for her life and defended herself.

The SWS DVU represent Celia in defence of the criminal charges and the ADVO. The medical evidence confirms injuries to Celia from attempted strangulation and the emergency calls are played in court. The court accepts Celia's account of violence.

The charges and the ADVO against Celia are successfully dismissed. The court orders costs in favour of SWS DVU.

The SWS DVU continues to assist Celia with family law issues.

Case study 3: Ayesha – forced marriage

Ayesha grew up in Pakistan with her father. While still a child, Ayesha moved to Australia to live with her mother and stepfather. While on a trip to Pakistan, Ayesha's mother pressured her to marry. When Ayesha refused, her mother assaulted her and took her passport away before returning to Australia without her.

Ayesha was assisted to return to Australia. Upon returning to Australia, Ayesha also disclosed sexually inappropriate behaviours by her stepfather towards her. Ayesha did not want to return to the care of her mother and stepfather.

The DVU helped obtain orders to prevent Ayesha from being taken out of Australia to be married. When FACS declined to take Ayesha into care, the DVU applied to the Supreme Court for Ayesha to become a ward of the court.

This is the first case where a young person has made their own application to successfully become a ward of the court.

FACS then filed an application in the Children's Court to take Ayesha into care. The DVU represented Ayesha in these proceedings.

The DVU also worked with Anti-Slavery Australia who assisted Ayesha to obtain Australian citizenship.

Ayesha was very unhappy in out of home care. She ultimately decided that she wished to return to her father's care in Pakistan until she was older and able to live independently. The DVU social worker prepared a wishes report expressing Ayesha's views for the court. Orders were made in the Supreme Court, Children's Court and Federal Circuit Court to enable Ayesha to return to her father's care in Pakistan.

Since turning 18 years of age and with the support of the DVU's social worker, Ayesha has now returned to Australia to complete her education and go to university.

Case study 4: Tanya – complex client with integrated social work assistance

Tanya is a 47-year-old mother of three who was the victim in a psychologically and emotionally abusive relationship. The family violence impacted Tanya's mental health and she had an involuntary mental health admission shortly after her youngest daughter's birth. Prior to Tanya's mental health admission, her youngest daughter was in her sole care, but following her discharge the father refused to return the child to Tanya's care and commenced family law proceedings seeking that their daughter live solely with him. It was at this point that Tanya became involved with Legal Aid NSW, seeking their assistance with her family law proceedings.

The DVU assisted Tanya by representing her in the family law proceedings and providing her with social work support. The DVU social worker supported Tanya by working with her

and providing practical strategies she could use to manage her anxiety and trauma symptoms in the lead up to final hearing and with giving evidence at court.

Tanya lives with the mental health diagnosis of Borderline Personality Disorder. She also presents with a significant trauma history and unresolved grief and loss issues. For various reasons, Tanya has been involved in family law litigation on and off over ten years and this has also taken its toll. Given Tanya's complex needs and anxiety about the court proceedings, the social worker adopted a flexible approach when supporting Tanya.

The DVU social worker created a safe space where Tanya could express her fears about: the final hearing, the feeling that she had been the victim of systems abuse and failures, and how the possible court outcomes may impact her life and that of her youngest daughter. Once Tanya felt heard, the DVU social worker was able to refocus Tanya to practical tools for court preparation and anxiety management. Tanya expressed familiarity with some of the techniques and acknowledged that they would assist her.

Tanya's matter progressed to final hearing. On the third day of the final hearing, Tanya's matter resolved on a final basis with her consent. The DVU social worker's support of Tanya leading up to the hearing assisted her greatly in managing her anxiety and therefore being able to effectively participate in negotiations about the long-term arrangements for her daughter.

Case study 5: Amira – DV safety flag

Amira is a client of the DVU in relation to ADVO and family law proceedings. Amira has experienced a severe history of violence and she has been rated to be at 'serious threat' via a DVSAT risk assessment. The DVU lawyer placed a DV safety flag on Amira's client record on the CASES database indicating that Amira is a high risk client and noting that caution should be taken to keep her address and contact details (and that of her child) confidential.

A man who identified himself as Bill telephoned a legal support officer in the refugee team of the Legal Aid NSW Civil Law Division. Bill hesitated before saying his name and proceeded to ask lots of questions about Amira and Legal Aid NSW's assistance to her.

The legal support officer was alerted by the safety flag on Amira's client record. He responded to Bill by saying that he didn't know if Legal Aid NSW had assisted Amira and that would require further research. The legal support officer ended the call and telephoned Amira's DVU lawyer to advise about the suspicious phone call. The DVU lawyer checked in with Amira about her safety.

Case study 6: Sarah – DVU referral to immigration team

The DVU referred Sarah to the Government Law Group of the Civil Law Division of Legal Aid NSW for immigration advice. With client consent, the DVU was able to prioritise Sarah's referral, identify her as a victim of DFV and provide the Government Law Group with a copy of her ADVO.

Sarah and her then partner had a baby and Sarah lodged an application for an onshore partner visa. She was on a bridging visa at the time of the referral. Not long after the partner visa application was lodged, Sarah started to experience DFV. One serious incident

was reported to the police and Sarah obtained a final ADVO. At the time Sarah obtained immigration advice, she was still with her partner, who was threatening to cancel her visa and to send her child overseas. Sarah was given advice about the family violence provisions.

Not long after obtaining this advice Sarah was kicked out of her partner's house. Sarah, having a relationship already with the Government Law Group and the DVU, was able to come in to Legal Aid NSW the day after leaving the family home and prepare documents and notify the Department of Immigration and Border Protection about the DFV.

Sarah was assisted with the preparation of evidence and ongoing liaison with the Department, and was eventually granted a permanent visa.

Case study 7: Katarina – DVU referral to Civil Law Division for assistance with housing

Katarina lived with her adult son, John, and her 13-year-old daughter, Shelly, in public housing. There was a history of DFV, where John would threaten and intimidate his mother Katarina, and, in violent episodes, damage the residential rental premises. The violence had recently escalated. Following a particularly serious incident the police arrested John and applied for an ADVO to protect Katarina. John was prohibited from coming back to the premises.

Katarina was extremely worried about her housing situation. She was scared that John might return and needed advice about a transfer. She was unable to lock the back door to the property because the timber work had warped. She was in fear of her safety, as her son knew there had been an issue with the back door for some time. She was concerned that if she involved Housing NSW she would get in trouble with the landlord because of the damage to the property caused by John.

Katarina reported some of the property damage to Housing NSW, in particular, one incident where John punched a hole in the wall in the kitchen. A contractor was sent out to inspect the damage. He told Katarina that he suspected there was asbestos and boarded up the hole. He said he would come back to carry out the repair, but no one ever came back. The hole had been boarded up for months at the time Katarina spoke to Legal Aid NSW.

Katarina had contacted her local client services officer at Housing NSW and the Housing NSW maintenance line many times to request repairs, but the hole was not repaired.

The DVU made contact with Katarina regarding her ADVO against her son. The DVU referred Katarina to the Civil Law Division of her local Legal Aid NSW office to assist with her housing situation. The civil lawyers were able to advise Katarina about her liability and transfer application. In addition, the civil team escalated the repairs issues beyond the local housing office and spoke directly to NSW Land and Housing Corporation. Through advocacy, the civil team were able to have the landlord arrange to inspect the property and deal with the repairs within the week. This advocacy avoided the need to commence proceedings in the NSW Civil and Administrative Tribunal to seek orders for the landlord to carry out the repairs, including urgent repairs to the back door to secure the property. Katarina appreciated avoiding further legal proceedings, as she was still very distressed about the DFV.

Appendix 6: Evaluation framework

Evaluation framework – Legal Aid NSW Domestic Violence Unit

Purpose

This document proposes a framework for the planning, monitoring and evaluation activity relevant to the Legal Aid NSW Domestic Violence Unit (DVU).

The purpose of monitoring and evaluating the DVU is to:

- provide data to program managers to inform the implementation of the program and monitor progress
- report to program managers, Legal Aid NSW and the Commonwealth on the activities, outputs and outcomes of the program
- inform decisions about the format, continuation and future funding of the model.

Central to all planning, monitoring or evaluation is a clear and shared understanding of the purpose of the DVU. The program logic for the DVU, developed in consultation with Legal Aid NSW, provides this shared understanding and the basis for the evaluation framework. The evaluation framework:

- outlines the process evaluation of the first nine months of operation to be undertaken by the Law and Justice Foundation of NSW (the Foundation)
- proposes a plan for the ongoing monitoring of the DVU
- proposes a plan for the outcome evaluation of the DVU to be conducted approximately two years after commencement.

Background

Family violence and legal issues

It is estimated that 17 per cent of Australian women experience violence by a (current or previous) partner in their lifetime.⁶⁷ Although men can also experience family violence, the victims are predominantly women. Family violence covers a wide range of abusive behaviours and, by virtue of the dynamics of the relationship, the consequences for victims and their children can be significant and can include physical, sexual, psychological, social, economic, legal and cultural harm. People affected by family violence can experience a series of complex, interrelated and ongoing legal problems that can include not only criminal law issues, but also child protection and family law issues, such as parenting, property settlement and child support, as well as civil law matters, such as housing, social security, immigration, credit/debt and rights issues.⁶⁸

67 ABS (2012); Phillips & Vandenbroek (2014).

68 See, for example, Coumarelos, et al. (2015).

Legal Aid NSW Domestic and Family Violence Strategy 2016–2018

The Legal Aid NSW Domestic and Family Violence Strategy 2016–2018 sets out guiding principles, objectives and actions to ensure that Legal Aid NSW can deliver high quality, client-centred and holistic services to people who are affected by domestic and/or family violence (DFV), particularly victims. The guiding principles underpinning the strategy are:

- *clients at the centre* to receive a whole-of-organisation response to their needs
- *victims first*
- *raising the bar* with high quality legal services
- *coordination and collaboration* both internally and externally to deliver integrated, holistic services to clients
- *evidence-informed* service delivery
- *strategic leadership* by Legal Aid NSW in the response to DFV.

The objectives of the strategy are to:

1. *improve the capability and capacity* of Legal Aid NSW to provide services to people affected by DFV
2. *prioritise victims of DFV* in the delivery of Legal Aid NSW services
3. *provide coordinated, client-centred services* to people affected by DFV through effective internal and external partnerships
4. *contribute to early intervention and the prevention* and reduction of DFV, including through engagement with perpetrators
5. *promote awareness and understanding* of Legal Aid NSW's DFV services.

One of the key actions under the first objective is to establish and evaluate the DVU. The DVU has now commenced work, with two main arms in South West Sydney (SWS) and Central Sydney (CS), providing duty law services alongside the ADVO lists at the local courts in these areas.

The Legal Aid NSW Domestic and Family Violence Strategy 2016–2018 supports and aligns with broader government and justice sector goals to prevent and reduce DFV.⁶⁹ The SWS arm of the DVU is one of 12 specialist domestic violence units funded under the Commonwealth's Women's Safety Package announced on 24 September 2015. The CS arm of the DVU is funded by Legal Aid NSW core funding.

⁶⁹ See NSW Department of Justice (2014a, 2014b).

About the DVU

The DVU provides clients who are at serious threat of DFV and who have complex social and legal needs, with accessible and appropriate legal assistance and other services. In providing these services, the DVU aims to support clients through legal processes to build lives that are safer from DFV. The DVU has two main arms in:

- SWS, providing duty services alongside the ADVO lists at Bankstown and Liverpool local courts and servicing clients in this geographical area (but not limited to this area)
- CS, providing duty services alongside the ADVO lists at Burwood and Fairfield local courts servicing clients in this geographical area (but not limited to this area).

Key features of the DVU are that it will:

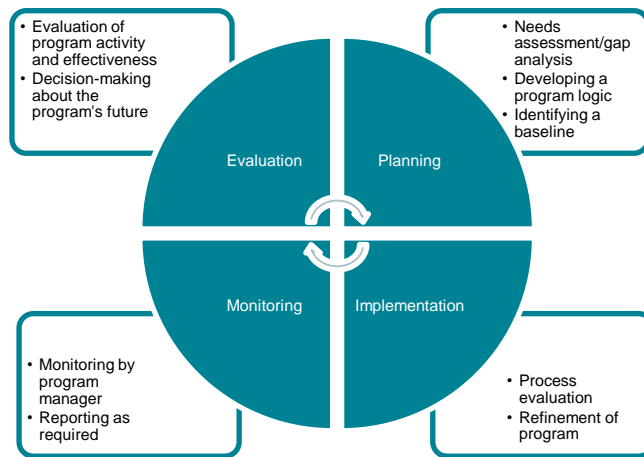
- reach the most vulnerable people experiencing or at risk of DFV
- provide advice, assistance, referral and representation services and social work support for a range of legal problems including ADVOs, family law, care and protection, housing, social security, credit/debt problems, immigration, victim's support and criminal law
- provide frontline legal assistance alongside ADVO lists at the Bankstown, Liverpool, Fairfield and Burwood Local Courts, as well as through free advice clinics in SWS
- tailor legal and social work assistance to each client's circumstances
- adopt a trauma-informed approach to assisting clients
- provide community legal education and information (CLEI) to front line service providers
- work in partnership with other parts of Legal Aid NSW and other relevant services to provide holistic support to vulnerable clients
- increase the capacity of Legal Aid NSW to appropriately respond to DFV into the future
- be costed and evaluated as an appropriate and sustainable model of service.

The specific inputs, activities, outputs, outcomes and intended impacts of the DVU are detailed in the program logic in Appendix 1. The program logic forms the basis of this evaluation framework.

An evaluation framework

The figure below illustrates the evaluative work to be undertaken through the lifecycle of this program.

Figure A6.1: Planning, monitoring and evaluation cycle



Source: Adapted from Pleasence et al. (2014).

Each section below outlines:

- the purpose of each stage
- the plan or key research questions asked and
- the data collection plan or methodology.

Planning stage

Purpose and users

To clearly identify, to all stakeholders, the purpose of the DVU program and the resources, activities and outputs required to achieve that purpose.

The need identified

The DVU was established in response to an identified need for a more integrated response to the complex legal and non-legal needs of disadvantaged people experiencing or at risk of DVF.

Program logic

The initial planning for the DVU is summarised in the program logic presented in Appendix 1. The program logic describes the nature and goals of the DVU service, detailing:

- the inputs to the service
- the activities of the service
- the desired outputs of the service
- the desired short- and long-term outcomes of the service
- external factors which may also impact on the desired outcomes.

Process evaluation

Purpose and users

The process evaluation will provide early information to Legal Aid NSW about the program implementation to date, and will support any refinement of program activity and data collection strategies for the outcome evaluation of the DVU. The Foundation will conduct the process evaluation this year.

Key research questions and methodology

Research question	Data	Data source
Is the DVU reaching disadvantaged clients and providing relevant services?	<p>List of types, locations and hours available of DVU services.</p> <p>First 9 months of DVU (output) statistics:</p> <ul style="list-style-type: none"> • number and profile of clients assisted by DVU • number of services delivered by DVU, by service type and matter type. 	<p>Administrative information.</p> <p>Analysis of data drawn from CASES and ATLAS.</p>
Is the DVU operating as anticipated and if not, how is it operating and why is it different?	<p>Examine processes for intake, risk assessment, triage and referral.</p> <p>CLEI delivered to non-legal workers/community members, e.g.</p> <ul style="list-style-type: none"> • number, type, topic and audience of CLEI sessions • number, type and topic of information resources. 	<p>Interviews/focus groups with key staff and stakeholders. (see question schedule in Appendix 2)</p> <p>Summary based on CLEM data.</p>
What factors (intended and/or unintended) are affecting the implementation of the program?	<p>Information from:</p> <ul style="list-style-type: none"> • DVU staff • key Legal Aid NSW stakeholders/partners, which may include: <ul style="list-style-type: none"> – WDV CAP – Family law personnel (e.g. EIU and/or other) – Civil law personnel (government/immigration and/or other) – Criminal law duty personnel (at the relevant courts) – Grants personnel • key external stakeholders/partners, which may include: <ul style="list-style-type: none"> – WDV CAS staff at relevant courts – a magistrate at each of Burwood, Liverpool, Fairfield and Bankstown Local Courts – NSW Police DVLOs (at the relevant courts). 	<p>Telephone/face-to-face interviews or focus groups (see question schedule in Appendix 2).</p>
What, if any, changes could or should be made to activities or processes to improve the function of the DVU?		
What, if any, changes should be made to the intended outputs of the DVU and/or the data collection strategy?		

Process evaluation report

The process evaluation will address the research questions listed in the table above. It will also note any further types of data collection methods which might be useful to consider for the outcome evaluation, including strategies for client follow-up.

Plan for ongoing monitoring

Purpose and users

To provide data to:

- program managers to monitor progress of the program and inform any ongoing refinement of the program
- report to Legal Aid NSW management as required
- meet Commonwealth reporting requirements.

Research questions and data sources

Legal Aid NSW currently provides reports every three months on the SWS arm of the DVU in an Excel template to meet Commonwealth reporting requirements. Legal Aid NSW is currently developing dashboards in order to be able to provide similar data in a more user-friendly form on all aspects of DVU work, including the CS arm of the DVU.

It is proposed that these dashboards will provide the key data of interest for the purposes of the ongoing monitoring of the DVU. No additional data collection is anticipated at this stage.

Research questions	Data source
As per data reports to the Commonwealth	Reporting for all DVU work using the customised dashboard, every six months, or as required.

Plan for outcome evaluation

Purpose and users

To assess the effectiveness of the program in reaching vulnerable people experiencing or at risk of DFV and in providing legal assistance services to build lives safer from violence.

The outcome evaluation will inform program managers, Legal Aid NSW, funders, legal assistance service providers and partners in the DFV field.

Key research questions (short-term outcomes from program logic)

1. Are DVU services accessible and provided to vulnerable people experiencing or at risk of DFV and who are in need of intensive support?
2. Are clients provided with legal and other services that are tailored to their legal issues, circumstances and capability?
3. Are clients provided with legal and other services that support them to live safer from DFV?
4. Do clients feel respected and supported in addressing their legal and other needs relevant to becoming/remaining safe from DFV?
5. Do clients have a realistic understanding of what can be achieved for them via the DVU?
6. Does the DVU work in partnership, as part of a network of services to provide holistic assistance and support to people experiencing DFV?
7. Does the DVU engage in strategic advocacy based on any relevant issues identified?
8. Has the capability and capacity of Legal Aid NSW to provide holistic, trauma-informed services to people affected by DFV improved?
9. Has this change in practice been sustained?
10. What is the cost of the DVU model?

Methodology

Data that will be required to answer the outcome evaluation questions is provided in the table below.

Research questions	Data	Data source
<p>1. Are DVU services accessible and provided to vulnerable people experiencing or at risk of DFV and who are in need of intensive support?</p>	<p>Responsiveness of DVU to phone/email and face-to-face contact.</p> <p>Number of clients assisted by DVU, by demographic and need profile:</p> <ul style="list-style-type: none"> • disability status • postcode • multicultural background (interpreter required, country of birth, time in Australia, language at home) • financial status • risk status (where identified) • number dependent children • multiple legal issues • Indigenous status. <p>Referrals to DVU by WDV CAS.</p> <p>Number of clients/referrals turned away due to capacity of DVU.</p>	<p>Feedback from service providers and via client follow-up.</p> <p>Analysis of data drawn from CASES and ATLAS. <i>Comparison of profile of DVU clients to that of:</i></p> <ul style="list-style-type: none"> • NSW population • Legal Aid NSW non-DVU clients with the DV indicator. <p>Legal Aid NSW 'referral from' data.</p> <p>Reporting of tick box on DVU intake form re conflict/capacity; ATLAS data on number of rejected applications for legal aid grants, noting any other Legal Aid NSW assistance provided.</p>
<p>2. Are clients provided with legal and other services that are tailored to their legal issues, circumstances and capability?</p>	<p>Services provided, including triage and assessment process.</p> <p>Proportion of clients triaged and assessed for risk.</p> <p>Assistance types provided to clients (e.g. advice, minor assistance, referral, representation, non-legal assistance, case management) by client profile (see above).</p> <p>Matter types for which assistance provided.</p> <p>Number and type of services provided by DVU social workers (e.g. safety planning, case management) by client profile.</p> <p>Profile of case management DVU clients versus other DVU clients.</p> <p>Case studies (to illustrate).</p>	<p>Descriptive.</p> <p>Administrative data on adherence to protocols (see process evaluation above).</p> <p>Analysis of CASES data. <i>Comparison of DVU clients to NSW population and to non-DVU clients with the DV indicator.</i></p> <p>As above.</p> <p>Analysis of CARS data on social services to DVU clients.</p> <p>Analysis of CASES data.</p> <p>Descriptive.</p>
<p>3. Are clients provided</p>	<p>Range of DVU services provided by:</p>	<p>Analysis of CASES data.</p>

<p>with legal and other services that support them to live safer from DFV?</p>	<ul style="list-style-type: none"> • assistance type (advice, minor assistance, referral, representation, non-legal assistance, case management) • issue type (legal matter group). <p>Range of services to DVU clients provided by other parts of Legal Aid NSW, by assistance type and issue type.</p> <p>Continuity of service delivery.</p> <p>Have client circumstances changed/improved?</p> <p>Current risk of harm?</p>	<p>Comparison of services provided to DVU clients versus non-DVU clients with DV indicator (e.g. clients of Domestic Violence Practitioner Service – DVPS).</p> <p>As above.</p> <p>CASES data re lawyer continuity. Interviews with staff.</p> <p>DVU staff to follow up random sample of case managed clients. Outcomes assessed. Exit risk assessed and compared to original risk. Feedback from frontline referrers.</p>
<p>4. Do clients feel supported in addressing their legal and other needs relevant to becoming/remaining safe from DFV?</p>	<p>Client feedback on assistance provided.</p>	<p>Client follow-up survey/interviews by evaluator.</p>
<p>5. Did clients understand what could be achieved for them by the DVU?</p>	<p>Client feedback on assistance provided.</p>	<p>Client follow-up survey/interviews by evaluator (as above).</p>
<p>6. Does the DVU work as part of a network of services to provide holistic assistance and support to people experiencing or at risk of DFV?</p>	<p>Strength of the partnerships with internal and external partners including:</p> <ul style="list-style-type: none"> • evidence of partnership and effective working (e.g. MOUs, joint projects, safety planning processes, information-sharing arrangements, number and type of CLEI delivered by DVU to internal and external partners) • (warm) referrals into DVU (<i>Legal Aid NSW, other legal, health, other non-legal</i>) • (warm) referrals out of DVU (<i>Legal Aid NSW, other legal, health, other non-legal</i>). 	<p>Data sources may include the following (as appropriate):</p> <ul style="list-style-type: none"> • Partnership Assessment Tool (e.g. Hardy, Hudson & Waddington 2003) • feedback/interviews/focus groups with DVU staff • feedback/interviews/focus groups with DVU partners – internal and external • CASES referral data, compared with non-DVU services for like legal issues • Google analytics re use of website pages by internal and external partners.
<p>7. Does the DVU engage in strategic</p>	<p>Examples of strategic advocacy work.</p>	<p>Feedback from DVU staff.</p>

advocacy based on any relevant issues identified?		
8. Has the capability and capacity of Legal Aid NSW to provide holistic, trauma-informed services to people affected by DFV improved?	<p>Evidence among Legal Aid NSW staff of:</p> <ul style="list-style-type: none"> • understanding and application of CLEI provided by DVU • intranet and website pages and tools created being used • cultural change. <p>Increased use of DV indicator and the DV safety flag.</p> <p>Application of lessons learned from DVU to other areas of practice.</p>	<p>Pre-post training survey of Legal Aid NSW partners to measure changes in knowledge, confidence and skills.</p> <p>Google analytics re internal use of website pages and intranet tools/resources.</p> <p>CASES data on DV indicator and DV safety flag pre and post training.</p> <p>Feedback from DVU staff.</p>
9. Has any increased capability been sustained over time?		As above, retested at later time.
10. What has been the cost of delivering the DVU program?		Reporting of budget and expenditure.

Other potential areas of investigation

The proposed evaluation framework above provides a broad plan for the outcome evaluation of the DVU. It covers the key activities and outcomes of the DVU that are articulated in the program logic and outlines a rigorous outcome evaluation of the service model. The specifics of the outcome evaluation are to be detailed by the evaluator when the outcome evaluation is about to take place, once the DVU has been operating for a few years.

Other broader issues relevant to the DVU that are not included in the current framework may become of interest over time (e.g. outcomes for defendants). Such issues may add considerable scope and cost to the outcome evaluation. Hence, it is suggested that any benefit gained from investigating such issues be considered when the outcome evaluation is about to take place, and weighed up against available resources and priorities.

