

*Overcoming the  
Invisible Hurdles  
to Justice for  
Young People*

## Acknowledgements

The authors acknowledge the management and staff of the four partner agencies, the Hume Riverina Community Legal Service, Wodonga Flexible Learning Centre, North East Support and Action for Youth Inc., Albury Wodonga Aboriginal Health Service, whose participation and input into the project design has been significant; the Advisory Committee for the project; the young people of North East Victoria; the Cultural Advisory including Judith Ahmat for her input and suggestions; the Victorian Legal Services Board Grants Program who have funded and supported the project; Legal Aid NSW who provided HRCLS with funding for family violence services, which were directed into the project to expand services; the previous Dean of the ANU College of Law, Professor Stephen Bottomley, who made the in-kind support for this research and evaluation possible; the Head of the ANU School of Legal Practice, Associate Professor Lynn Du Moulin and previous acting Director, Associate Professor Skye Saunders; ANU Research Services Division; the ANU Human Ethics Research team; Upper Murray Family Care; and the ANU Legal Office.

## Abbreviations

SC – Secondary consultations (defined in Full Final Report)

SDH – Social determinants of health

CLE – Community legal education

CD – Community development

PD – Professional development

FV – Family violence

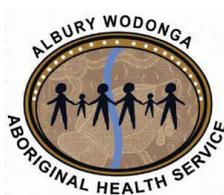
Sys – Systemic

VLSB+C – Victorian Legal Services Board and Commissioner

VLSB – Victorian Legal Services Board Grants Program

IH – Invisible Hurdles

YP – Young Person





## **Overcoming the Invisible Hurdles to justice for young people**

*The Final Research and Evaluation Report of the Invisible Hurdles Project: Integrated Justice Practice - towards better outcomes for young people experiencing family violence in North East Victoria*

By Dr Liz Curran and Pamela Taylor-Barnett ©

Australian National University

June 2018

Produced for the Hume Riverina Community Legal Service

*Having access to a community lawyer, for me as a teacher, through legal secondary consultations, is incredibly valuable –it enables me to build trust before I hand over a vulnerable client, it's a level of trust I never had before in lawyers to be honest, it's on the job training and saves time and reaches those who would otherwise be invisible (Interview with a non-legal professional, February 2018)*

*If we have the right information and the right resources, we are better able to support the clients or young people for the best outcome. Having the range of professionals to consult with and having the lawyer readily available and give you that immediacy. I'm not in crisis anymore, I was case management last time. I'm in counselling now. Having that on hand to provide better outcomes, whether it's mental health or overall wellbeing. For me I look at the social psychological and emotional stuff now so if we can focus on the legal stuff we can focus on what's necessary. (Interview with a non-legal professional, February 2018)*

[Liz.Curran@anu.edu.au](mailto:Liz.Curran@anu.edu.au) & [Pamela.Taylor-Barnett@anu.edu.au](mailto:Pamela.Taylor-Barnett@anu.edu.au)

Canberra ACT 2601 Australia [www.anu.edu.au](http://www.anu.edu.au)  
00120C

CRICOS Provider No.

A Project funded by the Victorian Legal Services Board Grants Program. Additional funding received from Legal Aid NSW to support expansion of NSW services in 2017-18.

ISBN-13: 978-0-646-99561-8

## Contents

Executive Summary .....	5
Overcoming the Invisible Hurdles to justice for young people.....	5
The Final Research and Evaluation Report of the Invisible Hurdles Project: Integrated Justice Practice - towards better outcomes for young people experiencing family violence in North East Victoria.....	5
Part A - About the Research and Evaluation Project of the Invisible Hurdles Partnership .....	10
Background.....	10
About the 'Invisible Hurdles' Service Project.....	11
Research and Evaluation Project Logic .....	13
Cultural Sensitivity .....	19
PART B - Social Research Dimension to the Research and Evaluation .....	20
PART C – Methodology .....	28
Tools.....	28
Ethics process.....	29
Some further contextualisation .....	30
Focus Group with Young people .....	30
PART D - Data .....	31
Summary of data for this Final Report .....	31
Part D (a) – Data Qualitative: The Field Trip 20 February – 24 February 2017.....	32
Response rates .....	32
Process of Analysis of the Other Qualitative Data Extracted from Field Trip One, IH February 2017 and 2018.....	35
The Qualitative Data from the February 2017 Field Trip .....	36
Field Trip February 2018 Data .....	50

Interviews with non-legal professionals 2018 .....	56
PART D (b) - Quantitative Data.....	62
Part E - Case Studies – Lives of the Young people – Barriers and Breakthroughs.....	86
Field Trip February 2017 .....	86
Case Studies 2018.....	89
Part F – Reflections and Learnings from first Field Trip February 2017 and Level of Operationalisation of learning in February 2018.....	91
Part G Summary OF Findings.....	93
Part G – Recommendations.....	98
Recommendations Specific to this Project.....	98
Informing Other Policy Responses and Future Replicable Models.....	104
Recommendations – General and more broadly than this project.....	105

## Executive Summary

### Overcoming the Invisible Hurdles to justice for young people

#### The Final Research and Evaluation Report of the Invisible Hurdles Project: Integrated Justice Practice - towards better outcomes for young people experiencing family violence in North East Victoria

Young people face invisible hurdles to accessing legal assistance, particularly where they have experienced family violence. The project, which was the subject of this research and evaluation report sought to identify those hurdles, to develop service delivery models that most effectively overcome them and, in so doing, increase the capacity of young people to engage in the legal system. Through early intervention and integrated service delivery, through innovate service models such as this one which reach out and see justice services collaborating and visible as part of other effective services with shared values, this research finds that young people will experience reduced occurrences of family violence and associated legal problems.

The three-year longitudinal research study shows relationships of trust take time and patience to build, but that they can make significant inroads and better target those who would otherwise miss out. Without access to timely and tailored legal help, young people can lose their homes, be separated from family, and become anxious and stress and make poor decisions through a lack of accurate and informed awareness of legal options. In some instances, this can jeopardise safety, and so, integrated service delivery and holistic approaches to supporting young people were found to be key to building capacity and responsiveness in young people to help them navigate a system perceived as alien and unhelpful.

#### **The Invisible Hurdles Project**

The first partner in the Invisible Hurdles Project is the Hume Riverina Community Legal Service (HRCLS), which offers free legal advice to people living in North East Victoria and the Southern Riverina of NSW. The project is funded by the Victorian Legal Services Board Grants Program, with additional funding received from Legal Aid NSW to support expansion of NSW services in 2017-18. These funds enable a community lawyer from the HRCLS to spend a day a week with each of the following agencies (with an additional day introduced at AWAHS in October 2017 due to the additional funding)

- (i) Albury Wodonga Aboriginal Health Service (AWAHS), an Aboriginal community-controlled health service which works to improve health outcomes for our local Aboriginal community with a range of culturally appropriate, flexible, reliable, professional and viable health and well-being services, to strengthen, nurture, enhance and maintain the overall quality of life of our community members.
- (ii) Wodonga Flexible Learning Centre, which is a school for vulnerable young people who are struggling with attending other schools, and
- (iii) North East Support and Action for Youth Inc (NESAY) in Wangaratta, that provides support services to young people to address issues around adolescence, family life and homelessness.

This project sought to break down barriers, go to the location that clients are likely to visit, and build relationships of trust and collaboration between all the partner agencies. This was not an 'outreach' service but rather an *Integrated Justice Practice*, a term that describes the innovative model of lawyering that was used. Key aspects of the model include embedding the lawyer in the organisation by, for example, attending team meetings, providing holistic and connected client care and offering legal secondary consultations to non-legal professional staff at each partner agency as part of a multi-disciplinary practice or 'Health Justice Partnership'.

### **The research evaluation**

The Australian National University (ANU) was commissioned to conduct this research and evaluation through its key personnel, Dr Liz Curran and Pamela Taylor-Barnett. Given the small amount of monies available for the research and given ANUs social justice aims, the ANU also provided significant 'in-kind' assistance. There was an Aboriginal adviser to the project in line with good practice, and as a critical element in the researchers' approach to such studies where, as in this project Aboriginal young people and their professional supporters and community are involved. This Aboriginal adviser, young people and the professional and executive teams from the partner agencies provided valuable feedback on the methodology and approach taken and ethics approval was granted for the project in a staged approach given the vulnerability of the client group, thus refining the project's integrity.

Key findings of the research and evaluation are that:

- The 'Invisible Hurdles' project, across all the measurement tools, was effective, efficient and had an impact reaching clients who would otherwise not have been reached.

- Engagement, capacity, empowerment and collaboration improved throughout the project for many young people and non-legal professionals as awareness grew about the possibilities that legal problem solving could present.
- Secondary consultations were delivered as a way of reaching young people, who this and other research reveal, often distrust authority or are frightened, with the project's approach minimising the young person feeling exposed and with them turning to a trusted teacher or health and allied health professional.
- The presence of 'justice' service providers, advising alongside other disciplines, was seen to enhance decision-making, not just of the young person and their worker but at times led to enhanced decision-making and a deeper understanding of legal options at agency and organisational level, increasing agency responsiveness.
- Secondary consultations enabled young people to get access to accurate, relevant timely legal information, through their trusted intermediary being able to quickly access a lawyer, and then support them or if the young person felt able to later be referred, having established trust from both the worker and the young person.
- Secondary Consultations also built capacity of non-legal professionals to be able to respond in a timely way, to improve decision-making, and reduce the professionals sense of anxiety as they know the information through the lawyer is reliable.
- Word of mouth about the project, in that young people felt the lawyer was okay, took time to develop, but in the recent twelve months of the project there was evidence in the data that young people were starting to self-present because of the experiences of other young people.
- Young people experiencing family violence are unlikely to reveal it unless they feel safe, the lawyer is approachable, non-hierarchical, non-judgemental and speaks simply and are likely to disclose other issues first and test out a lawyer first before opening-up. Poor lawyer stereotypes can inhibit willingness to seek help and so the type of lawyer is critical to engagement.
- Young people will wait and observe how the lawyer interacts with others first, sometimes for up to six months, before feeling they can approach a lawyer or their worker about a legal issue.
- Many young people relied on family members or friends for legal opinions and often these sources were suspicious of lawyers and the legal system and so opportunities for early intervention and problem prevention or escalation were not utilised but with the lawyer on site, visible, available and approachable more young people were availing themselves of legal help either directly or through a trusted non- legal professional than would have been the case without the project.

Mixed data gathering methodologies were used with inclusions of staff, young people, management and external agencies, over three years. Critical was involvement in their design of those affected. Including the focus group with young people.

## **Key recommendations**

### **1. Community development**

Lawyers and community educators have a role in giving the young people the power, information, skills and opportunities to engage in decision-making processes that affect them. There are opportunities being missed that could be taken up.

### **2. Professional development and reciprocity**

There is capacity for professional development work to continue in both opportunistic ways (lunchroom, staff meetings) and formal planned ways. This should be reciprocal, that is not only from the HRCLS lawyer to the other partners, but also from and between all four partners.

### **3. Professional Culture and Stereotyping**

The data revealed more reciprocity and exchange of approaches and understanding about disciplines improves and enhances professional collaboration and breaks down incorrect stereotypes.

### **4. Staff retention**

Retention of lawyers was an issue in this project. Attracting and retaining legal staff in rural and regional communities is hard, and having trained, recruited and built trust, staff due to insecure funding and opportunities in rural settings will often leave. At a government and systemic level there needs to be more endeavour to expose law students and early career lawyers to the advantages that such future careers in the bush can offer, but supports and strategies for retention need to be put in place if rural and regional communities are not to be placed at a disadvantage in accessing justice.

### **5. Young people, Aboriginal service delivery and engagement**

Trust and longevity of presence, the delivering on promises, understanding of culture, family and Elder connectedness or disconnectedness need to inform service delivery and engagement. These features were critical for engagement and responsive service delivery to Aboriginal Australians in closing the gap in this project.

### **6. University linkages to support good practice and service delivery in the region**

Universities can play more of a part in training and clinical opportunities in regional areas. Linkages with legal centres, community partner agencies, students, the local private profession and philanthropic funders could support collaborations to encourage students to make a long term career in country Australia.

#### **7. Time, longevity and sustainable funding**

Government policy and funding needs to acknowledge and build in funding components for the time and intense work it takes to develop the trust and sustain relationships so as to reach vulnerable and complex, often traumatised clients, whose safety is often at risk and feel shame, embarrassment or other complex barriers to seeking legal advice.

#### **8. Young people and family violence and responsiveness**

Services and funders need to accept that to address and support people experiencing family violence takes time and trust. Funding models need to be adjusted to reflect and enable this with resourcing of services to work together and separately as may be required to gain such trust.

#### **9. Community development approaches to young people: empowerment and inclusion**

Lawyers and community educators have a role in giving the young people the power, information, skills and opportunities to engage in decision-making processes that affect them.

#### **10. Collaboration and multi-disciplinary practice expansion**

Justice should be included in existing models in health, allied health, social service and educational organisations. While multi-disciplinary practice is common, there are rare examples of the consideration of justice as part of such practices and yet it can enhance holistic service provision and agency capacity.

#### **11. Systemic policy work**

Policy reform is critical to avert the revolving doors of problems that might be resolved with grass roots informed policy responses. All partners across the data expressed a wish for opportunities to further identify, explore and work together on policy work that might address problems that might be alleviated or changed for better outcomes for young people. The involvement of young people in policy work that affects them is important.

#### **12. Further consolidation and funding**

This project needs ongoing, secure further funding to consolidate and explore other opportunities and identified needs emerging to better support and reach young people.

#### **13. Rural and regional diversity**

Locations in rural setting can have different complexities to life in a regional setting. Cross border issues and different law enforcement which discriminates against Aboriginal young people need to be counteracted by cultural awareness and training. Child protection policies that overlook cultural connection and connections to land in different areas for family members need to be acknowledged in decision making.

## Part A - About the Research and Evaluation Project of the Invisible Hurdles Partnership

### Background

This is the Final Research and Evaluation Report for the 'The Invisible Hurdles Project'. The Appendices with full data are available as a separate document for those interested in seeing the full data.

This is an *Integrated Justice Practice* which is a project designed to produce 'better outcomes for young people experiencing family violence in North East Victoria'.<sup>1</sup> A key project objective is to build stronger partnerships between legal and non-legal service providers and for the partners to create better referral pathways and 'joined-

<sup>1</sup> As described in the funding application to the Legal Services Board by the Hume Riverina Community Legal Service.

up' services available to young persons aged 15-25 years experiencing family violence.

It is a project of Hume Riverina Community Legal Service (HRCLS) and is funded by the Victorian Legal Services Board Grants program for a period from the end of December 2015 until June 2018. In a contract (settled in January 2016) ANU has been commissioned to conduct this research and evaluation through its key personnel, Dr Liz Curran, who is leading the research and evaluation and Pamela Taylor-Barnett, who is providing research assistance. Given the small amount of monies available for this research and evaluation and given its social justice aims, the ANU is also providing significant 'in-kind' assistance. An Interim Report was circulated to the four partners and Aboriginal advisers in May 2017 and feedback on the report from the four project partners and Aboriginal adviser were noted in and operationalised and evidenced in the data from the final field trip in February 2018. Again, on 10 May 2018 a final project de-brief and feedback workshop on the Draft Final Report formed a collaborative Power Point and these comments, consistent with the data, have also shaped this Final Report.

#### About the 'Invisible Hurdles' Service Project

This service project, 'The Invisible Hurdles Project', aims to identify the hurdles that prevent young people from accessing legal assistance, and to develop service delivery models that most effectively overcome those hurdles by increasing the capacity of young people to engage with the legal system. Through early intervention and integrated service delivery it is envisaged that young people will reduce occurrences of family violence and associated legal problems.

The HRCLS is conducting the 'Invisible Hurdles' (IH) project that will support young people and increase their capacity and the capacity of the partner agency professionals to deal with legal issues. The young people targeted by the *Integrated Justice Practice* are aged 12-25 years in North East Victoria who are at risk of family violence to engage with and access legal services to achieve positive outcomes. The project has been funded by the Victorian Legal Services Board Grants Program and there is a service plan, revised in March 2017, which is guiding the evaluation aspects of the project.

The project funds a community lawyer to spend a day a week at each of the following services working with other non-legal professionals to reach currently excluded young people. The agencies are:

1. Albury Wodonga Aboriginal Health Service (AWHAS)  
644 Daniel Street, Glenroy VIC 2640

2. Wodonga Flexible Learning Centre,  
4 Barcourt Circuit, Wodonga VIC 3690
3. North East Support and Action for Youth Inc. (NESAY),  
86/90 Rowan St, Wangaratta VIC 3677

The project funds a community lawyer from the Hume Riverina Community Legal Service (HRCLS) which is a free legal advice to people living in North East Victoria and the Southern Riverina of NSW which with this project partners with and has lawyers spend a day a week at each of the following different service settings in regional and rural Victoria and New South Wales working with other non-legal professionals to reach currently excluded young people. The agencies are: the Albury Wodonga Aboriginal Health Service (AWHAS) an Aboriginal community controlled health service which works to improve health outcomes for our local Aboriginal community with a range of culturally appropriate, flexible, reliable, professional and viable health and well-being services, to strengthen, nurture, enhance and maintain the overall quality of life of our community members, the Wodonga Flexible Learning Centre an educational centre which re-engages vulnerable young people (160 students) between 15-19 years of age with education and to support them to participate positively with the community with a focus on students struggling with attending school for a variety of reasons, and the North East Support and Action for Youth Inc. (NESAY) a service which provides services to young people and their families with the aim of addressing the issues of adolescence, family life and homelessness. An additional day was introduced in October 2017 at AWAS due to some additional funding received from Legal Aid NSW.

An Advisory Committee for the project was established in early February 2016 and its first meeting was facilitated by the ANU evaluator, Dr Liz Curran, with the service project team present on Friday 26 February 2016.

In the process of planning this Research and Evaluation and the Invisible Hurdles Project, it became clear from the stakeholder engagement and the data collected in February 2018, that the term 'outreach' had attracted some negative service feedback. Experience was that in the past some 'outreach' has been poorly executed and consisted of a person being given a room at a host agency and sitting in their office and waiting for others to come to them. This was not envisaged for this project. This innovation tries to break down barriers, go to where the clients are likely to visit, and build relationships of trust and collaboration between all the partner agencies.

Accordingly, the Manager of HRCLS and the lead researcher who had also, as a practitioner, observed unsuccessful attempts at 'outreach', devised a term that has

been utilised instead of 'outreach', which encompasses and describes more accurately what the Invisible Hurdles Project is seeking to achieve. This project includes not only service delivery reach and improved engagement, enhanced professional and client capacity and empowerment, organisational and professional changes in practice, but also reflects that the projects also seek to bring about positive social justice change through policy and law reform. The term *Integrated Justice Practice* was settled upon, instead of 'outreach', because of these discussions.

## Research and Evaluation Project Logic

There has been an action research approach to this research and evaluation. Participatory action research has been described as a reflective process<sup>2</sup> of progressive problem solving, led by individuals working as part of a 'community of practice' to improve the way they address issues and solve problems.<sup>3</sup> Using a participatory action research approach means not only using literature informing the project but also collaboration in design by participants, including service users and professionals. Accordingly, there is collaboration in the design by those who provide the services<sup>4</sup> within a model of continuous learning, development and improvement.<sup>5</sup>

An Evaluation Framework was settled in April 2016 in consultation with the authors and the four partner agencies and incorporates the outcomes contained in a VLSB Project Plan and previous Background Intellectual Property, which has been developed and refined by Dr Curran in many previous projects over time informed by the national and international literature. The brief for the evaluation includes the making of recommendations, not only for the partnership and this project, but also to inform policy and general approaches for service delivery more broadly.

Pleasence et al<sup>6</sup>, have stated

<sup>2</sup> M Leering (2004) 'Conceptualizing Reflective Practice for Legal Professionals.' *Journal of Law and Social Policy* 23, 83-106.

<sup>3</sup> B Dick, 'Action Research and Action Learning for Community and Organisational Change' <http://www.aral.com.au/> accessed 1 May 2017.

<sup>4</sup> H Sommerlad (2004) 'Some Reflections on the Relationship between Citizenship, Access to Justice, and the Reform of Legal Aid' 31 *J.L. & Soc'y*, 345 – 367; H Sommerlad (2008) 'Reflections on the Reconfiguration of Access to Justice' 15 *Int'l J. Legal Prof*, 179- 193.

<sup>5</sup> J B Cousins, S Goh, C Swee, S Clark et al, (2004) Vol 19 Issue 2, *The Canadian Journal of Program Evaluation*; Toronto, 99-141.

<sup>6</sup> P Pleasence , C Coumarelos et al (2015) 'Planning legal outreach', (Law and Justice Foundation of NSW, Sydney) 4.  
[http://www.lawfoundation.net.au/ljf/site/templates/UpdatingJustice/\\$file/UJ\\_45\\_Planning\\_legal\\_outreach\\_FINAL.pdf](http://www.lawfoundation.net.au/ljf/site/templates/UpdatingJustice/$file/UJ_45_Planning_legal_outreach_FINAL.pdf)

Ongoing monitoring and evaluation are key methods of demonstrating effective service provision in any area, including the area of legal outreach. Evaluation is critical not only in assessing whether target clients have been reached and successfully assisted but can also be used to develop best practice in legal outreach, demonstrate accountability and facilitate ongoing funding and sustainability.

The Evaluation Framework was shaped by the meetings held with stakeholder and the Advisory Meetings from 24- 26 February 2016. By way of summary, the purpose of the stakeholder meetings was to assist Dr Curran in developing measures to evaluate whether the service by HRCLS to young people is (a) effective, and (b) having an impact and reaching clients who might otherwise not be reached. Dr Curran brings to the project Background Intellectual Property that she has developed over many years, based on her research, experience and legal practice, and these were canvassed and discussed at the meetings through use of a Power Point presentation to form a starting point for the discussion. In June 2017, Aboriginal Elder, Judith Ahmat agreed to join as Aboriginal adviser to the project and provided feedback on the Interim Report, tools and instruments, which accorded with existing ethics approvals.

One partner agency is an Aboriginal Health Service (Albury Wodonga Aboriginal Health Service). The project also seeks to target 'at risk' young Aboriginal people, especially young parents and young pregnant mothers who are at risk of family violence.<sup>7</sup> Approximately 50-60% of its staff were Aboriginal during the life of the research and evaluation. The researchers (hereinafter referred to as the authors) are mindful of the need to ensure that the research and evaluation, the process, and conduct of the service project is culturally appropriate and inclusive. Accordingly, certain steps have been taken to ensure this. The Guidelines for research in Aboriginal matters and 'Keeping Research on Track'<sup>8</sup> documents have been provided to HRCLS, and the Aboriginal Health Service is aware that the authors are using this framework and that it will be operationalised by the authors, including that 'researchers and the community/organisations need to talk about what the information which has been collected means for each of them.' This is also reflected in the Information and Consent Forms for each of the project participants. A project de-brief with the partners occurred Thursday 10 May 2018.

<sup>7</sup> M Campo M (2015) 'Domestic and Family Violence in Pregnancy and early Parenthood: Overview and Emerging Dimensions', 3- 6. <http://apo.org.au/node/61040> accessed 20 May 2018.

<sup>8</sup> 'Keeping Research on Track: A guide for Aboriginal and Torres Strait Islanders about health research ethics' and *Values and Ethics: Guidelines for Ethical Conduct in Aboriginal and Torres Strait Islander Health Research*; *Keeping Research on Track* (both are currently under review); and *National Statement on Ethical Conduct in Human Research* (2007 - updated May 2015). <https://www.nhmrc.gov.au/guidelines-publications/e65> accessed 20 May 2018.

In enlisting the help of the four project partners at these stakeholder meetings in February 2016, the intention was to check that the measures adopted in the research and evaluation (R & E) relevant, useable, culturally and age appropriate, respectful, realistic and practicable.

There were meetings with each of the four partners in three different rural locations as follows:

1. AWAHS 644 Daniel Street Glenroy VIC 3046 (David Noonan, CEO)
2. Wodonga Flexible Learning Centre, 4 Barcourt Circuit Wodonga VIC 3690 (Huw Derwentsmith, Manager) 13 teachers present.
3. NESAY, 86/90 Rowan St, Wangaratta VIC 3677, (Leah Waring, Manager) 4 team leaders present.
4. HRCLS (Sarah Rodgers, Principal Solicitor, 2 staff present)

Mindful of the age group and vulnerability of the people being targeted by the service, various queries at the meetings with partner agencies (who at the time, apart from FLC, were prospective participants in the research) were asked and discussed:

- What would be the appropriate data to collect throughout the project (keeping in mind the need for a low burden on staff, given existing caseloads and commitments and the stretch of community service agencies).
- How to best evaluate the project.
- How to engage the target youth client group and
- How the project might obtain valuable input from the client group of their experience of the IH - mindful of ethics considerations.
- If staff and management would be able to participate in a professional interview in May 2016 conducted by Dr Curran and the Research Assistant (to be enlisted in April 2016) and complete Professional Development Evaluation Surveys after they undertook any training.
- Utilising the agencies expertise in young people, how the project should be framed.
- Utilising the expertise of AWAHS and the advisory group on what measures were needed to make the study and the proposed service culturally aware and sensitive especially given a focus on Aboriginal young people and their Aboriginal agency.
- To describe their understanding of their own organisations' ethics processes which might be required in addition to the ANU Human Ethics Committee Approval needed.

A critical part of this project has been to engage with the partner organisations, their staff who work at the front line, and as much as is permissible within the ethical protocols, the young people themselves.

The Research and Evaluation Project has also been informed by the work of Pleasence et al<sup>9</sup> and from the previous practice and research experience of the authors.<sup>10</sup>

<sup>9</sup> P Pleasence, C Coumarelos et al (2014) 'Reshaping Legal Assistance Services: Building on the evidence base: a discussion paper' (Law and Justice Foundation of New South Wales)

<sup>10</sup> For example, L Curran (2017) 'A Research and Evaluation Report for the Bendigo Health–Justice Partnership: A Partnership between Loddon Campaspe Community Legal Centre and Bendigo Community Health Services' (October 31, 2016 published 22 November 2017 by ARC Justice Bendigo Ltd. Available at SSRN: <https://ssrn.com/abstract=3076407> or <http://lcclc.org.au/wp-content/uploads/2015/05/Final-Evaluation-Report-LSB-Family-Violence-Curran-14-May-2015.pdf>; S Ball, C Wong & L Curran, 'Health-Justice Partnerships Development Report' (2016) (Victorian Legal Services Board and Commissioners of Victoria) [http://www.lsbc.vic.gov.au/documents/Report-Health\\_Justice\\_Partnership\\_Development-2016.PDF](http://www.lsbc.vic.gov.au/documents/Report-Health_Justice_Partnership_Development-2016.PDF) and <https://openresearch-repository.anu.edu.au/handle/1885/107085>; L Curran (2017) 'First Research and Evaluation Report Phase One Consumer Action Law Centre Project - 'Responding Effectively to Family Violence Dimensions of Debt and Credit through Secondary Consultations & Training with Community Professionals', (ANU, Consumer Action Law Centre, 30 November 2017, Victorian State Government, Justice and Regulation) <https://workers.consumeraction.org.au/wp-content/uploads/sites/12/2017/12/Final-CALC-FV-Research-Evaluation-Report-Phase-One-29-November-2017.pdf> accessed 20 May 2018; L Curran (2017) 'A Research and Evaluation Report for the Bendigo Health–Justice Partnership: A Partnership between Loddon Campaspe Community Legal Centre and Bendigo Community Health Services' (October 31, 2016 released, published 22 November 2017 by ARC Justice Bendigo Ltd). Available at SSRN: <https://ssrn.com/abstract=3076407> or <http://lcclc.org.au/wp-content/uploads/2015/05/Final-Evaluation-Report-LSB-Family-Violence-Curran-14-May-2015.pdf> accessed 20 May 2018; T Willcox, J Williams & L Curran (2016) 'Evaluating Consumer Action's Worker Advice Service',. Available at SSRN: <https://ssrn.com/abstract=2835377> or <http://consumeraction.org.au/evaluating-consumer-actions-worker-advice-service/> accessed 20 May 20; L Curran, (2015) 'Final Evaluation Report on the "Why Didn't You Ask?" – Project of the Family Violence Project of Loddon Campaspe Community Legal Community Legal Centre', (ANU). <http://lcclc.org.au/wp-content/uploads/2015/05/Final-Evaluation-Report-LSB-Family-Violence-Curran-14-May-2015.pdf>; Redfern Legal Service. 'Evaluation of the RLC's Health Justice Partnership with Royal Prince Alfred Hospital'. <http://rlc.org.au/evaluation-rlcs-health-justice-partnership-royal-prince-alfred-hospital> ; L Curran (2012) 'Light at the end of the Tunnel Legal Aid Services Quality and Outcomes' (Legal Aid ACT) [http://www.legalaidact.org.au/pdf/Light at the end of the Tunnel Legal Aid Services Quality and Outcomes.pdf](http://www.legalaidact.org.au/pdf/Light%20at%20the%20end%20of%20the%20Tunnel%20Legal%20Aid%20Services%20Quality%20and%20Outcomes.pdf) accessed 20 May 2018

The IH project manager and lawyer were present during these discussions and in a de-brief meeting on Friday afternoon 26 February 2016. The HRCLS agreed to collect aggregated data for the evaluation on the project from service start-up – end March 2018 for the evaluation that is de-identified and relevant including on:

- numbers of clients seen,
- the nature and number of client matters,
- referrals to and from the services of the IH project (including the date, a brief description and the professional role e.g. maternal and child health nurse and agency),
- secondary consultations (including the number, nature of the query, date, a brief description and the professional role and agency).

After the conclusion of the meetings, the first Advisory meeting for the IH Project occurred. Dr Curran facilitated. The Advisory Group was advised of the evaluation; the approach; the possible tools based on the feedback from the partner agency meetings; and provided some suggestions around engagement of the target client group of the service. Partners also discussed what makes a service effective and some barriers for professionals and young people working with lawyers and the types of things that could make the services work in collaboration. The Advisory Group also developed some parameters around their role as an Advisory Group and decided that they would meet quarterly.

The Advisory Group (6 people, with the CEO of AWAHS unable to attend) included representatives at senior service or management levels from:

- Child First (a program of UMFC)
- Gateway Health
- Centre Against Violence
- Junction Support Services
- NESAY
- Flexible Learning Centre.

In May 2017 after the Interim Report, the Advisory Group membership and role was recalibrated to include the partner organisations and an Aboriginal advisor. The Aboriginal advisor on this group changed due to availability and Judith Ahmat was appointed. Ms Ahmat gave feedback on tools and the Interim Report which have been integrated in the research in 2018 and into this Final Report.

The Research and Evaluation Framework and Program Logic is based largely on the advice from both the Focus Groups and the Advisory Group, the impacts on and

thought of the IH Project manager and lawyer, and Dr Curran's previous evaluation and research/ multi –disciplinary practice experience. It is based on ethical approaches, ensuring those who use the service have a voice for expressing their experiences of the service and what works and does not work but in a safe and limited way, the limited resources and time of all those involved, and what was stressed time and again in all the meetings, that the tools and questions for the children and young people be kept simple, short and in accessible form.

The idea of having a multi-method approach (triangulated), which is discussed in the methodology section below, is to test and verify the results across the tools to see if the results from the data are consistent across the tools and to reduce bias as the HRCLS was administering some of the aggregated data tools for the independent evaluation team from the ANU.

Dr Curran has written elsewhere of some of the dangers of relying on quantitative data alone and the value of Australian legal assistance services also collecting qualitative data alongside this quantitative data to drill down for the reasons behind the statistics<sup>11</sup>. This enables considerations of the complexities of clients and factors around barriers and breakthroughs to be examined.<sup>12</sup>

Proxies are benchmarks that, if present, are suggestive of a positive outcome and impact of the service. Proxies as measures/indicators of effectiveness and impact of the IH Project were agreed as follows (based on Dr Curran's previous work and her literature reviews for such work). There are four in this study:

- Engagement - client/patient/professional, staff and organisation
- Collaboration - client/patient/professional, staff and organisation
- Capacity - client/patient/professional, staff and organisation
- Empowerment - client/patient/professional, staff and organisation – it includes giving voice for client/patient/professional and staff and improved advocacy for client/patient/professional towards systemic change

<sup>11</sup> L Curran and A Crockett (2016) 'Measuring the impact, quality and effectiveness of legal assistance services in a climate of reduced funding and increased government expectations: The Australian experience' (with Andrew Crockett), 22 (3) *European Journal of Current Legal Issues*, 27.

<http://webjcli.org/article/view/468> and L Curran and A Crockett (2013) 'Measuring Legal Services: A Practical methodology for measuring quality and outcomes of legal assistance services,' 32(1) *University of Tasmania Law Review*, 70–95 and L Curran (2013) 'Legal review: Not all in the statistics', 87 (6) *Law Institute Journal*, 36–39.

<sup>12</sup> H Genn (1999) 'Paths to Justice: What people do and think about going to law' (Hart, Oxford); P Pleasence et al (2006) 'Causes of Action: Civil law and social justice' (2nd edition, Stationery Office, Norwich).

Other areas included for measurement informed by Dr Curran's previous research are as follows:

- Reach of the HJP
- Previous exposure to lawyers/legal system of Young People or family members
- Levels of stress and anxiety - SDH
- Levels of hope - SDH
- Breakthroughs of the HJP and why
- Legal secondary consultation
- Reciprocity between services of their expertise sharing and referral
- What works and does not work and why
- Impact of service intervention
- Early intervention and prevention of problem escalation - SDH
- Changes in practice - SDH
- Case studies.

### Cultural Sensitivity

The authors of this report have spoken on numerous occasions about the design of this research evaluation. They have sought advice and input from the Principal Lawyer/Manager of HRCLS and there was ongoing discussion, feedback and input and participation with the Aboriginal partner AWAHS, and the Aboriginal advisor to the Advisory Group, Judith Ahmat. This demonstrates there has been input and the research evaluation has included contribution from members of the Aboriginal community. The authors have stressed with HRCLS that trust is a key and building relationships can take time.

Historically, Aboriginal people have experienced non-Aboriginal services gathering and translating information in an unethical manner. This raised many ethical questions about how non-Aboriginal services collected information and provided feedback to Aboriginal people to clarify that the information recorded was correct. The authors understand the importance of gaining feedback from Aboriginal people to ensure the information is a true reflection.

The authors understand and note that 'It is important to understand the results of the research and to talk about what this means for the community or organisation.'<sup>13</sup> The funding for this research is limited and in fact most of the authors' time on

<sup>13</sup> 'Keeping Research on Track: A guide for Aboriginal and Torres Strait Islanders about health research ethics' and Values and Ethics: Guidelines for Ethical Conduct in Aboriginal and Torres Strait Islander Health Research'; Keeping Research on Track (both are currently under review); and National Statement on Ethical Conduct in Human Research (2007 - updated May 2015). <https://www.nhmrc.gov.au/guidelines-publications/e65> accessed 20 May 2018

behalf of the ANU is 'in-kind'. The authors are not able to train up additional Aboriginal researchers or translate things into language but have routinely sought advice at all stages from the Aboriginal partner agency, and Aboriginal advisor to the Advisory Group Ms Ahmat, so as to shape and guide the project, including participant recruitment and appropriate cultural conduct, as well as giving regular feedback on the research progress to them.

The authors and HRCLS continuously sought the Aboriginal voice on issues to guide us:

- to understand Aboriginal structures and family values.
- to embrace flexibility and negotiation.
- to feed back the results of research in culturally appropriate ways.<sup>14</sup>

## PART B - Social Research Dimension to the Research and Evaluation

As noted earlier, this R & E is not just limited to an evaluation looking at the effectiveness of the Invisible Hurdles *Integrated Justice Practice*. The partners also asked that the research look at broader research questions exploring issues that limit access for young people, are barriers, and to examine the advice-seeking behaviours of young people and elements that improve engagement with children and young people experiencing disadvantage and social exclusion. Critical also is the aim to explore in this context what works well and why, and what does not work so well with this target group of children, and young people described as 'Young People' for ethical reasons.

In addition, in relation to non-legal professionals and legal professionals, the research has examined changes in practice and whether their confidence and capacity to respond (e.g. willingness and ability to refer) is enhanced by working in a multi-disciplinary practice with a lawyer, and what factors enable this e.g. the value of legal secondary consultation to build confidence, timeliness and capacity. The questions in the interviews with the non-legal professional and the guided professional journal were framed to reveal this data, as well as the aggregated data and professional development evaluation surveys kept over the life of, what became a three-year project.

<sup>14</sup> *Ibid.*

The recently published work led by Pleasence et al<sup>15</sup> on 'outreach' has informed the project and the R&E

The legal outreach model that is established and its location will ideally be influenced by the particular legal needs of the client group, their level and type of disadvantage and social exclusion, their legal capability and other competencies, their cultural influences and the barriers they face to accessing existing legal services. Furthermore, the legal outreach service should be shaped by a consideration of the client group's environment (including the physical and geographic environment), existing legal and broader human services, other stakeholders and community leaders, and other potential facilitators and barriers to legal outreach. Thoroughly tapping into local intelligence can be invaluable in building a comprehensive understanding of the needs and capabilities of the target client group and the opportunities and barriers provided by their existing environment.

... Armed with a comprehensive understanding of the target client group and the environment, the next steps are to design appropriate service delivery and engage the target client group... Identifying the right host site or agency is also a key strategy that can facilitate promotion of the service, accessibility of the service, a good cultural fit for the target client group and suitable referral links to other legal and broader human services.<sup>16</sup>

By way of background and consistent with Pleasence et al suggestions, in the application for funding, HRCLS noted:

Legal Australia Wide (LAW) Survey found that young people aged between 15-24 years are 2.4 times more likely to experience a legal problem when compared with older age groups, yet are less likely to seek advice from professionals for their legal problem.<sup>17</sup> There are many factors which work against young people accessing legal services, such as not understanding the law, not knowing where to go to seek legal assistance, and not wanting to be pre-judged or embarrassed further. This is compounded in regional areas where there is a lack of services compared to metropolitan areas.<sup>18</sup>

The health and safety implications for young people who do not seek assistance with family violence are significant. The 2010 VicHealth report found intimate partner violence to be the leading preventable contributor to death, disability and illness for Victorian Women aged between 15-44, ahead of other risk factors such as high blood pressure, smoking and obesity.<sup>19</sup> The application further noted:

Young people in regional communities are particularly vulnerable when family violence occurs. By

<sup>15</sup> P Pleasence, C Coumarelos et al (2015) 'Planning legal outreach' (Law and Justice Foundation of NSW, Sydney)  
[http://www.lawfoundation.net.au/ljf/site/templates/UpdatingJustice/\\$file/UJ\\_45\\_Planning\\_legal\\_outreach\\_FINAL.pdf](http://www.lawfoundation.net.au/ljf/site/templates/UpdatingJustice/$file/UJ_45_Planning_legal_outreach_FINAL.pdf)

<sup>16</sup> Above Note 9 at 3.

<sup>17</sup> C Coumarelos, D Macourt, et al (2012). *Legal Australia-wide survey: Legal need in Australia* (Vol. 8). Law and Justice Foundation.

<sup>18</sup> R Coverdale, (2011) 'Postcode justice: Rural and regional disadvantage in the administration of the law.' 9 (1) *Deakin L. Rev.* 155.

<sup>19</sup> VicHealth (2004) 'The Health Cost of Violence: Measuring the burden of disease caused by IPV: A summary of findings' (DHS) (reprinted 2010), 10

nature, family violence is an offence which can leave victims feeling disempowered, and for young people, this could be the first encounter with the legal system and / or police. The volatile and unhealthy relationship may be new, and the young person may lack the knowledge of what constitutes a “normal and safe relationship” ... There are no tailored services available to young people experiencing family violence in North East Victoria. According to the LAW Survey, “Specialist legal services for specific ages groups, such as younger people, may be of value in geographical regions that include large populations of those age groups” ... The project will aim to build strong partnerships with non-legal service providers that may already be engaging with young people, as a strategy to improve young persons’ ability to engage.

The project will not be limited to helping clients to obtain intervention orders. The LAW survey suggests that it may be inadequate to deal with one problem (such as family violence) in seclusion without addressing the interconnecting legal issues, such as housing, debt and family law problems. This project aims to provide a holistic service to young people addressing all of the interrelated legal issues surrounding the family violence issue.

The project will seek funding for a two-year solicitor to:

1. Build partnerships with non-legal service providers who are likely to be working with the target group, in order to identify the barriers which, prevent young people from accessing legal services, work collaboratively to address these barriers and action strategies to engage with young people.
2. Develop and deliver legal services that are responsive to young people’s specific needs, including advice, casework, Court representation and legal information.
3. Educate young people (i.e. through parenting groups and education providers) and service providers (health and youth centres) about family violence and legal assistance that can be provided to resolve issues, as an early intervention strategy.

Lessons will be learned through this project that identify ways of better addressing the legal needs of young people who are experiencing family violence.

In addition to the above evidence, Hume Riverina CLS (HRCLS) has identified through its own data that there are concerning levels of family violence disclosed by young people. In the 2013/2014 year, 29% of young people who received legal advice from HRCLS (80 out of 279 clients in the 15-25 age group) disclosed family violence.

There is evidence that in regional areas, there are higher reported incidences of family violence compared with metropolitan areas. There are also additional barriers that women experience in getting legal help in rural and regional areas, such as geographic and social isolation, and lack of services.

North East Victoria has particularly high instances of family violence and there has been an increase in the locations of Wodonga, Wangaratta and Benalla for reported family violence incidents between 2009 to 2014. These statistics also show a large increase in the applications made for Intervention Orders, in particular, in Wodonga. However less than 20% of clients referred by Police to support services actually, take up the assistance offered.

Discussions by HRCLS with local services providers including particularly family violence services and the Victoria Police Family Violence Advisor covering the catchment area, indicates a shared hope that if young people receive specific and dedicated legal help with family violence problems, family violence rates in the region will decrease. Young people who have increased knowledge and positive experiences of services available to help them are more likely to use them longer term to avoid

adverse outcomes.

Legal problems have a detrimental impact on the health, safety and wellbeing of many children and young people experiencing disadvantage, whom recent research identifies as specifically having difficulty accessing a lawyer.<sup>20</sup> Coumarelos et al, note that 15–17-year old's also had elevated levels of employment and housing problems, while 18–24-year old's had peak levels of employment problems and elevated levels of consumer, credit/debt, family, government and health problems.<sup>21</sup>

Disadvantaged people only consult lawyers for about 16% of their legal problems.<sup>22</sup> Key access points for individuals with often many and difficult legal issues are trusted professionals, such as the health profession, teachers and allied health

<sup>20</sup> C Coumarelos et al, (2012) 'Access to Justice and Legal Needs Legal Australia-Wide survey: legal need in Australia' (New South Wales Law and Justice Foundation, Sydney)  
[http://www.lawfoundation.net.au/ljf/site/templates/LAW\\_AUS/\\$file/LAW\\_Survey\\_Australia.pdf](http://www.lawfoundation.net.au/ljf/site/templates/LAW_AUS/$file/LAW_Survey_Australia.pdf) accessed 1 May 2017 and

[http://www.lawfoundation.net.au/ljf/site/templates/UpdatingJustice/\\$file/UJ\\_27\\_Legal\\_needs\\_of\\_younger\\_people\\_in\\_Australia\\_FINAL.pdf](http://www.lawfoundation.net.au/ljf/site/templates/UpdatingJustice/$file/UJ_27_Legal_needs_of_younger_people_in_Australia_FINAL.pdf) accessed 1 May 2017; T Dignan (2006) 'Northern Ireland Legal Needs Survey' (Northern Ireland Legal Services Commission, Belfast) and P Pleasence et al (2006), *Causes of Action: Civil law and social justice* (2nd ed, Stationery Office, London).

<sup>21</sup> 'Legal needs of younger people in Australia', *Updating Justice*, No 27, August 2013' from Coumarelos et al, (2012) 'Access to Justice and Legal Needs Legal Australia-Wide Survey: Legal need in Australia' (New South Wales Law and Justice Foundation, Sydney), 4.

<sup>22</sup> C Coumarelos et al (2012) 'Access to Justice and Legal Needs Legal Australia-Wide Survey: Legal need in Australia' (New South Wales Law and Justice Foundation, Sydney)  
[http://www.lawfoundation.net.au/ljf/site/templates/LAW\\_AUS/\\$file/LAW\\_Survey\\_Australia.pdf](http://www.lawfoundation.net.au/ljf/site/templates/LAW_AUS/$file/LAW_Survey_Australia.pdf) accessed 1 May 2017.

professionals.<sup>23</sup> Many people who are disadvantaged experiencing legal difficulty have not just one problem and often multiple and complex problems.<sup>24</sup>

Campo<sup>25</sup> has examined family violence in a context of pregnancy and early childhood, and drew on research that indicates pregnancy as a trigger for family violence perpetrator jealousy and control, and that younger women are at greater risk of experiencing violence from an intimate partner during pregnancy and in early motherhood.<sup>26</sup> She also notes community education programs aimed at new parents are an emerging area for primary prevention of violence against women. First-time parents are a key target group, and at a time when women come in to contact with health and social services, pregnancy may be an optimal window of opportunity for early intervention. The authors note that young parents, particularly mothers, are one of the target groups for this project, and that not only legal assistance but also a community legal education and professional development program is a key deliverable of the *Integrated Justice Practice*. Such a program of education and training should develop awareness of legal protections and supports alongside health and social support. Campo notes:

- Women are at an increased risk of experiencing violence from an intimate partner during pregnancy.
- If domestic and family violence already exists, it is likely to increase in severity during pregnancy.
- Young women, aged 18–24 years, are more likely to experience domestic and family violence during pregnancy.

<sup>23</sup> T Beeson, B D McCallister and M Regenstein (2013) 'Making the Case for Medical Legal Partnerships: A Review of Evidence, The National Center for Medical Legal Partnership, School of Public Health and Health Services, The George Washington University, 2- 13; E Tobin-Tyler (2012) 'Aligning Public Health, Health Care, Law and Policy: Medical-Legal Partnership as a Multilevel Response to the Social Determinants of Health 8 *Journal of Health & Biomedical Law*, 211-247; Tobin Tyler, E (2008), 'Allies Not Adversaries: Teaching Collaboration to the next Generation of Doctors and Lawyers to Address Social Inequality', Roger Williams University School of Law Faculty Papers. Paper 17, 249. [http://lsr.nellco.org/cgi/viewcontent.cgi?article=1017&context=rwu\\_fp](http://lsr.nellco.org/cgi/viewcontent.cgi?article=1017&context=rwu_fp); E M Lawton & M Sandel (2014) 'Medical-Legal Partnerships: Collaborating to Transform Healthcare for Vulnerable Patients – A Symposium Introduction and Overview' 35(1), *The Journal of Legal Medicine*, 1, 6.

<sup>24</sup> P Pleasence, N Balmer et al (2004) 'Multiple justiciable problems: common clusters and their social and demographic indicators', 1(2) *Journal of Empirical Legal Studies*, 301–329.

<sup>25</sup> M Campo M (2015) 'Domestic and Family Violence in Pregnancy and early Parenthood: Overview and Emerging Dimensions', 3- 6. <http://apo.org.au/node/61040>

<sup>26</sup> Ibid.

- Unintended pregnancy is often an outcome of an existing abusive relationship.
- Poor birth outcomes (such as low birth weight, premature birth) and post-natal depression are associated with domestic and family violence during pregnancy.
- The long-term effects of exposure to domestic and family violence in utero are just emerging.
- There are several promising interventions for preventing and reducing violence during pregnancy.
- Pregnancy and early parenthood are opportune times for early intervention as women are more likely to have contact with health and other professionals.

After the first field trip, all the partner agencies noted that they also wanted the project evaluation to examine social determinant of health impacts on young people as well.

SDH are defined as:

The social determinants of health (SDH) are the conditions in which people are born, grow, work, live, and age, and the wider set of forces and systems shaping the conditions of daily life. These forces and systems include economic policies and systems, development agendas, social norms, social policies and political systems.<sup>27</sup>

It is the interrelationships among these factors that determine individual and population health. Because of this, interventions that target multiple determinants of health are most likely to be effective.<sup>28</sup>

Author one had some experience in measuring these, as it was also her brief to find a way of measuring SDH in the Bendigo project and the challenges in doing so are detailed in its Final Report for readers interested in this complexity.<sup>29</sup>

The Health Justice Partnership (HJP) movement has shaped and influenced this project and the HRCLS Principal Lawyer and the Project Lawyer participated in a working group convened by the VLSB for projects funded by the Grants Program, under the Health Justice Partnership theme. Although HJPs are not new,<sup>30</sup> they have

<sup>27</sup> World Health Organisation, 'Social Determinants of health', [http://www.who.int/social\\_determinants/en/](http://www.who.int/social_determinants/en/) accessed 1 May 2017

<sup>28</sup> 'Determinants of Health' (Foundation Health Measures) <https://www.healthypeople.gov/2020/about/foundation-health-measures/Determinants-of-Health> accessed 1 May 2016 and

<sup>29</sup> Above note 10.

<sup>30</sup> S Clarke, & S Forell, (2007) 'Pathways to justice: the role of non-legal services', 1 Justice Issues (Law and Justice Foundation of NSW, Sydney); L Curran (2008) 'Making Connections: The Benefits of Working Holistically to Resolve People's Legal Problems,' 12 E Law - Murdoch University Electronic Journal of Law [http://www.murdoch.edu.au/elaw/issues/v12n1\\_2/Curran12\\_1.html](http://www.murdoch.edu.au/elaw/issues/v12n1_2/Curran12_1.html); L Curran (2008)

taken time to gain traction in Australia. In the last few years, there has been a bigger uptake of HJPs in Australia.<sup>31</sup>

Information gathered for this study documents and finds out if a collaborative<sup>32</sup>, multi-disciplinary approach to problem solving can be effective in engaging and reaching young people who are often likely to be excluded, have little voice, often do not know how to navigate complexities of the legal process, and do not identify issues as having a legal dimension that might assist in solving their problem.<sup>33</sup> This study has been informed by the seminal work undertaken in the United Kingdom<sup>34</sup>

'Relieving some of the legal burdens on clients: legal aid services working alongside psychologists and other health and social service professionals', 20(1)*The Australian Community Psychologist*, 47–56; M Noone (2012) 'Integrated Legal Services: Lessons from West Heidelberg CLS', 37 (1) *Alternative Law Journal* 26; Curran L (2007) 'Ensuring Justice and Enhancing Human Rights: A Report on Improving Legal Aid Service Delivery to Reach Vulnerable and Disadvantaged People, La Trobe University & Victoria Law Foundation. <https://libertyvictoria.org.au/sites/default/files/Report%20-%20Ensuring%20Justice%20and%20Enhancing%20Human%20Rights.pdf> accessed 7 May 2017; M Noone & K Digney (2010). 'It's Hard to Open up to Strangers" Improving Access to Justice: The Key Features of an Integrated Legal Services Delivery Model', research report, (Melbourne, Australia, Legal Services Board and La Trobe University). Available at: [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1799648](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1799648) accessed 7 May 2017.

<sup>31</sup> P Noble P (2012) 'Advocacy-Health Alliances - Better Health through Medical-Legal Partnership' (Loddon Campaspe Community Legal Centre & The Clayton Utz Foundation) [https://advocacyhealthalliances.files.wordpress.com/2012/08/aha-report\\_general1.pdf](https://advocacyhealthalliances.files.wordpress.com/2012/08/aha-report_general1.pdf) accessed 27 February 2016; L Gyorki (2013) 'Breaking Down the Silos: Overcoming the Practical and Ethical Barriers of Integrating Legal Assistance into a Healthcare Setting' (Inner Melbourne Community Legal Centre and The Churchill Trust Fellowship) accessed 27 February 2016. [https://www.churchilltrust.com.au/media/fellows/Breaking\\_down\\_the\\_silos\\_L\\_Gyorki\\_2013.pdf](https://www.churchilltrust.com.au/media/fellows/Breaking_down_the_silos_L_Gyorki_2013.pdf); K Hegarty et al (2014) 'Acting on the Warning Signs: An Advocacy Health Alliance to Address family violence through a multi-disciplinary approach, Evaluation Final Report, the University of Melbourne (copy provided to author); S Ball, C Wong and L Curran (2016) *Health-Justice Partnerships Development Report*, [http://www.lsb.vic.gov.au/documents/Report-Health\\_Justice\\_Partnership\\_Development-2016.PDF](http://www.lsb.vic.gov.au/documents/Report-Health_Justice_Partnership_Development-2016.PDF).

<sup>32</sup> C Biuso, B Newton (2008) 'Supporting quality care in general practice: the collaboratives approach', 14(2) *Australian Journal of Primary Health*, 46–52; M Robinson M, Cottrell D (2005) Health professionals in multi-disciplinary and multi-agency teams: changing professional practice. *Journal of Inter-professional Care* 19(6), 547–560; Harris MF, Advocat J, Crabtree BF, Levesque J, Miller WL, Gunn JM, Hogg W, Scott CM, Chase SM, Halma L, and Russell GM, 'Inter-professional teamwork innovations for primary health care practices and practitioners: evidence from a comparison of reform in three countries' (2016) 9 *J Multidiscip. Healthc*, 35–46, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4743635/>

<sup>33</sup> R Hunter, C Banks & J Giddings (2009) 'Australian innovations in legal aid services: lessons from an evaluation study', in A Buck, P Pleasence & NJ Balmer (eds), *Reaching further: innovation, access and quality in legal service* (Stationery Office, Norwich) 7–25.

<sup>34</sup> H Genn, H (1999) *Paths to justice: What people do and think about going to law*, (Hart, Oxford); P Pleasence, et al (2009) 'Failure to recall: indications from the English and Welsh Civil and Social Justice Survey of the relative severity and incidence of civil justice problems', in R L Sandefur (ed.), 12

and more recently the Australia-Wide Law Survey in 2012.<sup>35</sup> It has also been informed by the Medico Legal Partnership movement and research in the United States and builds on the growing body of empirical research on multi-disciplinary practice, some of which is emerging from other HJP evaluations due to a program funded by the Victorian Legal services Board Grants Program since 2014.

This is to enable the HRCLS to report to the Victorian Legal Services Board Grants Program to inform practice around what works well and why, and whether the multi-disciplinary practice being delivered through the Invisible Hurdles Project is reaching clients who would otherwise be unlikely to seek legal help.

*Sociology of crime, law and deviance, access to justice* (Emerald Group, Bingley), 43–65; P Pleasence, et al (2004), *Causes of action: civil law and social justice* (Stationery Office, London).

<sup>35</sup> C Coumarelos, et al (2012) *Access to Justice and Legal Needs: Legal Australia Wide Survey Legal Need in Australia*, (Sydney, Law and Justice Foundation of New South Wales).

[http://www.lawfoundation.net.au/ljf/site/templates/LAW\\_AUS/\\$file/LAW\\_Survey\\_Australia.pdf](http://www.lawfoundation.net.au/ljf/site/templates/LAW_AUS/$file/LAW_Survey_Australia.pdf) accessed 7 May 2017 ; M Schwarz, F Allison and C Cunneen, (2013) 'A Report of the Australian

Indigenous Legal Needs Project', Cairns, James Cook University,

[http://www.jcu.edu.au/ilnp/public/groups/everyone/documents/technical\\_report/jcu\\_131180.pdf](http://www.jcu.edu.au/ilnp/public/groups/everyone/documents/technical_report/jcu_131180.pdf) and

M Schwarz, F Allison and C Cunneen, (2013) 'The Civil and Family Law Needs of Indigenous People in Victoria', James Cook University, Cairns.

## PART C – Methodology

### Tools

The following tools were used:

1. The **overall aggregated de-identified data** routinely collected by the services as to be provided to the Evaluation team by HRCLS for the IH Project. These include:
  - i. number of clients seen,
  - ii. the nature and number of client matters,
  - iii. referrals to and from the services of the IH project (including the date, a brief description and the professional role e.g. maternal and child health nurse and agency)
  - iv. secondary consultations (including the number, nature of the query, date, a brief description and the professional role and agency)
2. **Focus Groups with young people** from the HRCLS partner agencies (Week of 20 February 2017 only)
3. **Guided Professional Journal kept by the lawyers** collected in the week of 20 February 2017 and in end March 2018 by email as a Word document. The lawyer/s used some guiding questions as a framework and reflected on relationship building with and between the three services and young people; trust; barriers; breakthroughs; complexities of clients; and systemic issues (de-identified)
4. **A 30-minute interview with non-legal professionals** conducted in the week of 20 February 2017 and 19 February 2018 (with a minimum of three non-legal professionals) at each of the three partner agencies namely AWAHS, NESAY and FLC) who have used the IH project from the three partner agencies. In February 2018, additional questions were added after Ethics Approval in September 2017. These questions aimed to enable reflection over the life of the project from the point of view of the client, based on the professional's impressions of their client about SDH impacts of this project. Further questions were asked of the professionals around the impact of the project, both personal and professionally.
5. **A 30-minute interview with the current project lawyers** conducted in the weeks of 20 February 2017 and 19 February 2018

6. **A 'Professional Development Evaluation Tool Pre-and Post' (the last)** sequenced professional training provided by IH Project to the non-legal professional partners and administered by HRCLS, with results aggregated into percentages and responses to questions summarised and provided to the research team within two weeks of the PD training as a Word document by email.
7. **A 30-minute interview with managers of the four partner agencies,** conducted in the week of 20 February 2017 and in February 2018.
8. **A 30-minute interview with an identified key external relationship holder** in the Field trip in February 2018 only. This was to gauge external perception of the project given the passage of time.
9. **A Collaborative Measurement Tool** developed by Dr Curran and Vic Health, administered after the final field trip in February 2018. Also informed by additional Variation Questions in non-legal professional interviews.

### Ethics process

ANU Ethics approval was granted in April 2016. The Aboriginal Health Service (Albury Wodonga Aboriginal Health Service) ethics approval process occurred after the ANU application, by making an application to its Board. NESAY did not require an ethics application to its Board as they were aware of this material and required no further approval. Its CEO was the delegate for the remainder of the project. In addition, the authors were granted approval from the Victorian State Government Department of Education on 6 October 2016, for the R & E at the Wodonga Flexible Learning Centre.

In September 2017, in a further ANU Ethics amendment application, a series of questions reflecting on progress over the life of the project were included. These go to eliciting responses to analyse in combination with the Collaborative Measurement Tool and to measure SDH impacts. The questions were a recalibration after the February 2017 field trip, so as to measure progress and unpack what elements led to collaboration and integration.

Some of these extra questions can elicit impressionistic responses only, for example professionals were asked about shifts in their clients' social determinants of health, but these still add some (albeit limited second-hand) insight about the project's impact. This step was taken, in the absence of ethics approval, to take such information directly from the young people affected. This was problematic in view of vulnerability and creating further trauma/setbacks by forcing them to revisit traumatic experiences. Therefore, the initial Focus Group of prospective clients of

such a service only, was possible in lieu of direct questioning through interview. This was based on ethics advice of all those bodies and the advice of the experts and professionals that we sought during the design and life of the project.

### Some further contextualisation

The Invisible Hurdles Project saw a change in personnel. The first lawyer ('Lawyer One') started on 7 December 2015 but services did not commence for a few months, due to the establishment phase of the project. Lawyer One left on 4 April 2016. A further recruitment process was undertaken and the second lawyer ('Lawyer Two') commenced on 4 June 2016. Because of this delay, an extension on the project was sought to run the project for a further six months until the end of May 2017. Accordingly, some traction was lost as relationships had to be developed again between Lawyer Two and partner agencies. Again, Lawyer Two took a job in Melbourne and left HRCLS on 4 August 2017. After consultation with project partners as to the recruitment, a third lawyer ('Lawyer Three') was engaged, on 14 August 2017. On 11 October 2017, a lawyer ('Lawyer Four') who had already been involved in 'outreach' at AWAHS for another role, commenced work on the Invisible Hurdles Project. Lawyer Three attended the Wodonga FLC and NESAY and Lawyer Four (with pre-existing relationships with AWAHS from the other role), attended AWAHS. The issues in relation to retention of staff in rural and regional Australia, the challenges this poses, and possible suggestions to overcome some of the issues are discussed later in this Final Report and its recommendations.

### Focus Group with Young people

After much discussion about the need to have a voice from young people about what works for them, advice from the young peoples' service providers was that the researchers should hold a Focus Group at each of the three sites with a total of five (5) young people in each (who would be referred to as the Focus Group by the three services to ensure they were appropriate in terms of safety and capacity). Ethics approval was granted for the Focus Groups and the promotional material for them, with issues around consent and confidentiality canvassed, resolved and finalised. Hesitation was expressed at all levels about the conduct of interviews as part of the research project with the young people in view of their vulnerability and risk of re-traumatisation and so this shaped the methodology. The Focus Group with young people was seen as a valuable way for them to share their insights and shape the future project.

Promotional material inviting young people to the Focus Group, irrespective of whether they had used the IH service, was placed in each of the partner agency sites and on Facebook pages of the three agencies. The uptake for the Focus Group from young people at two agency sites was limited. This was consistent with some of the

observations made in the qualitative data around engagement and capacity, and the nature of the two services, where establishing trust, ongoing and consistent visibility of personnel, and the levels of complexity of problems and chaotic lifestyles of the young people were noted. This was a key reason for limited uptake at those two agencies that meant that the Focus Group could not be undertaken in these two agencies. It is also consistent with the very nature of the research (which gave rise to the need for the project in the first place) which is around the difficulties reaching vulnerable young people especially Aboriginal young people and young people experiencing family violence, homelessness, trauma, drug addiction and mental health issues (discussed above in Part A). Therefore, this was not a surprise to the authors but rather an indication of the intractability of the nature of engagement with these groups.

## PART D - Data

### Summary of data for this Final Report

This Final Report does not contain full data from the qualitative and quantitative tools. These are provided in a separate document as Appendices. The pertinent data has been selected, however, for this Final Report.

Part D (a) – Data Qualitative: The Field Trip 20 February – 24 February 2017

*The kid I have been particularly working with it hasn't so much been around Domestic Violence. It is a process for some kids of building a relationship. It is emotional readiness and huge trust. Previous experience not being so positive with the law. His experience is of being removed from his father and he has a great mistrust of revealing anything because he thinks it will impact him. His mother is dead, and his grandmother is moving away because she can't deal with the dysfunction of the family. When so damaged by close relationships with parents which is your primary relationship, then all other relationships are difficult. If he can't trust his mum and grandma, who can he trust. That is what we are dealing with. For two years, we have worked with him and we are only just doing literacy now. Its hugely impacted by lack of funding.*

(Interview with a non-legal professional, February 2017)

*There's huge benefits, knowing that lawyers aren't your enemy and that they can help you in so many ways that you didn't know about.*

(Interview with a non-legal professional, February 2017)

Response rates

**Response Rates – Field Trip 1 February 2017**

<b>Tool</b>	<b>Time</b>	<b>Participants</b>
Aggregated Service Data	Collected Jan 2015 – 6 April 2017	
Focus Groups with Young People from the HRCLS partner agencies	Week of 20 February 2017	5 participants (one site)
Guided Professional Journal kept by lawyers	Intermittent from June 2016	1 lawyer participant– as initial project lawyer had left employment in April 2016, having been an important part of initial project consultations,

		discussed earlier at service start up
A 30-minute interview with non-legal professionals	Week of 20 February 2017	9 participants (3 sites)
A 30-minute interview with managers of each of the four partners	Week of 20 February 2017	4 participants (4 sites)
A 30-minute interview with the project lawyer	Week of 20 February 2017	1 lawyer participant (the project had two lawyers by this time but Lawyer One had left in April 2016. Staffing described in Part C, 'Some further contextualisation'.)
'Professional Development Evaluation Tool Pre-and Post'	None administered	

### Response Rates – Field Trip 2 (Final) February 2018

<b>Tool</b>	<b>Time</b>	<b>Participants</b>
Aggregated Service Data	Collected Jan 2015 – 31 March 2018	
Guided Professional Journal kept by lawyers	Intermittent from August 2017	2 lawyer participants
A 30-minute interview with non-legal professionals	Week of 19 February 2018	15 participants - an increase on 9 participants from 2017, with additional questions around the social determinants of health impacts and reflections on impact on professional practice and capacity, as per Ethics Variation in September 2017. This

		increase in participant numbers in 2018, may be suggestive of increasing project take-up and a change in practice.  (3 sites)
A 30-minute interview with managers of each of the four partners, and 30-minute interview with manager of the auspicing agency, UMFC	Week of 19 February 2018	5 participants (4 sites)
A 30-minute interview with the two project lawyers	Week of 19 February 2018	2 lawyer participants (one based at AWHS and the other based at NESAY and the WFLC, since the second lawyer left on 4 August 2017. Staffing described in Part C, 'Some further contextualisation'.
'Professional Development Evaluation Tool Pre-and Post'	Administered for PD sessions	
Collaborative Survey tool	Administered after field trip 2	
A debrief/feedback discussion with Four Partner Agencies	10 May 2018	Representatives from four partner agencies present with Dr. Curran.

As noted earlier, this study, and the HRCLS, is keen to explore what a service needs to look like to reach young people, so, in the Interim Report the authors mainly focused on the social research dimensions around what engages young people revealed in the data to assist, as per the action research and continuous learning and improvement model for the research and evaluation in the *Integrated Justice Practice* to enhance its impact and effectiveness.

As this was a new way of undertaking legal service delivery, in terms of having a legal partner co-located at three sites and in undertaking different approaches to lawyering, the authors were mindful that the project needed time to transition but made large strides towards changing its practice for the *Integrated Justice Practice* model, which based on data in February 2018 has become more seamless and embedded over time. Participant feedback in the research from the first field trip provided the benchmarks and were set in alignment with the proxies discussed above in the section on the evaluation framework and project logic.

### Process of Analysis of the Other Qualitative Data Extracted from Field Trip One, IH February 2017 and 2018

Thematic analysis occurred after the first field trip in February 2017. A grid and colour code of recurrent themes was determined by the researchers/authors based on recurrence and informed by the evaluation framework and pre-established proxies and benchmark measurements discussed earlier. The same method was used in the data analysis for the second and final Field Trip in February 2018. Also, things were identified in the data as being significant if these themes, having been mined, were significant in terms of their recurrence in the data across all the tools, or if there were any developments emerging from this data in 2017, these were then compared with the data to be collected in February 2018. These themes and data were colour-coded or if identified connected to the grid developed by the researchers in a research debrief in February and March 2017 and applied again in further data in February 2018 which were analysed in March, April and May 2018.

As the project funding was limited, there was no scope in the budget for data analysis to be undertaken using a computer software program, which would have had to be purchased, staff trained and so on. Accordingly, data was captured in computer notes and handwritten notes of each researcher and these were then analysed on hard copy – with the use of Excel software and using different coloured highlight options and symbols in Microsoft Word to form the grid. These were developed based on previous research projects and some are unique and specific to young people based on what the young people and research on young people advice seeking behaviour reveals.

If they were demonstrated in data across the tools numerous times (noting the small cohort in each) they were then populated into a running sheet with data populated under these themes. These were then used as a focus for the future data analysis and comparison measurement of progress in the subsequent field trip in February 2018.

What was a focus of this first data analysis for the Interim Report were, as noted above, the areas identified by young people and other project participants as critical

if the project was to have effective reach to young people and what was determined as having a positive impact for young people, outcomes, and professional capacity and empowerment to better reach and assist young people.

This was then later used for the determination of what makes an effective and responsive service and complexity surrounding the young people targeted. These have been examined as key benchmarks for the determination of whether the 'Invisible Hurdles' project has met its aims and objectives and also to explore any unanticipated benefits and recommendations that flow from the data.

The Qualitative Data from the February 2017 Field Trip

*Focus group*

**Focus Group with Young people conducted 21 February 2016 (qualitative and Quantitative Data Combined given small cohort)**

A Focus Group occurred at one agency with five (5) young people attending, which was the number of participants requested, and so it was fully subscribed. For the Full Focus Group information see the Appendices. These are the salient points (numbers of responses are bracketed).

*Question 2 What are the barriers for people your age in seeking assistance?*

Participant 5- communication – they don't understand what is right and wrong in certain situations.

Participant 3 – anxiety

*Researcher – does disclosing something cause anxiety?*

Participant 3 – going up to a complete stranger and then talking about personal topics is nerve-wracking.

Participant 1 – knowing the person is not looking down on you.

Participant 2 – knowing what is available and what you are entitled to.

*Question 3 What things assist to break down these barriers so people your age know their legal position and when and where to seek help?*

Participant 5 – having them around like you are doing now with the lawyer being on site. Knowing where a lawyer is, I don't think a lot of people know where lawyers are in Wodonga.

Participant 4 – if they are in a big office and wearing suits and you are a teenager in casual, that is intimidating.

Participant 3 - just knowing they are coming, like that law sign out the front.

Participant 2 – having them linked in with other services

Participant 3 – and not going in blind, what can I go and see them about?

### **Summary of Analysis of Focus Group**

The young people highlighted that trust takes time. They will observe a professional and how they conduct themselves for some time before they will be prepared to approach them. This trust and a response can take over six months to secure and will not occur unless they feel safe and respect the lawyer. Young people will not open-up if they do not feel it is a safe, comfortable and non-judgemental environment that is confidential. The professional needs to be approachable, engaging, have good interpersonal and communication skills, be available and opportunistic as need arises, and often young people will only respond to an issue when they need to.

Also, in the discussion it became clear that young people are shaped by the experiences of their friends, family and peer group who are often the key source of their information and advice. The young people also highlighted huge gaps in their information and assumptions made and that a key source of information was television and social media, such as Facebook. They also noted that they would not seek advice from a professional without trusting them and them being a known entity and visible.

*Four managers of partner agency Interviews 2017 – Representative Data Extracted Below*

### **Engagement**

*The Lawyer could say hi to us all, let us know they are here. Don't sit around waiting for referrals as they won't just happen. The lawyer needs to be trusted and about. Our clients are not here all the time. They often come with lots of serious issues and so need when they are ready to be at hand and respond when in crisis. Also, if clients don't know the lawyer, they're unlikely to see them as previous experiences with lawyers and legal system may be poor and they have heard stories from their family*

*The lawyer needs to be prepared to be around and visible. If not getting referrals there is good reason as our clients often scared and may not be ready. By being on-site more often, the lawyer can use us to get to young people indirectly through SC. Also, if a*

*client is a 'no show' – we can facilitate getting advice to client on legal options – better than none for this group.*

*Being a lawyer can be a barrier. It is one of those hurdles because it is the title and it is what the title represents in terms of the legal system and if you take that a step further in terms of transgenerational trauma... there is fear around that stuff. They hear about stolen generation from their aunties and parents and stories about the government. One of our elders in this community is one of the stolen generation and her story is in a film and it was played in a film here recently at sorry day. That is where the trauma is experienced because it is a lived experience. People hear from those people all the time, so it is not a dead thing, it is very much alive. Lawyers are being the legal system. Our families see the second round of stolen generation as being child protection.*

*Mandatory reporting can block kids seeking help so having a lawyer to help earlier would be a huge help.*

*(See Recommendations - sys)*

### **Complexity and Advice Seeking Behaviours of at risk young people**

*It fits with a lot of the kids we work with who come from disengaged and dysfunctional families and their friends and friendship groups are the same. The IH project means that staff get access to advice to help the students, so they are not just relying on their dysfunctional families who will often give them poor or ill-informed advice... and often it is wrong. We want the kids to have clear guidance around what has happened and what they should do. Often, they are given advice around denial. ... If they get better legal advice they will make better decisions and know who to listen to in the future.*

*One of the things that a lot of the families are used to is that things are done 'to them' – Centrelink is done to them; housing is done to them. If they understand the legal service, they can know that there are other services that they can access. That is why Lawyer not sitting here five days a week is good, because then they understand that the rest of the time they can get to him from another place, i.e. the work. Otherwise they are not developing self-help skills. They need to know that they can get legal support there, welfare support there, housing support there, the more able to know*

*where these things are, the more resilient they become in future. If they start the conversation here and finish it there, then that is a good thing.*

*Our clients have debts, welfare issues, issues at school but if we are not aware these things are legal and can be assisted with by lawyers then we never will – we need to know more about this. Also, often legal and ethical obligations tricky and would help us do our job and help young people better if we could get such legal advice as workers.*

(See Recommendations)

*With our clients with Family Violence (FV), you can work with them for even three months before they will disclose. More often they will tell you of other problems first and so as all out clients at risk and given with their demographic we know they are likely to have FV. Any clients with other legal problems we refer will have FV so should help with all their legal problems not expect us to always know of FV.*

(See Recommendations – CD and time funding longevity)

### **Capacity (Includes LSC)**

*IH has enabled students to get legal advice or representation or access to representation to understand what is happening. And to even advise them on what they should do next. Some of the young people don't understand the legal jargon. When you go to the lawyer you tend to think of it as stop and start but these are open ended and because money is not involved it can be a conversation rather than a consultation. Because of how it is set up here, the teacher can be involved. The young person who has the issue can have a greater input than just a client and solicitor. It allows the lawyer to have a deeper understanding of what the issues are than what the young person can express in their own words.*

### **Value of Integration/ Collaboration**

*Especially if you have young people who have experienced domestic violence, then the legal system is a trigger. It is about taking their hand and leading them rather than dumping them on the doorstep and saying, 'here's the lawyer, we will walk out now'. Facilitating the conversation, like if my drug and alcohol worker comes, then they can facilitate that conversation with the lawyer as well.*

*Yes, it takes a long time to see how it will work. For instance, we are building a healthy relationships thing – part of that is rights and responsibilities so the lawyer could have a role in that.*

(See Recommendations - CD)

*IH, fantastic resource to have in a school in a setting like this. We have a nurse come in for health issues and health guidance. We have a teacher for English issues and guidance. Art issues and art guidance. Law for law understanding and law guidance. Nurses about medical, personal, emotional etc. You can change this from happening if you do this. You need counselling etc. the lawyer is the same. It hasn't historically been what schools offer. This is no different.*

### **Changes in Practice**

*IH has increased our capacity to do something and make a difference. It is innovative and gives us learnings that we can apply to our whole CLC. Through the lawyer, I am doing a lot of learning.*

*The lawyer needs to be visible to keep the lawyer front of mind easy for us to forget legal issues in all the busyness. Even just seeing lawyer can trigger – in staff room, lunch time at our events etc. Conversations and secondary consults will happen anywhere.*

*If lawyer was seen at joint presentations with our workers to the various young people groups they would get to know lawyer as not typical and not in a suit and would see they are approachable, as lawyer is when you meet lawyer – so many opportunities being wasted.*

(See Recommendations - CD)

### **Summary of Analysis of Interviews with managers and issues measured for progress in 2018 field trip**

Critical to engagement was the building of capacity not only of the non-legal partners but also of the legal partners. Reciprocity in learning and professional development was key too, including with individual teams and across the agency and

forums and groups for young people that might be co-facilitated with different perspectives. (See Recommendations - CD). All those interviewed hoped the agencies could collaborate on policy and law reform that needed improvement due to its impacts on young people and their families. (See Recommendations - sys).

All identified a need for professional development to support their staff in identifying how the legal service can help and the range of issues that might be able to have legal ways of solving problems. They identified a desire for training around mandatory reporting and ethical obligations and how the lawyer can help. (See Recommendations time and funding longevity).

All noted that young people in their demographic were likely to have issues with family violence and that disclosure might occur through legal help that is down-to-earth, understandable and practical. They indicated levels of family violence may be higher, and that in sorting out a range of other legal problems and building trust, disclosure would be more likely and that this would enhance safety and reduce levels of stress, anxiety and empowerment in young people.

Managers also noted that as small community-based agencies legal advice on protocols and approaches for the organisation could also assist in averting error and building capacity of the organisation. Examples - FOI advice given by the lawyer to one agency, ethical obligations and human rights charter obligations and procedures. (See Recommendations - PD)

*Nine interviews with non-legal professionals with three from each partner agency—  
Representative Data Extracted Below 2017*

## **Engagement**

*The lawyer is very accessible. And the familiarity. Even if they have never spoken to the lawyer, they have seen their face around.*

*The fact that the lawyer is present. Presence is the key thing. I will run stuff by lawyer. I told a kid what I thought and then I asked lawyer to come in and reinforce that so that it is coming from a point of expertise. I'm not jumping on web-sites, it is purely opportunistic stuff. The opportunistic stuff is huge, not to be underestimated. Being naturalistic with the kids. They are notorious for not keeping appointments and not going offsite for appointments.*

*Legal jargon needs to be toned down with Aboriginal people. It gets to a point where people are asking me. Our people will not ask, or question and our people will be thinking 'what?'*

*Lawyer has casual dress and that is good.*

### **Capacity (includes SC)**

*Legal secondary consultations are very valuable because they do clarify things to the lay person, which I am. It gives me the tools to communicate that to the students. So, I can give clear information and communicate.*

*One of my students has a court appearance next week. Over the holidays, the young person made 2 appointments with his non-IH lawyer that he didn't keep, and it took 3 goes at it. It wasn't an area Lawyer could deal with, I talked to lawyer on site about that and it was school holidays. The IH lawyer was able to help navigate how to assist young people in these circumstances.*

*I'll call lawyer and if lawyer doesn't answer, lawyer will call back. I can easily approach lawyer. It is very effortless. Lawyer always follows up with a client and explains to the client that the lawyer may not be able to help directly but will put him in touch with someone else. Lawyer also keeps their word, so I can tell the client the answer.*

*I think secondary consultations with all professionals is a necessary tool. One would hope that the lawyer is also learning and gaining some insight into that lifestyle. They can also get a debrief from other professionals here too, that would enable other learning opportunities for the lawyer and help embed.*

*(See Recommendations - reciprocity)*

### **Capacity in General**

*I honestly believe that we really, really do need legal here. The reluctance from community to get advice because they think that lawyer will charge. I've been called into the police station with an aboriginal person and they needed a support person on a Sunday night*

*I'm aware of the lawyer and the services they can help with. What is the point of a client coming if the person won't be staying. They need to know that you will stay. And you will be tested. They will test you that you are going to come all the time. You have to turn up to apology days and be seen as having an understanding of those community's needs.*

(See Recommendations - retention)

*Supporting them with the first visit, in my opinion they certainly need to be introduced by the person who made the referral – the trust is there. I will actually go into the room to introduce them because then my trust transfers. Lawyer needs to attend staff meetings, clinical meetings (early on so as to avert conflicts), soup team meetings, nurses' meetings, doctor's meetings... Alcoholics will want a morning appointment, but others may need an afternoon.*

*I think more rational decisions can be made and that it helps the worker as well - definitely.*

*Sometimes it takes someone looking out, like the lawyer with their perspective to give you a greater perspective on what you are looking at and how you can be helpful and sometimes to pull you back too. Especially when you have known a client for a long time, your judgement can become clouded.*

*I had no idea that it was as complicated as it is. This made us go 'hang on we better find out if this is okay first'.*

*We get assured we are saying the right thing and if it takes away the anxiety a lot of our kids would bury their head in the sand especially if they don't feel comfortable in a place where they feel happy and safe and that safety can't be underestimated because of the trauma.*

*There's huge benefits, knowing that lawyers aren't your enemy and that they can help you in so many ways that you didn't know about.*

*We need to know the boundaries to support people correctly. We need to know how to respond and what the expectations of the law and guidelines. It is the sharing of knowledge and power.*

(See Recommendations - PD)

*I think it is amazing in our line of work with the law the way it is, it gives and enables confidence, we are working within legislation and within the law, to move forward with their daily work. So, this has happened, that has happened. They can ask where do we or the young person legally stand?*

*It takes a very long time for me to build up trust for them to tell me, let alone someone else. They don't necessarily trust others and have confidence that the lawyer won't tell someone something and get them into more trouble.*

*Some young people don't want to have to pay for their fines because they have never had the guidance to know how to play by the rules.*

### **Collaboration**

*I'll call lawyer and if lawyer doesn't answer, lawyer will call back. I can easily approach lawyer. It is very effortless. Lawyer always follows up with a student and explains to the student that lawyer may not be able to help directly but will put him in touch with someone else. Lawyer also keeps his word, so I can tell the student to answer. Lawyer phone number is up there too. The number is also in the young mums' room too. Lawyer feels like a big part of our team. Lawyer comes to our staff meetings, lawyer is visible, lawyer will make conversation. If I need something artistic, I'll go to the art teacher, lawyer is just another go to person.*

*The process needs to be smooth and easy to access. Making an appointment with the lawyer has been easy. Lawyer has been flexible with rescheduling if they don't turn up. Maintaining SC as the referral process is taking place.*

*It is nice to feel like you are in a team environment where you can get help, not just a silo trying to deal with these issues on your own to shoulder the responsibility and to have that support.*

## **Empowerment**

*Because we have the relationship with the kids, it takes away the angst of the unknown and assure them that it is going to be okay and that is huge. Everyone gets a measure of anxiety about the unknown but a lot of our kids that is a huge thing for them. A lot of our kids have had trauma which makes them more anxious about the unknown and all those things so having us who they really trust segue into it. It's good for us so we are not leading them up the garden path. If we talk to Lawyer we know the possibilities and then say 'look for more, now you should go and talk to Lawyer.*

*Health – knowing that they can have support and it doesn't need to keep compounding is a huge weight off the clients' shoulders. They have an advocate is something that a lot of them haven't experienced positively before. Legal counsel there is a concept that it costs. It is de-mystifying that lawyers are expensive.*

*Information empowers people. We used the information from the training around age limits around consensual sex.*

*(See Recommendations - CD)*

*It is nice to feel like you are in a team environment where you can get help, not just a silo trying to deal with these issues on your own to shoulder the responsibility and to have that support.*

*Yes. And I'd love to see some work (in this systemic change) arena.*

(See Recommendations - sys)

*I think it (systems change) could make a difference.*

(See Recommendations - sys)

### **Changes in Practice**

*I think it is collaborative...Time enhances the relationships, knowledge, information sharing.*

### **Stress & Anxiety**

*It is that taking away the mystery of the law. It takes some weight off kids.*

*Young girl, lawyer made referrals to her in Albury. She isn't a student here, but she has been coming here for so long and comes back all the time. It is a safe environment for her. Partner is coming out of jail and she needed support. They don't have to repeat themselves, the turnover is huge at other services but here the staff stay stable.*

SDH (see stress and anxiety above)

### **Complexity**

*It's that how are things going to change if kids don't get educated about this. Because we operate so far out of mainstream parameters anyway. And that's part of the reason that they are here – 90% of them have dealt with the law. Learn by doing and experience, teachers standing in a room teaching legal studies doesn't teach them about the law. And their parents and broader families have had negative experiences. Their older brothers, mums and dads, or somebody, you have to say, 'let's get you some proper advice'. It is often wrong what their parents say. Sometimes they won't believe us, but they will believe Lawyer. Lawyer is young, they identify with Lawyer, casual dress, referral of trust, they trust us, we trust Lawyer. Certainly, the age has a bit to do with it, and Lawyer general approachability.*

(See Recommendations - CD)

*Parents' experience – intergenerational fear of the legal system and lack of positive outcomes. It has been really hard for them to see that Lawyer is here for them. I have had to really shift their thinking to believe that Lawyer is there for them. You just keep saying it over and over and over again the same way until they believe you. Lawyer is a calm gentle person, personality has a huge role here. Your personality weights a lot in a place like this and they have bullshit meters on them. They can read your mood like anybody's business. Clients with trauma are very good at being on the alert for any untoward things. If you get anyone who is in any way adversarial, it is verbal and non-verbal messages. All those things contribute to the trust.*

*(See recommendations – CDE and retention).*

*The other thing that is really critical is that a lot of them have some form of intellectual disability or brain dysfunction. Poor vocabulary and poor and low levels of literacy. So, Lawyer needs to make the connections. Low literacy and low levels of understanding are serious impediments to taking legal advice. When we are talking about the qualities of the lawyer it is important.*

*There is a foetal alcohol spectrum disorder (FASD).*

*Also, students don't know that they can question and ask why and seek support.*

*(See recommendations - CD).*

*The majority wouldn't see the lawyer without that worker with them – having someone there that they trust. I do believe the worker is the most important key to get those referrals happening.*

*First of all, it has taken a lot of the angst out of the law. The kids now have a different perception of what lawyers can be. A lot of them have dealt with lawyers before in courts and in the past, it has always been very negative, even with child protection. That has changed their perception so that lawyers are to help and not to hinder. Especially on the kids that have had constant dealings with the law. One of our young mums is now very open to coming and taking to Lawyer, even if it's not a law issue (all*

*child protection stuff). The boy with the fines said, 'I didn't know lawyers were like that.'*

(See Recommendations – CD and lawyer stereotypes)

*It takes a very long time for me to build up trust for them to tell me, let alone someone else. They don't necessarily trust others and have confidence that the lawyer won't tell someone something and get them into more trouble.*

(See recommendations - CD).

*Repeat problems – would work with legal to do systemic reform – yes. I haven't but I would like to.*

(See recommendations - sys).

*I think secondary consultations with all professionals is a necessary tool. One would hope that the lawyer is learning and gaining some insight into that lifestyle. The lawyers are quite young and I think these are vulnerable young people, they are being thrown in the deep end and it is real life, the lawyers face hard stories. Debrief not happening to my knowledge. I would hope that they would do that. The lawyer may talk to the referring practitioner. They must be having supervision in their organisation.*

(See Recommendations reciprocity/PD)

### **Summary of Analysis of Interviews with non-legal professional staff 2017**

Consistent views from non-legal professional staff with young people and the manager, data around the importance of the lawyer being visible, approachable and amenable and delivering on promises. They all noted that presence at each service for a matter of a few hours on any day was insufficient and that relationships of trust take time to build and that often word of mouth, both for youth visibility through CD, not just advice, and professionals would be the key way of building trust with evidence of being available and delivering on promises being key.

This data at times revealed a somewhat limited view on role of lawyers and a need for Professional Development on the vast array of areas a lawyer can assist with that do not involve representation and court.

All non-legal professionals noted the value of secondary consultations and some said it was the way they tested out the lawyer before being prepared to hand over clients. All those who had legal secondary consultations noted that it helped them assist young people and that this information could be useful and used again and again, rather than just for the one youth. Many reported that SC enhanced the professional's ability to navigate the system for, or with, young people, and also improved their consideration of choices and perspectives so they could also better inform young people. Some noted that the mere mention of a lawyer sent stress and anxiety levels of young people upward, and that this could result in no-shows. Strategies to address this were for the lawyer to be seen in an array of contexts at cultural events, in the staff room and activities that young people participate in, and in co-facilitating information sessions. (See Recommendations - CD)

All non-legal professionals noted the importance of knowing more about how the law can be used to help beyond traditional notions of representation and courts, and some participants were unaware that lawyer could have a role other than in court and representation. (See Recommendations – lawyer stereotypes)

Some also noted their own previous poor experiences of lawyers and the law as inhibitors to referral.

Most asked for more professional development opportunities, but in ways that did not increase their workload, and which are integrated into existing sessions where cross-fertilisation can occur. (See Recommendations - CD)

Most had not thought of the opportunities of working with the legal service to enhance advocacy for young people in terms of negotiating with decision-makers, problem solving and negotiation and on systemic issues. (See recommendations - sys).

*One lawyer interview – Relevant Data Extracted Below 2017*

### **Capacity**

*I have learned a lot from those experiences and where I have learned a lot from the workers.*

### **Collaboration**

*Yes, improvement in terms of how to communicate, relay information etc. Particularly working with young mothers, Non-legal prof gets right to the issues that they are worrying about. I think about the legal issues and they can't articulate it in a way that I understand it as a legal issue. I have learned from that as well and it has been my*

*biggest learning curve, how to communicate with clients and make my advice understandable to them.*

*If we break down some of the misconceptions of what a lawyer does for young people. It breaks down the perceptions of the support workers, not so much at Agency because they already had a lot of buy in.*

*One lawyer professional journal 29/7/16- end Feb 2017 - Relevant Data Extracted Below*

### **Engagement**

*I picked up another client in the same class, who wouldn't have known about me but for me being in their class so often to grab my original client. This client has a complex wills and estates matter, which involved a potential claim against family members who had subjected her and her brother to FV as a child. I don't think this student would have reached out to me about it if she hadn't seen my doing a lot of work for her friend.*

*Not much new to report. Feels like things are still slowly moving with meeting staff, encouraging referrals, and building trust.*

### **Capacity**

*As a non-legal professional I learnt how useful having a support person in the interview can be for difficult clients – teacher was very good at stopping client who was diverging and getting very verbally frustrated with a number of things, and then bringing them back to the relevant information.*

### **Collaboration**

*Many lawyers struggle with the model, because it is so different to 'traditional' lawyering. Thinking about these questions in this evaluation in this way, is making me step back from the project, made me reflect a lot on the project so far, and my development, in ways that hadn't been obvious and also what I need to do. (See recommendations – PD, legal stereotypes)*

Field Trip February 2018 Data

*Managers Qualitative Data Field Trip Two (Final) February 2018*

## Engagement

*The lawyers are available, responsive and approachable, all of them have been, but it takes time and sorting out issues earlier as I said and correcting misinformation can have a huge positive impact – less trouble, prospects for employment improved (we have a case of this occurring) and stable accommodation because they know what happens if they stuff up. (See Recommendations – community development)*

*Corridor conversations are immeasurable. If you are able to have somebody present it can be helpful in trying to get some sort of resolution straight away. Aboriginal people don't want to go away and make an appointment...*

*For highly vulnerable people you need to build trust long before they need you, unless they are in dire situation and then you start there.*

## Capacity (secondary consultations)

*Visibility is the most important part. For an Aboriginal service it wouldn't work as well accessing young people who barely access other services beyond here. The ease of coming to somewhere that's familiar and being introduced by someone you already know is where I think it's focussed.*

## Capacity (general)

*I think one of the things that would be great is capacity to be involved in some of the groups that we lead about healthy living for young people and respectful relationships for young people - Community Development. It is important that young people understand the responsibility of their action so that sort of thing would be really helpful for young people. (See recommendations - Community development)*

*We want the students to mature and see legal as a resource they can use in future, not just limited to what they have. If they have a positive experience of lawyers here (let's face it they may not have had a positive experience of lawyers out there or with their family) then it might encourage them to not be so afraid of lawyers when they leave and know they can go to the legal service and make an appointment.*

*The benefit of having someone like Lawyer X come to team meetings and give a presentation for 5 minutes about the legal issues is informative for the staff. They pick up people and say this person can come here and they know who they are referring to. (See recommendations -PD)*

*It has enhanced awareness of the range of things that have a legal solution. The last one the lawyer did, she brought a case study and said these are the legal things we can deal with, how many of these things are legal. And people could see them. Resonating case studies makes people think about possible outcomes and relate them to clients that they may know.*

## **Collaboration**

*Having you can help (as) the students make poor decisions as their source of expertise is their peer or family who often have it wrong and that can then them in deeper, so this is earlier intervention now, so we can get the right advice to them at the right time. If not here, the lawyer will pop in if they can or chat on mobile. It's become pretty seamless. The secondary consults happen with staff now all the time and I wouldn't see it as it's so discreet.*

*IH lawyer team is Collaborative, Personable, Real, Not token.*

*Different to social as it's all about legal but recruiting people with a business mindset would be a problem. The values of us and community lawyers in making a difference, social justice and working with people where they are at is what makes it work.*

*When the project started often kids were in crisis, now over time with the lawyer here we can make interventions to help these kids into the future. Organisationally it's great as we don't have easy access to lawyers in an emergency and so they come and sit with us as we plan a strategy with a quick SC we can ensure we are on the right track so organisationally it's also been amazing. e.g. last time you were here we took action on the advice around restorative practice.*

*Agency 2 & 3 now collocate on the Wangaratta site and this was certainly driven by this process because I was able to meet (the manager of Agency 3) and she offered the rooms. Our relationship has been as a result of this process.*

*Trust. Also having a knowledge of who we contact and who we are referring to and being able to facilitate that referral in a tangible way. So, the great part about having this relationship is that if the lawyer is sitting in an office, one of our staff can bring the client to her and say this is the lawyer. You can refer the trust.*

*It is definitely of value. The longevity of it means that the understanding could happen. It's now front of mind which changes it completely. For the last 3 years we have had legal as a category in our intake document, but we thought that meant speeding, child protection, fines, but now we understand that... they've also helped the team generally through the training, like consent, what does that actually mean. Having the team here helps to keep that front of mind.*

*Lawyer has met with all the managers, workers individually, team meetings, wanders down corridors, asks people to give her research. She is absolutely seen as a part of the team. The second lawyer was a quiet gentle person, but we didn't always know he was here. Because the last lawyer roams around, she is seen more and she is a part of the team and not a visitor.*

### **Empowerment**

*As a manager, being able to ask legal confirms things and can improve decision-making. We have also grown to use legal for earlier conversations that might pre-empt or sort things out both for students but also organisational decision-making which is more rounded and so we are able to better prepare and put in place things for down the line.*

*Really helpful for me as if I think they (students) might be relying on wrong information I know you can help.*

*Cross border issues - they have to be armed to deal with laws in both NSW and Vic as the differences can really impact on them and not often positively. (See recommendations - systemic)*

### **Reach**

*It strengthens the ability for the community to access the service as they need it. In some cases, they probably would never access it unless that relationship was built*

## Early intervention and prevention of problem escalation

*Good legal advice early certainly leads to better health as they (young person) can be stressed and ignore a problem and it eats away at them even if they pretend it does not matter. That can impact on their schooling, health and wellbeing. Now they know beforehand if they stuff up on a lease now, it can impact later on and so think about this in how they behave. Before they would never have known the flow-on effect of things like a conviction, in terms of a job and access to lawyer they get on with and trust gives them that earlier insight.*

### Impact

*Opportunities for conversation. That's what happens in the Aboriginal community. You must provide those opportunities. It might be a key issue for the client but it's not a medical issue. People can tend to put it as secondary, so having someone here who takes it from being secondary to 'let's deal with this while we are here', it becomes a focus. SDH, the issue we have come across a number of times is conflict of interest because a lot of Aboriginal communities have issues with the law and the regulator stuff is difficult to negotiate. Having someone here means someone can quickly assess if it can go to this service.*

- 1. Their literacy around legal.*
- 2. Their confidence in feeling like they can engage with that again, because it's been a positive experience. Young people talk to each other when they need help first. They talk to each other so that positive word of mouth. If their friends say go to invisible hurdles, they will go.*
- 3. They know how to access the service and they know it is here so that they know they can access the service if they need it.*

### Social determinants of health

*The example we have is the stress legal issues cause becomes a physical issue. Stress causes lots of things. If you can deal with the stress people are under, you have an impact on their direct physical and mental health. A good example is that I have fines, so I can't get my licence back, but I live in an area that I need to drive but I'll occasionally drive. I try to run away from the police and I have an accident, so it affects my physical health.*

*Interview with Legal Manager 2018*

### Engagement

*The other burning thing for me is to use the service to assess family violence impact. It sounds like it's only now where we are starting to build the trust with young people and we can't really know yet. (See recommendations – time, longevity of funding)*

## **Capacity**

*They (partner staff members) have other skills that we don't have. They are strong on being trauma informed and that is something we can work on more and are keen to work on. Effective ways of engaging with clients, too.*

*We haven't joined any of the other organisations' training days and that's something we could do.*

## **Collaboration**

*The biggest thing for me is getting the non-lawyer perspective. The perspective of other professionals about what works when engaging with these people that we are working with.*

*Sometimes we can get disconnected as a legal centre about what the reality is of the people we are engaging with.*

*Getting the perspective of the partners' CEOs has been a really important thing out of this partnership – what the hurdles are.*

*Always wanting to upskill our ability. Talking to partners about the biggest areas of need and main legal issues they are experiencing.*

*I felt slightly guilty tapping them on the shoulder to have these meetings, but now I know they are actually interested and want to get the feedback from us about the work that we are doing. We still need to be informing them more.*

*Also seeing how much more joint policy work we can do. (See recommendations - systemic)*

*Our local Federal MP is very interested in working with community groups about systemic or law reform problems. She has asked us to bring them to her and highlight the effectiveness of this program in the regional community. That has flow-on effects for the community to address some of those bigger problems in the process. (See recommendations - systemic)*

*Relationships with the partners takes time. We are starting to make progress but there is still more work to do. I feel more comfortable now that I can just pick up the phone to any of the managers. They think differently to lawyers and are able to give ideas. (See recommendations – time, longevity of funding)*

*The CEO partner told us he likes this interaction and listening to him we learn so much, and important to have time to just sit around the fire.*

## **Impact**

*The fact that ... (partner) and ... (partner) are now co-locating, is completely a result of the IH that it has occurred because they met because of our advisory group. They met and are now co-located and that just blows us away. (See recommendations - systemic)*

Interviews with non-legal professionals 2018

## **Engagement**

*My experience of community lawyers has been positive but not so much private lawyers, so I hate when there is a conflict of interest. I don't like that private lawyers know the person is struggling financially, agree to an amount or paying off and when the situation is dealt with the bill is always higher. They don't seem to care, I've only ever been contacted by one private lawyer and most times I don't hear from them at all. Community lawyers are always around. Feedback from my client is that they feel judged and intimidated, and the use of language, and even going to some of their places of work are intimidating. Being here is better. The way they dress, too. ALS have lost 2 really good staff. (See recommendations – community development and PD)*

*Staff turnover is to the detriment of the program. Kids get shipped from one person to another and have to retell their story over and over again. This is my fourth year and we've only had one staff member leave and one staff member retire. It is important for programs to have consistency. (See recommendations)*

*So, for the first couple of months the lawyers don't have much to do and they establish themselves. You have to be visible to the kids. It takes time and you sitting there having a discussion over lunch about the class they've been to or what brought them to the school is the meaningful conversations that build trust. It seems like dead time but it's really important. (See recommendations - community development)*

*More confident kids will talk quickly. Kids who have been churned through worker after worker lose faith. (See recommendations - retention)*

### **Capacity (secondary consultations)**

*There was a client who had spoken to another staff member and I didn't believe that would be the process, so I went to speak to the lawyer and ran a scenario past her and it confirmed what I believed and then we made sure that the referral was done.*

*Through Secondary Consultation is efficient, quick timely and responsive and we use it time and again.*

*I see the secondary consultations as a form of training. It also provides an opportunity for the lawyer to learn about what we do. She will come and sit in our office and come to our team meetings to learn some of the complexities of working with our young people.*

### **Capacity – General**

*It makes my job a hundred times easier. It is confronting, going to family court to get paperwork or find where to start for me that would be confronting not knowing where to start. Having the lawyer to say 'you need to do this and this and this'. I feel quite lucky that we have her.*

### **Collaboration**

*My belief and experience make me refer to this service. The way in which the practitioners have conducted themselves and the way they communicate with the client and myself is inclusive.*

*The referral process is ridiculously easy. It's a conversation. The three lawyers I've had but especially the third lawyer – she just comes into my class. Now we all know, and she is very comfortable here and it's like another staff member. There's nothing worse than having to fill out another referral form on top of another one to write down their name, their contact details, their parent details etc. I don't even see them go up to them she doesn't make it obvious. She'll be sitting in the area having a conversation and you wouldn't know if they're just chatting being social or having a really serious conversation.*

*If we have the right information and the right resources, we are better able to support the clients or young people for the best outcome. Having the range of professionals to consult with and having the lawyer readily available and give you that immediacy. I'm not in crisis anymore, I was case management last time. I'm in counselling now. Having that on hand to provide better outcomes, whether it's mental health or overall wellbeing. For me I look at the social psychological and emotional stuff now so if we can focus on the legal stuff we can focus on what's necessary.*

### **Empowerment**

*That just is a testament to the project because it changes their thinking to say we can work together – same at two sites.*

*I think there's scope there definitely for us to work together on policy.*

### **Reach**

*People don't think that with fines you can't go to a lawyer. I now mention that at every staff meeting. I've been taught not to take no as an answer. I'm involved in education of new staff. Building Stronger Foundation have used me as an advocate sometimes. I have the capacity now to be able to say go and see the lawyer about this. We don't have any team leaders here, just managers and staff. If there is something happening, staff often say go and ask me and then I say go and see the lawyer. I think the service is such a great one and I've seen the benefits of it in the past and I will refer anyone.*

*I had a student on diversion order for sexual assault and I wasn't sure what the diversion was and how to proceed with the enrolment because we have minors here.*

*The lawyer helped me to help my client and I now use that information for lots of other clients and the lawyers would never know so the reach.*

### **Social Determinants of Health**

*Another young man in a DHS placement and he is one of our most at risk students, always having issues. I'm often consulting with the lawyer about financial problems, employment problems, housing problems, what are his rights as a ward of the state. He is now moving out into his own independent home as a result of those conversations.*

### **Impact**

*I had a young guy too, we were talking about Work Development Orders but is he aware that he can apply to have them wiped. We saw the young boy have his life turned around and he got his license back and started working. It all started when he got a fine when he was 12 for not wearing a helmet.*

*Lots of benefits. Easy access. In their own territory. Comfortable in their own space. Time to think about what they need to talk about or bring to the table with the solicitor. The relationship has been built already and a lot of people know who the lawyer is here.*

### **Efficiency and effectiveness**

*I'm a senior practitioner so I'll have consults with my staff and they'll raise issues and I'll utilise the legal service here.*

*You save time and you can move forward and work with that client.*

*Intellectually disabled clients insisting that they are the ones that provides consent for every referral. It became impossible to support the young person and their family. We gained the legal advice of where we stood as an organization. I was able to go through the mum to gain consent for the needs of that person to get them access to services... He wasn't going to have capacity to understand what he needed. He got access to services. It has been a long hard road. Good outcomes to date. E.g. Mum has said for the first time this boy is 14 and since he was two he was handballed so now I've been able to push through some of those barriers.*

## **Engagement**

*Client who is making personal injury claim for abuse as a child taken into care, has been taken on by [a private law firm] on a no-win, no-fee basis. She had been given vast quantities of documents to sign, so we went through them one by one. Interesting discussions about the legal profession. Another client had seen a family lawyer in the past and should have got back to her but has been in an abusive relationship for two years which has now come to a head, in court for AVO and assault charges. (See recommendations – time, longevity of funding)*

## **Collaboration**

*There is extensive family violence involved and our client also has significant mental health issues. It is good to be able to talk to other workers to be made aware of the background of clients.*

*Great team to work with. Discussed conflicts of interest issue and team on board with trying to minimise effect of turning client away/putting up another barrier. Also want a 'referral form' with information I need before appointment is made. (See recommendations – protocol development)*

*This issue of conflicts of interest was discussed at the Advisory Group meeting last week and it became apparent that we need to develop another solution to assist clients in this situation. (See recommendations – protocol development)*

## **Capacity**

*Spoke to the staff meeting on conflict of interest. Had only 10 minutes but explained it in terms of protecting the confidential information given to a lawyer by their client. I used two staff members sitting together to use as an invented case study and how in some circumstances you cannot protect the confidential information (e.g. family law matters) but in others you can. I think it was a success as many staff had questions of clarification and one other staff thanked me for the contribution. Interestingly, when I asked on opening, how many people understood the meaning of conflict of interest, most put up their hands! (See recommendations -PD)*

*I participated in a healthy relationship session being run by the school nurse. There were two teachers and approximately 10 students discussing what makes a relationship a 'good relationship'. The students were given a scenario and they had to rate aspects of the relationship from 1-10. At the end of the session a student asked if they could speak to me about a matter. I felt that it was a breakthrough moment as the student approached me herself on her own accord.*

## **Reach**

*The YP sought advice on a personal matter and it turns out that I was the first adult that she spoke to about this. I had spoken to her previously about another issue and have seen her around the school and I think this contributed to her feeling comfortable to talk to me. She also told me she wanted counselling and I referred her to the school nurse (with the YP's consent). This raised an issue for me to get across, in more details, mandatory reporting requirements for teachers and professionals so I don't inadvertently put the YP's confidentiality at risk. This is criticism of my own personal knowledge (or lack thereof)- haven't really had to know mandatory reporting in detail due to not working directly with YP before.*

## PART D (b) - Quantitative Data

### *Aggregated HRCLS Service Data December 2015 (start-up- 31 March 2018*

- i. Numbers of clients seen from service project start-up December 2015- 31 March 2018 = **101 clients** seen. (Data from CLASS database)
- ii. Nature and number of client matters from service project start-up December 2015- 31 March 2018 = **198** client matters. HRCLS advises that this data is extracted from CLASS. HRCLS has advised the authors that the advice data is restricted with the date/information HRCLS can extract from CLASS as the only reports that can run are pre-loaded reports so all that can be extracted at this time is a 'Top 20' breakdown of matters. As noted by the author one in previous studies, there is a problematic category namely "All Other Problem Types" and so further breakdown of this vague, unhelpful grouping is not possible.
- iii. Referrals to and from the services of the IH project from service project start-up December 2015- 31 March 2018 **total = 50 referrals - underestimate**. Based on the data collected from non-legal professionals, this seems to the authors to be an underestimate. Participants indicated a higher rate of referrals. See Appendices for the data.
- iv. Secondary consultations from service project start-up December 2015- 31 March 2018 = 108 secondary consultations (SC) – underestimate other data would indicate **total = 288 in the last 12 months of the project** alone. Based on the data collected from non-legal professionals, this seems to the authors to be an underestimate of SC. Participants indicated a higher rate of SCs. In interviewing two lawyers, it was evident that they were not defining SCs as per the project definition and that non-legal professionals had a better grasp of it. The questions also defined SC. When the two lawyers at the latter stages of the project heard this definition in February 2018, they disclosed they had not been characterising some of their advice to non-legal professionals as SC because they might have occurred in an informal setting. Comment was made that the legal side of the partnership had the manner of narrow and traditional categories of collection data of legal aid accountabilities so engrained that they had not identified the different nature of this project and the critical nature of counting SC in

a way different from advice to clients. Data from the 15 non-legal professionals who were specifically asked how many SC they would have had per month = 6 x 15 x 12 =288 in the last 12 months of the project. It is noted not all non-legal professional staff who use the project were respondents to this research and so the figure may be higher (See Appendices for the data).

- v. PD - **TOTAL 29** (See Appendices for the data).
- vi. CLE/CD - **TOTAL = 10**

*Aggregated Data from Field Trip Week of 20 February – 24 February 2017*

Four manager of partner agency Interviews

One Young People Focus Group (with five youth participants, see above)

Nine interviews with non-legal professionals with three from each partner agency

*Field Trip February 2017 Quantitative Data*

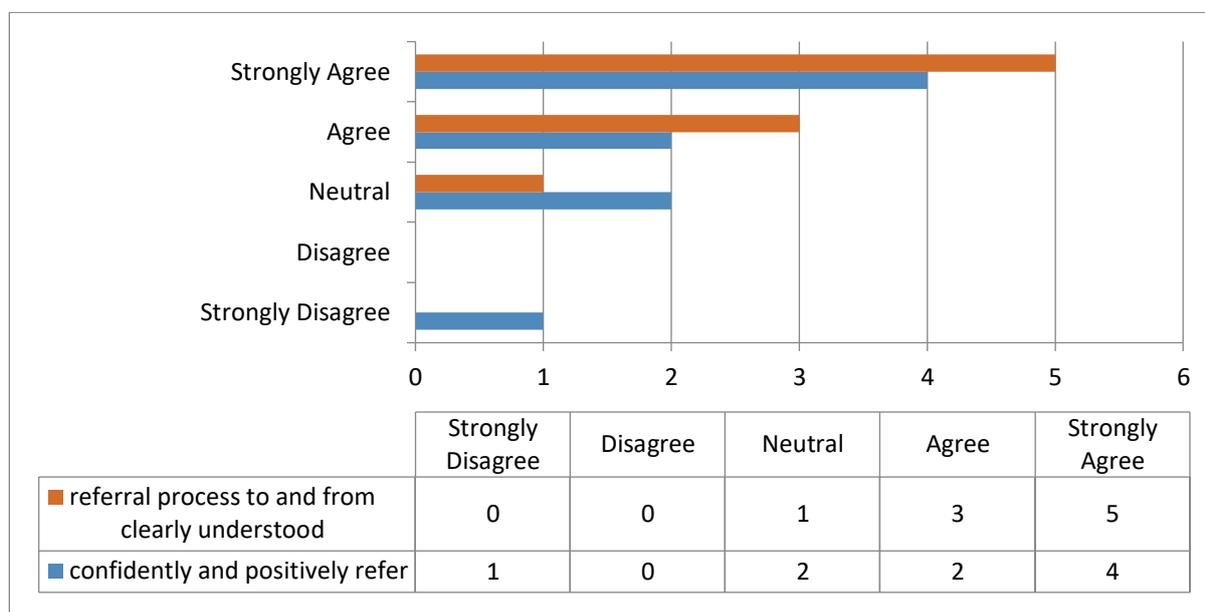
**Non-Legal Professionals’ data February 2017:**

Question	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
Can confidently and positively refer	1	0	2	2	4
Referral process to and from clearly understood	0	0	1	3	5
High level of mutual understanding and trust between you and the IH	0	0	1	3	5
Through IH I have gained an understanding of other professions ethics and boundaries	0	1	2	4	2
IH staff (i.e. the lawyer) recognise and utilise the	1	0	0	3	5

professional expertise of other staff.					
The lawyer/s are responsive to client need.	0	0	2	2	5
I not only examine the individual client's problems but look to change the systemic causes of problems including the laws and how they are administered	0	1	1	2	5
There is huge value to me in assisting patients/clients due to secondary consultations with the lawyer/s who give me legal advice (both to support me assisting the client and to guide me in my professional obligations in the context of the legal process and the laws).	0	0	0	2	7

## REFERRAL PROCESS

### Referral Process (Non-legal professionals' viewpoint) February 2017

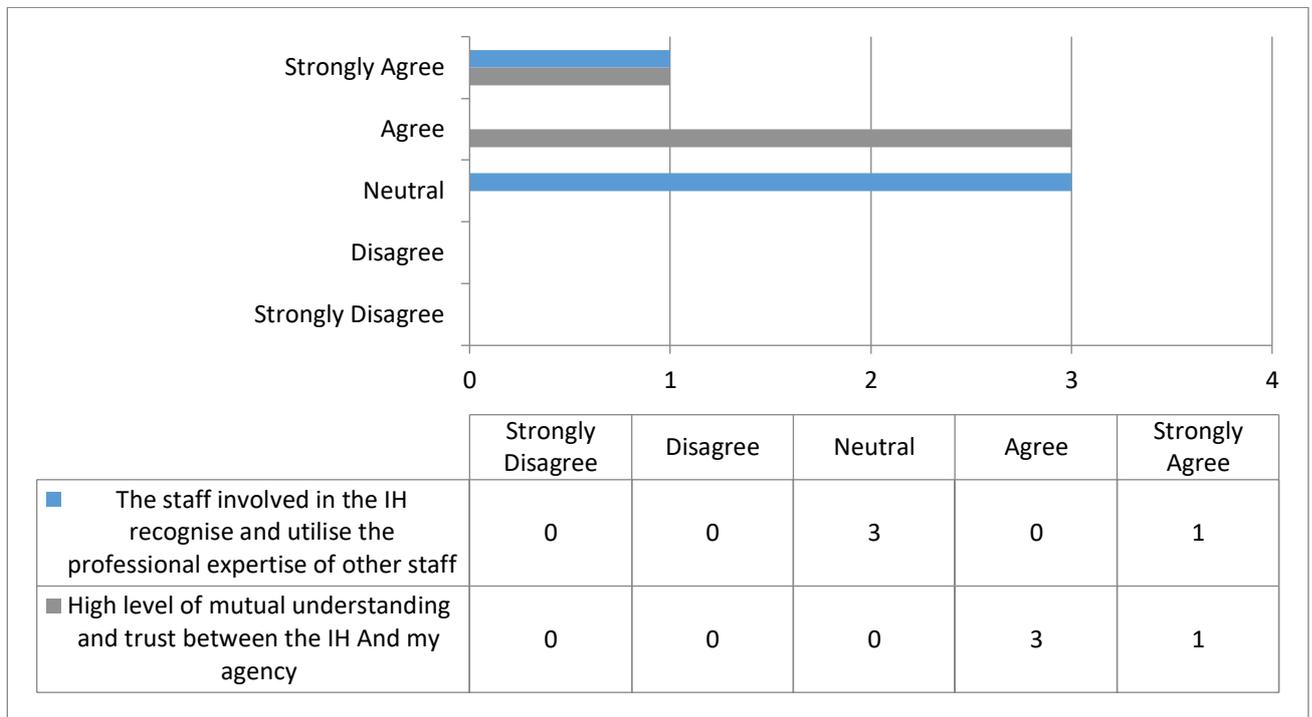


On one view, this could be saying that the staff understand the referral process more clearly than the managers (note 8/9 staff have said they understand the process with agree-strongly agree) whereas 2/4 managers gave this response, and the other 2/4 gave a neutral response. This may reflect the fact that it is the professionals who are actually doing the on--the-ground service. It did suggest that from February 2017 there was room for greater explanations to managers about the process. This would enable managers to more clearly understand what is occurring, how and help them utilise the service more and promote it at staff and Board level, and also where there are issues they may assist in systems improvement.

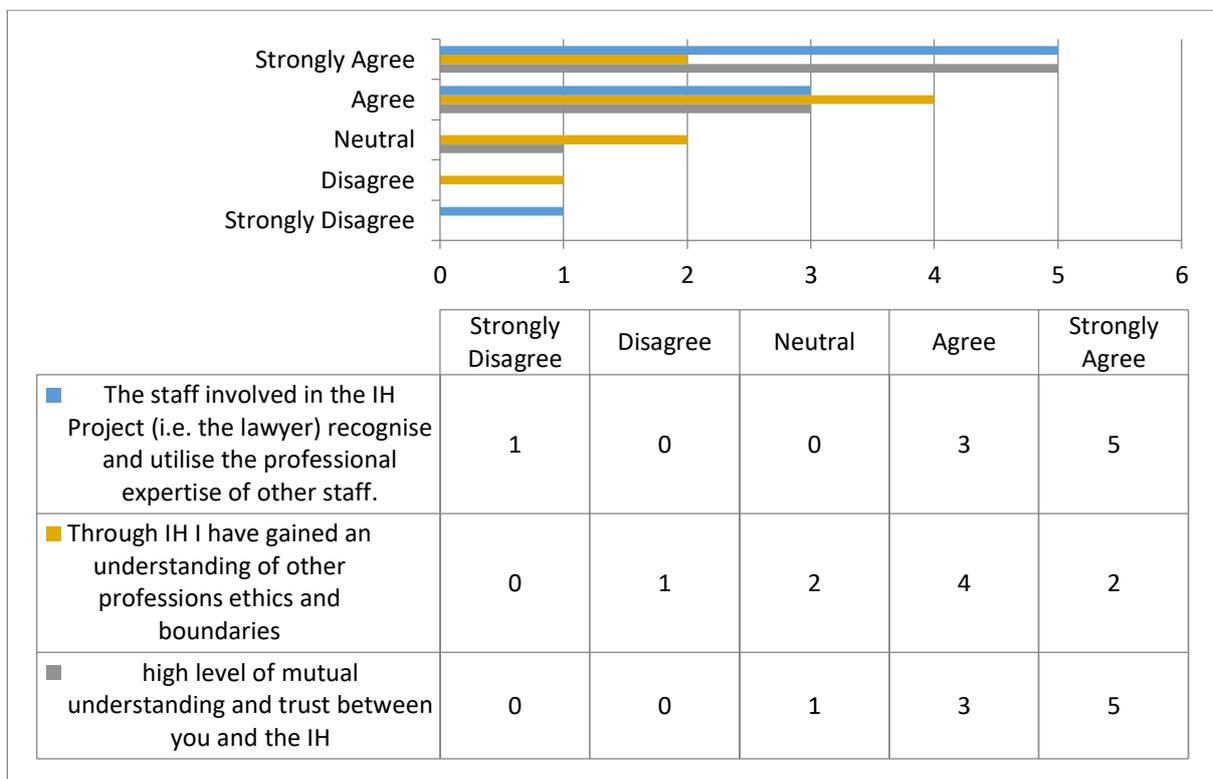
This had changed in February 2018, with all managers reflecting a 'huge' 'great improvement' in being informed and included in decision-making. This highlights that it is not only critical to engage with those charged with delivering the services but also their organisations including Boards, CEOs and managers and between and across the partners, so they are all informed.

## MUTUAL UNDERSTANDING

### Mutual understanding (managers' viewpoint) February 2017

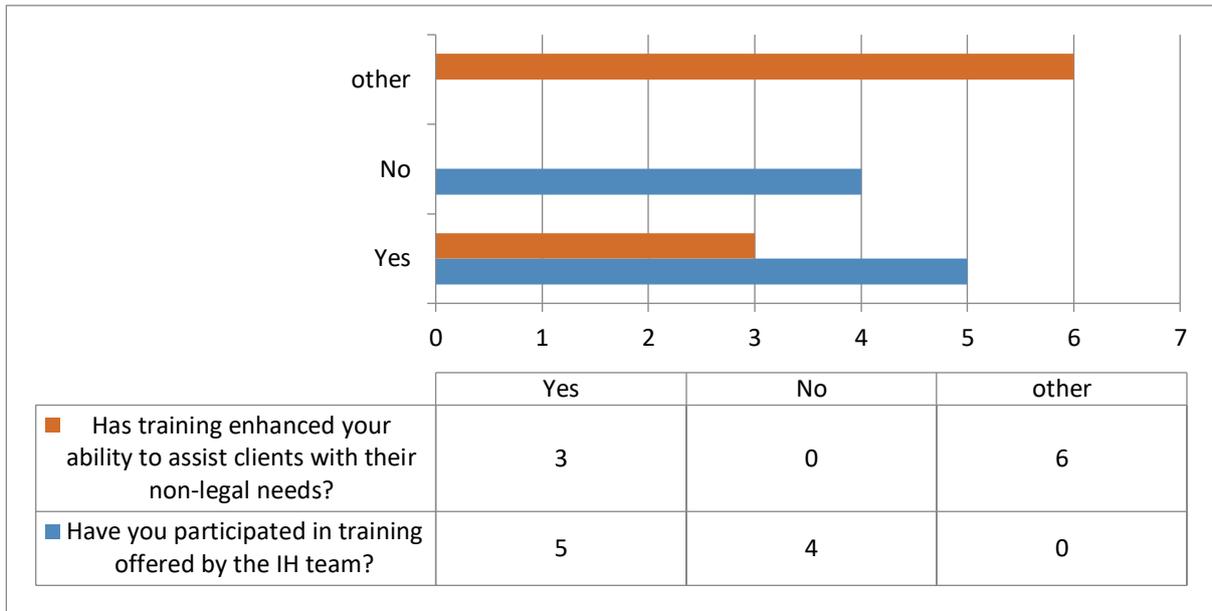


### Mutual understanding (Non-legal professionals' viewpoint - third question included here) February 2017



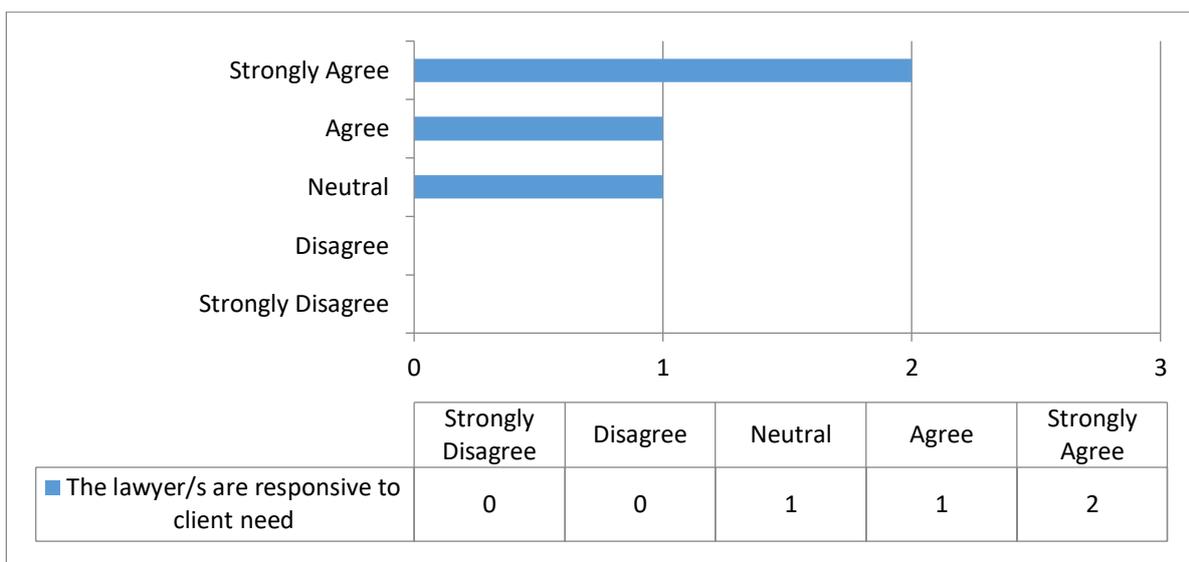
Again, in February 2018, there was a shift in understanding which is suggestive of a positive improvement and that moving towards integration takes time, effort and consistency in order to build trust and seamless service delivery.

### Training (non-legal professionals' view) February 2017



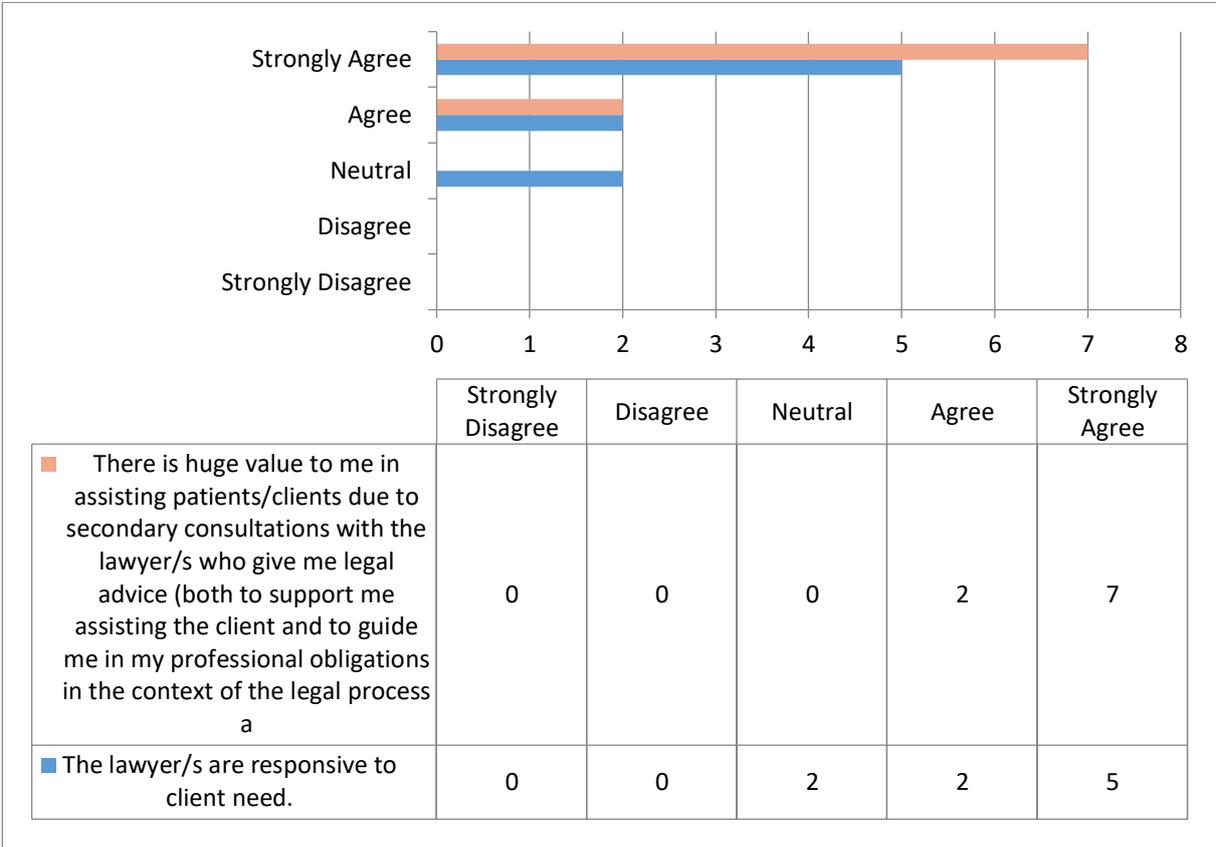
## EFFECTIVENESS FOR CLIENTS

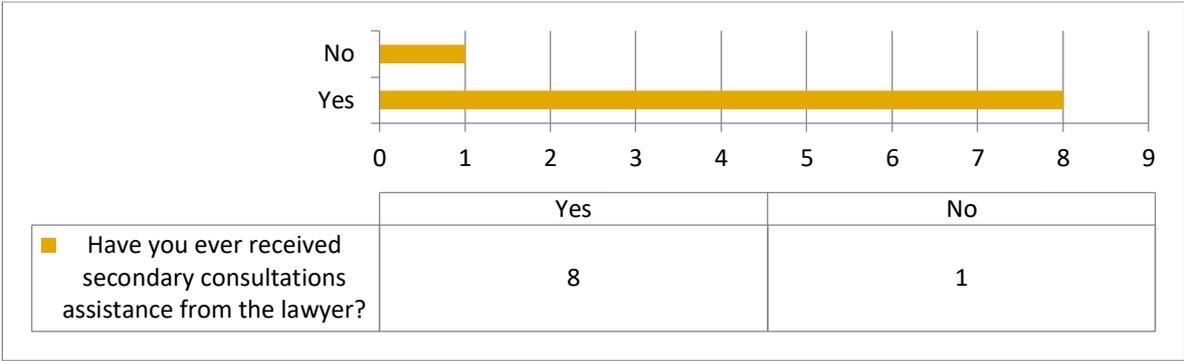
### Responsiveness to client need (managers' viewpoint) February 2017



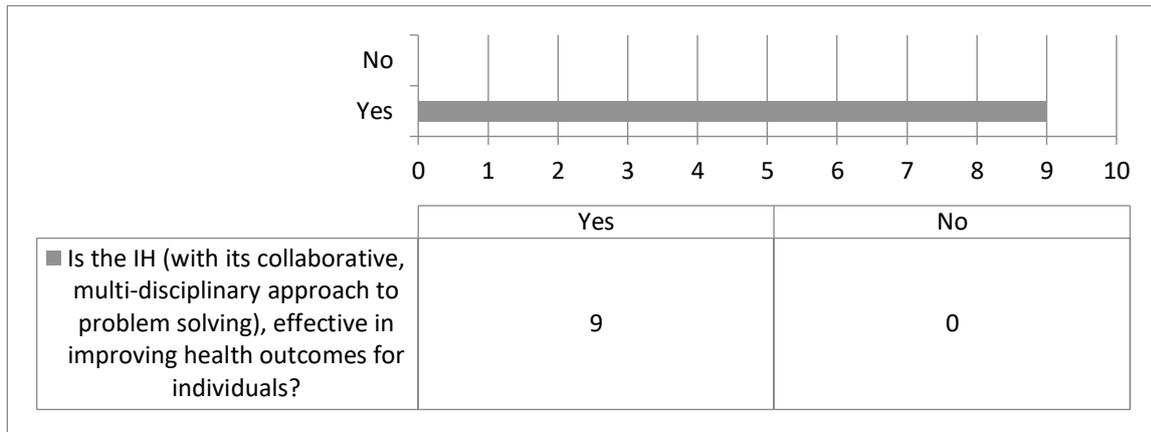


**Responsiveness to client need (Non-legal professionals' viewpoint – one additional question about secondary consultations) February 2017**





**Effectiveness of multi-disciplinary model (non-legal professionals' viewpoint)  
February 2017**



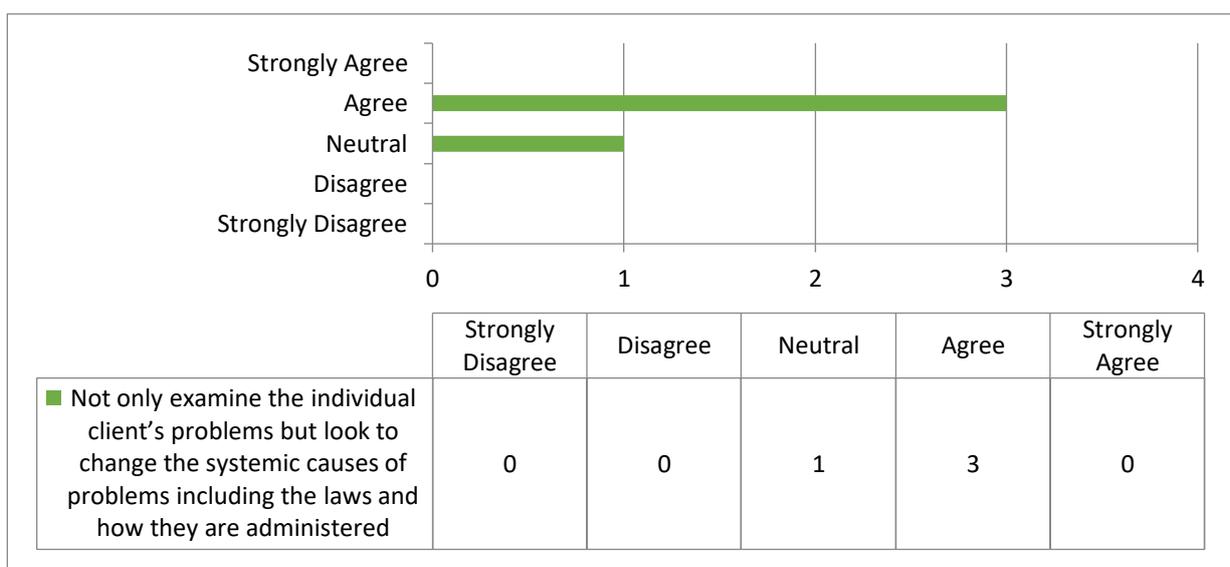
Seven out of nine non-legal professionals and three out of four managers, agreed or strongly agreed that the lawyer was responsive to client need. No one disagreed.

There was overwhelming agreement that the secondary consultations were valuable and eight out of the nine non-legal professionals interviewed said that they had received a secondary consultation from the IH lawyer.

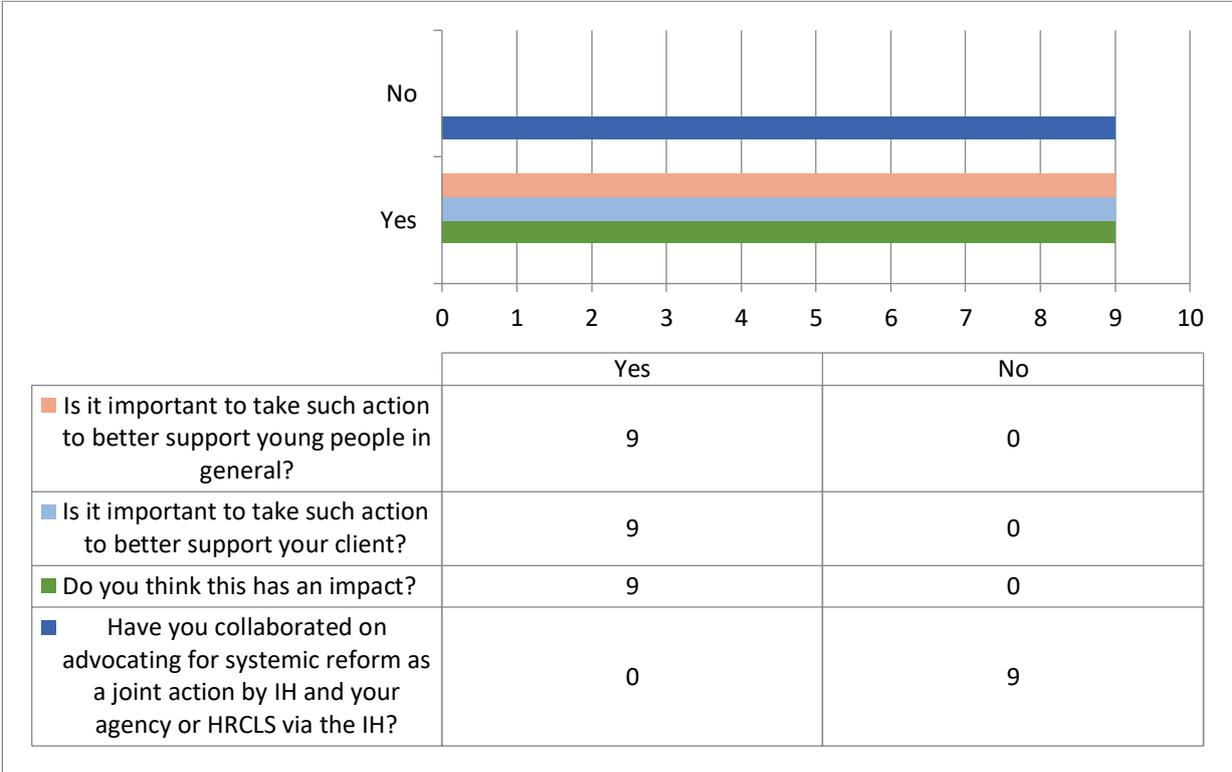
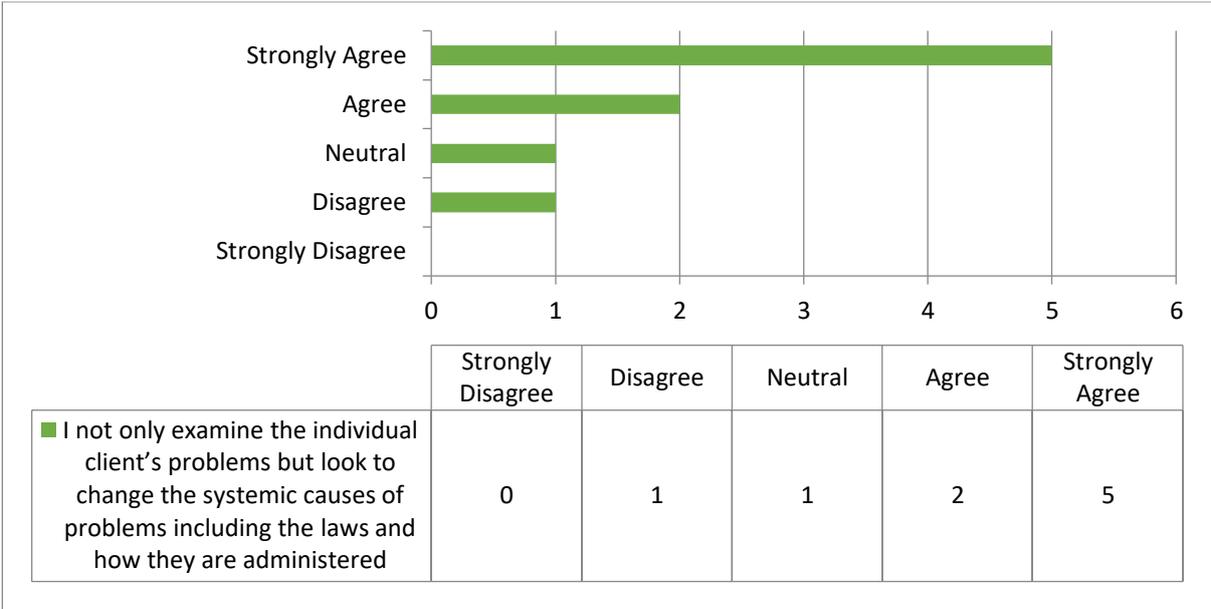
100% of non-legal professionals also agreed that the multi-disciplinary approach is effective in improving health outcomes and all managers would like the IH to continue to be funded.

**Systemic reform**

Addressing systemic reform (managers' viewpoint) February 2017



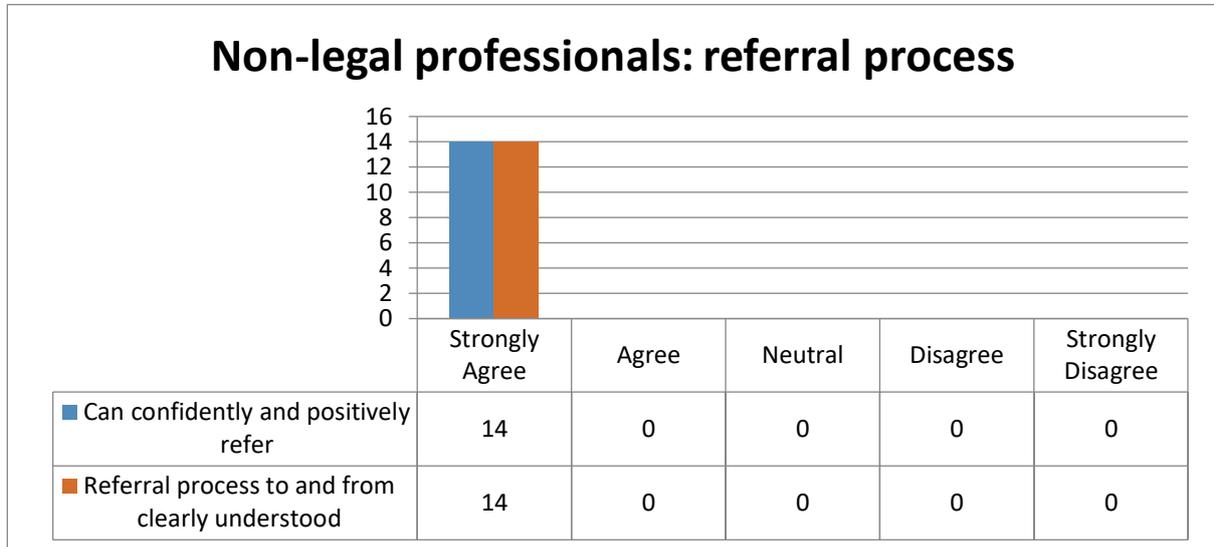
Addressing systemic reform (Non-legal professionals' viewpoint) February 2017



Almost all non-legal professionals and managers felt that they were active in seeking ways to address the systemic causes of problems. There were no non-legal professionals who said they had collaborated with the IH team to advocate for systemic reform though. This is shown in the figures below as increasing slightly in the February data. It is suggested that with further time such activity would be actioned. (See Recommendations - sys). All agreed that such action has an impact and is important to clients and young people generally. This presents an opportunity for IH to undertake future collaborative systemic work, as there is clearly an

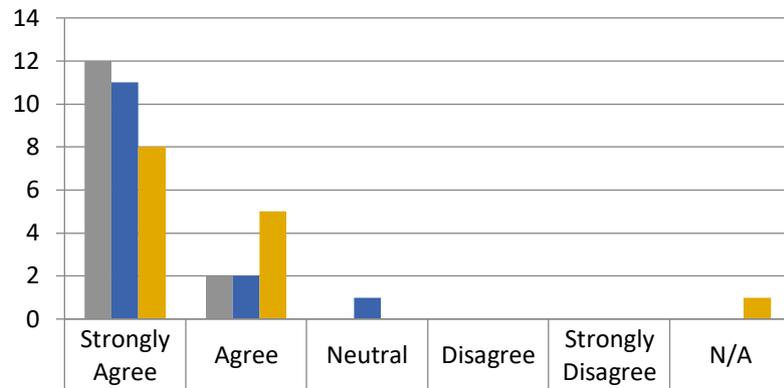
enthusiasm for such work jointly, and with consultation, as the situation might require.

*Field Trip February 2018 Quantitative data*



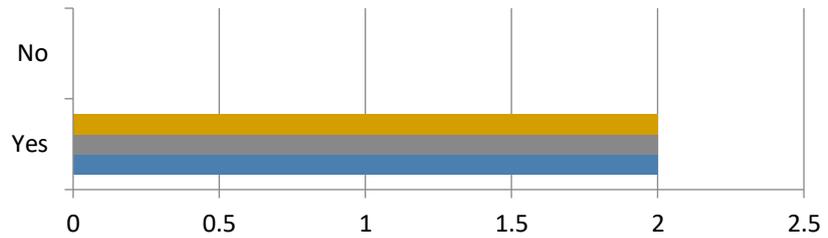
## Multi-disciplinary practice

## Non-legal professionals: multidisciplinary practices



■ High level of mutual understanding and trust between you and the IH	12	2	0	0	0	0
■ The staff involved in the IH Project (i.e. the lawyer) recognise and utilise the professional expertise	11	2	1	0	0	0
■ Through IH I have gained an understanding of other professions ethics and boundaries	8	5	0	0	0	1

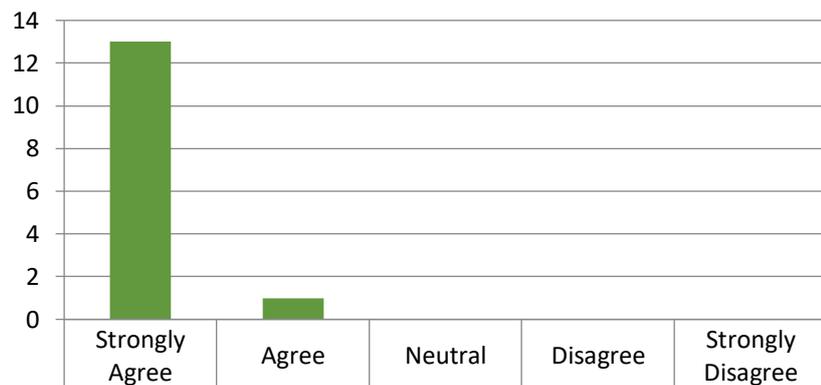
## Lawyers: multi-disciplinary practice and clients



	Yes	No
■ Do you think working in a multi-disciplinary practice extends the reach to clients who would not otherwise gain legal help?	2	0
■ Do you think working in a multi-disciplinary practice increases rates of referrals from non-lawyers?	2	0
■ As a result of the IH have you seen any 'breakthroughs' for your clients?	2	0

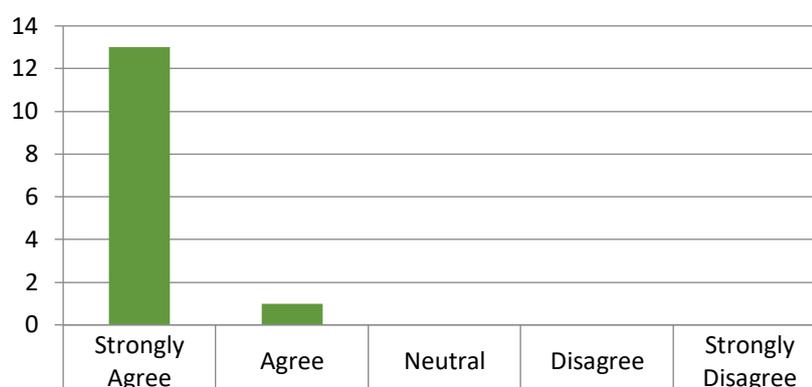
## Lawyers' responsiveness

### Non-legal professionals: lawyers' responsiveness



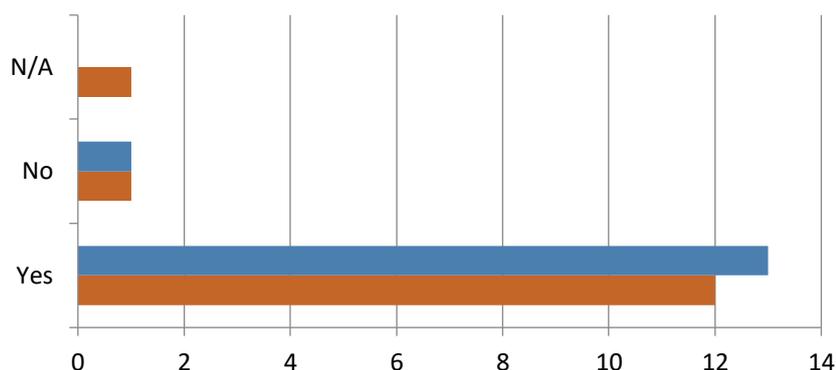
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
■ The lawyer/s are responsive to client need	13	1	0	0	0

## Non-legal professionals: lawyers' responsiveness



■ The lawyer/s are responsive to client need	13	1	0	0	0
--	----	---	---	---	---

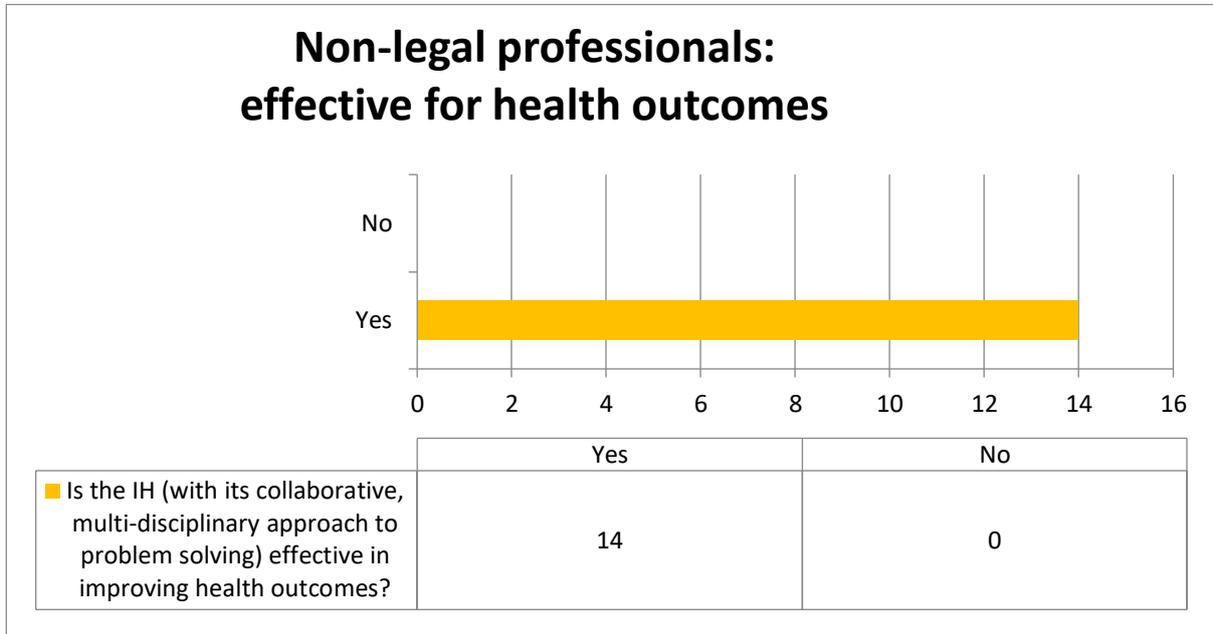
## Non-legal professionals: Training



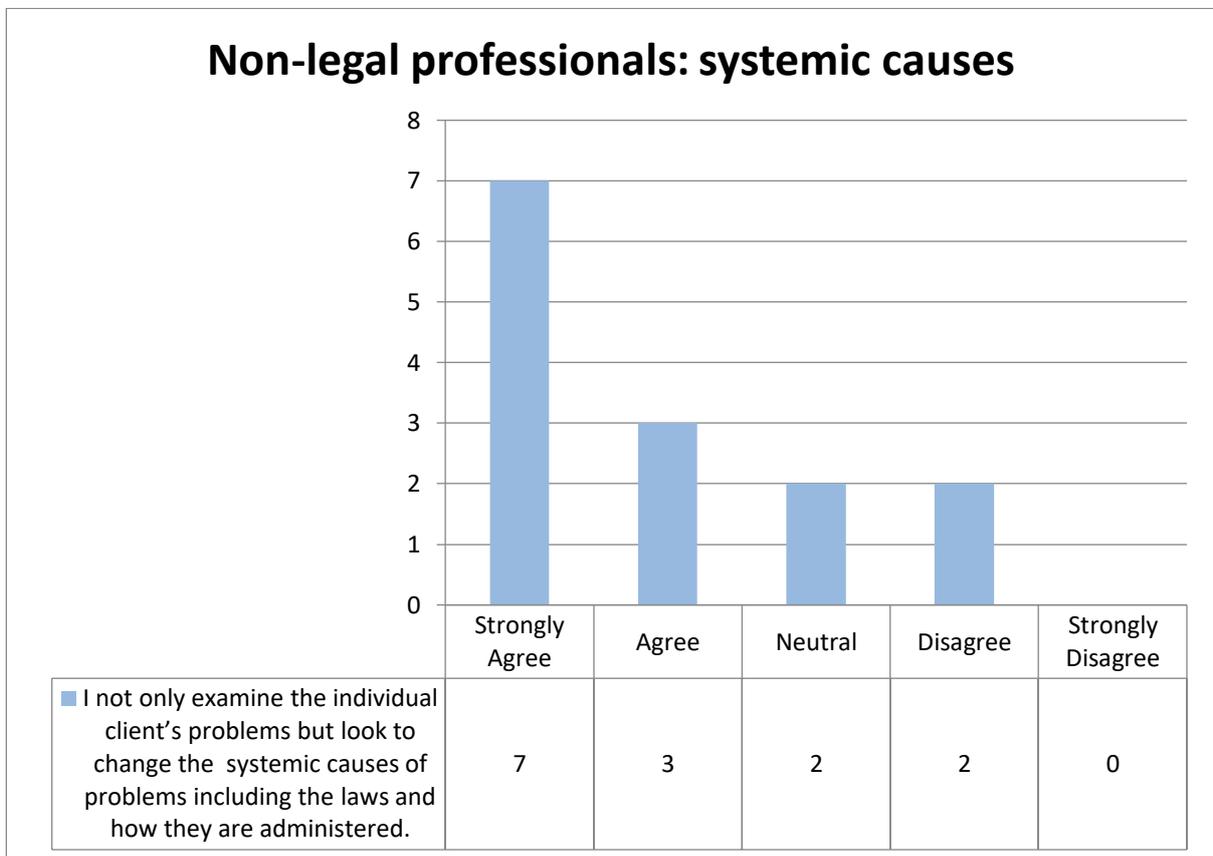
	Yes	No	N/A
■ Have you participated in training offered by the IH team?	13	1	0
■ Has this enhanced your ability to assist clients with their non-legal needs?	12	1	1

In the final Field Trip in 2018 some pre- and post-PD evaluation surveys had been undertaken. This was for consent PD. Participants all indicated that they implemented it in their practice with clients. The survey data indicated 13 people had attended the training and 12 said it had enhanced their ability to assist clients with their non-legal needs. See Appendices for full data.

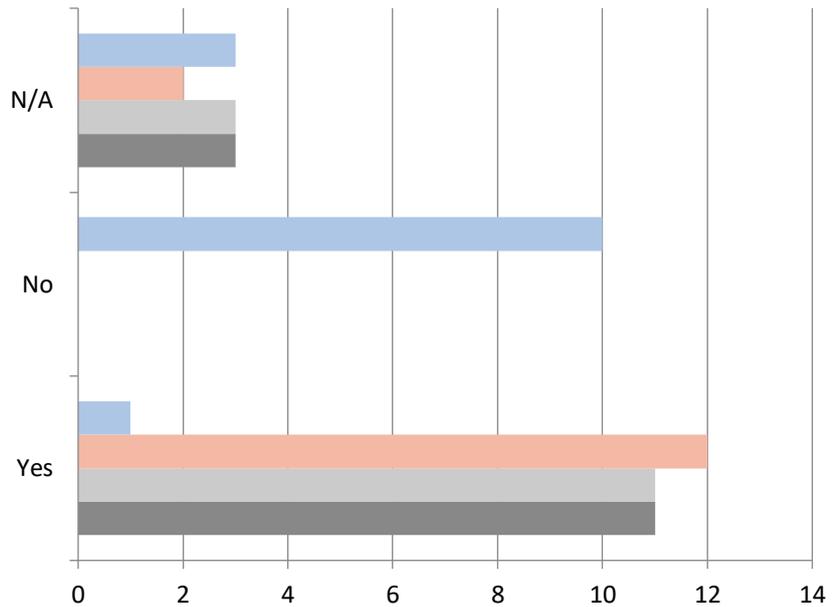
## Effectiveness for health outcomes



## Systemic reform

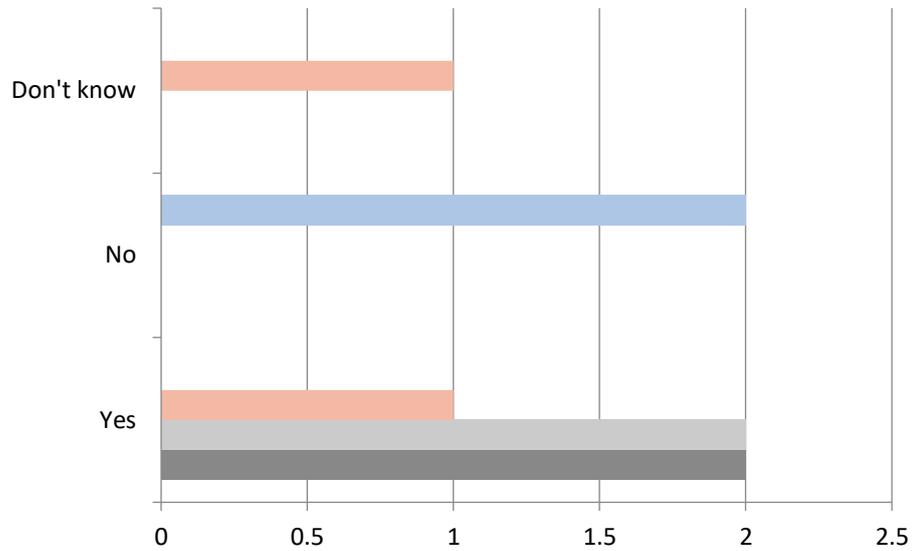


## Non-legal professionals: systemic reform



	Yes	No	N/A
■ Through the IH have you collaborated on advocating for systemic reform as a joint action?	1	10	3
■ Do you think this has an impact?	12	0	2
■ Is it important to take such action to better support clients?	11	0	3
■ Is it important to take such action to better support young people in general?	11	0	3

## Lawyers: systemic reform

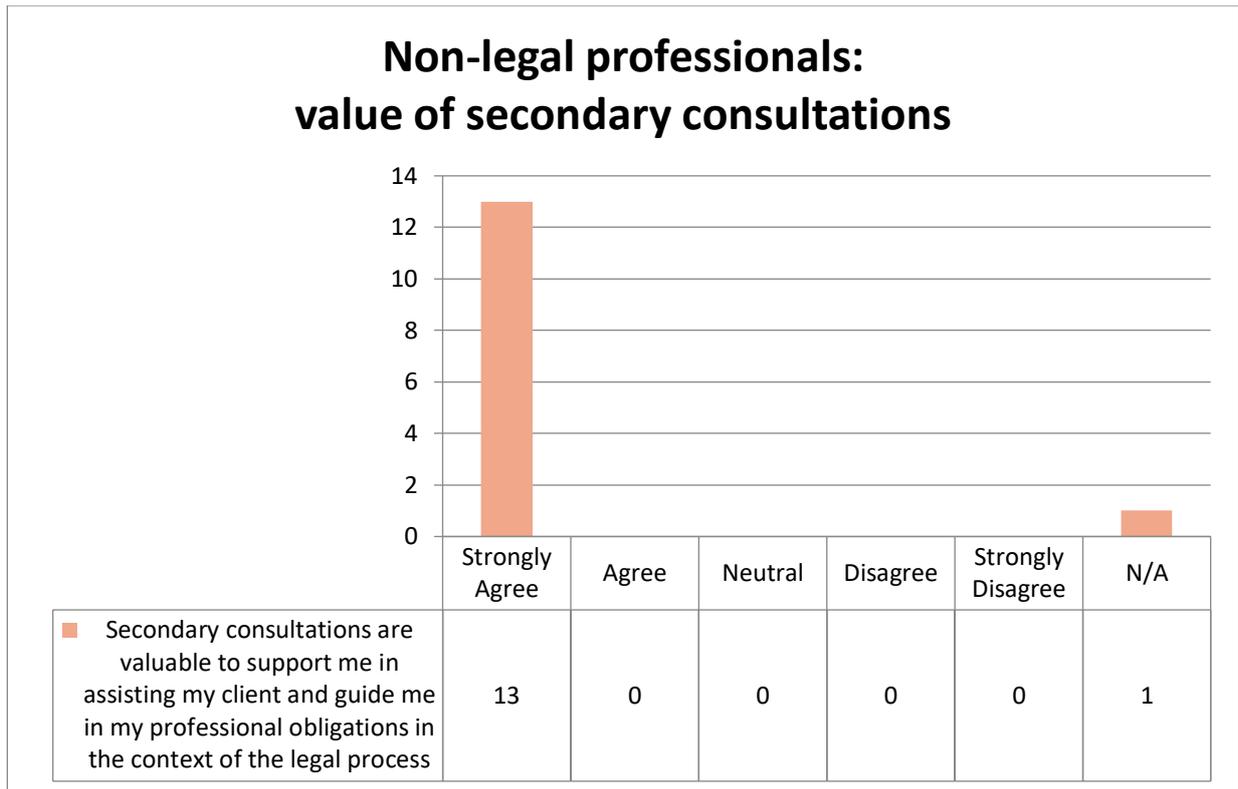


	Yes	No	Don't know
■ Through the IH have you collaborated on advocating for systemic reform as a joint action?	0	2	0
■ Do you think this has an impact?	1	0	1
■ Is it important to take such action to better support clients?	2	0	0
■ Is it important to take such action to better support young people in general?	2	0	0

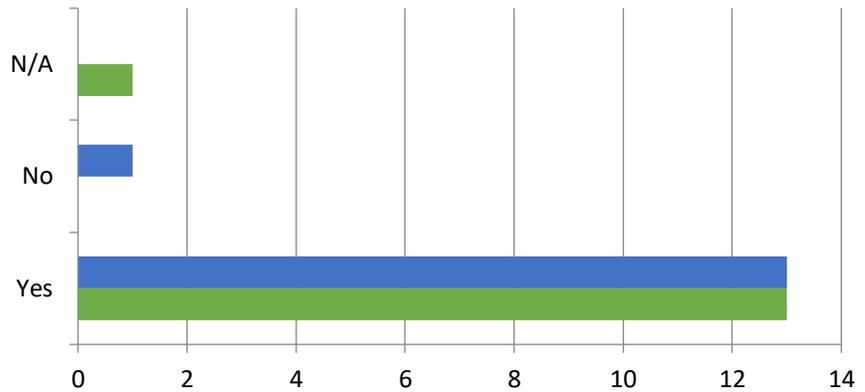
Most service providers were in the 'Strongly Agree' (significant majority) or 'Agree' across all indicators. For more detailed data see the Appendices.

The levels of PD have slightly increased in the February 2018 data; however, a significant number of participants indicate more PD will help them and reach more young people. (See recommendations- CD). Similarly, there was a slight involvement in systemic work however, only marginal involving one participant who provided case studies for a policy submission. A significant majority of participants think more joint policy action should occur and they would be keen to be involved in such work and noted the voice of young people should also be engaged in such policy work. (See recommendations – sys)

## Secondary Consultations

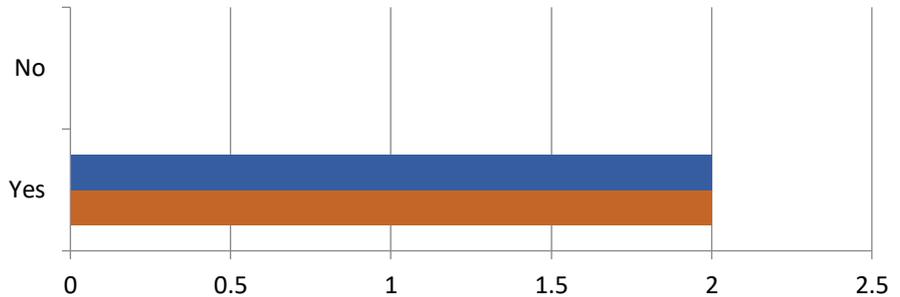


## Non-legal professionals: secondary consultation



	Yes	No	N/A
■ Have you received secondary consultations assistance from the lawyer?	13	1	0
■ Secondary consultations are an integral part of the IH collaboration	13	0	1

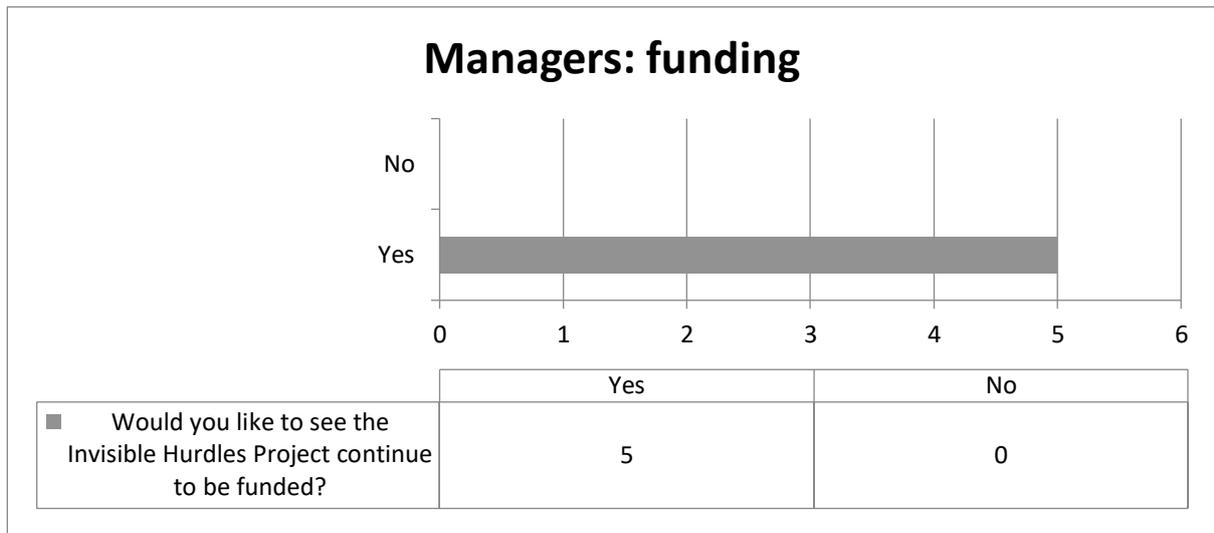
## Lawyers: secondary consultation



	Yes	No
■ Are secondary consultations an integral part of the IH collaboration?	2	0
■ Have you given secondary consultation assistance?	2	0

Secondary consultations were seen by both managers and non-legal professionals and lawyers as a vital component in reaching young people who would otherwise not gain legal help. They also noted that it enhanced decision-making, trust and collaboration and led to referrals if done well, noting it was done well by the lawyers in this project.

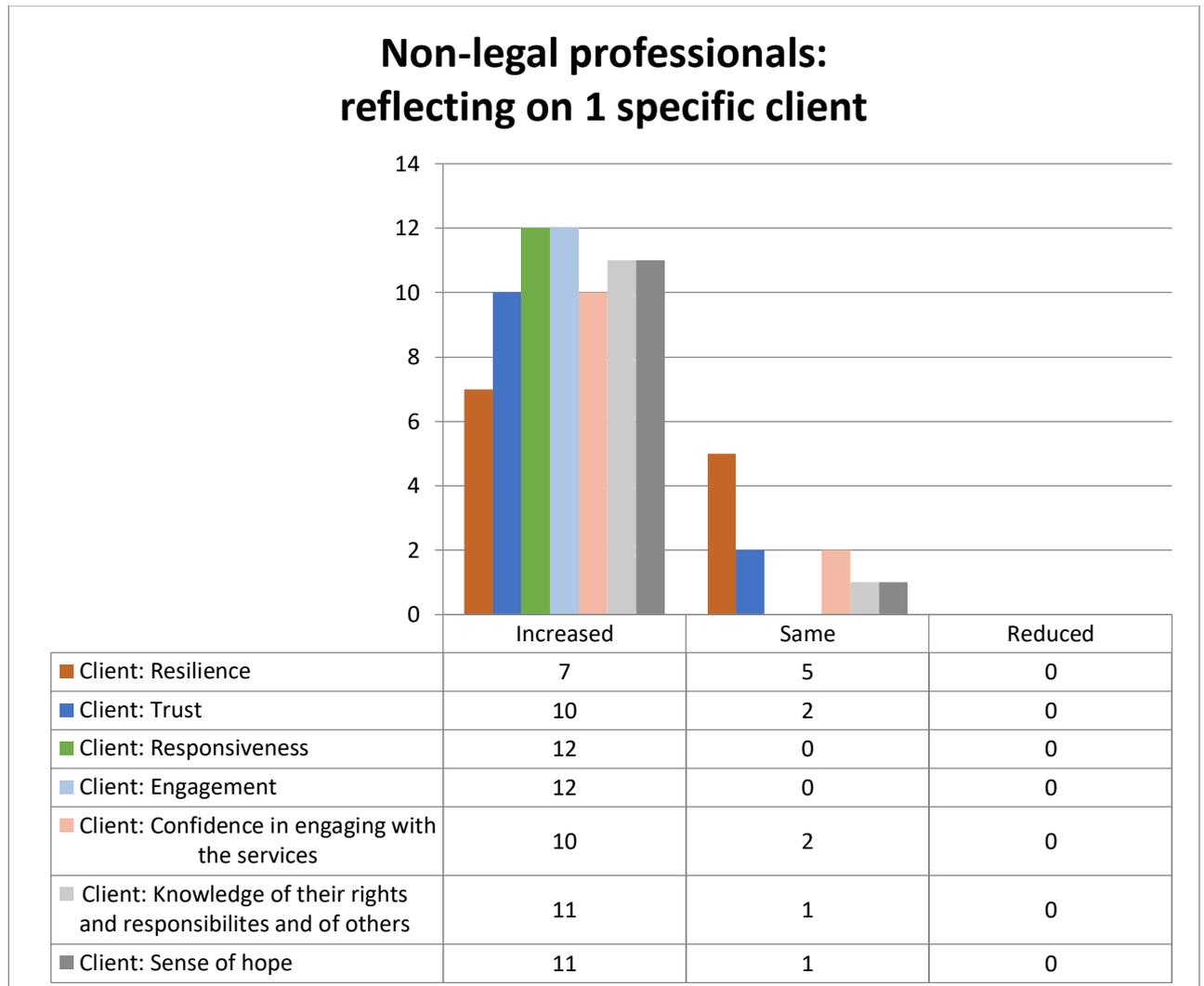
## Funding



See recommendations – timing, longevity and sustainable funding.

**Social Determinants of Health:** Field Trip February 2018 - Reflective questions

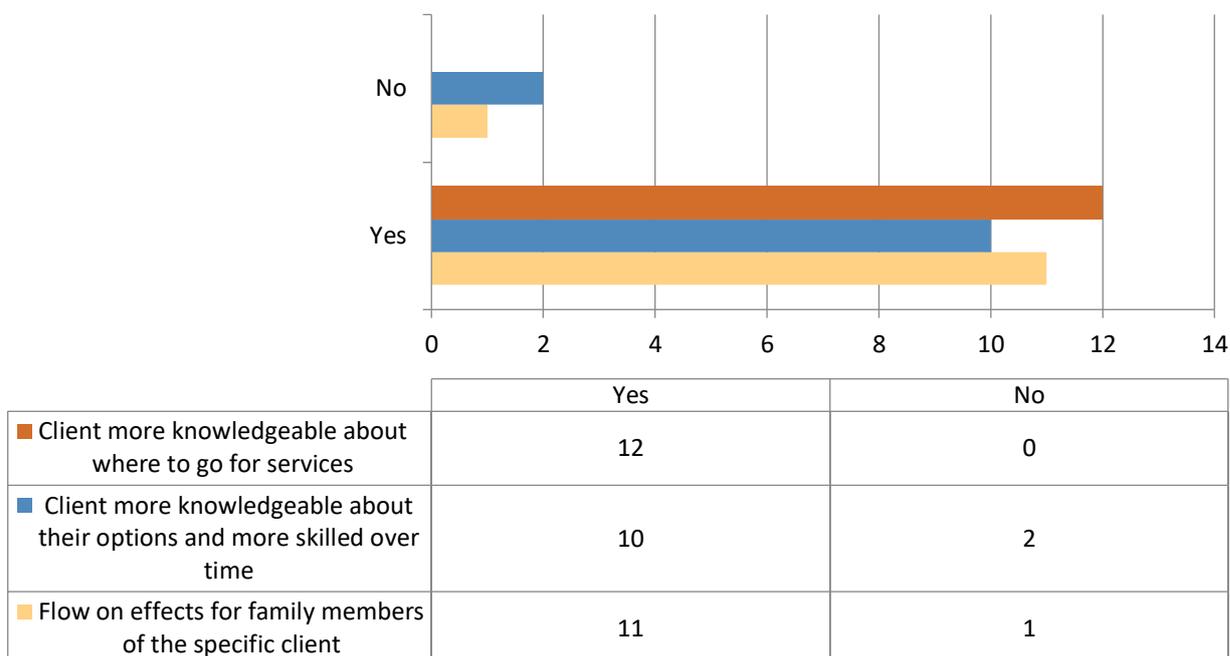
**On a client:**



### Non-legal professionals: reflecting on 1 specific client

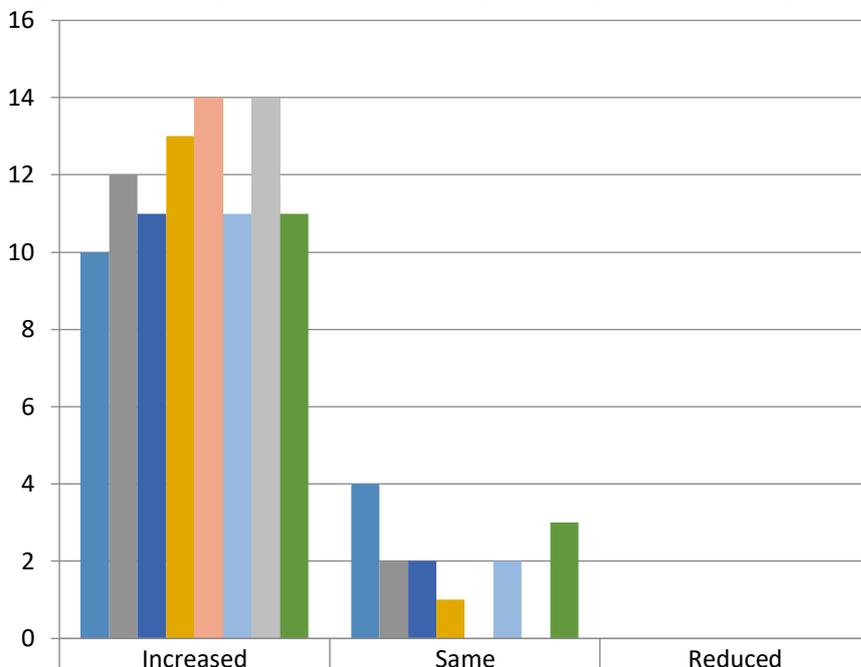


### Non-legal professionals: reflecting on 1 specific client



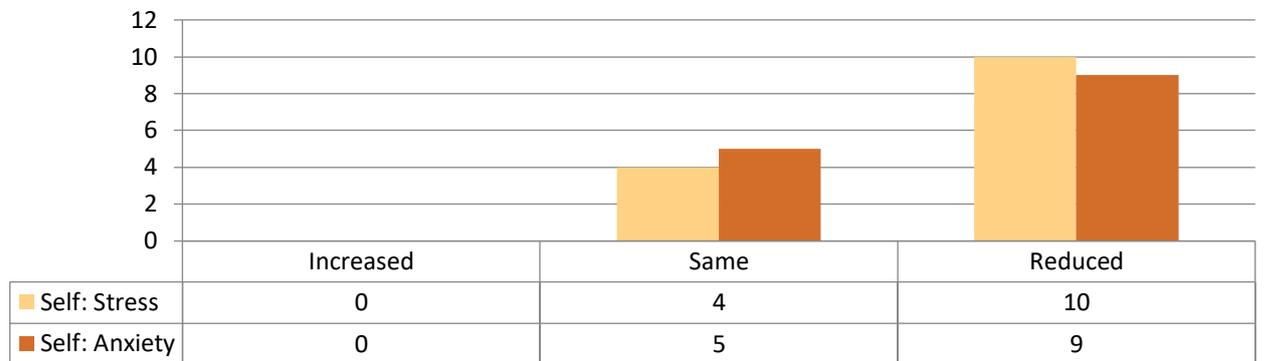
**On self, professionally and personally:**

**Non-legal professionals:  
reflecting on self, professionally and personally**



	Increased	Same	Reduced
Self: Resilience	10	4	0
Self: Trust	12	2	0
Self: Engagement	11	2	0
Self: Responsiveness	13	1	0
Self: Sense of hope	14	0	0
Self: Knowledge of own rights and responsibilities, and of others	11	2	0
Self: Confidence in knowing when to seek and seeking legal help	14	0	0
Self: Confidence in engaging with legal services	11	3	0

## Non-legal professionals: reflecting on self, professionally and personally



## Reflections Questions and Collaborative Survey Tool Benchmarks 2018

### *Comparisons between the Field Trips February 2017 and February 2018*

The continuous learning, reflection, development model enabled the following to occur in the last year of the project, as evidenced in participant data compiled from the two field trips. This showed how the project gained momentum over time, and such time is needed given the intractable hurdles to be overcome. It is now making inroads. (See recommendations – time and longevity of funding):

- There has been an increase from two hours at each agency to a full day with flexibility to go to other sites as required. The partners have also met more routinely to discuss the services approaches and to work out ways to collaborate more closely in how the services are delivered and to have respectful input.
- Opportunities for lawyer debrief with not just legal staff.
- Feedback on how the project is growing regularly in reports to Board, managers and Advisory Group.
- Promotion of the service.
- More joint professional development and activities.
- Increases in referrals and LSC.
- Previous stereotypes of lawyers overcome.
- Increase in cultural awareness and capacity of lawyer and organisations.
- Development of protocols.
- Reports of lawyer being 'part of the team', 'becoming engrained in-service delivery suggestive of embedding and integration trajectory underway. (See 'Collaborative Measurement Tool' benchmarking Appendix).

## Part E - Case Studies – Lives of the Young people – Barriers and Breakthroughs

### Field Trip February 2017

*Second child taken at birth from one person. IH helped to map out a path forward. Because she is able to engage IH and the lawyers, she was more relaxed, and she was highly hysterical when the first child was taken and when the second one was taken and she was able to talk to someone about her rights she was more relaxed. Here the government was wrong and we were able to support her to get a different path forward. We were able to advocate for her with the advice of a lawyer and get it re-evaluated, which is happening today.*

*Housing – from when the client lost her first baby to the second one. Having the support meant she was in a much more stable mindset. She was able to know that there was legal, and school supports. Her Richter scale was 1/10 instead of 9/10 so her mental health was far greater. It can also be maturity it is hard to know. The lawyer had had a number of conversations with her teacher and with Lawyer. By being educated and engaged in all the conversations you are better able to cope and understand and less likely to become irrational about it all.*

*We never know what is weighing on these kids' hearts or things. This boy had a huge fine and he had not paid it and it became thousands of dollars. The lawyer had been summoned to court for it. And it was an offhand comment he made. He was visibly lighter after he had spoken to Lawyer and thought that something could be done. He physically had a straightening of the shoulders, big sigh and then came in and said to me 'I think he is going to be able to help me'.*

*The most relevant clients from a FV is from the young mothers' class. Non-legal professional will sit in as a support worker on the appointments there, she will talk about child protection and family law and she will interject on more practical and family advice. G. is a young woman who is 16 and having a baby and could talk about parenting arrangements with breastfeeding. Non-legal professional had a real position of trust whereas as their lawyer, I had just met them. Because non-legal professional was there, she will be able to reinforce that because she is in the class with them.*

*It has taken a lot of the angst out of the law. The kids now have a different perception of what lawyers can be. A lot of them have dealt with lawyers before in courts and in the past, it has always been very negative, even with child protection. That has changed their perception so that lawyers are to help and not to hinder. Especially on the kids that have had constant dealings with the law. One of our young mums is now very open to coming and talking to Lawyer Two, even if it's not a law issue (all child protection stuff). The boy with the fines said, 'I didn't know lawyers were like that.'*

*The kid I have been particularly working with it hasn't so much been around DV. It is a process for some kids of building a relationship. It is emotional readiness and huge trust. The previous experience not being so positive with the law. Lawyer experience is of him being removed from his father and he has a great mistrust of revealing*

*anything because he thinks it will impact him. Mother is dead, and his grandmother is moving away because she can't deal with the dysfunction of the family. When so damaged by close relationships with parents which is your primary relationship then all other relationships are difficult. If client can't trust his mum and grandma, who can client trust. That is what we are dealing with. For two years we have worked with him and we are only just doing literacy now. It's hugely impacted by funding.*

*Lawyer linked a girl with supports in Albury and Wodonga to get Intervention Orders (IOs) in both jurisdictions. etc. Also child care. etc. Helped to navigate the system. Mum and Dad lived in Wodonga, but she worked in Albury. It has helped her to know what to do in future and to keep in her mind that there may be a need later. There is a ripple effect, too.*

*Young girl – lawyer made referrals to her in Albury. She isn't a student here, but she has been coming here for so long and comes back all the time. It is a safe environment for her. Partner is coming out of jail and she needed support. They don't have to repeat themselves, the turnover is huge at other services but here the staff stay stable.*

*Koori boy – who wasn't allowed to go to mainstream school and the lawyer fought it with various organisations, is now in the school he wanted.*

*AVO student – for her to make the step to speak with a Lawyer was really powerful for her. She had to quit her job, but she felt so supported legally and I don't think she has ever felt that supported before.*

*We had a young mum who was put into the unfortunate position of being assaulted while she was holding her child. The mum had issues around understanding where she stood, she had cognitive issues and child protection issues when she was growing up including processing issues about understanding it. Lawyer made it clearer for this mum to help her understand what was going on. She had to sign care orders and lawyer was very helpful. I don't think we would have gotten her to sign those papers if we hadn't had her advice.*

*I'm always going in there. I check in with the lawyer most days that the lawyer is here for a secondary consultation. Situation where we had a child removed. The step father had custody of the child. He gave a dirty screen. Child removed and proved through pharmaceutical things that it wasn't dirty it was the medications he was on. She was looking at a section 90 and wanted to know if she should pursue that and I spoke to the lawyer generally about my concerns about the s.90 being granted. We ended up getting the ombudsman and the child was returned through the ombudsman. The child was reunited. Lawyer advised on getting the ombudsman involved.*

## Case Studies 2018

*In-home care kids can struggle with leases. They need skills for life as they have no parents. With one kid 71 homes over 16 years of his life, with access to this lawyer, they have had capacity built so they know. They know their rights and what external workers say is not always correct and so can question and see from the lawyer it's OK to question. Harm can be done to kids by unthinking external agencies who themselves don't think about flow on effects of their advice for the kids and access to a lawyer has and can help so much with this. It also keeps others accountable, so young people don't get further behind.*

*Young person. Custody issues in NSW and Qld. Young person was distressed to the point of being suicidal and the lawyer got information for her and supported her and she worked her way out of suicidal ideation when she realized it was not so bad.*

*I've had a young client that was to a certain extent, financially screwed. Unconscionable lending. That was relieved, so they had more money to meet basic needs. To see the difference in the mother to go from being a stress head junkie to a good mother because she wasn't stressed out about what was going on.*

*I had a young guy, too, we were talking about Work Development Orders but is he aware that he can apply to have them wiped. We saw the young boy have his life turned around and he got his license back and started working. It all started when he got a fine when he was 12 for not wearing a helmet.*

*The lawyer was helping with the young girl, she had a baby, partner had been in jail and they had separated. The ex-partner turned up at her work and smashed up the hairdressing salon. She lived in Wodonga and worked in Albury. The lawyer supported her to get intervention orders in both states and she didn't know how to navigate that. Having all of that support and having to go to court and having someone talk to about court. He even helped with day care, how do I navigate that with the partner picking up at day care. She is able to independently navigate that. Pre-coming out of jail this time she has put things in place with the day care, etc. so she knows what to do.*

*Age of consent. Understanding where I can gain consent from mum as opposed to a young person looking at someone with an ID. When the young person is insistent you go through them you need to know the legalities.*

*I also assisted a young client experiencing family violence apply for an exemption from the obligation to pursue child support due to the family violence. Also, to register her child and complete a statutory declaration about why the father is not on the birth certificate. I have helped this young woman with a range of issues and feel that she is more willing to accept and ask for my assistance. She is to come back with a debt issue next week and is also going to make an appointment for her sister.*

*Young woman who had been seriously assaulted in two separate domestic violence relationships needed assistance to make a victim's compensation claims in NSW. After ringing the Aboriginal Contact Line and learning how to make online applications, we did this together, with the client's mother as well. It was a learning experience for all three of us and a quick and easy way to make an application. I compared this to the week before when another client, mother and I completed a hard copy of the application together. More difficult and slower. All these clients are under 25 years old and it felt good to be able to be of such assistance and to learn about this process together.*

### **Some Quotes from Research Participants**

*There's huge benefits, knowing that lawyers aren't your enemy and that they can help you in so many ways that you didn't know about.*

*I think it is collaborative, but it could improve. It can be built on over time. Time enhances the relationships, knowledge, information sharing.*

*If they don't have the information they can get themselves into all sorts of trouble.*

*I honestly believe that we really, really do need legal here. The reluctance from community to get advice because they do think that he will charge. I've been called into the police station with an Aboriginal person and they needed a support person on a Sunday night.*

*Legal jargon needs to be toned down with our people. It gets to a point where people are asking me. Our people will not ask, or question and our people will be thinking 'what?' The solicitor has the brief and doesn't know the real person and the lawyer starts talking this legal jargon and the person doesn't know what they are talking about. They will just say 'yes, yes, yes' and it needs to be toned down.*

## Part F – Reflections and Learnings from first Field Trip February 2017 and Level of Operationalisation of learning in February 2018

As a result of feedback in the Interim Report, in the intervening year, the data suggests the Advisory Group of four partner agencies met more often, had a greater say in recruitment of the project lawyers and were facilitated to have relations not only with the HRCLS but also between all the other partners to see what opportunities to improve services for young people emerged. In addition, key recommendations from the Interim Report around engagement, building of trust and professional development and community development opportunities were identified as areas for progress and the most recent field trip in February 2018 sought to see if these areas have seen progress. The answer is that the key recommendations from the Interim Report have been operationalised. All four proxies have been progressed (namely engagement, capacity, collaboration and empowerment) and increased reach via secondary consultations, which are seen as having 'huge value' by all participants.

There is further work, according to the data from the field trip in February 2018, to undertake in relation to working with partners on emerging policy concerns, and

more resources are needed to enable community development work with young people, which was seen as a pivotal dimension for earlier intervention and problem prevention (SDH). There was consensus on this from most research participants. This would take the gains of the project forward to a deeper level and enable some leveraging from the work so far in breaking down some of the hurdles, be they professional hurdles, or narrow and stereotyped views of young people on how a lawyer can help them. Such work would better enhance the proxy for empowerment. (See recommendations – CD).

Other research of Author One has indicated that such action can often only occur after the relationships have been built which can take a few years. Given this project is coming into its third year, it is likely that into the future such an ability to complement the direct service delivery work to young people and their trusted professionals might be expanded with additional resources to enable community development work with young people to deepen the early intervention and prevention of problem escalation by young people knowing their rights and responsibilities. In addition, tailored CD on how to action on rights and where to go for help and how to support others in a more correct and knowledgeable way rather than relying on the 'incorrect information' passed on by those 'they currently listen to which gets them into further strife often unwittingly'. Such community development work should be informed by the Focus Group feedback of the young people participants in this project and held jointly with other non-legal professionals as appropriate, given trust and the holistic nature of service for an integrated project. (See recommendations – CD).

The Collaborative Measurement Tool in February 2018 allowed for reflection on project impact over time by participants and the exploration of reach, down-stream impacts and levels of stress and anxiety on young people. Using the Collaborative Measurement Tool and the service feedback through the additional questions saw participants identify increases in interactions since service start up that led to a growth in relationships, increases in secondary consultation and organisational buy-in. Visibility increased, there were seamless referrals, there were countless references in Field Trip 2 February 2018 to the lawyer 'being seen as a part of the team' and 'not even think any more about asking the lawyer to join us in key meetings where we have to make decisions organisationally for advice'. The Benchmarks in the tool indicate that over the life of the project there has been a movement or shift from silos-networking towards collaboration and into integration. By February 2018 the data was suggestive of the Invisible Hurdles having moved from a 'justice-add-on' to becoming an integral part of all four services.

Two services have now entered into arrangements to deliver joint services in Wangaratta as a result of being brought together by the Invisible Hurdles Project, meaning more Aboriginal young people at risk of homelessness in a region will be able to access health services. This is illustrative also of the project's impact on collaboration leading to service extension.

The HRCLS and the external interviewee in February 2018 indicated that the project had not only led to new ways of working for the project but had transformed the way the legal service would overall deliver its services given the new insights and expertise including contexts of young people, how to collaborate and work with partner agencies in an authentic way, ethical awareness, respect for and a valuing of other professional perspectives, insight and ways of doing things to enable client-centred, holistic case management and joint problem solving to avert escalation of problems and earlier intervention .

## Part G Summary OF Findings

### **Overall Finding**

The IH Project is effective, efficient and has an impact reaching clients who would otherwise not have been reached, as is evidenced by the Full Data in the Appendices across all the measurement tools.

The IH Project has taken time to build momentum. This is consistent with the evaluations of other Health Justice Partnerships around the world.

The development of trust and relationships has occurred through the Invisible Hurdles building understanding, trust and an awareness of the scope for the ability of the justice part of the integrated justice project.

### **Reaching Vulnerable Young people**

More clients have been reached using Secondary Consultations, which are time effective for time-poor professionals, enhance professional decision-making and enable support for young people who are unlikely to present for legal help. Such Secondary Consultations are delivered often as a conduit where young people distrust authority or are frightened without the young person feeling exposed. They enable the young people to get access to accurate, relevant timely legal information and support when for various reasons they will not go to a lawyer of their own volition. Secondary Consultations also build capacity of non-legal professionals to be able to respond in a timely way, to improve decision-making, and reduce the

professionals sense of anxiety as they know the information through the lawyer is reliable.

Word of mouth about the project and that the lawyer is OK has taken time to develop but in the recent twelve months of the project there was evidence in the data that young people were starting to self-present because of the experiences of other young people.

### **Empowerment and Capacity of Young people**

Capacity to identify and gain responsiveness to legal issues has been increased by the IH project through direct client work, referral, legal Secondary Consultations, some joint CLE in 2018 and increasing Professional Development (including Secondary Consultations which participants state as well as advice can be 'on-the-job efficient training') which has, in the view of a majority of participants, enabled improved confidence and decision-making for clients and non-legal professionals, and in some instances organisational capacity.

Participants' overwhelming feedback was that community development work with young people could be more often, integrated with other partner offerings and more often and more regular but this has been a factor limited by only have one lawyer across three sites and only more recently one lawyer across two sites and another at the third site. The advantage of having more staff is that the problems that arise when a staff member leaves are ameliorated because more than one person holds the relationships for the agency. (See recommendations – retention).

### **Aboriginal Service Delivery and Engagement with Aboriginal Young people**

Trust and longevity of presence, the delivering on promises, understanding of culture, family and Elder connectedness or disconnectedness need to inform service delivery and engagement. These features are critical for engagement and responsive service delivery to Aboriginal Australians in closing the gap. Minor incursions, that for other young people would not warrant the attention of authorities, see Aboriginal young people more likely to interface with authorities. Government agencies, with their hoops to jump through, were seen to exacerbate lives of Aboriginal Australians and this is compounded in cross-border situations and in rural and regional areas where cultural training of police and other government agencies needs addressing.

The Law Council of Australia (LCA) Justice Project Consultation Paper on Rural Regional Remote Peoples<sup>36</sup> notes. 'For very disadvantaged communities, a stable,

<sup>36</sup> Law Council of Australia 'Justice Project', (2018) 'Consultation Paper on 'Rural Regional and Remote Australians', <https://www.lawcouncil.asn.au/files/web-pdf/Justice%20Project/Consultation%20Papers/RRR%20Australians.pdf> accessed 20 May 2018

consistent presence was necessary to build a relationship of trust, particularly with Aboriginal clients. As described by a public solicitor from North Western NSW:

The community has to get to know you, to trust you... I think the community deserves that. They know who they can trust... If you don't trust your lawyer when you go to court, you're not going to give full and frank instructions. So, having that trust and having lawyers who have been in the community a while [is good], and not having a kind of merry-go-round of lawyers coming and going. I don't think that's good for the community.

In their further paper on Aboriginal Australians, the LCA notes Collaborative programs and partnerships that engage with Aboriginal and Torres Strait Islander communities promote self-determination and build long-term trusting relationships are more likely to encounter success.<sup>37</sup> This narrative is wholly consistent with the data from this project. This data also underscored suspicion of the law and those seen as a part of the legal system, shaped by the impacts of the Stolen Generations, Policing, Child Protection, incarceration and deaths in custody and poor departmental practices that are played out in intergenerational trauma and also impact on the engagement of young Aboriginal mums, pregnant women and other young people experiences and perceptions collected for this research and evaluation project. (See recommendations on Aboriginal Service Delivery and Engagement)

### **Young people and Family Violence and Responsiveness**

One of the successes, early on in the project, and in data from the February 2017 field trip, was a decision not to confine the projects remit to family violence, even though the project's key focus was to use integrated justice practice with the three non-legal partners to target young people, especially young mums and pregnant Aboriginal mums, it enabled access of young people and their trusted non-legal professional supports to assistance with any legal problem.

The data is clear that to address and support people experiencing family violence takes time and trust, and funding models need to be adjusted to reflect and enable this with resourcing of services to work together and separately as may be required to gain such trust and integrated seamless service delivery which includes legal help, initial medical and health support social, income and housing support and counselling recognising that different specialists will have differing ethical obligations to work around to ensure the young people's safety.

### **Lawyer Retention and Invisible Hurdles**

<sup>37</sup> Law Council of Australia, 'Justice Project' (2018) 'Consultation on Aboriginal and Torres Strait Islander Peoples' <https://www.lawcouncil.asn.au/files/web-pdf/Justice%20Project/Consultation%20Papers/Aboriginal%20and%20Torres%20Strait%20Islander%20Peoples.pdf>

Despite staff turnover mid-way through the project, the lawyers have been reported to be approachable and broken down poor previous experiences/stereotypes of lawyers over the life of the project.

Field Trip Two in February 2018 revealed more visibility, full days on-site, service promotion, legal service participation and interaction with clients and the three partner agencies has grown since Field Trip One in 2017. The aggregated data HRCLS has shown increases in such interaction. More PD and CLE are desirable and IH needs to administer, as appropriate, the evaluation survey tool/s into the future for PD and CD/CLE. The authors are have offered to provide additional short tailored CLE survey tools, for future community feedback if requested.

## **Social Research Findings**

### **Engagement**

As noted a critical part of this project has been to engage with the partner organisations, their staff who work at the front line and as much as is permissible within the ethical protocols, the young people themselves. Such engagement was critical to this project and is recommended for future projects and research of this kind and service delivery and policy development. It is fundamental to building trust, which is a pre-condition for respect that non-Aboriginal and Aboriginal organisations, their staff and clients are engaged with in a manner which is meaningful and sustained. This applies just as equally for young people in general. The data reflected that in order to be relevant and responsive, deep and mindful engagement is needed, which includes checking in with relevant people at each step in any processes.

Trust goes both ways between organisations and service providers towards Aboriginal Young People and Young People in general. It takes time and a concerted effort and regular checking in and building such trust is a pre-condition for building respect.

### **Rural and Regional Diversity**

Emerging from the data in this report was that there are differences between regional and rural communities. In delivering services to communities it is critical to be aware of such diversity and complexity and how this can affect families, young people, individuals and communities. The displacement and removal of Aboriginal families in the region and with Albury being a key resettlement area has flow on implications today for services. Such displacement cannot be overlooked and its impact across the generations and families who may be in more than one place and scattered. Obligations and responsibilities can flow from such displacement and the

displacement can have implications for emerging identities and belonging for young people.

### **Perceptions of Lawyers**

Lawyers are seen by young people as part of courts, Centrelink, etc. They are seen as a part of a system that imposes things on them, so separating lawyers out from this so they are not seen as not part of authority and viewed as a helper, like a doctor, is a positive step. Perceptions of private and legal aid lawyers were reported as problematic for young people. Participants, both professional and the young people, reported poor experiences of lawyers and the legal system with lawyer quick to judge, being too hierarchical, judgemental, using too much legal jargon, poorly explaining things, or seen as part of a system oppressing them. Over time, the IH lawyers broke down such stereotypes by being approachable, using simple language, explaining things and forming relationships of trust through being visible, personable and delivering in a timely effective and efficient way. The lawyers should be seen as people who can help through solving of legal problems and negotiating better outcomes. Currently, the scope and variety of what the law is and how it might help is poorly understood and perceived as mainly criminal law and other court related matters. The data suggests that lawyers should be clearer that their intervention can help you feel better and reduce stress e.g. sorting out fines, explaining the powers and limits of the powers and rights and so on.

### **Retention in Rural and Regional Community**

Every time there is a pull-back, for example a changeover of staff, then there is a ramification for the three partners and the young people attending – the service needs to be funded for longer, more often and offer secure and stable opportunities for staff to retain staff i.e. gap in lawyer young people signed contract without full advice and now needs to get out of the contract as the young people was unaware of the implications of signing on his future prospects including eviction and employment opportunities and if the lawyer had been on site, the partners noted this would have happened. Since lawyer on leave even more recently there has been a gap and there is a need to ensure funding continuity to keep gains and perhaps have more than one staff member with a role at the agency to ensure seamlessness and continuity. Staff noted that uncertainty and short-term funding meant that people would look out for other employment opportunities and be attracted to the city where there was often more of a career path and job certainty. This presents a challenge for all the services in terms of the retention of lawyers in rural and regional areas and has significant impact on access to justice, advice and early intervention and the social determinants of health.

Consistency of the same lawyer coming back and the lawyer checking in with the young people is effective, with general chats to build trust and rapport and service continuity same day same day and week.

The lawyers' on-site presence and visibility as part of an *Integrated Justice Practice* with other agencies reduces staff anxiety. Knowing that the lawyer will be back next week is helpful, as young people will share often but by bit and get guidance over time.

## Part G – Recommendations

### Recommendations Specific to this Project

#### 1. Community Development

- a. More capacity for community development and professional development work to continue to build young people capacity and empowerment, as there are serious misconceptions about the law and its role in helping people resolve problems and find safety from family violence which are points for concealment shame and fear. In a recent Law Council of Australia Consultation Paper, it states, 'RRR communities are more likely to face difficulties in accessing information and advice on laws and processes available for the resolution of disputes. Economides has supported using a range of strategies as appropriate, including technology, existing infrastructure and local community groups, to educate the public about rights and their enforcement.'<sup>38</sup>
- b. Young people interviewed felt poorly empowered and informed to be able to self-advocate. Lawyers and community educators have a role in giving the young people the power, information, skills and opportunities to engage in decision-making processes that affect them. Existing projects at West Justice, Flemington Kensington Community Legal Service and West Heidelberg might be useful models and approaches.<sup>39</sup>

<sup>38</sup> Law Council of Australia, Justice Project (2018) 'Consultation Paper on Rural Regional and Remote Australians' <https://www.lawcouncil.asn.au/files/web-pdf/Justice%20Project/Consultation%20Papers/RRR%20Australians.pdf> accessed 20 May 2018.

<sup>39</sup> L Curran, A Vernon, P Taylor-Barnett, 'Reflecting on Community Development Practices: Improving access to justice by working with communities to effect change 19 (1) *Flinders Law Journal*, 88, [https://search.informit.com.au/documentSummary;dn=021029382585970;res=IELHSS>\\_ISSN:1838-2975](https://search.informit.com.au/documentSummary;dn=021029382585970;res=IELHSS>_ISSN:1838-2975) accessed 17 May 2018.

- c. Many young people, in the regions of IH participated in group sessions of the four partner agencies. There are opportunities currently being missed due to low staffing for these sessions to see jointly run capacity building alongside the other non-legal professionals that could be ways of reaching more young people who are marginalised and likely to resist turning to a lawyer even, through secondary consultations or warm referrals. Such participation will increase visibility of the law and its place in their lives, what they can do, where they can go and enable them to see lawyers in a convivial setting that breaks down poor stereotypes of lawyers.

## **2. Professional Development and Reciprocity –**

- a. More capacity for professional development work to continue to build capacity and empowerment – this includes opportunistic professional development at staff meetings, secondary consultations in lunchrooms, corridors and participation at joint and other events. This opportunistic and relationship building needs to be sustained due to staff turnover and to be visible which leads to being ‘front of mind’ given heavy caseloads of those at all four agencies and their other sites. Exploration of work to support the partner agencies staff at other sites including outreach are also key.
- b. More legal and non-legal professional development about ethical frameworks, legislative frameworks and how it effects service delivery combined with expertise on contextual health and social impacts on clients, new approaches to lawyering and general service practice including legal and health tool kits, awareness raising, restorative practice, advocacy and negotiation opportunities and interdisciplinary higher education of practitioners from undergraduate level and through clinical opportunities.

- 3. **Professional Culture and Stereotyping** - The data revealed all participants had a view that if there was more reciprocity and exchange of approaches, disciplines and client complexity and the effective service models this would better service young people clients and also improve and enhance professional collaboration breaking down incorrect stereotypes about each other’s role.

- 4. **Staff Retention** - There is a huge level of legal need and poor access to justice (See earlier references in the Final Report for the Australia-wide Law Survey, 2012, Productivity Commission’s Access to Justice Review 2016) The LC paper discussed in 1a) above also documents a chronic shortage of lawyers in rural and regional areas despite this need, an aging often isolated legal profession and poor retention of lawyers. There has also been little systematic

endeavours to expose law students and early career lawyers to the advantages that such future careers in the bush can offer if there are supports put in place. During this project four staff lawyers were involved in a position for the one lawyer. Staff noted reasons for leaving including uncertainty of ongoing funding, lack of clarity around future career opportunities and isolation from activities in rural areas.

- 5. Young people, Aboriginal Service Delivery and Engagement** - Trust and longevity of presence, the delivering on promises, understanding of culture, family and Elder connectedness or disconnectedness need to inform service delivery and engagement. These features are critical for engagement and responsive service delivery to Aboriginal Australians in closing the gap. The data also underscored suspicion of the law and those seen as a part of the legal system, shaped by the intergenerational impacts Government policies and administration, for example, the Stolen Generations, Policing, Child Protection, incarceration and deaths in custody and poor departmental practices that are played out in intergenerational trauma and also impact on the engagement of young Aboriginal mums, pregnant women and other young people experiences and perceptions collected for this research and evaluation project. It is evident that these practices from five generations back are still being lived out and have impacts on today's young people and their families. This also informs recommendation 7 below.

- 6. University Linkages to support good practice and service delivery in the region**

There is a huge level of legal need and poor access to justice (See Australia-wide Law Survey, 2012, Productivity Commission's Access to Justice Review 2016 & The Justice Project, Law Council of Australia, 2018 already cited in this report) and a chronic shortage of lawyers in rural and regional areas. Despite this need, there is an ageing, often isolated, legal profession and poor retention of lawyers. Few systematic endeavours expose law students to the advantages that future careers in the bush can offer. Such exposure to a career in the bush needs supports put in place for the new lawyers. Systematic opportunities, mentoring, support and quality placement opportunities for law students in private, public and community-based legal settings with inbuilt opportunities for students have been identified as needed in the region of this project. The HRCLS has made steps to address this through single Practical Legal Training opportunities and clinical offerings, but these can be resource intensive for a stretched agency with a large catchment, limited resources and high levels of unmet and unknown (as this project has revealed through

reaching out to young people who would otherwise not present). Universities, such as the Australian National University, can play more of a part given this project works across state boundaries, and as it has a national remit in its strategic plan (2017-2021). Building linkages between the legal centre, community partner agencies, students, with the local private professions and philanthropic funding to enable and support such collaborations and partnerships to make a career in country Australia. This could be piloted in the Hume, Riverina, Indi, Upper Murray and Alpine regions would address issues of retention of lawyers in the bush that emerged in this project. This could also open students' minds to integrated justice practice and multidisciplinary practice skills such as triage, assessment and cross professional collaboration.

7. **Time, Longevity and sustainable funding** - Acknowledgement of the need for time and longevity in developing the trust and relationships to read vulnerable and complex often traumatised clients whose safety is often at risk and feel shame, embarrassment or other complex barriers to seeking legal advice. The Productivity Commission (see reference to the Productivity Commission Report earlier, page 789) notes the importance of consistency in program delivery for building trust –when programs are piloted, then dropped, Aboriginal and Torres Strait Islander clients are less inclined to utilise services in the future.
8. **Young people and Family Violence and Responsiveness** – Services need to understand that shame, embarrassment, an acceptance of family violence, as normal or deserved, all colour the willingness of young people in gaining assistance. Services and funders need to accept that to address and support people experiencing family violence takes time and trust and funding models need to be adjusted to reflect and enable this with resourcing of services to work together and separately as may be required to gain such trust and integrated seamless service delivery which includes legal help, initial medical and health support social, income and housing support and counselling recognising that different specialists will have differing ethical obligations to work around to ensure the young people's safety.
9. **Community development approaches to Young People Empowerment and Inclusion** - Young people interviewed felt poorly empowered and informed to be able to self-advocate. Lawyers and community educators have a role in giving the young people the power, information, skills and opportunities to engage in decision-making processes that affect them.

10. **Collaboration and Multi-disciplinary practice expansion** - To include justice in existing models in health, allied health, social service and educational organisations. This includes legal and non-legal professional development about ethical frameworks, legislative frameworks and how it effects service delivery and client outcomes and solutions, combined with expertise on contextual health and social impacts on clients, new approaches to lawyering and general service practice including legal and health tool kits, awareness raising, restorative practice, advocacy and negotiation opportunities and interdisciplinary higher education of practitioners from undergraduate/graduate level and through clinical opportunities.
11. **Systemic Policy Work** - As the project has gained momentum, causes of problems that might be alleviated or changed for better outcomes for young people are being identified and all partners would like opportunities to further identify, explore and work together on policy work that might enhance decision-making. The ability to form the relationships of trust that lead to collaboration take time (See data from Collaborative Measurement Tool discussed earlier in the Final Report), but a keenness from a significant number of participants in the data across the tools to be more involved in joint policy and law reform.
12. **Systemic Policy Work** - Undertake policy work that engages young people more in decisions that affect them.
13. **Further consolidation and funding** for the gains of this project and exploration of other opportunities and identified needs emerging to better support and reach young people.
14. **Systemic Policy Work** - Involvement of the young people voice in policy work that affects them.
15. **Systemic Policy Work** - Areas identified by participants for Recommendation Two above included:
  - a. Border law discrepancies for people who live and or work or access services on either side of the border.
  - b. Targeting of Aboriginal young people by police.
  - c. Improved care and protection processes that do not elevate stress, compound and harm parenting and safety opportunities.
  - d. Training and Policy work on the implications of mandatory reporting obligations on some professionals, especially maternal and child health nurses

who may be the only contact young mums have outside the violent partner. Where this happens, damage to engagement and trust of young people, including young and pregnant mothers can lead to personal risk and exposure to further family violence. There is a role for lawyers who are not mandated to report, in being engaged early, so that a safety plan can be explored for the young people.

## **16. Rural and Regional Diversity**

Services and organisations in regional and rural areas need to be aware of the implications for diversity and complexity that can affect clients and community. Location in rural setting can have different complexities to life in a regional setting. Cross border issues and different law enforcement which discriminates against Aboriginal young people need to be counteracted by cultural awareness and training. Child protection policies that overlook cultural connection and connections to land in different areas for family members need to be acknowledged in decision making. Recognition that a region, such as Albury or Wodonga, may have different implications to living in a smaller community, or towns with poor access to services, transportation, costs of living and histories of removal and displacement impacting across generations in terms of connection, parenting and trust.

This is evidenced by some of the comments below:

- Maintaining our trust with the community and being a mandatory reporter jeopardises that.
- We are past trials.
- Would love to see us work together to solve the problems and give our clients voice on how the system and processes are so bad so often.
- Funding needs to be longer term.
- Feedback on how the project is growing regularly in reports to Board, managers and Advisory Group.
- Promotion of the service.
- More joint professional development and activities.
- Increases in referrals and SC.
- Previous stereotypes of lawyers overcome.
- Increase in cultural awareness and capacity of lawyer and organisations.
- Further development of protocols between agencies to enable more work that manages ethical obligations of the different partner agencies to be able to maximise holistic client care and seamless service delivery.

### **Rural and Regional Retention of Staff**

This project has starkly highlighted the issues in relation to retention of staff in rural and regional Australia and the challenges. This creates inequity of access to legal services in Australia and needs some governmental support to address the issue. This may take the form of incentives to attract rural legal practitioners to the bush, including, considerations of 'outside the square' incentives, such as, perhaps, a six-year discount on their HECS debt to graduates in the law and other critical professions, to enable them to stay long enough to establish regional ties and relationships that might hold them in the regional and rural areas. The complex issues of remote community retention are beyond the scope of this project but also present some challenges as highlighted in the LCA consultation papers, for Aboriginal and Torres Strait Islander peoples and rural and remote communities and are discussed earlier in this Final Report.

### **Funding**

Funding bodies and government requirements need to acknowledge that time is needed to enable trust and relationships to develop and this should be included in funding models. This is critical for young people, given hurdles, and with non-legal professionals, and for a service to be 'integrated' or 'embedded' or 'joined up' requires such relationships for benefits to flow to clients.

### **New Ways of Working in Multi-disciplinary teams**

Issues of physical layout of offices, professional ethics and cultural divides can be worked through, but an important pre-condition is to enable the time for learning and trust to grow as it cannot happen overnight and once lost can be hard to regain. Short-term funding and uncertainty about funding and job security flow directly from this. Gains won in such programs are lost through short-sighted funding arrangements, and these often fall away, even where projects such as this one provide an evidence base for longer term funding, and in the end be a waste of the initial investment of time and energy that has made inroads. Longer term 5- 10-year funding is critical to break through the intractable issues and often multiple problems of client groups.

Understanding factors that affect a lawyer's performance (in terms of achieving outcomes for clients, rapport with organisations, their own framing of their work etc), learning from what has worked (or hasn't) and implementing these to change behaviours and approaches and in undergraduate and graduate training of future lawyers will be key to position the profession into the future to meet community

need and be responsive to the challenges to accessing justice that have been presenting in a large number of studies in the last six years (Australia-wide Law Survey, Allen's Review, Productivity Commission, LCA Justice Project referenced earlier in the Final Report) where previously there was a significant gap in evidence based information about the barriers for community in seeking protection of the law and gaining help with the range of their problems capable of a legal solution. Armed with this information, innovative models such as the 'Invisible Hurdles' Project have been envisaged and positively evaluated as having an impact.

## **Policy and Systemic Work**

Policy reform is also critical to avert the revolving doors of problems that might be resolved with grass roots informed policy responses and those engaged in direct service and clients and community effected can have a role in improving our laws and their administration if asked. This project highlights that groups such as the young people in this project may never have their issues aired or uncovered because of poor access and engagement of services using traditional siloed models of service delivery that joined up holistic and inclusive service delivery can overcome.

Recommendations – General and more broadly than this project

**1.a Lawyer Stereotypes** – The legal profession and their membership organisations in each State and Territory address poor lawyer stereotypes and poor lawyer experiences of clients, conduct through improved training that examines interpersonal and collaborative skills of lawyer and explores some of the benefits to clients emerging from, multi-disciplinary practice in the community sector as best practice into the future.

**2.a Young people and Family Violence and Responsiveness** – Services and civil service understand that shame, embarrassment, an acceptance of family violence as normal or deserved, all colour the willingness of young people in gaining assistance. Services, civil service and funders need to accept that to address and support people experiencing family violence takes time and trust and funding models need to be adjusted to reflect and enable this with resourcing of services to work together and separately as may be required to gain such trust and integrated seamless service delivery which includes legal help, initial medical and health support social, income and housing support and counselling recognising that different specialists will have differing ethical obligations to work around to ensure the young people's safety.

**3.a Young people Aboriginal Service Delivery and Engagement** – Services, policy makers and civil service understand that trust and longevity of presence, the delivering on promises, understanding of culture, family and Elder connectedness or disconnectedness need to inform service delivery and engagement. These features

are critical for engagement and responsive service delivery to Aboriginal Australians in closing the gap. The data also underscored suspicion of the law and those seen as a part of the legal system, shaped by the intergenerational impacts Government policies and administration, for example, the Stolen Generations, Policing, Child Protection, incarceration and deaths in custody and poor departmental practices that are played out in intergenerational trauma and also impact on the engagement of young Aboriginal mums, pregnant women and other young people experiences and perceptions collected for this research and evaluation project. It is evident that these practices from five generations back are still being lived out and have impacts on today's young people and their families. This also informs recommendation 4a below.

**4. a Time, Longevity and sustainable funding** - Policy makers, funders and civil service acknowledge of the need for time and longevity in developing the trust and relationships to reach vulnerable and complex often traumatised clients whose safety is often at risk and feel shame, embarrassment or other complex barriers to seeking legal advice. The Productivity Commission (see reference to the Productivity Commission Report earlier, page 789) notes the importance of consistency in program delivery for building trust –when programs are piloted, then dropped, Aboriginal and Torres Strait Islander clients are less inclined to utilise services in the future.

**5.a Funding for Community Development Approaches to Young People Empowerment and Inclusion** - Young people interviewed felt poorly empowered and informed to be able to self-advocate. Lawyers and community educators have a role in giving the young people the power, information, skills and opportunities to engage in decision-making processes that affect them.

**6.a Collaboration and Multi-disciplinary Practice Expansion to Include Justice** in existing models in health, allied health, social service and educational organisations. This includes legal and non-legal professional development about ethical frameworks, legislative frameworks and how it effects service delivery and client outcomes and solutions, combined with expertise on contextual health and social impacts on clients, new approaches to lawyering and general service practice including legal and health tool kits, awareness raising, restorative practice, advocacy and negotiation opportunities and interdisciplinary

**7.a Revisiting Curriculum in Higher Education Institutions of Undergraduate/Graduate level** and through clinical opportunities that see interdisciplinary as an important part of training of future practitioner in all disciplines. Legal Education that makes room for the development of skills important to emerging practice models including interpersonal skills, collaboration, reflective

skills and restorative and negotiation practice skills and not just traditional modes of teaching through case law and statutory interpretation which although important do not equip their law students for real life practice and with the skills to respond and interact with the work required.

**8.a Policy and Systemic Work** – A recognition and reversal of funding models that preclude law and policy reform work of service delivery organisations, by all levels of government, in recognition that in a democracy and for the adherence to the rule of law, policy reform informed by community and case work experience is critical to avert the revolving doors of problems that might be resolved with grass roots informed policy responses and by those engaged in direct service and clients and community effected can have a role in improving our laws and their administration if asked.

**9.a Retention of lawyers in rural and regional areas** HECS Fee reduction for six years of service in a rural area.

**10.a More Relevant and Practically Oriented Professional Development** - More legal and non-legal professional development that is culturally appropriate and that explores new approaches including restorative practice, advocacy and negotiation opportunities and interdisciplinary practice and the contexts of clients and community to enable more responsive and respectful service delivery.

### **11.a Rural and Regional Diversity**

Policy makers, services and organisations in regional and rural areas need to be aware of the implications for diversity and complexity that can affect clients and community. Location in rural setting can have different complexities to life in a regional setting. Cross border issues and different law enforcement which discriminates against Aboriginal young people need to be counteracted by cultural awareness and training. Child protection policies that overlook cultural connection and connections to land in different areas for family members need to be acknowledged in decision making. Recognition that a region such as Albury or Wodonga may have different implications than living in a smaller community or towns with poor access to services, transportation, costs of living and histories of removal and displacement impacting across generations in terms of connection, parenting and trust.

Appendixes in the separate document include:

'A" Revised Legal Service Board Plan of the project finalised in March 2017.

'B' Quantitative Data

'C' Qualitative data

'D' Tools

'E' Media & External Work

ISBN-13: 978-0-646-99561-8





27-29 Stanley Street, WODONGA VIC 3690  
PO Box 31, WODONGA 3689  
P: 1800 918 377 or (02) 6055 8090 F: (02) 6055 8079

 [www.hrcls.org.au](http://www.hrcls.org.au)

Monday – Friday: 9am-5pm (closed between 1pm-1:45pm)

We provide free legal advice to people living in North East Victoria and the Southern Riverina of NSW over a catchment of 17 local government areas. We aim to help people who are disadvantaged or vulnerable and would not otherwise be able to get legal help.



This service is auspiced by UMFC and in 2017-18 received funding from the Commonwealth Attorney-General's Department, Victoria Legal Aid, Legal Aid NSW, Department of Justice (Victoria) and the Victorian Legal Services Board Grants Program.  
ABN 99 081 624 768 Reg No: A5357 ARBN 081 624 768