Evaluation summary:
Family violence to family law continuity of service delivery pilot program

This two-year pilot program was delivered in partnership with Peninsula Community Legal Centre (PCLC) and Hume Riverina Community Legal Service (Hume Riverina CLS).

Our 2015 Family Law Legal Aid Services Review recognised that state Magistrates’ Courts were often the first point of contact for many parents experiencing family law issues. The program proactively intervenes at the earliest possible time to give family law advice and wrap-around support to those experiencing family violence.

Pilot achievements

- More priority clients are receiving legal representation for family law matters.
- There are more confident and competent practitioners to provide ongoing family law representation.
- Clients have more choice when looking for high-quality family law legal aid services.
- Community Legal Centre (CLC) lawyers help to resolve family law disputes at an early stage, reducing pressure on families and the courts.
- Earlier resolution means the Legal Aid Fund can assist more clients.

Increased capacity of CLCs to deliver family law services

The pilot has developed a new family law litigation practice at PCLC where one previously did not exist. An ongoing and high-quality CLC family law practice ensures that victims and respondents of family violence intervention orders have crucial family law advice at an early stage and a pathway to receive ongoing assistance where appropriate.

"The pilot has provided a great opportunity for our staff to develop their competencies in family law. The opportunity to run family law matters provides increased variety and diversity in the roles CLC lawyers can play, which positively supports retention of our staff."

Jackie Galloway
PCLC CEO

Melissa’s story

Melissa* was tired and emotionally exhausted by the physical and emotional control and manipulation her husband had exerted over her and her children for years. Financially she was so connected to her husband that she could not see a way ahead, but she knew her husband’s behaviour had to stop.

With the assistance of her family violence worker, Melissa brought an intervention order application in the Magistrates’ Court. A pilot program lawyer from Hume Riverina CLS worked with Melissa through the intervention order proceedings, which were contested. A grant of assistance was then obtained for ongoing advice and negotiations and then family dispute resolution proceedings in relation to the children, property and spousal maintenance. Along the way the pilot lawyer helped Melissa to unpack a range of other legal issues relating to housing, debts and social security.

Melissa was not just experiencing legal issues so her lawyer also ensured she was connected to additional services from support workers, therapists, doctors and financial counsellors. After many months of work Melissa finally obtained parenting and property orders to formalise her separation.

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*Not her real name
Trauma-informed and quality services for clients

Pilot lawyers provided responsive, proactive and persistent legal assistance, and demonstrated they were acutely aware of the challenges vulnerable people face when accessing legal help.

This included following up with clients to ensure they remained engaged, and longer appointments to meet the needs of clients who were highly stressed and/or experiencing a disability.

Earlier and better outcomes for families

Providing family law advice at the earliest opportunity is resulting in good outcomes for clients, particularly when protracted and acrimonious litigation has been avoided.

Families and children benefit where parenting and financial disputes are resolved safely and at the earliest possible stage.

“We initially worked with the client and negotiated a parenting plan at a VLA Family Dispute Resolution Service conference. There were numerous other issues. With the client’s consent we worked closely with domestic violence workers and financial counsellors to address numerous debts including her home loan, a Centrelink debt, minor traffic infringements and tenancy issues.”

Alison Maher
Hume Riverina CLS pilot lawyer

Legal stage at which pilot cases resolved

Other lessons from the pilot

It takes time and commitment to establish a family law practice that provides legally aided services. This is demonstrated in the growth in casework at PCLC over the pilot period.

As a generalist CLC in a border region with an existing family law practice, Hume Riverina CLS had a number of competing objectives, had difficulty recruiting additional experienced family law staff for the pilot, and found the pilot casework to be resource intensive and time consuming. This meant Hume Riverina CLS delivered more legal advice services than ongoing casework.

The evaluation of the pilot program was conducted by Strategi Consulting. The full report is available on request from Samantha Watson, Manager, Family Law Review at Samantha.Watson@vla.vic.gov.au

Grants of aid obtained for ongoing assistance