



COLLABORATION WORKS

FCLC GENERALIST-SPECIALIST PROJECT
Final Report August 2018



Federation of
Community Legal Centres
VICTORIA

Community Legal Centres working together...

How it helps clients, CLCs and the CLC sector

"The community legal sector has a long and proud history of strong collaboration with each other and across sectors. However our inter-CLC collaboration and partnership work has not had the opportunity to be documented, rigorously evaluated and analysed until now. This project demonstrates the unique skills of the sector to develop more opportunities for client engagement and advocacy when given the opportunities and resources to do so."

Belinda Lo, CEO, Federation of Community Legal Centres

INTRODUCTION

Staff and volunteers at Community Legal Centres understand the importance of working with communities. Collaboration with community partners is as much an inherent and inextricable part of the Community Legal Centre (CLC) sector's historical emergence as it adds to our present-day value. Quite simply, we work with our community because it brings the greatest benefit to our clients. We understand that the community members most in need are the least likely to come to us – we must reach out to them. We know how useful it is to work with a community doctor, nurse, psychologist, social worker, financial counsellor or teacher who can say to a client, with confidence, 'it sounds like you might have a legal problem. There's a lawyer down the corridor who can help.'

"Supporting practical access to justice means providing the right services, in the right places, at the right time, and in the right way."

Access to Justice Review, 2016

This, we understand, but what do we understand about working with other CLCs? Specifically, what do we know about the benefits of Generalist and Specialist CLCs working together? How can improving access to CLC expertise and knowledge help our clients, our CLC and the CLC sector? That's what the Federation of Community Legal Centres Generalist-Specialist Project is about.

WHAT'S IN THIS REPORT?

This report is the tangible culmination of 20 months of widespread consultation, reflection, service model design, in situ testing and evaluation of the synergies to be gained when Generalist and Specialist CLCs work together. Within the following pages you will find:

- ▼ Recommendations about how to continue to develop this important work;
- ▼ Summaries of the Project and evaluation methodologies;
- ▼ Our findings about the Project's impact;
- ▼ The conclusions we've drawn (in the form of blueprints for further inter-CLC collaboration); and
- ▼ An evaluation of the four pilot models we tested with 11 CLCs.

WHO SHOULD READ IT?

If you work or volunteer at a CLC, if you are on a Board or Management Committee of a CLC, if you fund CLCs, or if you work in a legal aid commission; this report is relevant to you. Although it reflects on the Victorian context, where there are currently twenty-five Specialist CLCs and twenty-four Generalists, it should have resonance across all Australian states and territories, and anywhere else in the world where the number of vulnerable and disadvantaged people in need of legal assistance outweighs the number of legal services available to respond.

WHO WROTE IT?

The report was co-authored by Independent Evaluation Consultant, Taimur Siddiqi, Director of The Incus Group and me, Michael Tamblyn, Generalist-Specialist Project Manager. I brought my CLC experience and admiration for the sector and Taimur grounded that with his rigorous, independent, empirical approach (in the kindest possible way).

The majority of the content is based on the generous reflections and data provided by the 11 pilot CLCs, provided in mid July 2018 at the end of pilot testing.

WHY IS IT RELEVANT NOW?

"In the next few years it is likely that more and more generalist Centres will seek to develop targeted specialist services in Centrelink, consumer and debt, employment, and tenancy law. It will be imperative for the CLC sector to develop the capacity for mentoring, supervision, secondary consultations and referral protocols to support these new services."

Denis Nelthorpe, CEO, WEstjustice

To be clear - collaboration between Generalist and Specialist CLCs is not a new phenomenon. There have been collaborative projects, campaigns, referral arrangements and exchanges of expertise since the sector emerged. Until now, however, in Victoria at least, there was no sector-wide experience backed with empirical analysis to point at and say, 'this is what Generalist and Specialist CLCs did to improve their collective impact, this is why, and this is how'.

The Project came at an opportune moment. With CLC mergers, jurisdictional service planning, underfunding, increasing social inequality, and an ever-maturing sector almost half a century old, critical reflection is important. Discovering synergies is vital. Working in silos and competing for limited resources is not sustainable.

These are the discussions we need to have. I hope the following recommendations, blueprints and findings will contribute to the debate. Although the report is a balanced examination of the benefits and challenges of Generalists and Specialists working together, it is unapologetic in its conclusion: collaboration works.

MICHAEL TAMBLYN,
Project Manager, FCLC

This Project is supported and funded by Victoria Legal Aid's CLC Innovation and Transformation Fund.



Funded and supported through the Community Legal Centre Innovation and Transformation Fund

GLOSSARY / LIST OF ACRONYMS

BCLS	Barwon Community Legal Service
BMCLC	Brimbank Melton Community Legal Centre
CALC	Consumer Action Law Centre
CLC	Community Legal Centre
FCLC	Federation of Community Legal Centres
FKCLC	Flemington Kensington Community Legal Centre
FLS	Fitzroy Legal Service
FVIO	Family Violence Intervention Order
HRCLS	Hume Riverina Community Legal Service
MisID	Misidentification of perpetrator
M&E	Monitoring & Evaluation
NACLC	National Association of Community Legal Centres
SKLS	St Kilda Legal Service
ToC	Theory of Change
TV	Tenants Victoria
VCAT	Victorian Civil and Administrative Tribunal
VLA	Victoria Legal Aid
WJ	WEstjustice
WLSV	Women's Legal Service Victoria



ABOUT US

The Federation of Community Legal Centres is the peak body of Victorian CLCs. We work with and for our 49 member CLCs and aim to contribute to a strong, vibrant, healthy Legal Assistance Sector.



The Incus Group is a purpose-driven consultancy working with organisations to measure what matters, and convert best intentions into successful outcomes

ACKNOWLEDGMENTS

Thank you to the Steering Committee for your invaluable support, guidance and commitment since the beginning: to Ariel Couchman, Ben Zika, Carolyn Bond, Marie Baird, Julie Phillips, and Lisa-Maree Stevens. Thank you to the CLC pilot leads for your hard work and for understanding that the sum *can* be greater than its parts: to Marlene Dixon, Johanna Yee, Mark O'Brien, Ben Cording, Lachlan Edwards, Debi Fisher, Shane Foyster, Mandi Hyland, Marianne Jago-Bassingthwaighe, Erin Buckley, Kali Watson, Agata Wierzbowski, Ian Scott, Adrian Snodgrass and Tarni Perkal. Thank you to Taimur Siddiqi, Independent Project Evaluation Consultant, and co-author of this report, for your dedication to the Project, your patience when faced with endless M&E questions and for the literary banter. Thank you to our colleagues at Victoria Legal Aid: to Annie Nash, for your words of kindness, your energetic support, and for making things happen; Roy Reekie, Ishty Chowdhury and Rosy Jolic, for your early planning and research guidance; Toby Verey and Rikke Winther-Sorensen, for sharing ideas on referrals; Bridget McAloon, for sitting on the Evaluation Consultancy Panel; Jon Cina, for sitting on the Pilot Selection Panel; Dan Nicholson for feedback on the Interim Report; and to Peter Noble for your ongoing support and facilitating that meeting with VLA's Regional Managers. Thank you to the Project Interns for your support in the research phase of the project: to Katherine Lo Presti, Ryan Donaghey, Paola Vega, and Alex McGhee. Thank you to our colleagues at NACLC: to Nassim Arrage, for your ongoing support, your feedback on the Interim Report, and for sitting on the Pilot Selection Panel; John MacMillan for feedback on the interim report; Fran Bowron and the CLASS team for the data. Thank you to our colleagues at the other state CLC peaks: to James Farrell, for dumplings, coffee and your Access All Areas Report; to Rosslyn Monro and Helen Creed, for feedback on the Interim Report. Thank you to our Victorian CLC colleagues for your feedback on the Interim Report: to Sarah Rodgers, Gillian Wilks, Jillian Williams, Amanda Storey and Claudia Fatone. Thank you to the academics for sharing your research: Dr Liz Curran (ANU) and Francis Gibson (UNSW). Thank you to the law firms for your pro bono support: Colin Biggers Paisley and especially to Maddocks for the meeting venues and catering. Thank you to Albie Colvin for your creative design. Thank you to Belinda Lo and Jerry Marston for the feedback on this report. Thank you to Serina McDuff and all of the staff past and present at the Federation of CLCs, and last, but most important, an extra special thanks to YOU: the dedicated staff and volunteers of the CLC sector, for letting us interview you and for making a positive change in the world.

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1. RECOMMENDATIONS

"Generalist and Specialist CLCs have a long history of working together to provide accessible legal services to people who cannot afford to pay a lawyer. This project provides valuable data, findings and recommendations that can be used by CLCs in Victoria and around Australia to build on, strengthen and expand their existing collaborations to the benefit of their communities, clients and staff."

Nassim Arrage, CEO, National Association of Community Legal Centres



From the outset, this Project was ambitious in scope. During early sector-wide consultations and pilot model design sessions, it became clear to us that many of the challenges we'd identified in our discussions with CLC staff and volunteers posed fundamental questions about the way our sector works. The Project scope grew. The Project challenge became more profound than simply finding new operational models to encourage Generalists and Specialists to work better together. The change required was just as much a question of strategy and organisational culture. The following recommendations are some of the changes we believe are required to keep growing as a sector to ensure that wherever a client turns, they will receive quality, robust legal assistance, no matter how specialised their legal needs. As you read this report, the empirical basis upon which we make these assertions should become clear.

1. CULTURAL CHANGE IS CRITICAL

This is the key recommendation from which all other recommendations stem and within the framework of which they should be understood. The pilots that achieved the greatest outcomes in this Project shared several things in common. The participating CLCs displayed a genuine willingness to try new ways of working and an openness to work with and learn from others. They embraced the opportunity to explore the benefits of change. They understood the potential of synergy – that by working together they increased their own impact and that of their peers. The Specialist leads showed strong leadership. This approach requires each CLC, first and foremost, to be an effective organisation that has the requisite governance, practices and culture in place to properly plan and resource collaborative projects. It requires a high level of trust between organisations. It requires an express agreement to stop competing for limited resources. It requires organisations to consider the value they add to the legal assistance sector and to seek out organisations that complement their weaknesses. It requires CLCs to ask themselves if they are collaborating because there's funding in it, or because it will improve their impact. It requires a genuine belief that in a sector where need will always outweigh demand, we have to be smart about working together.

2. START TALKING ABOUT CHANGE NOW

Change needs to come from influencers, leaders and decision-makers in an organisation. It also needs to come from those at the 'coal-face'. Those staff and volunteers required to operationalise change need to understand and believe that the change is worthwhile. They also need to feel empowered to suggest change. We've written this report to prompt and facilitate conversations between peers. We hope it is discussed at staff meetings, board meetings and strategic planning sessions. We also think elements of the report would be a useful addition to induction kits for volunteers, staff, management, and board members.

3. KEEP CHANGE ON THE TABLE

Within the CLC sector... The growing need for casework in specific areas of law in a fiscally constrained environment means Specialists cannot possibly meet the demand and Generalists are increasingly developing specialist services in response. Specialists are well positioned to guide this process and foster a community of practice to ensure their deep expertise is harnessed and transferred to Generalists through supporting professional development, strategic litigation and CLE.

Within the broader legal assistance sector... The Legal Assistance Sector is currently going through an important process to determine how to best address legal need. Jurisdictional Planning conversations should include meaningful ongoing discussion about the findings, blueprints and recommendations of this project and how they can be embedded.

4. EMBED CHANGE

Within CLCs... Collaborative practice between CLCs should be seen as part of the core business of all CLCs. It should be included in organisation strategic planning, in program and project work plans and individual staff work plans. It should be recognised and valued in staff KPIs so that staff feel authorised to do the work required of collaborative practice, rather than adding it to an already long list of responsibilities or, worse, simply neglecting it. Consideration should be given to establish roles within CLCs whose primary focus is how to better integrate their services and share their expertise with other CLCs.

Within the legal assistance sector... Funders and decision makers should consider how their spheres of influence could be used to leverage change. For example - the National Association of CLC's National Accreditation Scheme, The Commonwealth Attorney General's National Partnership Agreement, Victoria Legal Aid's CLSP, and other funders could reflect the findings and recommendations of this report within their guidelines. If collaborative practice is a required deliverable - it will be delivered.

5. KEEP TESTING, KEEP LEARNING, KEEP ADAPTING

As noted, during the planning and implementation of this Project our list of areas and initiatives to explore kept growing. Here are some of the key suggestions we didn't get to directly test, but merit further attention:

- a. Develop, in collaboration with VLA's online referral tool team and Legal Help services, a best practice approach to triage and referrals;
- b. Further explore and measure the benefits of a hybrid approach to the provision of specialist services within a Generalist CLC - whereby Generalist CLCs develop sub-specialisations (for casework *and* advocacy);
- c. Test a hub-approach to the provision of specialist services - whereby several Specialists work together to provide support for 'clustered legal needs';
- d. Implement a standardised CLC knowledge management repository;
- e. Use legal needs analyses to determine where collaborative specialist support is most required; and
- f. Provide greater opportunities for skill sharing and networking (such as sector-wide Specialist Quarterlies).

6. FUND CHANGE

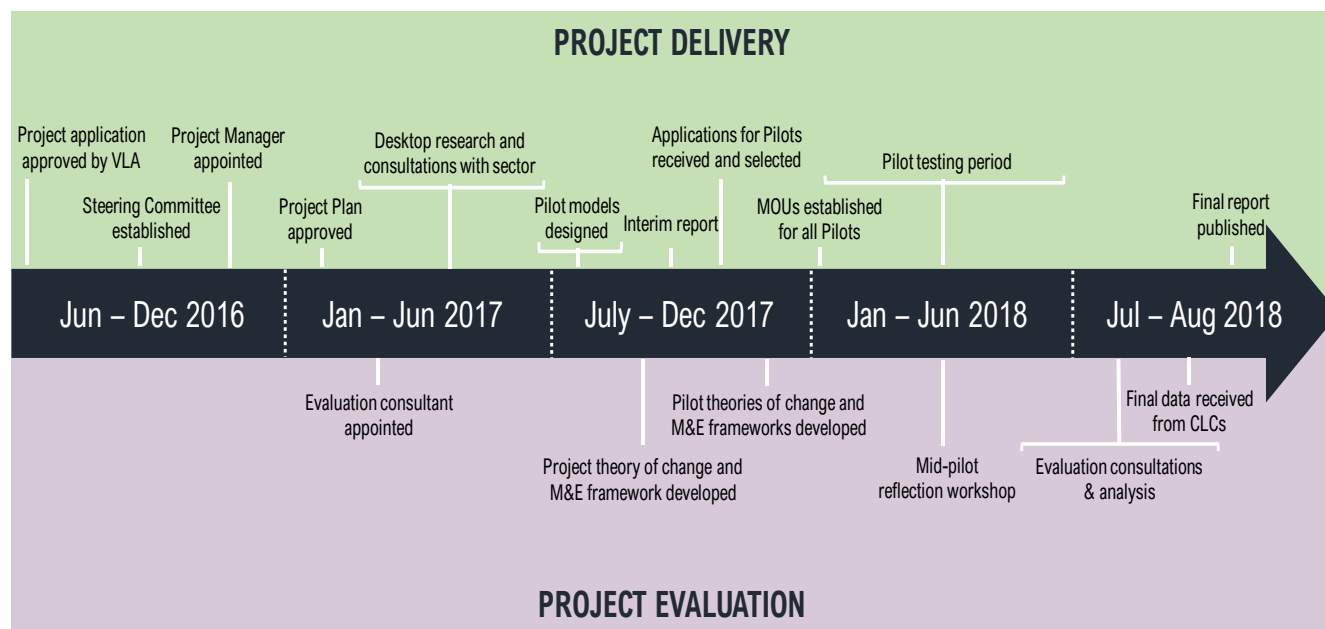
Change is cultural – yes. Collaboration is a way of working, rather than an end product – yes. We can adapt the way we work – yes. We should continue looking for efficiencies in service provision – yes. Ultimately, however, there are limits to how far we should call on the goodwill of volunteers and the dedication of staff to fill resourcing gaps. When funding is scarce, anything viewed as peripheral to core service provision will fall by the wayside. Whilst we believe the interplay between Generalists and Specialists *should* be considered part of core business, this will take time to fully embed in the collective consciousness of the sector. Until that happens, CLCs will certainly be more likely to adapt and change when they're supported by the necessary funding.

2. PROJECT METHODOLOGY



PROJECT METHODOLOGY

In early 2016, a group of Victorian CLCs applied to Victoria Legal Aid's (VLA) Innovation and Transformation Fund to conduct the empirical investigation, design and testing of models to improve access to specialist knowledge and practices in the CLC sector. In June 2016, VLA granted funding to the Federation of Community Legal Centres (FCLC) to manage the Project, which formally concludes with this integrated project and evaluation report in August 2018. A timeline of the process is presented below.



A snapshot of the project delivery and evaluation methodology is provided on the following pages.

2.1 PROJECT DELIVERY

In December 2016 the FCLC employed Project Manager, Michael Tamblyn, to work with the Steering Committee and the CLC sector ("the sector") to deliver the Project. The first phase of work consisted of planning, consultation, design, more consultation, before asking interested CLCs to apply to test the models we'd designed.

Project Planning:	<ul style="list-style-type: none"> ▼ FCLC ▼ Steering Committee ▼ VLA
Sector Consultation:	<ul style="list-style-type: none"> ▼ Consulted with 23 CLCs; doing on-site visits with all but 2 ▼ Interviews and focus group reflection sessions with 100 staff and volunteers from 10 Generalist CLCs, 9 Specialist CLCs and 4 RRR CLCs ▼ 85 responses to sector survey ▼ Interviews with other stakeholders from VLA, CLC peaks, and Community Health ▼ Comprehensive literature review
Model design process:	<ul style="list-style-type: none"> ▼ Analysis of raw data from consultation with steering committee (1 August 2017) ▼ Presentation at NACLC Conference, Canberra (10 August 2017) ▼ Initial design of 12 stand-alone models ▼ Sector consultation session on final design (16 August 2017) ▼ Feedback sought on Interim Report. (August/September 2017) ▼ Interim Report circulated - including 3 inter-related challenges and 5 integrated models
EOI process to test the models (closed 3 November 2017)	<ul style="list-style-type: none"> ▼ 10 written applications submitted <ul style="list-style-type: none"> - Twenty-one different CLCs represented - Across a selection of all 5 pilot models (or variants thereof), - Incorporating 9 different generalists, 8 specialists & 4 RRR centres
The Selection Panel meets to apply two-tiered selection criteria. (10 November 2017)	<ul style="list-style-type: none"> ▼ Panel was: <ul style="list-style-type: none"> - Nassim Arrage, CEO, NACLC, - Jon Cina, Associate Director, Access and Equity, VLA, and - Serina McDuff, CEO, FCLC ▼ 4 models across 11 CLCs selected ▼ Decisions announced 14 November 2017

Since the Project's inception, we'd flagged the pilot model design and testing as both the most exciting and most complicated aspect of the Project delivery. How does one go about designing innovative and transformative solutions to challenges that have evolved concurrently with the sector over the last half century?

We started by asking as many stakeholders as possible – what's the problem? People we consulted - people who know from first-hand experience - were generous with their insights and opinions. Faced with a broad scope of challenges, we narrowed them down to the three most obvious over-arching themes:

1. People weren't sure who their colleagues at other CLCs were and didn't know what they did or how they did it. In a sector with 49 CLCs and high turnover of volunteers and staff, this wasn't surprising.
2. People loathed the idea that clients might get trapped on the so-called 'referral roundabout', but nobody could point to a best-practice approach to stop it from spinning.
3. People loved collaboration - in theory - but saw it as an additional burden on an already overburdened list of things to do, and wondered if it was really worth the extra time and effort.

Once we'd narrowed down some of the challenges, we worked with the sector to design some possible solutions. To begin with, we came up with twelve stand-alone models. Most of these are explained in greater detail in later sections of the report, and not all of them were new:

Triage and Referral Lawyer	Collaborative Clinic	Specialist Training Quarterlies	Referral Tracking
Administrators' Exchange	Supported Casework	Knowledge Management Portal	Formalised Shadowing
Specialist Secondee	Priority Contact Protocol	Conflict referral MOUs	Collaborative Systemic Advocacy

Given the challenges we wanted to address were inter-related, we thought that resolving one would help to resolve the others. We therefore suggested grouping the stand-alone models within five integrated models:

1. Ending the Referral Roundabout;
2. Collaborative Casework;
3. Sharing Expertise;
4. Collaborative Advocacy; and,
5. In Situ Exchanges.

We put the models out to the CLC sector and said – if you recognise these challenges, and you see the merit in testing this integrated approach, find some other CLCs that share your view and lodge an application. The response was encouraging. We received 10 written applications, with 21 different CLCs represented across a selection of all 5 pilot models (or variants thereof), incorporating 9 different generalists, 8 specialists and 4 Regional Rural and Remote centres.

PROJECT METHODOLOGY

We didn't have the resources to test them all, so our independent selection panel chose four which we then tested:

1. **Tenants Victoria and Brimbank Melton Community Legal Centre** conducted specialist training, supported casework and collaborative "pop-up tenancy clinics" to improve the response to tenancy law problems for CLC clients in the west. (Integrated model 2)
2. **Consumer Action Law Centre, Hume Riverina Community Legal Service and Barwon Community Legal Service** implemented a secondment, shadowing and training arrangement to identify and address consumer, credit and insurance legal needs in a regional, rural and remote context. (Integrated model 5)
3. **Jobwatch, WEstjustice and Fitzroy Legal Service** implemented a secondment, shadowing and training arrangement to build capacity of CLC services in employment law for migrants. (Integrated model 5)
4. **Flemington Kensington Community Legal Centre, Women's Legal Service and St Kilda Legal Service** worked together to assist clients who experience failures or inadequacies with police responses to family violence and to gather an evidence base which will guide systemic advocacy on the issue. (Hybrid of Integrated models 2 and 4)

An overview of the 4 pilots tested is provided in the table below. In section 5 of this report you will find the evaluation of each, combining how the Pilot was set up, what activity occurred, what outcomes were achieved and an assessment of what worked well and what could have been improved.

Table 1 - Overview of pilots

	Pilot 1	Pilot 2	Pilot 3	Pilot 4
CLCs involved	TV BMCLC	CALC HRCLC BCLS	JW WJ FLS	WLSV FKCLC SKLS
Type of law	Tenancy	Consumer, Credit, Insurance	Employment	Family Violence & Police duty failures
Regional Context		✓		
In situ focus	✓	✓	✓	
Casework Focus	✓	✓		✓
Advocacy Campaigns focus				✓

2.2 MONITORING AND EVALUATION METHODOLOGY

The grant from VLA established the importance of an empirical approach. Acknowledging the value of robust monitoring and evaluation, the project team engaged an Evaluation Consultant (Taimur Siddiqi of The Incus Group). The Evaluation Consultant set up the evaluation parameters for the Project and Pilots, and led the evaluation as follows:

▼ **Project and Pilot theories of change and Monitoring & Evaluation frameworks**

1. A project level theory of change was developed by the Evaluation Consultant in concert with the Project Manager and Project Steering Committee. This was informed by existing material from the project establishment and sector consultations phase.
2. Theories of change were co-developed for each Pilot in a joint working session with participating CLCs - 4 x 3 hour workshops in December 2017.
3. The Project and Pilot theories of change were translated into separate monitoring & evaluation (M&E) frameworks, outlining the focus and data sources for determining the success of each Pilot and the Project overall. Followed by a teleconference to aid implementation at each centre and provision of data collection tools (intake template, a client survey and accompanying data entry spreadsheet).
4. A 'pre-Pilot' online survey developed and administered by Evaluation Consultant to all participating CLCs in January 2018, in order to establish a 'baseline' understanding of staff and volunteer knowledge, confidence and skills around the relevant area of specialist law; as well as existing referral pathways and strength of relationships with the partner CLCs.

▼ **Mid Pilot reflection**

1. Brief reports provided by the 11 participating CLCs summarising Pilot activities and outputs to date in April 2018.
2. Workshop attended by representatives from all participating CLCs, FCLC, the Project Steering Committee and the evaluation consultant. The purpose was to share and reflect upon emerging findings and experiences from the first half of the Pilot testing phase.

▼ **Evaluation consultations & analysis**

1. A 'post-Pilot' online survey developed and distributed to all participating CLCs in June 2018 by Evaluation Consultant, to assess the impact of the Pilot on staff and volunteers and compare to baseline.
2. Also in June 2018, Evaluation Consultant and Project Manager conducted in person consultations with each centre to assess Pilot achievements and lessons. In addition, Evaluation consultant undertook interviews with a range of stakeholders to assess the achievements and lessons of the Project as a whole. The consultations are detailed in Table 2 below.
3. Final pilot reports provided by all 11 CLCs summarising their activities, outputs and achievement of outcomes; an assessment of implementation of the pilot within their centres, the evaluation component and the project management support; and reflections on the Pilot and collaborations between Generalists and Specialists.
4. Any additional material (e.g. client surveys, case studies, materials developed) also provided at this stage by CLCs. All data analysed by Evaluation Consultant, in conjunction with Project manager; outlined in Table 3 below.

PROJECT METHODOLOGY

Table 2 – Summary of evaluation consultations

STAKEHOLDERS		# OF INDIVIDUALS INTERVIEWED	STAKEHOLDERS		# OF INDIVIDUALS INTERVIEWED
Project manager		1	CALC		1 x Managing lawyer 1 x Director
Project Committee	Steering	All 5 members*	BCLS		1 x Pilot lawyer
Pilot selection panel		2 of 3 members	JobWatch		1 x Principal lawyer
VLA		1	FLS		1 x Managing lawyer
CLCs that were not successful in Pilot applications		2 x Executive officers, Generalist CLCs 1 x Manager, Specialist CLC	WEstJustice		1 x Pilot lawyer 1 x Manager
Other stakeholders	Project	1 x FCLC Board member 1 x Director, Specialist CLC	FKCLC		1 x Pilot lawyer 1 x Manager
BMCLC		1 x Pilot lawyer 1 x Director	WLSV		1 x Policy advisor 2 x Directors
Tenants Victoria		1 x Principal lawyer 1 x Executive Officer	SKLS		1 x Principal lawyer 1 x Project lawyer
Hume Riverina		1 x Pilot lawyer 3 x staff lawyers 1 x Principal lawyer 1 x local financial counsellor 1 x client			

*As at June 2018, there were 5 members on the Steering Committee with 1 member (Lisa Maree Stevens) departing in Dec 2017

PROJECT METHODOLOGY

Table 3 – Pilot data for evaluation

CLC	PRE-PILOT SURVEY TO STAFF	SURVEY TO STAFF / VOLUNTEERS	CLIENT SURVEYS	ANY ADDITIONAL MATERIAL PROVIDED
1. BMCLC	24	7	8	<ul style="list-style-type: none"> Media posts Pilot case studies/testimonials
2. Tenants Victoria	8	11	0	
3. CALC	28	18	3	<ul style="list-style-type: none"> Worker line enquiry stats Training surveys CLE flyers Expenditure report
4. Hume Riverina	17	11	4	<ul style="list-style-type: none"> Pilot case studies CLE flyers Pilot related media posts / analysis Expenditure report
5. BCLS	19	9	12	<ul style="list-style-type: none"> Pilot case studies CLE flyer CLE survey Expenditure report
6. JobWatch	11	7	0	
7. FLS	28	9	0	
8. WEstJustice	8	6	3	<ul style="list-style-type: none"> Expenditure report
9. FKCLC	11	6	0	<ul style="list-style-type: none"> Pilot case studies Training material Expenditure report
10. WLSV	15	10	0	<ul style="list-style-type: none"> Pilot case studies Strategic casework guide Policy briefs Media posts Misidentification analysis Expenditure report
11. SKLS	9	0*	0	<ul style="list-style-type: none"> Project flyer Expenditure report

*Results presented in this report referring to the Post-Pilot survey do not include SKLS

Finally, before reading the remainder of this report, there are a few salient points we would like you to consider:

Theory of Change

1. A theory of change is a form of logic model which depicts how a service, project or organisation intends to achieve meaningful, positive changes for its stakeholders.
2. The theory of change for all Pilots is presented as a standalone graphic in each Pilot evaluation section. The reader is encouraged to absorb the theory of change as it identifies the ultimate goal of that particular Pilot; illustrates who was involved (inputs) and what was actually done (the activities/outputs); and situates the analysis of outcomes and what worked well/areas for improvement.

Availability of data

A constant challenge in evaluations is having sufficient data to make firm conclusions. For this project, a substantial and admirable amount of data was provided by the 11 CLCs and made available by the Project Manager; however there are 3 caveats:

1. The CLASS reporting function needs work. This is the new database in the CLC sector. Limited reporting functions meant Generalist CLCs were not able to provide granular and historical data. NACLC did provide us with some of the additional data requested, but its value was limited and is not reflected in this Report. This meant it was not possible, for example, to measure pre Pilot service levels to compare post Pilot. This created an additional reporting burden on CLCs.
2. Post-Pilot surveys of staff and volunteers – There were far more responses (178) to the Pre-Pilot survey than to the Post-pilot survey (94) and only some staff and volunteers surveyed responded to both. This meant, again, that it was difficult to compare pre and post pilot outcomes; however we believe this was mitigated by the quantity and quality of the final reports the CLCs provided and evaluation consultations, both of which generally reflected/ corroborated the findings of the surveys
3. Low numbers of client surveys - Acquiring a quantitative understanding of the client experience through a consistent survey across centres was a challenge. The lower numbers are balanced by the qualitative material and case studies CLCs provided us. At the time of writing this report, a sector-wide client survey has been implemented through the FCLC.

3. PROJECT IMPACT

"This project reflects so many important aspects of community legal centres' work: focussing on clients' needs, collaborating with other services, developing innovative service models, building on decades of experience and expertise, using casework to inform systemic advocacy, getting great outcomes for our clients and communities. The project builds on these strengths, and the project findings are equally applicable to the Queensland system."

James Farrell, Director, Community Legal Centres Queensland



PROJECT IMPACT

"This project has been a great opportunity for Barwon Community Legal Service. The skills and relationships developed are of great value to our service and community. Beyond the development of specific consumer law skills and contacts, the process of forming and working in this partnership has developed a great model that we can use to work with other specialists to better support our work and community."

Nick Hudson, Executive Officer, Barwon Community Legal Service

"This project has facilitated and supported the Brimbank Melton CLC lawyers to develop their skills and knowledge on tenancy issues, which has resulted in our ability to offer specialist tenancy clinics in our region. The collaboration has strengthened both the organizations to develop improved referral processes, additional CLE and inter-agency ability to work on complex tenancy casework."

Rachna Muddagouni, Chief Executive Officer, Community Plus

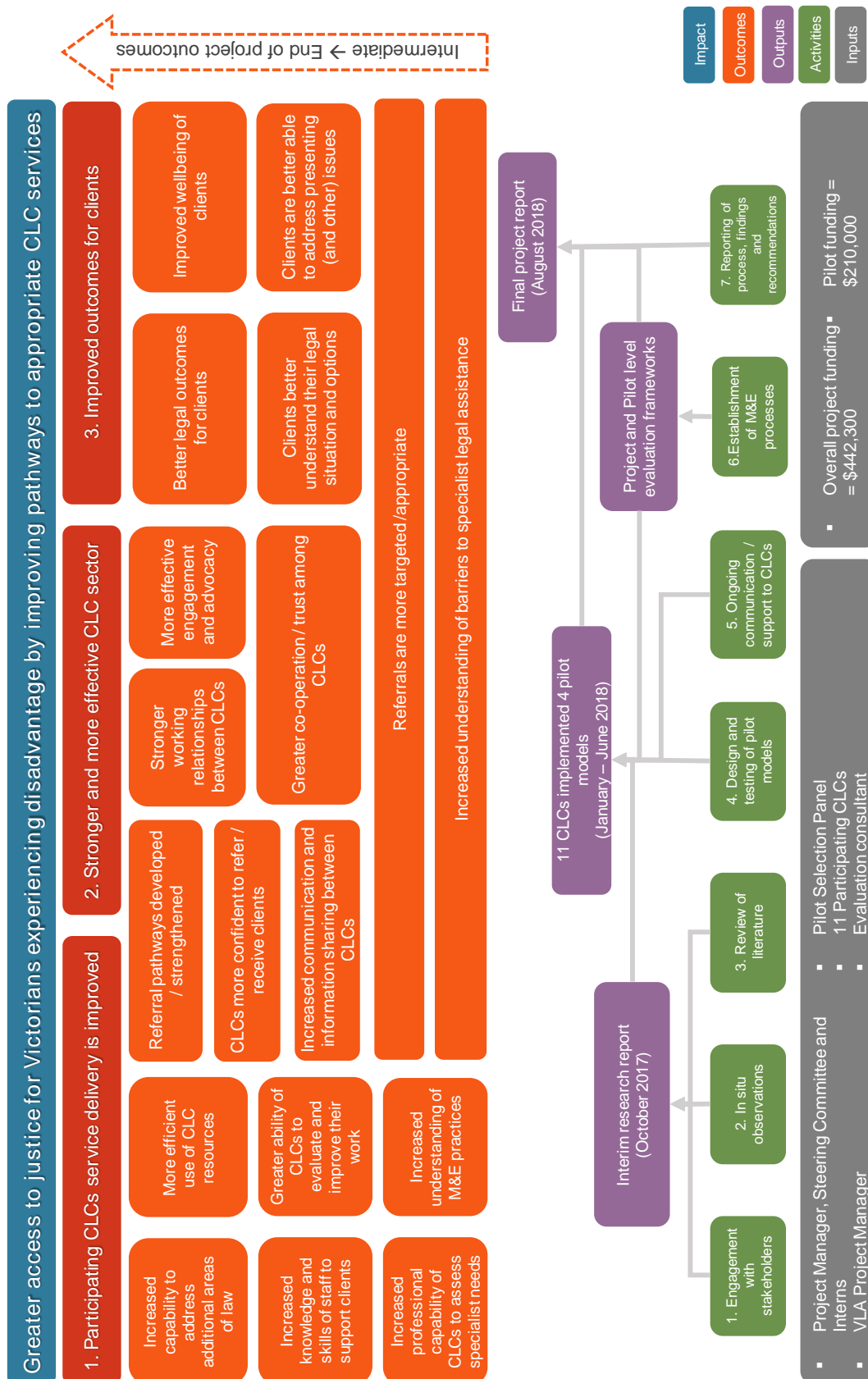
"Effective inter-CLC collaboration takes significant resourcing from both legal and non-legal staff across CLCs, and this project allowed us to be able to dedicate the time required to form an effective collaboration with Job Watch. It was and will continue to be extremely beneficial to our staff, volunteers and clients, to have open lines of communication with Job Watch as a sounding board and source of information."

Claudia Fatone, Executive Officer, Fitzroy Legal Service

"Working with Flem Ken Community Legal Centre and St Kilda Legal Service has been of great benefit to Women's Legal Service Victoria. It has strengthened and helped focus our advocacy around the issue of family violence policing, in particular the misidentification of victims as perpetrators. We have had a positive media response, which is not easy when trying to highlight family violence. We will continue to build on that and all that we have learned through the partnership and pilot."

Helen Matthews, Acting CEO, Women's Legal Service

Directly below is the Project Theory of Change; a visual representation of the activities we undertook and the effect of those activities.



The Project set out to increase access to justice for Victorians by improving pathways to appropriate CLC services. We approached this challenge by focusing our attention on the flow of specialist knowledge and experience between Generalist and Specialist CLCs. We wanted to determine if anything stemmed that flow, and if so, how to improve it.

In subsequent pages you will find the empirical data that demonstrates we achieved our goal, by contributing to the following outcomes:

1. Improving the service delivery of participating CLCs;
2. Creating a stronger and more effective CLC sector; and
3. Improving outcomes for clients.

3.1 PARTICIPATING CLCS' SERVICE DELIVERY HAS IMPROVED

We sought to determine the extent to which the varying collaborative pilot activities would result in:

- ▼ Increased professional ability of CLCs to assess a client's specialist law needs;
- ▼ Increased knowledge and skills of staff to support clients; and
- ▼ Increased capability to address additional areas of law.

We achieved these outcomes across all participating CLCs. The most notable improvements were amongst the Generalist centres:

- ▼ Among all staff and volunteers at the Generalists, a post-Pilot survey revealed a substantial shift in all aspects of supporting clients with a particular specialist law need, from having knowledge of the substantive law and procedures, through to assessing clients' needs and ultimately feeling confident in the skills and ability of individuals and the CLC as a whole to support those clients. This was true of both non-client facing (e.g. CLE, directors), but particularly so for client facing staff and volunteers.

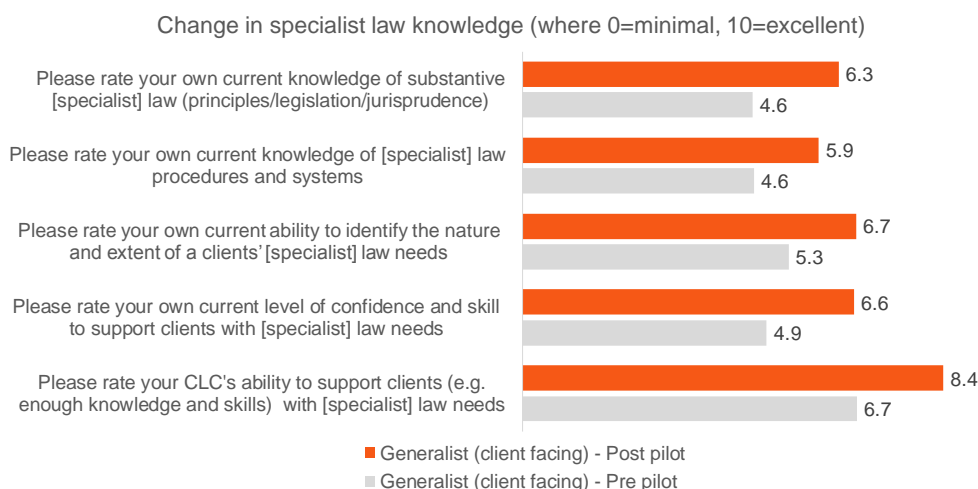


Figure 1 - Survey responses from client-facing staff/volunteers at the participating Generalists before and after the Pilot (pre-pilot n=100, post-pilot n=40)

1. Increased knowledge and skills of staff in additional areas of law

As Figure 1 illustrates, client facing staff and volunteers at the Generalists rated their knowledge of substantive law and procedures/systems related to the particular specialist law as slightly below average before the Pilot (4.6 out of 10) and around 6 out of 10 after the Pilot. This increase was also much higher for most of the lawyers leading the Pilot delivery within their Generalist CLC.

"It was manifestly obvious that the Generalist lawyer had gone from having almost no knowledge in the jurisdiction to being a competent advocate."

Ben Cording, Principal Lawyer, Tenants Victoria

"My tenancy knowledge has increased exponentially. I would not have had the confidence to assist clients with tenancy issues prior to the commencement of the project. The comprehensive training and guidance I have received from TV has been pivotal to this."

Johanna Yee, Lawyer, Brimbank Melton CLC

The majority of participants linked this increase to participation in the Pilot, with over 70% of client-facing survey respondents at Generalists indicating that the Pilot had improved their knowledge 'a lot', with less than 10% stating that it had no impact, as shown in Figure 2.

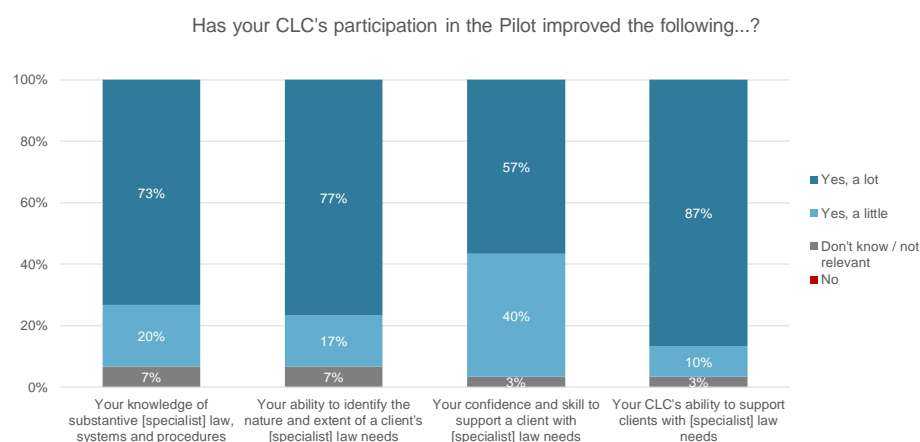


Figure 2 - Survey responses from client facing staff and volunteers at the participating Generalists after the Pilot (n=40)

3. Increased professional ability of CLCs to assess a client's specialist law needs

The pre- and post-pilot surveys also revealed a general improvement at the Generalists in assessing clients' specialist law needs. The majority of survey respondents linked this to participation in the Pilot, through an improvement in intake and triage practices. This is illustrated by Figure 3, which shows that a majority of staff and volunteers at *both* generalists and specialists felt that intake and triage practices at their centre had improved as a result of the pilot, although a large proportion were not sure.

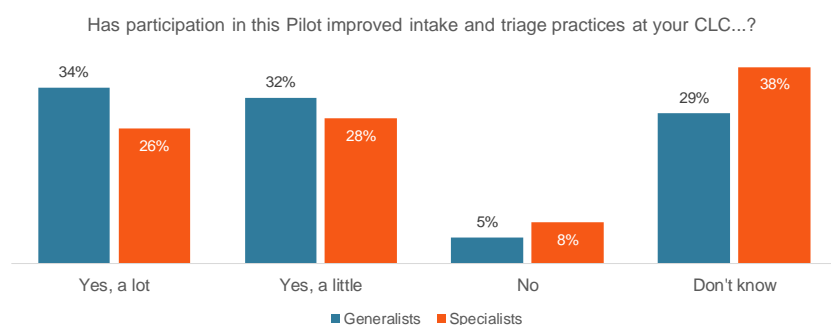


Figure 3 - Survey responses from all staff and volunteers at the participating CLCs after the Pilot (n=94)

"The legal health check questions on consumer/credit/debt and insurance given to BCLS by CALC have been implemented at the discretion of the lawyers for each of the appointments they do. For drop-in appointments, where lawyers have more time with clients, this has been much easier to do and has led to extra legal issues being identified and new casework. For our duty lawyer service, it has been difficult for lawyers to add these questions to their list of concerns to go through with the client – which are largely around safety and family law / arrangements for children. (...) As a whole, these questions are definitely being asked more often than before, and more referrals or casework is happening as a result."

Shane Foyster, Lawyer, Barwon Community Legal Service

4. Increased capability to support clients

It was also evident from the surveys and evaluation consultations that staff and volunteers at the Generalists felt their own abilities to support clients had increased, and that their CLC's capabilities around supporting clients had increased to an even greater degree through the collective improvements in knowledge, confidence and skills and better relationships with partner centres.

"Before partnering with CALC, our service's level of knowledge and therefore ability to effectively assist clients with consumer law problems was very limited. Following the series of training sessions CALC has facilitated at our office it is clear how these issues intertwine with other legal issues our clients present with and we are now armed with the knowledge and skills to identify and problem solve these issues with our clients. Particularly in the current climate of family violence, being able not only to assist a client with their physical safety but also their financial security has been very rewarding and you can see the positive impact relief from those financial stressors has on a client and their ability to move forward."

Lauren Hutson, Lawyer, Barwon Community Legal Service

3.2 STRONGER AND MORE EFFECTIVE CLC SECTOR

We sought to determine the extent to which the varying collaborative pilot activities would result in:

- ▼ Referral pathways developed and strengthened;
- ▼ Stronger working relationships between CLCs; and
- ▼ More effective engagement and advocacy.

We achieved these outcomes across all participating CLCs and particularly so for the Specialists.

1. Referral pathways developed and strengthened

"For us, predictability of the client experience is crucial. Through the Pilot, we know what we can refer out and that it will be appropriately addressed. We can now say to a client we will refer you to BMCLC and they will help you with A, B and C"

Mark O'Brien, CEO, Tenants Victoria

Each of the Pilots established referral pathways between the generalists and specialists either informally (e.g. providing mobile numbers for the main lawyers) or more formally (e.g. a referral guide / a telephone number for organisations to call for support and secondary consultation) and all centres indicated improvements in this area, with 73% of staff and volunteers from Generalists and 78% from Specialists agreeing that the Pilot had resulted in better referral pathways and practices as shown in Figure 4.

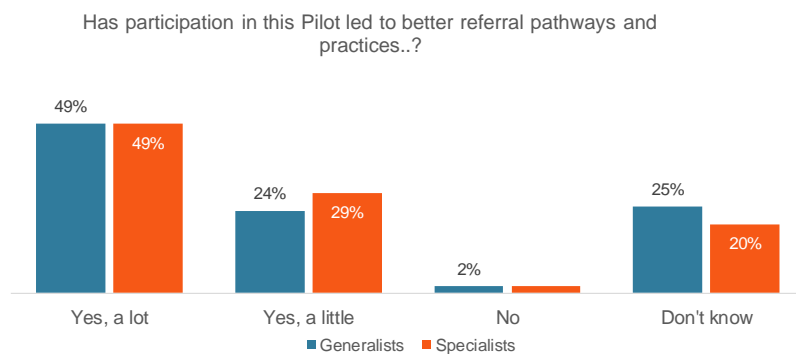


Figure 4 - Survey responses from all staff and volunteers at the participating CLCs after the Pilot (n=94)

"We are grateful for the frequent referrals from Job Watch that have assisted us to kick start the Migrant Employment Law Clinic. Some of these clients were advice-only, some are being assisted with complex litigation and representation in proceedings. None of these clients would have been able to receive the same level of assistance without the referral relationship established by the pilot."

Adrian Snodgrass, Lawyer, Fitzroy Legal Service

2. Stronger working relationships between CLCs

"The partnership has been extremely rich and rewarding. Not only in terms of the specialist skills brought by each centre, but the professional and personal traits of the other workers have really helped to bring out the best of our combined experience."

Erin Buckley, Lawyer and Project Officer, Flemington Kensington Community Legal Centre

The surveys revealed stronger working relationships with participating centres through greater understanding and trust. Overall, as Figure 5 illustrates, staff and volunteers from all centres, but particularly specialists, felt that the Pilot had led to stronger working relationships between participating CLCs, with a minority not sure.

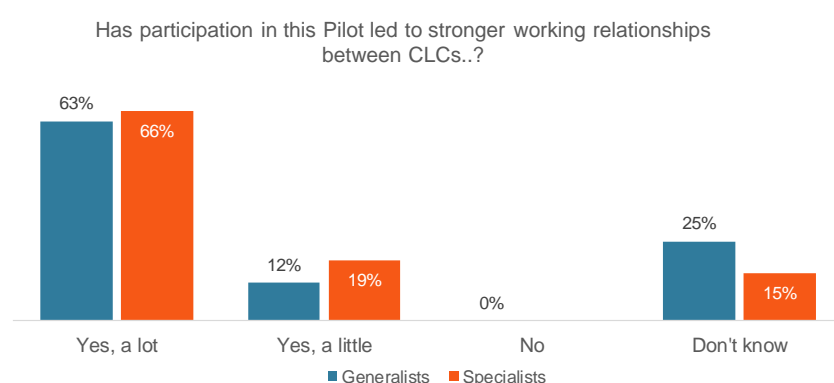


Figure 5 - Survey responses from all staff and volunteers at the participating CLCs after the Pilot (n=94)

This improvement was built on the back of improved understanding of other CLC's services. Figure 6 illustrates CLCs' knowledge of their partner CLC's services before and after the Pilot, compared to their knowledge of other centres' services. Among all but one centre, there has been an improvement in both actual knowledge of their partner CLCs' services and *relative* knowledge of their partner CLCs' services, compared to other centres. For example, the respondents from Women's Legal Service (WLS) rated their knowledge of Flemington Kensington CLC's (FKCLC) services as 2.9 out of 5 before the Pilot and 4.4 after the Pilot.

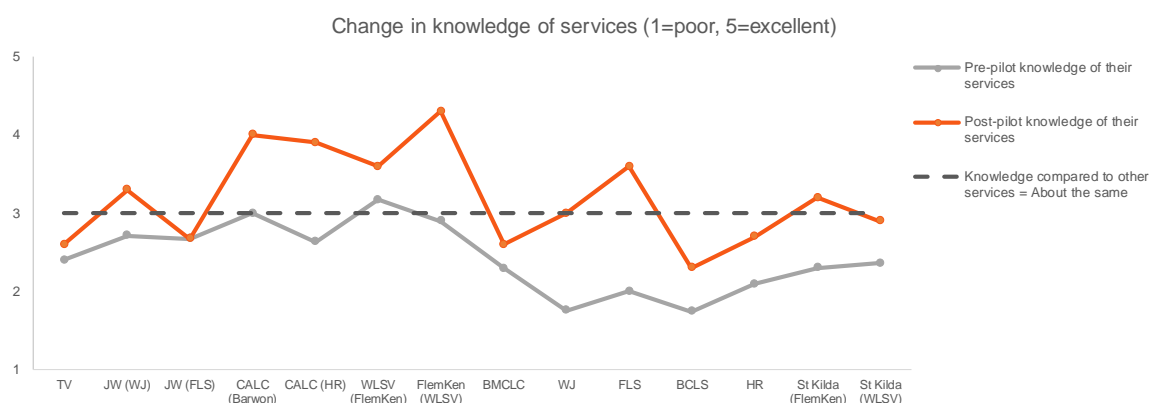


Figure 6 - Survey responses from all staff and volunteers at the participating CLCs, where the clc listed in parenthesis is responding about their knowledge of their partner clc not in parenthesis (pre-pilot n=177, post-pilot n=94)

4. More effective engagement and advocacy

The surveys also demonstrated that staff and volunteers, in particular at specialist centres, felt that participation in the Pilot has led, or will lead, to more effective systemic advocacy and law reform. This is a particularly strong result as only 1 Pilot explicitly focused on systemic advocacy, yet the majority at five other CLCs felt this had or would improve for their centre as well. Alongside this, nearly 60% of staff and volunteers felt participation in the Pilot had improved working relationships with other external stakeholders (e.g. government agencies, community organisations).

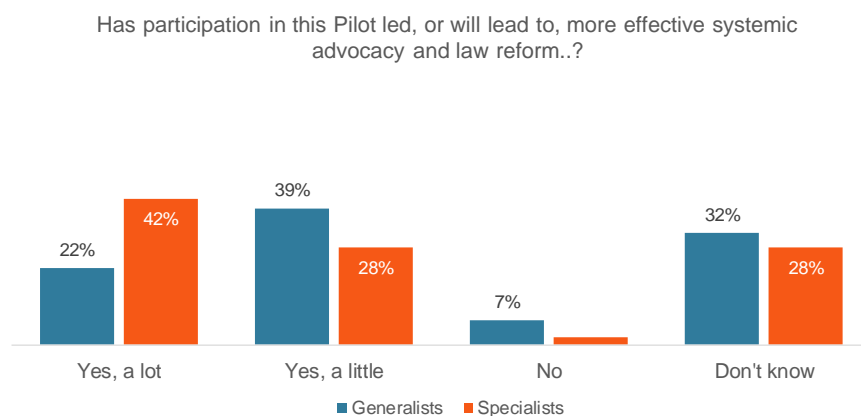


Figure 7 - Survey responses from all staff and volunteers at the participating CLCs after the Pilot (n=94)

"We emailed a number of police stations and Prahran responded so we met with their family violence unit in mid-May and developed a relationship there, which we hope to use as an alternative to a formal police complaint mechanism. Without this Pilot, we would not have developed the relationship with Prahran station. It hasn't yet been tested but we are confident that it helps achieve the overall goal of identifying a clear pathway"

Agata Wierzbowski, Principal Lawyer, St Kilda Legal Service

3.3 CLIENT OUTCOMES HAVE IMPROVED

We sought to determine the extent to which the varying collaborative pilot activities would result in:

- ▼ Better legal outcomes for clients
- ▼ Improved wellbeing of clients

We achieved both of these outcomes across almost all the CLCs, both Generalist and Specialist.

"I found the tenancy service by BMCLC to be very helpful, clear and accurate. It was more than my expectation. If I tried to do the matter on my own, I would not have achieved the same outcome for my tenancy matter. I found Johanna and the other staff to be very approachable and experienced. It has really helped my stress with the tenancy issues"

Brimbank Melton CLC Client

1. Better legal outcomes for clients

As a number of case studies and quotes attest, clients were well supported by the generalist centres with their specialist law needs. Surveys were also received for a small sample of clients from 4 Generalist centres to further confirm the attainment of better legal outcomes. As Figure 8 demonstrates, more than 90% of clients surveyed agreed that they had a better understanding of their legal issue and options, as well as feeling more confident of dealing with legal issues in the future.

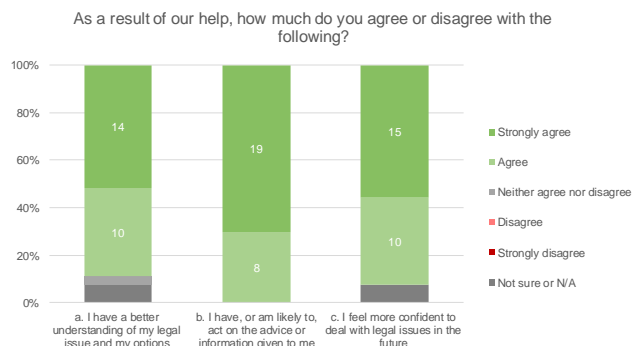


Figure 8 – Survey responses from client surveyed by Generalists (n=27)

The staff and volunteer survey mirrored the client surveys in that more than two-thirds of survey respondents at both Generalists and Specialists felt that the Pilot resulted in, or would lead to, better legal support and outcomes for clients.

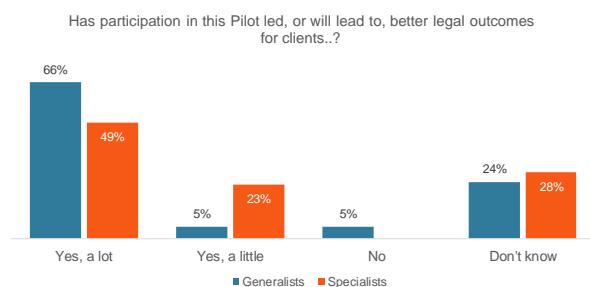


Figure 9 - Survey responses from all staff and volunteers at the participating CLCs after the Pilot (n=94)

2. Improved wellbeing for clients

"I am a very tough person but my child suffers severe depression and other health issues. My child could not bear the stress. If we had not received the "Heaven-sent" help from Brimbank Melton CLC and the Tenants Union, my child and I would have been homeless. We most probably would have been evicted as we had no extra money to pay for other accommodation."

Brimbank Melton CLC client

Besides better support for legal issues, some clients experienced improvements in aspects of their wellbeing as a result of appropriate, holistic support from Generalist's lawyers and targeted referrals to non-legal support provides. Client survey results indicated that across six areas of wellbeing, most clients experienced an improvement in their level of stress and their financial situation.

As shown in Figure 10, the impact on non-legal outcomes varied between centres, unsurprisingly given the primary legal issues with which they were dealing, for example 4 of the 8 clients (50%) surveyed by BMCLC (which assisted tenancy law clients) noted an improvement in their housing situation, but so did 2 BCLS and 1 HRCLS clients.

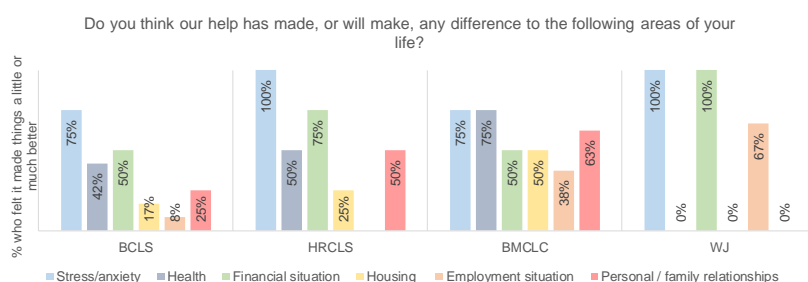


Figure 10 - Survey responses from client surveyed by Generalists (n=27)

"I went to a community lawyer before for a family violence issue but I didn't know they could help with financial matters. I didn't know if I had a leg to stand on [with my lease contracts] so having [Hume Riverina CLS lawyer, Debi Fisher] explain my rights and my options was reassuring. It really put my mind at ease to hand this off to a professional who would stand up for me."

Hume Riverina CLS client

"Throughout the interviews "clients feeling heard" was a strong theme. For most clients SKLS interviewed, who did not want to make a complaint, telling their story provided them with a sense of validation and closure. They were distrustful of police and felt that although they were aware their experiences were negative having this identified as a duty failure and having someone listen to their story was a benefit to them."

Kali Watson, Lawyer, St Kilda Legal Service

"I am very grateful that you were kind enough to have provided various advice and information on the challenges. It means so much. The support worker you organised has helped me get my things back now too. It's a mess, but I can see a light at the end of the tunnel."

Flemington Kensington CLC client

4. BLUEPRINTS FOR INTER-CLC COLLABORATION



4.1 ESTABLISHING AN INTER-CLC COLLABORATIVE PARTNERSHIP

A strong foundation for collaborative work between Generalist and Specialist CLCs can be built with the following elements:

1. Identifying unmet legal need and matching it with CLC expertise

CLCs work to address unmet legal need in their areas of expertise. Those needs can be identified through a geographical legal needs analysis in a Generalist CLCs catchment, or when a Specialist identifies policy or legislative changes which will result in an upsurge in unmet demand for legal assistance or a strategic campaign in that catchment.

In either instance, synergies can be created by pairing geographical expertise of the Generalist CLC (and their strong community connections), with the technical expertise of the Specialist. For example, in the Tenancy Law pilot, Brimbank Melton CLC identified a rise in tenancy law issues in the outer west and approached Tenants Victoria for help. The rise in legal need informed and drove the collaboration. Working together became a symbiotic act.

2. A collaborative, inclusive approach to scoping, applying for funds and making a project plan

Collaborative activity requires collaborative planning. To make the most of the respective experience and expertise of the Generalist and Specialist, we recommend that a collaborative, inclusive approach is taken when scoping, applying for funding and making a project plan.

"Sharing a joint vision for the project that we developed during the application process ensured that all partners went into the project with an agreed position on the goals and activities we would undertake."

Nick Hudson, Executive Officer, Barwon Community Legal Service

"Discussions for the application for the grant overcame many misunderstandings and allowed several viewpoints to be discussed, prior to the lodging of the application. This tested whether we could work successfully together and was an important part of the process. We therefore all entered the project with the same intentions."

Mandi Hyland, Principal Lawyer, Barwon Community Legal Service

We also recommend that various levels of stakeholders within each CLC are included in the planning and scoping process. It is particularly important that those who will be doing the work are consulted and participate in early planning – so that they can draw from their practical experience to suggest more efficient approaches and flag any potential difficulties.

"It would have been beneficial to have greater communication between the Principal Solicitors for mapping and planning about the parameters of the project."

Ben Cording, Principal Solicitor, Tenants Victoria

4. A structured framework for collaborative practice

When setting up the pilots, we asked partnering CLCs to use our integrated pilot models as a framework for collaboration, or, if they had a better idea, to propose their own.

Commencing with a partnership model helps to structure planning and build 'buy-in'. CLCs will modify a model according to their organisational capacity. An overly prescriptive model would limit the dynamism of CLCs to respond and adapt to circumstances as they change.

73% of the pilot participants agreed that "the integrated pilot models were a useful guide when considering the best approach for this collaborative work."

"We based the majority of our planning on the model and made some changes due to feeling that the model did not address the challenges of distance – the RRR experience. [...] However, it was still important to be able to go back to it and say, what are the terms of reference for this pilot? The pilot model we have created could be used as a template for other CLCs who may need direction on the individual activities and to avoid the 'make it up as you go' approach."

Lachlan Edwards, Managing Lawyer, Consumer Action Law Centre

"The identified models developed during the first phase of the project provided a good foundation for developing this project. The ability to use the base model and refine the details to suit our particular situation and capacity really set the project up well."

Nick Hudson, Executive Officer, Barwon CLS

Not everyone adopted our proposed models. St Kilda Legal Service, Women's Legal Service and Flemington Kensington CLC designed a hybrid approach – adapting two of our models into something they believed better addressed the needs of the sector. This was a successful approach.

5. A Memorandum of Understanding

Each of the Pilots had a Memorandum of Understanding (MOU). The Project Manager drafted the first version of each and then circulated it for discussion, amendment and agreement. 73% of pilot participants agreed that it was useful to have agreed upon a clearly defined MOU.

"An MOU always assists in determining what the various roles of the partners are going to be, and what you can expect from the other. It is a chance again to bring issues to the forefront and sort them out early in the process, rather than having issues later that cannot be resolved."

Mandi Hyland, Principal Lawyer, Barwon Community Legal Service

Some CLCs identified the MOU as a necessary formality in the event of non-performance or major conflict. Lachlan Edwards, from CALC, described it as "a symbol of the relationship and journey we were embarking on." He emphasised that "in different circumstances where there was no project funding, an MOU or Terms of Reference would be much more crucial to purpose, planning, defining roles and expectations, evaluating etc."

The MOU drafting process was straightforward. It was approached in good faith by all parties – recognising it as a tool for collaboration, rather than a legally binding document.

6. A Theory of Change

We developed a Theory of Change with each of the pilots. 82% of participants said that it was useful. It helped pilot participants distinguish between activities, outputs and outcomes, and to see how their respective pilot outcomes fed into the desired impact of the Project as a whole.

"The Theory of Change was useful in setting out clearly the aims of the pilot project and the pathways to get there."

Johanna Yee, Lawyer, Brimbank Melton CLC

"The Theory of Change gave clear direction to how the Pilot activities would improve those services in a rational and logical sequence. This was useful to see how the activities fitted together."

Shane Foyster, Lawyer, Barwon CLS

Not all parties found it quite so critical, with one participant expressing the opinion that their Pilot was "organic" and "flowed naturally without constant reference to the Theory of Change", and another who said it was not useful at all because it was "too generic".

From the Project Manager's perspective, it was useful to have a simple, one-page visual representation of each of the four pilots and how each one contributed to the overall project outcomes. It served as a quick, user-friendly guide when explaining the project and pilots to stakeholders, and when tracking progress with pilot participants. If he could do anything differently, he would have worked through it with the Pilot participants less swiftly – so the level of ownership and co-design was greater.

7. A Monitoring and Evaluation (M&E) Framework

We also co-designed an M&E Framework that complemented the Theory of Change for each pilot.

91 % of pilot participants agreed that it was useful. It served to ensure they were on track, to remind them of the nature of data to collect, and to evaluate the project effectiveness.

"We need to be rigorous and consistent in what data and evidence we are recording in order to know if we have achieved our documented aims, and to be able to make recommendations and decisions about future work."

Tarni Perkal, Employment Project Senior Solicitor, WEstjustice

It is clear, however, that there was an administrative burden associated with the M&E framework. Even though all pilot participants worked collaboratively with the Project Manager and the Project M&E Consultant to determine the type and quantity of data to be captured, only 64% of pilot participants reported that the type and quantity of data required within the M&E Framework was reasonable and realistic and that the process of collecting that data was straightforward.

One participant in particular, noted that "the administrative work involved with the monitoring and evaluation process has been the most unproductive part of this grant." Another CLC echoed this sentiment.

This reflection gives rise to an important learning for CLCs and funders alike. The burdensome data capture processes can be explained in part by the complications of running tailored reports on CLASS. It could also be that some CLCs underestimated the administrative burden of capturing data. It is certainly acknowledged that we asked for a lot (particularly in terms of qualitative insights and reflection) and perhaps could have been clearer about this from the outset. Data capture is an unavoidable, imperative, intrinsic part of measuring impact. As such, CLCs must factor this in to project scoping and funding applications.

Templates were provided to assist in the data collection and reporting. Further templates and tools could have been created, but this had to be balanced with the convenience of Centres utilising and adapting their own systems.

Ultimately, participating CLCs are to be commended for the quantity and quality of empirical pilot data they delivered and some CLCs valued this part of collaborative work, and the data it produced for the broader needs of the Centre, in spite of the challenges.

8. Support from the Board and executive management

"This was a major project for our CLC and important that the Board understood why we needed to take part, and the benefits it would bring both to our service and to our clients. It was a commitment both of time and money. The Board also have a passive role in promoting the organisation, so their understanding of the new project, assists in talking about it elsewhere. The more the knowledge of the project, the more clients we may effectively assist."

Mandi Hyland, Principal Lawyer, Barwon Community Legal Service

100% of the pilot participants agreed in their final report that it was (or would have been) important that the CEO and Directors were supportive of the partnership. The importance of the role of the Board was also emphasised. Boards and executives are responsible for driving the organisational strategy, releasing the required resources and deciding whether services will continue or change. As one participating lawyer stated "CEO/director/principal lawyer set the tone for the centres as well as the strategic direction, so it's necessary to have their involvement (to a degree) and support." The leadership of a CLC often holds the organisational memory – and is best placed to understand and share the strategic learnings from collaborative partnerships so that each iteration builds on the last. One pilot participant stated that it was unclear whether there was leadership-level support for the project and its purposes – which may have undermined the purpose, clarity and achievement overall.

"Collaboration is good when it is done right and where both CLCs have very clear purpose and objectives. Centre leaders (Board, CEO and Principal) must drive the importance of that collaboration with the people who carry out the vast majority of activities and outputs".

Lachlan Edwards, Managing Lawyer, Consumer Action Legal Centre

9. Resources

The importance of sufficient funding and staff time to dedicate to establishing a partnership is of paramount importance and will be explored in separate blueprints below.

4.2 FUNDING CONSIDERATIONS

1. Improving access to expertise and knowledge requires funding

A thriving, sustainable inter-CLC partnership requires resources. Resources require funding. 82% of pilot participants agreed that they could not have reached the same outcomes without funding.

"We would not have had the time to meet with the other Centres or to pursue collaborative opportunities for campaigning, training and casework without the additional funding."

Adrian Snodgrass, Lawyer, Fitzroy Legal Service

"The funding created a space and encouragement and direction for the collaborative work."

Marianne Jago-Bassingthwaighe, Senior Policy Advisor, Women's Legal Service

Funding is especially relevant in the Regional Rural and Remote context:

"Having funding to enable RRR CLCs to develop partnerships with specialist CLCs in Melbourne, through being able to invest in time and travel, has assisted us to get the maximum benefit."

Debi Fisher, Lawyer, Hume Riverina CLS

Funding a specialist to engage in inter-CLC support is also of indirect benefit to the Generalist CLCs with which it engages.

2. What are the underestimated costs of inter-CLC collaboration?

In monetary terms, individual CLCs know best how to cost their services. In the original pilot budgets, most CLCs included wages and on-costs for one part-time staff member and a low estimate of administrative expenses. However, we identified many other costs in time, staff, and resources related to the establishment and maintenance of an effective collaborative inter-CLC relationship. These are outlined in table 4 on the next page.

These additional costs of collaboration must be incorporated into a funding bid. It is not enough to say – 'we'll collaborate with another CLC and set aside two days per week of one lawyer's time to achieve it.' In an underfunded sector, CLC workers are well aware that often they are required to take on the role of lawyer, their own personal assistant, secretary, receptionist, IT expert and photocopier mechanic all in one – and that is just to get the core funded activities done. It is counter-productive to bid for funding and omit the costs of collaboration, 'tack on the collaborative work' at the end without estimating its cost, or incorporate it into a CLC's 'in-kind' expenses. Apart from the immediate risks inherent in staff working unsustainable hours, pitching for under-funded collaborative work ultimately results in a culture of under-valuing our important work. Collaborative activities will necessarily cut into a CLC's capacity to perform other activities, unless adequate funding is provided to fill those gaps.

Table 4 - The most commonly underfunded (or unfunded) activities performed by pilot participants

NATURE OF WORK	SPECIFIC TYPES OF WORK
Administrative work:	Meeting time, phone conversations, the time and expense of travel to and from partner CLCs (particularly in the RRR context), answering emails, mapping activities (of key stakeholders). Creating, implementing and training volunteers and staff on new processes for Generalist - Specialist intake, triage and referral activities, file opening and closing procedures, updating contact lists to reflect new community/specialist connections etc
Data collection:	Quantitative data CLASS, compiling spreadsheets etc. Qualitative data – Case studies, client surveys,
Policy / communications:	Updating websites, drafting and disseminating media releases, social media work, meeting with policy staff, etc.
Management support:	Additional burden on Principal to supervise new files and new matter types, MOU drafting and negotiation, allocation of additional salaries, recruitment for additional roles, internal reporting on progress (including to the board) etc.
Training:	Time, resources (printing etc), meeting spaces and catering, and time for staff and volunteers to be away from their desks etc.
Professional Development	Time and resources each lawyer requires for the requisite reading without which a new area of expertise cannot fully develop.
Monitoring and Evaluation	The time and activities required to monitor and evaluate the partnership's impact.
Reporting	The time required to acquit a grant – especially one that adequately demonstrates complex qualitative outcomes (ie the value of a collaborative partnership) rather than easily quantifiable activities.

3. How did we calculate Pilot Funding?

In our initial estimation, the Project pilots were costed according to the respective complexity of the models and the intensity of recommended outputs. We then worked together with the CLCs to align our understanding of reasonable deliverables within each of the overall pilot budgets. We encouraged partnering CLCs to discuss and consider this prior to lodging the application and allocate funding in accordance with each CLC's division of labour and input of resources.

Notwithstanding this collaborative approach to distributing funding, only 36% of pilot participants agreed that the funding we provided was sufficient for the work they did. What contributed to this sense that the work was underfunded?

First, it is clear that the amount we offered for each pilot was insufficient. We got it wrong.

Secondly, when applying for funding, CLCs should not underestimate the additional work required to establish and maintain a collaborative partnership, whilst other core work continues.

"We had a practice manager who ran the project management and supported/back-filled the work of our senior lawyer who participated in the shadowing part of the project. Overall we dedicated more resources than the funding for the Pilot when we cost our time."

Tarni Perkal, Employment Project Senior Solicitor, WEstjustice

"A very large amount of work was done in unpaid hours, to a degree that would be unsustainable longer term. There was also some stress around expenses and publications."

Erin Buckley, Project Officer and Lawyer Flemington Kensington CLC

Thirdly, several of the participating CLCs delivered significantly more than we asked of them.

4. Funders value collaboration

None of this is to suggest that CLCs should avoid asking for funding to do inter-CLC collaboration because "it's too expensive." Certainly, most funding bodies and partnership agreements understand, recognise and value collaborative approaches:

- ▼ The National Partnership Agreement on Legal Assistance Services 2020, which "sets out arrangements for the delivery of Commonwealth-funded legal assistance services by legal aid commissions and community legal centres," (3.d p 2) "supports a holistic approach to addressing legal need through collaboration with, and coordinated service delivery between, legal and non-legal sectors, including by delivering appropriate and timely services to best meet people's legal needs," 3 (b) – p2)
- ▼ Sue Ball, Manager, Grants and Risk, Victorian Legal Services Board, wrote to us that "this sort of collaborative work is essential to improving legal services".

5. A call for cultural change

Finally, some see the under-funding of this type of work as a symptom of a bigger, cultural problem:

"The real issue is unavoidable. This kind of work needs to be embraced as part of a CLC's culture, core business and strategic objectives. It therefore takes CLCs to advocate for this to be in their funding agreements like other activities that CLCs are funded to engage in. If it isn't, CLCs will only do so much of it as they can fit in whilst meeting other funded targets. As a movement, CLCs need to lobby to be funded based on impact/outcome measurement rather than entirely based on activity counting."

Lachlan Edwards, Managing Lawyer, Consumer Action Law Centre

4.3 STAFFING CONSIDERATIONS

1. Involve more than one member of staff at each CLC

One of the key aims of this Project was to identify how, as a sector, we can move beyond individual-to-individual sharing of specialised knowledge towards a structured, organisational approach. The reasons for this relate, in part, to the risk for a CLC when an individual staff member controls organisational memory, partnerships or specialist legal knowledge to the exclusion of other staff; particularly when staff-turnover in the CLC sector is high.

At the end of the Project, 91% of pilot participants agreed that ‘it was/would be important that more than just one staff member at each participating CLC participates in the collaborative activities’.

“The project aims to create a sustainable partnership between the centres. This can only occur on a broad basis with the involvement of more than one staff member at each centre.”

Adrian Snodgrass, Lawyer, Fitzroy Legal Service

2. Delineate responsibilities within and between CLCs

100% of pilot participants agreed that it was “helpful to have a person dedicated to the oversight of the pilot at each of the partner CLCs.”

“It was helpful to have a contact person within both centres (so as not to duplicate contact or miss anything) [...] We plan to have a contact person to have oversight of the relationship from each of our centres going forward.”

Deb Fisher, Lawyer, Hume Riverina CLS

“The project would not have been a success without the ability to communicate directly with Ian as the dedicated person on the project at Jobwatch.”

Adrian Snodgrass, Lawyer, Fitzroy Legal Service

It was also acknowledged that when staff is recruited specifically for a project, the potential for sustained, long-term inter-CLC relationship building is affected. When the project worker leaves, unless they have taken extraordinary efforts to involve staff across both CLCs, they take the relationships with them.

When considering which person at a CLC should be given that primary oversight of the inter-CLC partnership, the following guidance might be helpful. It is based on opinions expressed by pilot participants and the ongoing observations of the Project Manager.

Professional attributes conducive to inter-CLC collaborative work, a lawyer who:

- ▼ Has project management experience;
- ▼ Is authorised to make decisions;
- ▼ Values and promotes the holistic, integrated approach of CLCs; and
- ▼ Has the confidence and ability to represent her/his CLC.

Personal attributes conducive to inter-CLC collaborative work:

- ▼ Essential
 - Outcome driven
 - Process driven
 - Adaptive
 - Strategically minded
- ▼ Desirable
 - Inclusive, nurturing and gregarious
 - Lateral thinker
 - Enjoys reflective practice and learning from mistakes

3. Involve CLC leadership

Boards, CEOs, Directors, and Principals set the strategic priorities of a CLC and if they decide that collaborative practice is of benefit to the Centre and its clients, they need to be seen to encourage the implementation.

"Without organizational support the project would be greatly constrained in the work it could do both within the centres and facing externally."

Erin Buckley, Lawyer, Flemington Kensington CLC

4. Give staff the necessary time and space

In their final reports 100% of pilot participants also agreed or strongly agreed that 'It was/would be important that the staff involved are given the time and space to dedicate to the collaborative work'.

Some of the ways pilot participants suggested to create this space were:

- ▼ Decrease participating lawyer's existing caseload;
- ▼ Acknowledge and value the time required to establish new interpersonal relationships with other CLCs and relevant community stakeholders;
- ▼ Give staff time and space to learn;
- ▼ Accept that outputs will be slow while the lawyer is developing expertise; and
- ▼ Acknowledge and value the time and space the specialist needs to provide support to their peers.

"I think the encouragement would be for staff to make sure they give the collaborative work its due, and understand how time consuming it can be. WLSV's CEO + Directors understood this and supported this level of collaboration. Where there were competing demands on my time, they agreed that I give priority to collaboration meetings."

Marianne Jago-Bassingthwaight, Senior Policy Advisor, Women's Legal Service

5. Build inter-CLC partnerships into your strategic work planning

Value the positive impact that allowing this space and time will bring. Include it the strategic plan, and the work plan and allocate funding accordingly.

"If you value collaboration in order to assist clients ultimately this kind of work should be part of your strategic planning. We have part of our roles dedicated to this kind of work (as opposed to simply doing casework/court work) and are accountable to it."

Lachlan Edwards, Managing Lawyer, Consumer Action Law Centre

4.4 TRAINING

CLC staff and volunteers have consistently emphasised the important role training plays when establishing and nurturing a Generalist-Specialist partnership. Here are nine reflections coming out of the pilots on best-practice inter-CLC training:

1. Don't re-invent the wheel

CLCs – Generalists and Specialists – have considerable experience in delivering training; they regularly train new staff, secondees, PLT students, interns and volunteers; they train social workers, caseworkers, doctors and nurses; they train trainers, members of their communities, and clients. They update and adapt their content, delivery and accompanying material on a regular basis.

The Specialist CLCs that participated in this Project were especially well-placed to train their Generalist CLC partners. They already conduct specialist training as part of their ongoing work. Tenants Victoria, for example, routinely trains advocates through the Tenancy Assistance and Advocacy Program (TAAP). Tenants Victoria was able to deliver training to its Brimbank Melton CLC colleagues concurrently with existing training obligations to other third party obligations. It was able to draw from its extensive experience and material and share it with its Generalist CLC colleagues. Consumer Action Law Centre were able to use some of the structure for its training program, such as its induction training schedule and its sector training program and invite its Regional Rural and Remote (RRR) Generalist CLC partners to participate. There are obvious efficiencies to this approach.

2. Leverage your existing material and experience

Yes, you have a wealth of pre-existing training material; but is it all relevant to your CLC colleagues and your common partnership goals? If not, Specialist CLCs should tailor their material and delivery to the specific needs of their partnering Generalist CLCs.

Step 1 – Think about the desired outcomes of the collaborative partnership. What do you and your partners need to teach and learn in order to achieve those collective goals. Don't just guess or assume – tell your partners what you can offer and ask them what they need. When CALC spoke to its RRR pilot partners prior to rolling out training, it suggested certain topics, and changed some to accommodate the Generalist's preference.

Step 2 – Invite the whole CLC – not just the lawyers. Everyone should know at least something about the specialisation. Tailor different sections of the training to the different roles in the room. Start with the knowledge everybody needs and drill down from there. Make it clear which part of the training is more relevant to which roles.

"It was an excellent training exercise over two sessions to BMCLC staff and volunteers. [It] put tenancy on the radar of the organisation more broadly. Eg. our administration staff and volunteers are more attuned to a potential tenancy issue when a person contacts the service."

Johanna Yee, Lawyer, Brimbank Melton CLC

Step 3 – Start with introductions. Explain what your CLC does, how it does it and what impact it is trying to achieve. During the consultation period of the project, one of the three most common things we heard regarding barriers to accessing specialist CLC knowledge was that staff and volunteers don't know what other CLCs do. Here's the perfect opportunity to rectify this – one CLC training session at a time. Explain your CLCs vision and mission, your casework guidelines, your triage and intake procedure, your referral pathways, your policy and campaign strategies. Tell them how big or small your centre is and the name of the office coordinator who's been at the front desk for the last twenty years.

"It was very useful to gain a better understanding of Jobwatch processes. It improved referral pathways for frontline staff."

Adrian Snodgrass, Lawyer, Fitzroy Legal Service

Specialist training should be messaged across the Centre as an opportunity to improve issue-spotting to facilitate a more holistic, 'seamless' service for clients.

Step 4 – Introduce some substantive law. Start with the basics – what does a volunteer, a front-desk worker, an office coordinator need to know about your chosen specialisation? How is it relevant to the clients that walk through their door or call every day? What are the basic questions everyone needs to ask to determine when a client needs specialist help?

"BCLS lawyers identified how to best ask clients questions about credit and debt and reception staff learnt the best referral pathways to CALC."

Shane Foyster, Lawyer, Barwon Community Legal Service

Step 5 - Incorporate a mix of substantive law AND procedure. Enable your colleagues to advise their clients on the remedies under the law AND how to accompany those clients through the system.

Step 6 – Build in iterative, progressive cycles. As your partnership develops, with more training and support, the easier it will be for your Generalist partners to sustain their expertise.

"In the TAAP, there remain two other [Generalist] CLCs which both have a long heritage of tenancy work (Peninsula CLC and WEstjustice). Both of these centres are highly efficient, and they regularly attend trainings by TV with about 15 other services several times over the year as part of the TAAPs network. Both PCLC and WEstjustice have a much lower requirement to sustain their expertise."

Ben Cording, Principal Lawyer, Tenants Victoria

4. Make it interactive

Who learns well from sitting in didactic lectures? Pilot participants spoke most highly of training that got them thinking, talking and applying knowledge in practice. How?

- ▼ Discussing case studies;
- ▼ Conducting mock hearings;
- ▼ Applying newly acquired knowledge in internal case meetings.

When Brimbank Melton CLC lawyer Johanna Yee spent time at Tenants Victoria, she listened to Tenants Victoria lawyers give advice on the Tenants Victoria phone service, reviewed files, conducted a mock VCAT hearing, sat in on interviews and better understood tenancy file management practices.

Other effective interactive expertise and knowledge techniques, such as shadowing and secondary consultation, are explored in separate blueprints below.

5. Invite guest speakers

One of the advantages of linking Generalist and Specialist CLCs is that each brings its own network of connections. You might wish to invite guest speakers from these networks – to ground the training exercise in practical reality and extend those network connections to your CLC peers. For example, at a training session given by Women's Legal Service, two senior level police officers were invited to speak and answer questions.

6. Take turns to host

Pilot participants recognised the value in giving/receiving training at the offices of both CLCs (Generalist and Specialist).

When the Specialist lawyer(s) attended the Generalist CLC, more Generalist staff were able to participate and the impact was wider. The Generalist staff got to put a face and name to a person (or people) from the Specialist Centre, which meant they were more comfortable with future inter-CLC interactions (warm referrals and secondary consultations – for example). It also meant that the Specialist got an insight into the size, work and geographical location of the Generalist CLC.

When Generalist staff visited the Specialist CLC for training, that training was invariably more intensive, more practical and more varied.

7. Use technology but don't replace face-to-face

Particularly in the RRR context, Generalists reported that although it was useful to tune in to video training and pick up the phone for support, it was a lot more meaningful when they'd met the presenter at least once face-to-face. Ideally though, people enjoyed meeting Specialists in person.

"If it's just a webinar, people might deprioritise it but if someone comes up, people will put in the effort to attend."

Deb Fisher, Lawyer, Hume Riverina Community Legal Service

9. Back it all up with material and support

When you produce training material – share it with your collaborative CLC partners. Pilot participants reported finding workbooks, quiz questionnaires and other materials useful – particularly when coupled with the ability to follow up with questions to their specialist peers.

10. Measure the impact of the training

Understand the baseline levels so you can record and measure your impact. Ask participants to fill out evaluation forms at the conclusion of each training. Incorporate lessons learnt into the design of the next session. Pay attention to the *process* of imparting / receiving specialist knowledge; not just the *content*.

“We were able to build on and learn from the first training session. We cut down content and made the second session more relevant to workers working with family violence survivors. The first training provided a good indication of how long sessions could take and what could be changed altered.”

Agata Wierzbowski, Principal Lawyer, St Kilda Legal Service

11. Save some time for networking

You’ve set aside the time from your busy practice to visit your partnering centre; you’ve probably travelled halfway across the city, if not the state, to get there; don’t rush off the moment the training is done. Have lunch, get a coffee, share a laugh; tell your colleagues something about yourself and commit something to memory about them – you’re building an enduring relationship here!



4.5 SHARING MATERIAL AND INFORMATION

During the consultation period of the Project, we regularly heard CLC personnel reflect upon the inefficiencies in the duplication across the sector of basic material required to run a CLC practice. The commonly expressed opinion was that there are many specialist fields of law practiced with regularity by many CLC lawyers, and that it made sense to share best-practice, up-to-date information on jurisprudence, legislative reform, and practice directions (to name a few examples). They spoke of the 'desire to avoid re-inventing the wheel' when it came to creating and updating key documents such as precedent letters, check lists, training material, client intake forms, and file review sheets. This issue was addressed in CLC QLD's Access All Areas Report (2014) – highlighting potential economies of scale through the standardisation of certain material, held in a central repository. It was suggested by Victorian CLC personnel that Specialists would be the logical reference point for best-practice in their field. This view, however, was not unanimously held within the Victorian CLC sector. There were also those personnel who cautioned against a wholesale knowledge management system – citing risks such as documents being used without the requisite training and documents going out of date.

CLC personnel interviewed expressed a similar level of interest in expanding and improving fora for sharing knowledge within the CLC sector. They considered current fora, and suggested that they be emulated or improved. For example:

- ▼ Federation working groups;
- ▼ NSW and WA State CLC Peak 'Quarterlies' (one or two-day conferences); and
- ▼ On line options such as the Accreditation Portal and the Federation Intranet.

CLC personnel expressed sufficient interest in the idea of formalised sharing of material and information to warrant testing several models. The common underlying premise to the models we proposed was that if you increased accessibility to specialist materials and knowledge it would improve the level of specialist understanding across the sector, facilitate more effective processes, and, ultimately, improve client services.

Table 5 - Material and information sharing models adapted from the interim report

Specialist Training Quarterlies

Objective: To ensure specialist knowledge is disseminated to Generalist CLCs through specialist training.

Description: A group of CLCs work together to develop a specialised training program for Generalist CLCs to be delivered a day per quarter. Training would aim to develop the specialist legal expertise to a level where they could confidently provide information and advice.

Knowledge Management Portal

Objective: To ensure specialist knowledge is made available to the CLC sector along with practical tools to allow generalist CLC solicitors to undertake specialist areas of law effectively.

Description: A group of CLCs work together to develop material, specific to an area of law relevant to the CLC sector, that can be available at a central online location. Material could include precedents documents, manuals, you tube tutorials and training webinars. The group will develop the materials and devise the best way to centralise access to it and maintain it.

Although we received one application based on these models, it was not directly tested in the pilot period, so we do not have immediate empirical data on their value, but we still believe they are worth trialling. During pilot testing, however, we did collect and analyse the effect that **other forms of inter-CLC collaboration have had on improving the flow of materials and information amongst our pilot CLCs**. This is summarised on the next page.

1. Sharing training materials produced through collaborative effort

"The resources developed throughout the project, including training manuals, how-to guides and case studies, and their distribution to CLCs across the state, demonstrates that there is better availability of tools and processes. These will continue to be distributed in a strategic way to ensure they are a) the best they can be, and b) being used most effectively."

Erin Buckley, Project Lawyer, Flemington Kensington CLC

"The 'backgrounder' document received a very positive response, particularly from family violence support workers (one of them said 'I feel like I'm armed with knowledge') and was taken up by [Women's Legal Service] to be distributed to their networks. Existing [Flemington Kensington CLC] template letters were used in this project as part of the process."

Agata Wierzbowski, Principal Lawyer, St Kilda Legal Service

2. Access to specialist information repositories

"Providing BMCLC access to TUTAR immediately grants the service access to self-help materials ranging from basic to expert. These materials can assist the generalist services and ultimately improve client outcomes. TUTAR can help a generalist to perform triage more quickly and to better identify any potentially complex matters. [...] While keeping such forums up to date is onerous, having a place to review legal matters between CLC is extremely helpful, especially where there are easy search functions. [...] TUTAR is both a substantive and interactive platform that allows specialists and generalists to communicate and keep multiple services concurrently abreast of the legislative changes, or major case decisions as they happen. Services don't have to wait until the next scheduled training. Over time BMCLC will inevitably make contribution and use TUTAR as a forum, and continue to feed intelligence about issues such as rogue estate agents, family violence and other systemic exploitations in the west of Melbourne in relation to housing."

Ben Cording, Principal Lawyer, Tenants Victoria

Brimbank Melton's lawyer, Johanna Yee, found TUTAR "Extremely useful as they had practical information which I could quickly incorporate into my advices to clients or when I was preparing a VCAT application and submissions."

3. Comparing material to ensure it is 'Best-Practice'

"It was great to confirm that WEstjustice's employment practice is operating a high quality best practice model, and the wording used in our precedent resources is on par with the wording used by Job Watch. In addition to having a similar range of precedents, WJ also has a comprehensive employment law manual, matter specific questionnaires and a suit of templates documents."

Tarni Perkal, Employment Practice Manager, WEstjustice.

4.6 TRIAGE AND REFERRALS

Early identification of legal problems and prompt access to adequate legal advice is essential for positive client outcomes.

Often when a community member presents at a CLC to ask for help for a specific legal problem, CLC staff will discover that, in fact, the client has more than one problem.¹ If a CLC wants to take a holistic approach to solving this client's problems, it is essential that they are skilled at asking the right questions to make a fast, effective, holistic evaluation of a client's legal needs.

"We are always looking for ways to offer a more holistic service to our clients. It is rare that a person's legal problems occur in isolation so it is important that we know the right questions to ask to get a full picture of our client's situation."

Lauren Hutson, Lawyer, Barwon Community Legal Service

In the absence of a universally accepted best-practice triage model in the legal assistance sector, some common recommendations CLC personnel made during our consultations included:

- ▼ Ensuring all triage personnel have an excellent working knowledge of the legal problems with which clients most often present;
- ▼ Providing regular training in legal issue-spotting (with supporting check-lists);
- ▼ Involving staff lawyers early in the triage/intake process;
- ▼ Providing on-the spot advice if possible rather than telling clients to come back for another appointment or referring them elsewhere; and
- ▼ Consistently applying intake criteria in-line with the CLC's strategic direction.

Even when triage is done well, circumstances will arise where a CLC can't help – because of conflict, diminished capacity, or insufficient specialist expertise. What happens then? How do CLC personnel ensure the next place the client goes to will be the right place? This is important, not least because the more complicated it becomes for a client to find help the more likely they are to disengage from the justice system.



¹ For analysis of this, see Coumarelos, C., Macourt, D., People, J., McDonald, H. M., Wei, Z., Iriana, R., & Ramsey, S. (2012). Legal Australia-Wide Survey: Legal need in Victoria. Law and Justice Foundation of New South Wales

During our consultations we determined that there were several factors that inhibit accurate, timely referrals. They included:

- ▼ The community's need for legal assistance far outweighs the sector's capacity to respond;
- ▼ When triage procedures are poor, it is likely to impair referral quality;
- ▼ There is no universal referral procedure between CLCs;
- ▼ Individual CLC referral pathways and intake guidelines are not always transparent;
- ▼ Even when a CLC has transparent guidelines, unforeseen operational variances (eg staff capacity, staff vacancies, strategic shifts of focus) will often affect its week-to-week ability to accept referrals;
- ▼ Some CLC personnel complained that they do not know, or understand, the services other CLCs provide;
- ▼ Referral follow-up between CLCs is not consistent; an erroneous cold referral from one CLC to another might never be corrected;
- ▼ Referrals in geographical regions are further complicated because conflicts are common and no other services are available; and
- ▼ Many referrals are not generated by other CLCs – they come from social service providers, government bodies, private practitioners, and VLA – where staff have varying degrees of understanding of CLC services.

These challenges are diverse, but each has a similar effect - it postpones the provision of adequate legal assistance to the client and increases the likelihood of client disengagement.

In response to the sector's reflections, we designed several models focussed on triage and referral practices. The common underlying premise to all of those models was that if you increase inter-CLC in situ exchanges, communication and training, triage will improve and referral pathways will become more accurate and streamlined.

Table 6 - Triage and referral models adapted from the interim report

Triage and Referral Lawyer

Objective: To improve the quality of referrals by prioritizing effective intake, triage and referral

Description: A lawyer at a generalist centre is given part-time triage & referral responsibility. That lawyer would need to build up a detailed understanding of the intake processes, casework guidelines and other procedures for CLCs to which they regularly refer, by shadowing and relationship building at a minimum of five of those CLCs. At their own CLC, the lawyer would focus on client triage, referral and call-back for clients. They could participate on case conferences and have responsibility for warm referrals in/out.

Administrators Exchange

Objective: To improve the ability for administrators and front line workers to assess, triage and refer clients effectively

Description: A Generalist centre will identify 5-6 of the most common referral CLCs and spend time with each developing an understanding of intake process / casework guidelines etc. The referral CLCs will work with the administrator to impart knowledge about their procedures and build a relationship.

Priority Contact Protocols (The Red Phone)

Objective: To create communication channels and protocols so that CLC solicitors can quickly and easily connect with specialist solicitors for advice and secondary consultation.

Description: Participating CLCs (Generalist and Specialist) develop processes to ensure direct priority access and clear communication channels (via email and/or phone) between frontline Generalist CLC staff and lawyers from a Specialist service. This model is in operation in a number of Specialist CLCs (in the form of worker phone lines). This model will test the best communication channels for referral, worker legal advice and secondary consultation.

Conflict Referral MOUs

Objective: To reduce confusion for clients and CLCs by developing protocols and documentation for referrals made due to a conflict of interest at the referring CLC.

Description: A group of geographically proximate Generalist CLCs develop and fine tune an MOU (and accompanying template letter for clients) regarding clients who are conflicted – so there is less confusion when attempting to access a neighbouring CLC. This model is ideal for a group of RRR centres.

Referral Tracking

Objective: To track referrals in and out of a group of CLCs to better understand the 'referral roundabout'

Description: A group of CLCs with interest in improving their referrals and their M&E capacity will enter into a process of testing and tracking the effectiveness of their referrals. Each participating CLC will take a baseline snapshot of referral success, then monitor their referrals over 6 months to determine areas for improvement.

Although two out of the ten applications we received were based on these models, they were not directly tested in the pilot period, so we do not have immediate empirical data on their value. We still believe they are worth trialling. During pilot testing, we did, however, collect and analyse **the effect that other forms of inter-CLC collaboration have had on improving triage and referral outcomes amongst our pilot CLCs**. This is summarised as follows:

1. Better ability to identify a client's specialist legal problem

"As a result of this Project, BMCLC now uses a tenancy triage form to assist our front line workers with identifying tenancy issues. Once a tenancy issue has been identified and conflict checks conducted, the responsible BMCLC lawyer conducts a more detailed assessment to then contact the client directly to fix an appointment time or warm refer to TV."

Johanna Yee, Lawyer, Brimbank Melton CLC

"The Introduction to CALC, Issue Spotting and Referral Pathways [training] was especially useful in integrating CALC's expertise with BCLS' current casework and referrals – for instance BCLS lawyers identified how to best ask clients questions about credit and debt and reception staff learnt the best referral pathways to CALC."

Shane Foyster, Lawyer, Barwon Community Legal Service

2. Better ability to assist a client with a specialist legal problem

"We are definitely offering the clients an improved service as we are now actually taking on cases for consumer matters. This is particularly useful for the client if they are from the Geelong region as some clients prefer to speak to someone face to face instead of over the phone and if they are needing further appointments in relation to their matter it is not very far for them to drive. The majority of the clients that are phoning in I am happy to say I have been able to book them into our service and have not had to refer them out the CALC so that in itself shows how successful it has been."

Grace Forrest, Reception / Intake Worker, Barwon Community Legal Service

3. Better understanding of referral pathways between CLCs

"TV have readily received warm referrals for more complex and time sensitive matters. BMCLC has made two warm referrals to TV and it was a fairly informal process by making a phone call to TV to enable them to conduct conflict checks and to assess capacity. TV ended up opening files for both these referrals for ongoing assistance."

Johanna Yee, Lawyer, Brimbank Melton CLC

"Over the course of the project, Job Watch referred 17 migrant/visa worker clients to Fitzroy Legal Service. Without this new referral pathway, these clients would not have been able to obtain legal advice and assistance."

Ian Scott, Principal Lawyer, Job Watch

4. Better confidence when referring to a collaborating CLC

"Knowing and training Joh, meant we knew what she was capable of, and we could and can continue to refer matters that will progressively develop her confidence and understanding of complex matters."

Ben Cording, Principal Lawyer, Tenants Victoria

"The referrals to CALC may not have occurred without the project, primarily due to lack of awareness from HRCLS about the legal issues and what CALC was able to do to support these clients."

Deb Fisher, Lawyer, Hume Riverina CLS

5. The role of VLA

Finally, alongside all of the above recommendations, it is also important to acknowledge Victoria Legal Aid's recent contributions to the legal assistance sector's triage and referral landscape. In particular, VLA has developed and expanded two key services synchronously to our implementation of the Generalist-Specialist CLC Project; namely;

- ▼ VLA's online referral tool
- ▼ VLA Legal Help

VLA's online referral tool has a user-friendly interface and an algorithm-driven system that ensures consistent, accurate referral details are promptly delivered to clients via email or SMS. Early adapting CLCs involved in the development and testing of this service agree that it will benefit the entire legal assistance sector by creating a standardized and universally accessible referral pathway.

"VLA's online referral tool has made it easier for our volunteers and staff to make high quality referrals. Clients appreciate being able to instantly receive a SMS with the details of the service or emails with more information on self-help options. The tool has also allowed us to better track and understand the types of referrals we are making and why we are making them."

Brendan Lacota, Principal Lawyer, Mooney Valley Legal Service

As VLA Legal Help continues to expand and streamline its triage and advice services, and increase the number of lawyers and paralegals answering its phones, some CLCs have seen the benefit in entering into referral arrangements with the service. This collaborative approach between VLA and CLCs ensures that VLA's better resourced phone service is available to provide a wide breadth of legal advice and referrals, while CLC lawyers have more time and resources to provide strategic assistance to the most vulnerable of their specialist cohort.

"At Women's Legal Service Victoria we target those experiencing the greatest barriers to accessing justice and most in need of our services. Our intake is by referral only, but this risks closing off access to women not already linked in with services. Victoria Legal Aid's Legal Help line is often the first point of call for many women experiencing family violence and needing assistance with family law and child protection matters. Our MOU with Legal Help set up a clear referral process through which Legal Help conducts initial triage consistent with our intake guidelines and appropriate referrals are made, minimising the 'referral roundabout'."

Helen Matthews, Acting CEO, Women's Legal Service Victoria

An ongoing collaborative approach to improving and utilizing these two services has significant potential to benefit our clients.

"We know that people find it difficult to seek and find the support they need to deal with their legal problems. It's often not clear which organisation they should contact, while the maze of eligibility rules and intake procedures compound the difficulty that people experience. People shouldn't have to ring different agencies and tell their story multiple times in order for them to access assistance. Further and deeper collaboration between VLA and CLCs is essential for all of us to improve our triage policies and tools so that it's easier for people to get the right help to address their legal and related problems."

Jon Cina, Acting Executive Director, Legal Practice, Victoria Legal Aid

4.7 SECONDARY CONSULTATION

“When drafting a letter I called the advice line to ask how CALC would write a similar letter and the worker was able to provide very specific advice for what sections of what legislation to draw on to strengthen my client’s position.”

Lauren Hutson, Lawyer, Barwon Community Legal Service

In the Legal Assistance Sector, Secondary consultation is generally understood to mean a service a lawyer provides whereby they give advice to another worker (in most instances a non-lawyer) on the substantive or procedural legal aspects required to resolve a client’s problem. There is a growing body of research on the benefit of CLCs and secondary consultation. ANU academic Dr Elizabeth Curran recently published a useful article on this.² Consumer Action Law Centre has conducted an evaluation of its secondary consultation service – the ‘Workers Line’.³ The literature emphasises that secondary consultation is crucial for the purposes of building professional capacity and encouraging the development of trust between professionals. Most importantly, secondary consultation results in good outcomes for clients.

During the course of the Generalist-Specialist Project, acknowledging the prior body of work on non-lawyer to lawyer consultation, we chose to focus on this service in an inter-CLC context. What helps and hinders when a Generalist CLC lawyer consults with one of their Specialist CLC peers?

In a pre-pilot survey of the CLC sector, we asked CLC personnel their reservations about asking staff at other CLCs for advice. The top three answers were:

- ▼ They’re too busy;
- ▼ I don’t know who to ask for help; and
- ▼ I’m not confident about their ability to help.

Were these answers based on experience or assumptions? To explore this further, we included secondary consultation as a key aspect of most of the integrated pilot models. Here’s what we discovered:

² Curran, L. 2017. Lawyer Secondary Consultations: improving access to justice: reaching clients otherwise excluded through professional support in a multi-disciplinary practice. *Journal of Social Inclusion*, 8 (1) 46-77. Page 51.

³ <https://workers.consumeraction.org.au/wp-content/uploads/sites/12/2017/11/171018-Evaluation-Report-Worker-Advice-Service-final.pdf>

1. Secondary consultation works best when it complements other forms of inter-CLC support

Pilot participants consistently reported that they were more likely to use a Specialist CLCs secondary consultation service once they'd received training from the Specialist CLC. It helped the Generalist staff and volunteers to feel comfortable to ask for help once they'd established an inter-personal connection with the Specialist CLC – through training and visits – and had been encouraged to ask.

"Secondary consultations were largely carried out at the specialist secondment visits, and then following training, the generalist lawyers would call/email the worker line. The increase in volume of secondary consultations is indicative of greater co-operation between the CLCs, more trust and stronger working relationships."

Lachlan Edwards, Senior Lawyer, Consumer Action Law Centre

2. You can do it on the phone, via email or face-to-face

Generalist pilot participants agreed that secondary consultation on the phone and email was good (as long as there was a quick reply) for an immediate reassurance that they were on the right track and asking the right questions. However, for more complex, strategic case-management style consultations, the Generalists preferred to sit down with the Specialist lawyer and discuss the case in person.

"The face-to-face meetings were preferred as it better facilitated the discussion of complex and strategic issues. This ultimately strengthens the relationship between CLCs."

Johanna Yee, Lawyer, Brimbank Melton CLC

From the Specialist perspective, spending time at the Generalist Centre will often generate a curiosity and interest that will later translate to trust.

"Working on my 'CALC work' at the office of the generalist provides the opportunity to build relationships and for the swivel in your chair interactions to occur."

Lachlan Edwards, Senior Lawyer, Consumer Action Law Centre

3. It can help with referrals

Several of the Pilot participants identified the secondary consultation process as an excellent way to improve the quality and nature of referrals. Already in the habit of calling the Specialist lawyer to discuss a complex matter, the Generalist would be inclined to ask if it was the type of case the specialist could take on and if so, whether there was capacity. Similarly, the Specialist was in a better position to determine if the case fit within the Specialist CLCs policy or campaigning focus and ask the Generalist to consider referring it on. Finally, with open discussion, the Specialist might be in a better position to warn the Generalist of the complexity of the matter – and help set limits on the Generalist service to be provided, or recommend that the client be referred on.

"It allows the generalist to be confident in their advice, and immediately consult with the specialist about whether the matter should and can be referred without significant delays from the client. In these consultations we were able to discuss with BMCLC what the matter may involve in terms of resources, and whether it was suitable for referral, advice, or for BMCLC to engage for representation."

Ben Cording, Principal Lawyer, Tenants Victoria

4. The benefits increase the more a lawyer uses it

With training and access to reliable secondary consultation, the Generalist lawyer's skills in identifying a specialist legal problem and knowing how to help will improve. As those skills improve, they will feel more confident to clarify a doubt, and get more out of their conversation with the Specialist. The strategic nuances of a case or recent precedent might be better understood. This is a self-perpetuating, exponential improvement.

"On each visit, I have had several matters to discuss with the CALC lawyer. While the worker line and phone/email support we have received from CALC has been amazing, it is invaluable to sit down and discuss a file face to face. I have personally found the consultations increasingly valuable as my knowledge and experience has increased and I have more complex matters to work through and discuss strategy, not just legal remedies."

Deb Fisher, Lawyer, Hume Riverina CLS

CALC reported that they received very few referrals from their pilot partners during the duration of the pilot – which they said could be interpreted as a demonstration that the Generalist lawyers had built the capacity to run consumer/credit/insurance law cases themselves with support through secondary consultation.

5. It works best when the specialist offers it as a strategic, intrinsic, funded part of their service

Let's be clear – CLC lawyers have always consulted with their peers. Secondary consultation, in that sense is nothing new. However, often those arrangements are based on inter-personal collegiality rather than an established service the Specialist is funded to provide. It is done as a favour, rather than as part of the lawyers funded work. A common scenario is where Generalist CLC Lawyer A is friends with Specialist CLC lawyer B and feels comfortable calling them for a quick chat. The problem with this approach is that when A or B move on, the inter-CLC connection is lost. It also means that lawyer C, who is new to the sector, doesn't have the same access to Specialist CLC knowledge, simply because they're not well-connected. Finally, when Specialist lawyer B is on leave, or running a matter for days at court, or overwhelmed by their own work, their generous support to colleagues in other CLCs might decrease or cease entirely.

The Specialist CLCs with a dedicated workers line, sufficiently staffed, with clear operational procedures, were consistently lauded by CLC personnel as the most helpful.

Mark O'Brien, Tenants Victoria CEO told us that his centre is in a good position to continue this form of support to generalists because it's part of TV's core CLSP funding (to support other tenancy advocates) and "working through others promotes TV's work and allows us to expand our reach."

4.8 SECONDMENTS AND SHADOWING

Prior to designing the pilot models we asked the CLC sector about their preferred way to learn new legal knowledge and skills. Survey respondents ranked shadowing and on-the-job training above seminars, conferences, webinars and on-line courses.

When we incorporated secondments and shadowing into our integrated pilot models, we were not introducing anything new. Nonetheless, we wanted to test those techniques within a structured, integrated framework and evaluate their impact.

Below are reflections from the pilots about what worked with each type.

SECONDMENTS

When designing the integrated pilots we suggested a secondment model. We were not prescriptive about the types of secondment activities, except to say that the Specialist CLC had to visit the Generalist CLC at least four times over the course of the pilot.

WHAT WORKED?

- ▼ Advanced collaborative planning of each visit
- ▼ Building anticipation about the Specialist visit amongst all Generalist staff (and volunteers)
- ▼ Telling Generalist staff to set aside cases and questions for secondary consultation
- ▼ Incorporating training activities into each visit
- ▼ Inviting the Specialist to review case files
- ▼ Inviting the Specialist to participate in case meetings
- ▼ Inviting the Specialist to sit in on triage, intake, advice line, and client appointments
- ▼ Establishing warm-referral protocols and promoting Specialist 'workers' line'
- ▼ Taking the Specialist on outreach activities and introducing them to Generalist CLC stakeholders
- ▼ Being flexible enough to accommodate a shift in the Generalist's strategic priority
- ▼ Sending different Specialist staff members each time to expand connections
- ▼ Emphasising to all staff that it's an inter-CLC relationship building exercise

WHAT COULD HAVE MADE IT BETTER?

- ▼ Generalists briefing the visiting Specialist on socio-political idiosyncrasies of the catchment
- ▼ A masterclass CLE to workers
- ▼ Specialists visiting RRR areas could have met with local MPs
- ▼ Specialist secondment at a Generalist volunteer drop-in clinic was not as effective – due to the unpredictability of relevant cases at any given Clinic and the variant workforce on any given day
- ▼ Doing it more often over more time

TESTIMONIAL:

Consumer Action Law Centre Secondment at Hume Riverina CLS

"Lachlan's visit really saw the start of the wider HRCLS team beginning to understand the project and how it would impact them; it became more real and personal to them. The breadth of consumer matters dealt with by CALC was more understood and questions were asked as lawyers began to think through how consumer issues related to their current work/clients. All staff left the training with a referral pathway and CALC's policy objectives on an A4 sheet they could place above their desk. Staff were more prepared to "come and have a chat" than they would be just to ring a number. It was useful for Lachlan to sit in on Reception (and understand the sheer number of calls that come through our CLC as the only free legal advice service in our region of 21 local government areas (apart from Legal Aid NSW's office in Albury, NSW). LBT and the casework meetings enabled him to see first-hand the cross-border and jurisdictional issues that are an integral part of our day to day service, as well as the breadth of legal problem types and cluster legal issues that we see.

Lisa's visit saw the family lawyers really coming on board and grasping how they could change the way they operated to provide a more holistic service to clients, and that approaching a matter from a consumer perspective (party to business) could lead to alternative/better outcomes than doing so from a family law perspective (party to party). Referrals started to come through to both the generalist lawyers and to CALC as the family lawyers began to ask more questions, particularly about their client's debt situations. Lisa commented how useful it was to experience a generalist practice up-close and to see how consumer law is just one of many legal issues that clients might experience at the same time and that we deal with on a daily basis (rather than the issue as it seems to CALC lawyers).

Philippa's training enabled our lawyers to understand all the times insurance law can come up. It is perhaps unlikely in our practice that clients will often identify an insurance matter as their primary legal issue, but if we are alert to it, we may be able to spot it when dealing with other legal problems. Philippa and Kaylee [CALC staff] were able to experience the reality of living and working in a cross-border environment as they went over to AWAHS (Albury Wodonga Aboriginal Health Service) which is based in Albury and a 15 minute drive from our office. Kaylee had family connections to AWAHS & Mungab but was able to capitalise on the relationship that Karen Bowley [HRCLS lawyer] has developed with AWAHS over the past (approx.) 10 years (and particularly in the past 6 months that she has been co-located). The transfer of trust from Karen, to Kaylee and then to Philippa who talked to some of the men about funeral insurance enabled the message to be accepted and heard in ways that it might not have been otherwise."

Deb Fisher, Lawyer at Hume Riverina CLS



SHADOWING

When designing the integrated pilots we suggested a shadowing model. We were not prescriptive about the types of shadowing activities that had to be undertaken, except to say that the Generalist had to visit the Specialist at least four times over the course of the pilot.

WHAT WORKED?

- ▼ Advanced collaborative planning of each visit
- ▼ Building anticipation about the Generalist's visit amongst all Specialist staff (and volunteers)
- ▼ Inviting the Generalist to listen in on advice line and dissecting client calls afterwards
- ▼ Giving the Generalist files to read and discussing them with the Specialist
- ▼ Discussing strategic objectives of the Specialist CLC with the visiting Generalist
- ▼ Inviting the Generalist to participate in case meetings and sharing ideas on policy/law reform
- ▼ Inviting the Generalist to sit in on triage, intake, and client appointments
- ▼ Shadowing the Specialist at different fora, including hearings and conferences in the Federal Circuit Court, VCAT and the Fair Work Commission
- ▼ Shadowing the Specialist at the Workers Advice Clinic
- ▼ Watching how the Specialist supervise their volunteers

WHAT COULD HAVE MADE IT BETTER?

- ▼ Generalists could have spent more days shadowing at the partner Specialist CLC
- ▼ If the Generalist misses an important part of the Specialists work (such as a strategic case conference) - rescheduling it
- ▼ Have the Generalist work on a matter or follow a matter all the way through under Specialist guidance
- ▼ More structured and early planning to ensure days are determined in advance (where possible).

TESTIMONIAL:

Hume Riverina CLS Shadowing Experience at Consumer Action Law Centre

"The day spent shadowing the lawyers at CALC was invaluable, particularly listening in on the advice line, looking through and talking through files with Lachlan, and attending the casework meeting. The advice line gave me opportunity to grasp a little more of the breadth of consumer issues, observe the questions asked to clarify the legal problem and how the matter was triaged and worked through. The lawyers were very generous with their time and gave me time to talk through the call with them afterwards.

Reading files and talking through them with Lachlan was also a helpful way to learn, particularly about processes and outcomes. Talking through some of the strategic objectives with Jill and attending the Casework meeting gave me insight into how CALC operates and how they achieve their great outcomes and policy changes/law reform. Seeing the policy objectives set from the beginning, alongside the legal outcomes, and seeing lawyers and policy workers both being responsible for the file was novel but something that I can see having an impact on how we approach law reform and policy issues at HRCLS into the future.

It was great just to meet everyone and put faces to names. It is much easier to send an email or pick up the phone when you know the person, and understand how the CLC operates. I left with a much better understanding and appreciation of how CALC operates and the kinds of work they do (both micro and macro)."

Deb Fisher, Lawyer at Hume Riverina CLS

A TWO-WAY IN SITU EXCHANGE IS BEST

Finally, it is not by coincidence that both testimonials above outline the two-way *in situ* exchange experiences of Hume Riverina CLS and CALC. We chose to highlight that experience because, in terms of Centre-to-Centre impact, the best outcomes resulted from the development and implementation of secondments AND shadowing between Generalist and Specialist partners, rather than just one or the other.

For a more information about the different CLC's experiences – speak to them directly.

4.9 CLINICS AND CASEWORK

COLLABORATIVE CLINICS

When we consulted the sector in the earliest phase of the Project, several people spoke about the practice of running issue-specific ‘pop-up’ clinics in certain geographical catchments to respond to emerging legal needs. One example cited was the “Bring Your Bills Day”.

Anticipating the synergies to be gained by uniting a Generalist CLC (with its connection to the local community) and a Specialist CLC (with its experience in running specialised services), we designed a model we called the Collaborative Clinic, whereby the Generalist identified the emergence or prevalence of the specialised legal need in their catchment area and invited the Specialist to co-run a clinic. We tested that model with Tenancy Law ‘Pop-Up Clinics’ in the Brimbank Melton CLC catchment.

WHAT DID WE LEARN ABOUT COLLABORATIVE CLINICS?

- ▼ The Generalist should consult with the Specialist to determine whether a Clinic is the best approach – and if so; what are the ideal Clinic conditions (in terms of frequency, duration, and service framework).
- ▼ It is important for the Generalist lawyer to have received training and to receive the Specialist’s ongoing support.
- ▼ It is better to establish staff capacity and capability within the Generalist CLC first, then comprehensively train volunteers before using those volunteers in a clinic setting.
- ▼ Ensure that all staff and volunteers know the in-house referral procedures to get clients booked in for clinics.
- ▼ When matters in a given jurisdiction are often urgent, and/or move swiftly, telling a client to come back to the next scheduled clinic in two weeks is not helpful. In this instance, it is important to have a procedure to see clients outside the scheduled clinics.
- ▼ Instead of trying to establish new avenues in the community to draw in potential clinic clients, use your existing connections – particularly integrated services under the same roof.
- ▼ If you are going to publicise beyond current connections, promote it in a targeted and timely fashion.
- ▼ If the community is not aware that the Generalist CLC has or can provide assistance in that field of Specialist law, it can take time before community partners promote clinics and clients start to attend.
- ▼ If people aren’t attending the clinics, try running a CLE session instead.
- ▼ If there are other service providers operating in the area (such as TAAP non-lawyer services), it may be necessary to show the community how your new service will differ.
- ▼ Significant outcomes for clients are attainable in the Generalist/Specialist Clinic setting.

“I am a very tough person but my child suffers severe depression and other health issues. My child could not bear the stress. If we had not received the “Heaven-sent” help from Brimbank Melton Community Centre and the Tenants Union of Victoria, my child and I would have been homeless. We most probably would have been evicted as we had no extra money to pay for other accommodation”

Brimbank Melton CLC Client

SUPPORTED CASEWORK

Expecting ongoing casework files would emerge from the interplay between Generalists and Specialists, we thought it important to test the levels of support a Specialist could and should offer the Generalist (by way of secondary consultation, file review, document sharing etc). Under this support model, the Generalist would continue to run the matter unless it became particularly complex, at which stage the Specialist could invite the Generalist to refer it to them.

WHAT DID WE LEARN ABOUT SUPPORTED CASEWORK?

- ▼ Instead of co-case management or direct supervision, some Specialists will open an ongoing assistance file when they start to support a Generalist on a case. Official carriage rests with the Generalist, but the Specialist has access to key documents and can make notes. This helps the Specialist maintain an ongoing understanding of the case – and the Generalist does not have to explain the facts and issues to a new person every time they seek advice. (For more details about ‘ongoing assistance files’ – ask CALC).
- ▼ Generalist lawyers appreciated when Specialist lawyers made themselves available for discussion and support on a particular case; whether that was via email, the phone or in person.
- ▼ Generalist lawyers found working on a case with the support of a Specialist was a fast, effective way to build their knowledge and skills.
- ▼ Support can take many forms – general advice on the file, providing template letters, reviewing drafted letters, discussing case strategy and more
- ▼ For professional and risk management reasons Specialists do not provide official supervision or sign off on Generalist files.
- ▼ Some Generalists work with Specialists on a matter – where the Generalist provides advice and representation (for example on an intervention order) and the Specialist provides advice on their field of specialisation. Each runs its concurrent file – applying their complementary area of expertise to provide client continuity of support.

“At the start of the Pilot, BCLS staff who attended the secondment and also the first training session by Lachlan Edwards were informed about CALC’s practice of opening an ‘ongoing assistance’ file when a CLC worker is seeking ongoing advice about casework. The matter is then allocated to the same lawyer at CALC who provides assistance throughout the length of the file. This has been an invaluable service, as it allows BCLS lawyers to take on new matters with the knowledge that a specialist CLC is able to provide ongoing support. It’s more work for them but less than taking on the case and I now just think I’ll call them because it’ll be better and quicker than me trying to research an issue that I don’t know.”

Shane Foyster, Lawyer, Barwon Community Legal Service

4.10 POLICY AND CAMPAIGNS

When we consulted the sector in the first phase of the Project we heard many examples of CLCs campaigning side-by-side against an unfair policy, practice or legislation. We decided to use our Pilot M&E structure to determine the benefits for clients, CLCs and the CLC sector when Generalist and Specialist CLCs worked together towards a collaborative campaign platform.

The original “Collaborative Systemic Advocacy” model we designed envisaged a group of CLCs coming together around a legal issue common to their work with the view to jointly engaging in advocacy for law reform. A Specialist CLC would act as the coordinator; leading the development of a briefing paper, scheduling strategy meetings and driving the development of a campaign strategy. Participating Generalist CLCs would inform the process by participating in strategy meetings, providing client stories and case studies for media and law reform submissions, carrying out direct lobbying of decision makers in their catchment, and undertaking other coordinated campaign activities. While the aim of the group would be to achieve reform to laws that adversely affected their clients, the Project would also test the best methods of CLCs collaborating on law reform.

Flemington Kensington Community Legal Centre, Women’s Legal Service and St Kilda Legal Service identified a systemic issue common to all their clients – police duty failures during family violence interventions.

Here’s what we learnt about three very different CLCs embarking on a collaborative approach to systemic CLC campaigning work:

- ▼ Make it a client-centred campaign
- ▼ Meet often early and brainstorm a lot
- ▼ Agree on decision-making processes early
- ▼ Identify and discuss your assumptions about the systemic problem you’re trying to fix
- ▼ Identify what you know as a group and what you need to find out
- ▼ Research the law and check your understanding of it with your colleagues
- ▼ Do stakeholder mapping exercises
- ▼ Be clear about your CLC’s position and purpose and resources
- ▼ Openly acknowledge each other’s strategic differences and discuss how to accommodate them
- ▼ Be clear about the time, resources and expertise you can offer the group
- ▼ Define and allocate responsibilities within the group
- ▼ Data collection is essential
- ▼ Identify a common outcome across all CLCs – what is the change you’re collectively striving to achieve?
- ▼ Work to a collaboratively designed Theory of Change
- ▼ Get your CLC on board and bring them along
- ▼ Consult often with your colleagues at the coalface
- ▼ Deliver joint training to stakeholders – working together brings you together
- ▼ Share your growing expertise and resources with the sector – do it early and do it often
- ▼ Set aside enough time to support your clients
- ▼ Recognise the clients who can and want to tell their own story
- ▼ Ask colleagues at your CLC to collect case studies
- ▼ Step back periodically and assess where you’ve been, where you are and where you are going
- ▼ Pay attention to unplanned political opportunities
- ▼ Deep systemic change is going to take time
- ▼ Evaluate and celebrate your impact

5. PILOT EVALUATIONS



PILOT 1 – TENANCY LAW WITH TENANTS VICTORIA AND BRIMBANK MELTON CLC

"The model is very good and given how little we [Brimbank Melton CLC] knew about tenancy to begin with, there has been a major change and improvement."

Marlene Dixon, Program Director, Brimbank Melton CLC

HOW DID IT COME ABOUT?

Brimbank Melton Community Legal Centre (BMCLC) is a generalist CLC that provides free legal services for people who live, work or study in the Brimbank, Melton and Bacchus Marsh communities. BMCLC currently has many generalist and specialist legal clinics, as well as outreach services through key community organisations. BMCLC is also a program of CommUnity Plus (CU+), focussing on providing an integrated service delivery approach. Over the last 3 to 5 years BMCLC has seen a significant increase in clients with tenancy problems in its clinics for newly arrived, marginalised and vulnerable members of the community, but the centre had limited tenancy casework skills. BMCLC approached Tenants Victoria (TV), a specialist state-wide CLC, to build its capacity and expertise in tenancy law. TV sought participation in the Pilot to increase tenancy legal expertise in other CLCs through a collaborative clinic and mentoring, and to increase legal access on tenancy issues for clients in outer suburbs.

WHAT WAS IT TRYING TO ACHIEVE AND HOW?

The overarching goal of **'Improving the capability and reach for tenancy law'** in the Brimbank Melton catchment was to be achieved in two ways:

1. Sharing expertise through training and resources
2. Supported casework, referrals and clinics

CASE STUDY

Johanna Yee, Lawyer, Brimbank Melton CLC

During this project, BMCLC assisted a vulnerable client with a complex tenancy matter. He came to our Centre via one of our pop up tenancy clinics that was run in conjunction with Tenants Victoria. The client was experiencing a number of tenancy issues including requiring repairs to the property that were urgent in nature and he had received multiple notices to vacate and notices of rent increase. He was also in rental arrears. We filed a number of VCAT applications including an application for urgent repairs and an application that the Notice of Rent Increase was of no effect. We subsequently represented him at both VCAT hearings which were in his favour. We also provided comprehensive advice to him in respect of the other tenancy issues he was experiencing including rental arrears. We were supported throughout the process by Tenants Victoria including receiving a week of intensive training at the start of the project. We also had a number of secondary consultations regarding the client's matter as well as having one of their lawyers support us at one of the VCAT hearings. It was extremely rewarding to be in a position to assist this client given his multiple legal issues and where our Centre has not had a long standing history of providing advice and assistance in this area of law.

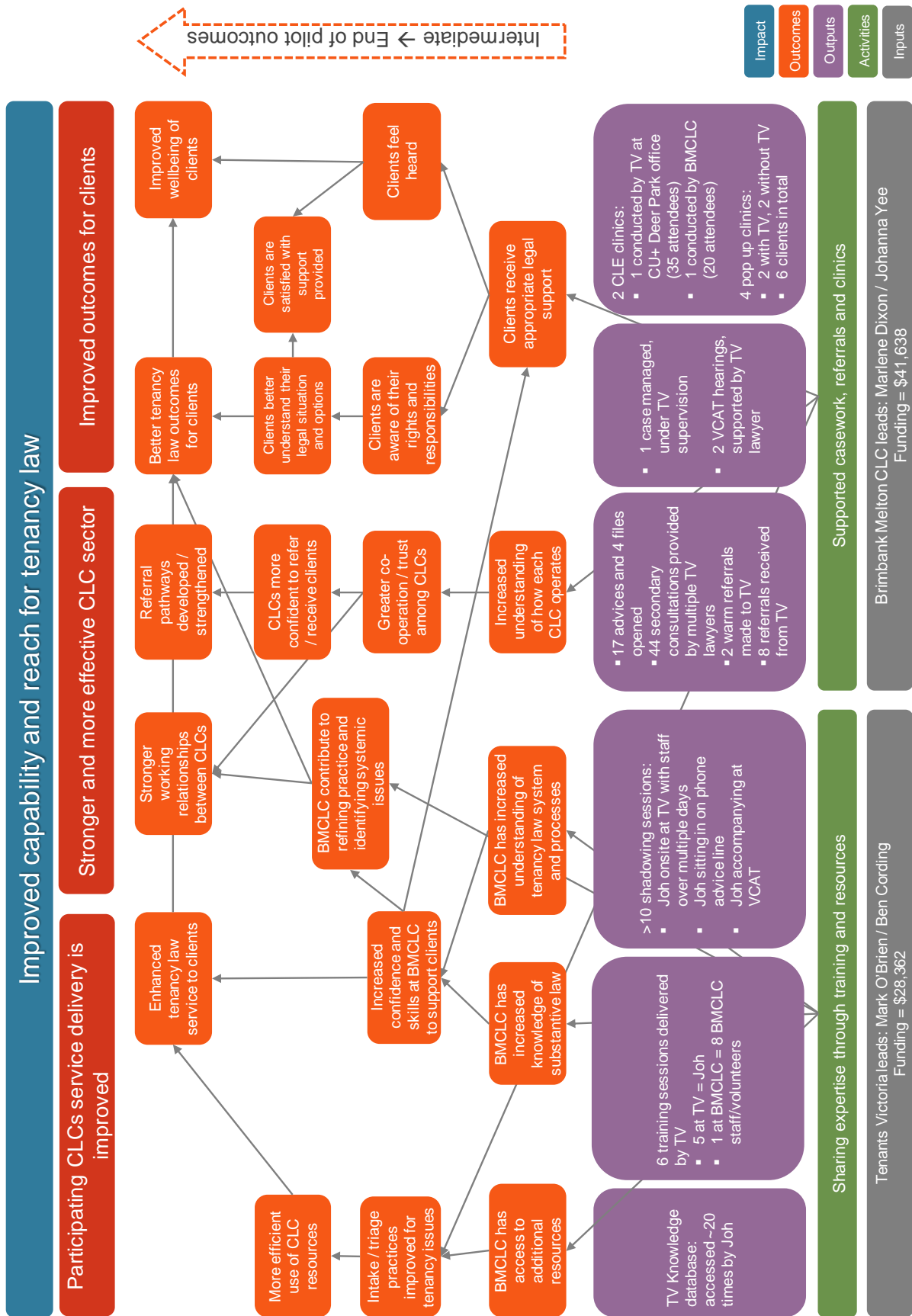


Figure 11 - Theory of Change for tenancy law pilot

WHAT WAS ACHIEVED?

All expected delivery of activities and outputs were met (green and purple boxes in the Theory of Change)

The extent to which the main outcomes (top level orange boxes in the Theory of Change) were achieved is explored below:

1. Enhanced tenancy law service

Prior to the project, only one lawyer at BMCLC had experience and confidence in tenancy matters and as a consequence tenancy appointments were not booked when that lawyer was not present. Now BMCLC has two lawyers with tenancy expertise, as well as others who have an understanding of the law as a result of the training and experiences of this pilot. During the Pilot period, BMCLC provided tenancy advice to 17 individuals and opened files for 4 clients.

“Joh speaks about tenancy matters with such authority compared to a few months ago”

Marlene Dixon, Brimbank Melton CLC

The lawyer involved (Johanna Yee) had not previously practiced tenancy law and, as a result of the intensive shadowing and training provided by TV, she demonstrated a significant increase in her tenancy law knowledge and confidence, assessing herself as 7 out of 10 on the post-pilot survey compared to 0 out of 10 on the pre-pilot survey. As Figure 12 shows, there was a slightly smaller but consistent increase in all areas from the other 4 staff from BMCLC who responded to both surveys.

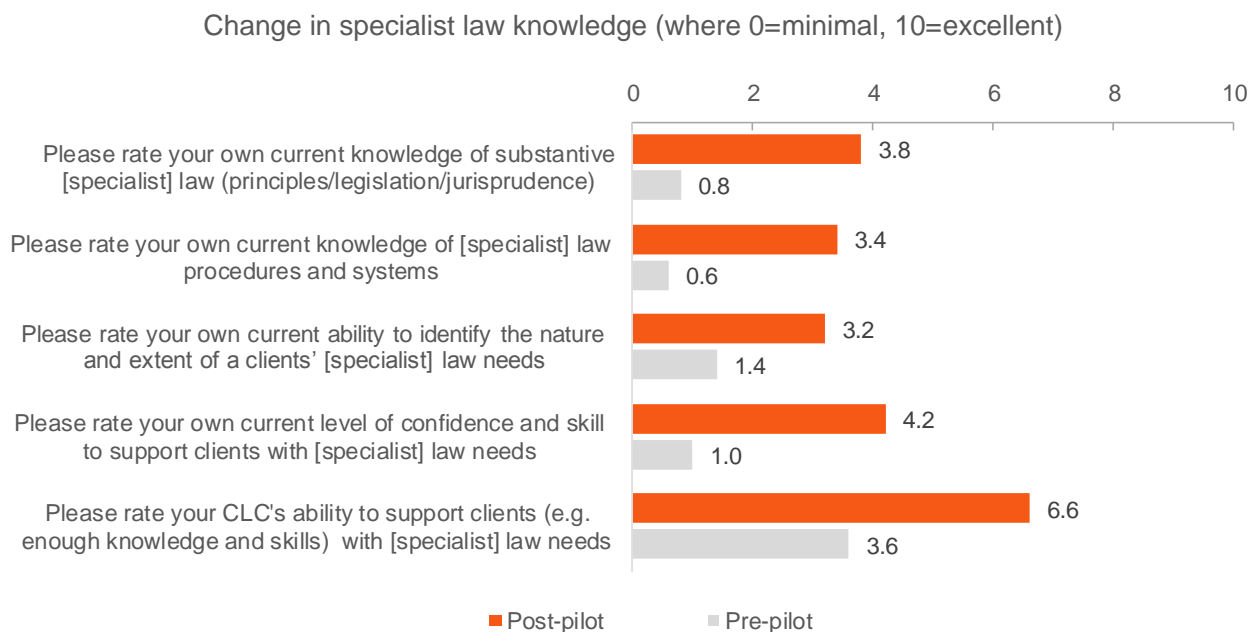


Figure 12 - Change in specialist law knowledge at BMCLC after the Pilot on a scale of 0-10

As a result of participation in the Pilot, BMCLC developed and now uses a tenancy triage form to assist front line workers. Once a tenancy issue has been identified and conflict checks conducted, the responsible BMCLC lawyer conducts a more detailed assessment to then contact the client directly to fix an appointment time or warm refer to TV. Survey results from staff indicates that BMCLC is most likely to refer clients internally for tenancy support now, whereas before the Pilot they would have referred to TV or another CLC, thereby ensuring clients receive support sooner.

Most importantly, BMCLC has committed to an ongoing tenancy clinic in 2018-19 with the aim of embedding tenancy skills across the centre, spearheaded by Joh's experience and ongoing support from TV. This was critical for both centres as TV had indicated continuity and predictability of service for their clients was important and knowing that BMCLC has built up the capacity and will continue means that clients in the Brimbank Melton region who may not be able to access TV will receive appropriate tenancy law support.

2. Stronger working relationships between CLCs

It was clear from the consultations and final pilot reports that strong relationships had developed between the lead BMCLC lawyer and a number of staff at TV, as would be expected based on the shadowing undertaken on site. The working relationships and knowledge of each centre's services across the two centres appear to have improved as well, based on the staff and volunteer survey results:

- ▼ Staff at both centres had rated their knowledge of each other's centres as 'a little worse' than their knowledge of other CLCs prior to the Pilot and a 'a little better' after
- ▼ BMCLC respondents rated an improvement in the professional and institutional relationship between BMCLC and TV (moving from an average of 1.5 to 3 out of 5). This was mirrored by the respondents from TV who also indicated an improvement in the professional and institutional relationship (moving from an average of 2 to 4 out of 5).
- ▼ 57% of BMCLC and 90% of TV respondents felt that there were stronger working relationships between the two centres (the rest were not sure).

"Over the project life, BMCLC has developed a deep respect for the expertise possessed by TV lawyers which has led to a relationship of trust in the assurance that a TV staff member is at hand to lend their expertise."

Johanna Yee, staff lawyer Brimbank Melton CLC

3. Referral pathways developed and strengthened

During the pilot period, TV referred 8 matters to BMCLC while BMCLC referred 2 matters to TV which were more complex / time sensitive, and TV has opened files for both matters.

The confidence at BMCLC to both refer and receive referrals on tenancy matters appears to have improved markedly as the consultations and survey results of BMCLC and TV staff demonstrate:

- ▼ 71% of BMCLC and 80% of TV respondents felt that there were better referral pathways
- ▼ Both BMCLC and TV staff indicated that their confidence referring clients to each other had increased since the Pilot, as had TV staff's perception of the quality and accuracy of referrals from BMCLC.

As a result of this Pilot, TV has decided to set up a dedicated phone line for all incoming CLC enquires with a lawyer rostered on to address matters and refer as needed. This is intended to benefit the broader sector, beyond BMCLC and the centres with which TV currently has relationships.

4. Better tenancy law outcomes for clients

"The pilot project has strengthened the relationship between BMCLC and TV. The collaborative nature of the project has enabled clients living in Melbourne's Western suburbs to access more channels of tenancy expertise."

Johanna Yee, Lawyer, Brimbank Melton CLC

The 8 clients surveyed by BMCLC demonstrated that clients found the service valuable:

- ▼ all 8 agreed they were satisfied with the legal support provided and the information they received was useful
- ▼ 7 of the 8 agreed that they had a better understanding of their legal issue and options; and all 8 felt more confident to deal with legal issues in future

Most of the clients received legal advice at clinics but with 3 of the cases opened, there were also successful legal outcomes for clients, including arranging repairs for a client after they had made repeated unsuccessful requests to the landlord and a favourable representation at VCAT for a vulnerable client with multiple, complex tenancy issues.

Staff at both centres were also confident that the Pilot had led, or will lead, to better support and legal outcomes for clients as shown in Figure 13

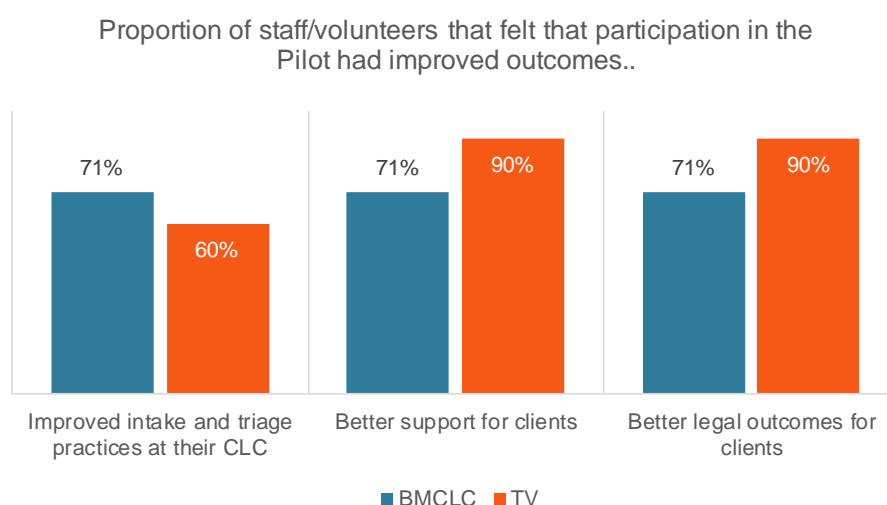


Figure 13 - Proportion of staff/volunteers surveyed that responded that client related outcomes have improved "a little" / "a lot" from the Pilot project

PILOT 1 - CONCLUSIONS

WHAT WORKED WELL?

1. **Legal training experience** – TV routinely trains advocates through the tenancy advocacy and assistance network (TAAP) and so already had both the experience and materials required to induct external staff. TV's experience in delivering training meant there was a ready made format to upskill Joh in tenancy law efficiently.
2. **Enough time** - The manager at BMCLC was careful to carve out enough of the lead lawyer's time and responsibilities to ensure that she had the opportunity to study and spend time at TV.
3. **Intake/triage** – As a result of this Project, BMCLC now uses a standard tenancy triage form which assists front line workers with identifying tenancy issues. Once a tenancy issue has been identified and conflict checks conducted, the responsible BMCLC lawyer conducts a more detailed assessment to then contact the client directly to fix an appointment time or warm refer to TV.
4. **Exposure to multiple staff at TV** – by spending extended time at TV working with multiple lawyers on matters, the lead BMCLC lawyer developed relationships across the CLC so, provided she shares those connections back across BMCLC, this will ensure that relationships are sustained beyond changes in personnel.

"I think the shadowing and training has definitely made Joh more efficient and in the longer term, it will be efficient for TV as well because it will mean Joh / BMCLC can provide an appropriate service to clients and matters will only be escalated to us when required, and that frees up our resources"

Ben Cording, Principal lawyer Tenants Victoria

WHAT COULD HAVE BEEN DONE BETTER?

1. **Attendance at collaborative clinics** – was lower than the original expectation based on analysis of tenancy law need in the BMCLC catchment. The clinics did not go as well due to a combination of insufficient planning/communication and structural/logistical challenges. Tenancy matters can move swiftly compared to other jurisdictions and so it is challenging to book in clients for clinics that are more than a few days after their matter has emerged. However, this was known by TV from past experience and they could have either re-designed the clinics accordingly (during the early collaborative working sessions to develop the MOU and ToC) or further assisted BMCLC to book in more clients. BMCLC could also have better leveraged their extensive community networks and relationships, e.g. with the education team at their auspice organisation, CommUnity+. Indeed, after the first 2 clinics and, at the suggestion of the FCLC Project Manager, a more flexible approach was adopted through delivering CLE instead. Also more flexible booking times and locations were set up to better address urgent matters and suit clients' circumstances
2. **Uncertainty around referrals** – beyond the Pilot MoU, there was no formal referral process set up or executed and it took some time for the right balance to be struck. Initially TV were reluctant to make too many referrals while Joh was being trained and it took some time for effective communication with the whole of TV staff on the nature of the pilot, familiarising themselves with the BMCLC postcodes AND exactly how BMCLC would accept referrals. As TV admin staff became familiar with the BMCLC lead lawyer and the pilot, and catchment requirements were relaxed, BMCLC was inundated with referrals, though these would often not have enough detail and would have been better if a TV lawyer was assigned to each referral for follow up. Eventually the two centres found a balance, with referrals to BMCLC provided in a more staggered and co-ordinated manner.
3. **Less understanding of how BMCLC operates** – throughout the Pilot, the BMCLC lead lawyer spent intensive periods at TV and with TV lawyers but apart from 1 training delivered by TV at BMCLC's office, there was no in situ presence from TV staff there. While this was not an explicit part of the Pilot nor appears to have hindered its success, it represents a missed opportunity for TV to understand more about how BMCLC operates by, for example, having one of their lawyers hot desk or attend in person meetings at BMCLC during the course of the Pilot.

PILOT 2 – CONSUMER, CREDIT AND INSURANCE LAW WITH CONSUMER ACTION LAW CENTRE, HUME RIVERINA COMMUNITY LEGAL SERVICE AND BARWON COMMUNITY LEGAL SERVICE

"It provided an opportunity to build relationships between CLC lawyers, understand and discuss how both CLCs operate. This opened the door for collaboration where it would otherwise not have been possible."

Lachlan Edwards, Senior Solicitor, Consumer Action Law Centre

HOW DID IT COME ABOUT?

Consumer Action Law Centre (CALC) is a specialist CLC that provides consumer, credit and insurance law advice across Victoria, but has limited ability to reach vulnerable and disadvantaged people living in remote, rural and regional areas. CALC currently operates a Worker Advice Service (primarily used by community workers not attached to CLCs) and has a strategic commitment to supporting a strong community sector. In light of this, CALC approached Hume Riverina Community Legal Service (HRCLS) and Barwon Community Legal Service (BCLS) with a view that partnering with regional centres could improve the CLCs ability to address unmet consumer, credit and insurance legal need and enhance broader access to justice for their communities. All three centres believed that testing the in situ exchange model, with specialist training / shadowing / secondments, would create greater impact for CLC clients and help to develop a model that the Specialists and Generalists can use better to address unmet legal need in regional areas.

WHAT WAS IT TRYING TO ACHIEVE AND HOW?

The overarching goal of 'Identifying and addressing unmet consumer/credit/insurance legal need in RRR areas' was to be achieved in four main ways:

1. Delivery of training by CALC
2. Shadowing and secondments
3. Outreach and CLE work
4. Secondary consultations and supported casework

"At the beginning of the project, a long-term client walked into our office with a legal problem he had kept hidden for years: someone connected to his family had forced him to take out a substantial loan and then ran away with the money. Our client was ashamed and had never told anyone about it until debt collectors started pursuing him. At the same time, we were receiving quite extensive training from Consumer Action Law Centre on the responsible lending obligations owed by lenders. As we learnt we also built a case to assist our client, including getting specialist advice from CALC on which aspects of the law to highlight in our advocacy. We requested that the debt on the loan be waived in full, on five different grounds, and also raised concerns about breaches of the laws regulating debt collection. We await a response, however are confident that the thorough training, advice and supported casework we received will give the client a favourable outcome."

Shane Foyster, Lawyer, BCLS

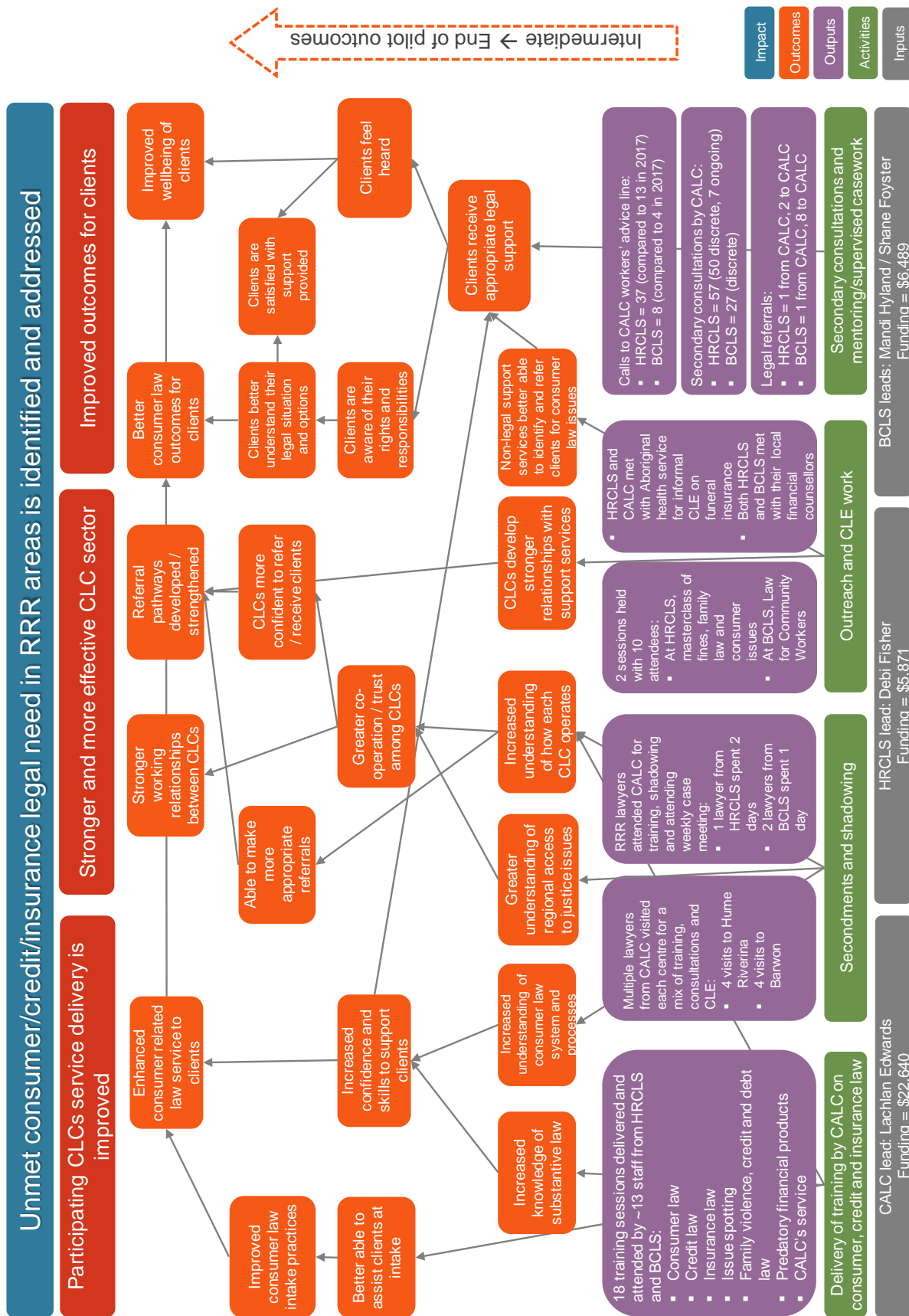


Figure 14 - Theory of Change for consumer, credit and insurance law pilot

WHAT WAS ACHIEVED?

All expected delivery of activities and outputs were met (green and purple boxes in the Theory of Change)

The extent to which the main outcomes (top level orange boxes in the Theory of Change) were achieved is explored below:

1. Enhanced consumer related law service

Prior to the project, both HRCLS and BCLS had some experience in consumer law but it was not a core service at either CLC. Prior to the Pilot, there were only a handful of enquiries to CALC's worker line from the Barwon and Hume Riverina regions; however this has increased substantially since the Pilot and is an indirect indicator of enhanced consumer law service in these regions.

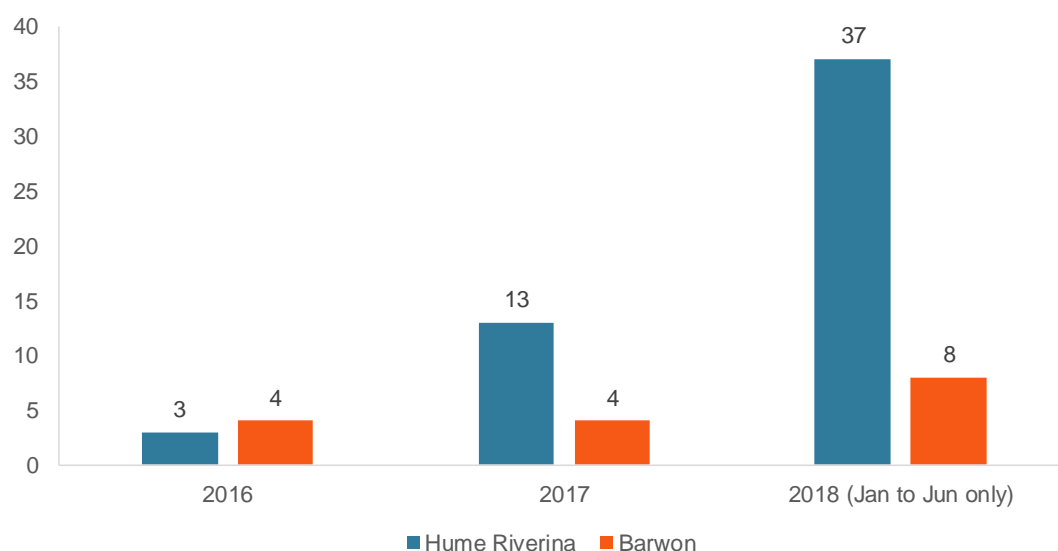


Figure 15 - Enquiries to CALC Workers advice line, by region

During pilot period, a substantial amount of client work was performed by the two centres:

- ▼ HRCLS opened 30 new files (17 consumer law, 13 credit/debt) in addition to the existing 11 consumer related law files they had and provided at least 36 consumer law related advices; and
- ▼ BCLS worked on 61 files (13 consumer law, 48 credit/debt) and provided 56 consumer law related advices (though some preceded the Pilot)

This large increase in service delivery came on the back of increased knowledge, skills and confidence around identifying and supporting clients' consumer law issues at both HRCLS and BCLS from the shadowing, secondments and secondary consultations, as illustrated in Figure 16.



Figure 16 - Change in specialist law knowledge at HRCLS (all staff) after the Pilot on a scale of 0-10 (n=11)



Figure 17 - Change in specialist law knowledge at BCLS (all staff/volunteers) after the Pilot on a scale of 0-10 (n=9)

"I found the training and visit [from CALC] to be useful as I was able to collaborate and obtain specialist assistance in relation to a particular file. As a generalist lawyer, I do not have much knowledge of insurance law, so it meant that it increased my capacity to offer assistance with casework. Philippa [CALC lawyer] was also available for a follow up telephone appointment with myself and the client which ensured that I was able to accurately advise the client of her legal options."

Staff lawyer, Hume Riverina CLS

"We are definitely offering the clients an improved service as we are now actually taking on cases for consumer matters... The majority of clients that are phoning in I am happy to say I have been able to book them into our service and have not had to refer them out the CALC so that in itself shows how successful [the pilot] has been."

Grace Forrest, Reception / intake worker, Barwon CLS

PILOT EVALUATIONS

Both HRCLS and BCLS are committed to absorbing consumer, credit and insurance law support into their service delivery going forward, and this accords with results from the staff surveys, which indicate that staff are most likely to refer clients with consumer related law needs internally after the pilot (whereas they were slightly more likely to refer to CALC before the Pilot).

The secondments to the two centres also appear to benefit service delivery for CALC, through a better understanding of access to justice issues in regional areas. Around 70% of CALC staff responding in the survey that the pilot had increasing CALC's understanding of access to justice and legal needs in the Hume Riverina and Barwon regions, while over 50% of staff also indicated that their own understanding of legal needs in the two regions had increased.

Has your CLC's participation in the Pilot improved the following...?

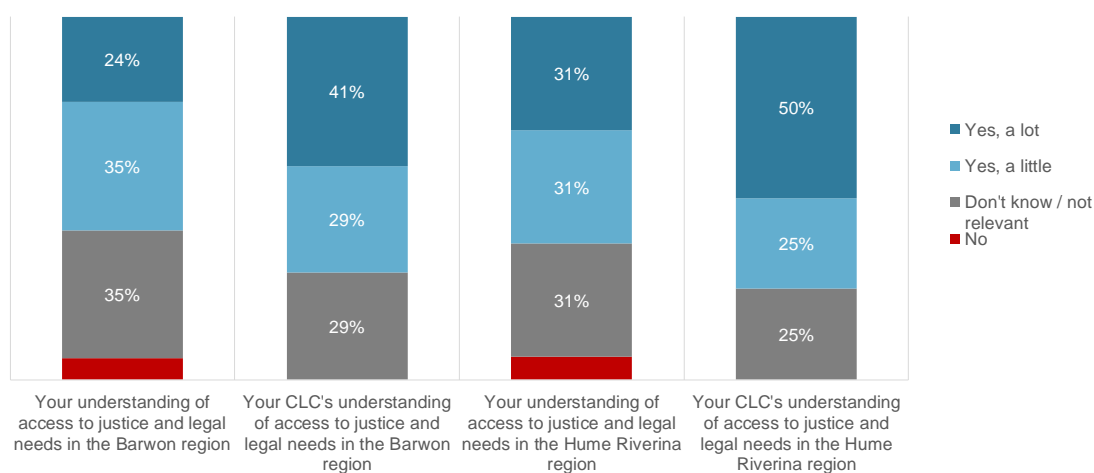


Figure 18 – Staff survey responses on Pilot's impact on CALC's understanding of regional access to justice issues (n=17)

2. Stronger working relationships between CLCs

"CALC has gone from being our last port of call to being our first port of call and they respond quickly – we've overcome that professional pride by reminding people at HRCLS that they are the specialists and they will help you even if you think you know what to do."

Debi Fisher, lawyer, HRCLS

It was very clear from the consultations, final reports and surveys that strong relationships had developed between the staff at the generalist centres and CALC. The knowledge of each other's services and working relationships across the centres also appear to have improved:

- ▼ Staff at each CLC had rated their knowledge of their respective partner CLC as 'a little worse' or 'about the same' as other centres prior to the Pilot whereas after the pilot, HRCLS and BCLS staff rated their knowledge of CALC as 'a lot better' while CALC staff rated their knowledge of HRCLS and BCLS 'a little better' after
- ▼ Similarly, as in Figure 19, all 3 centres reported significant improvements in the institutional relationships between their respective CLCs

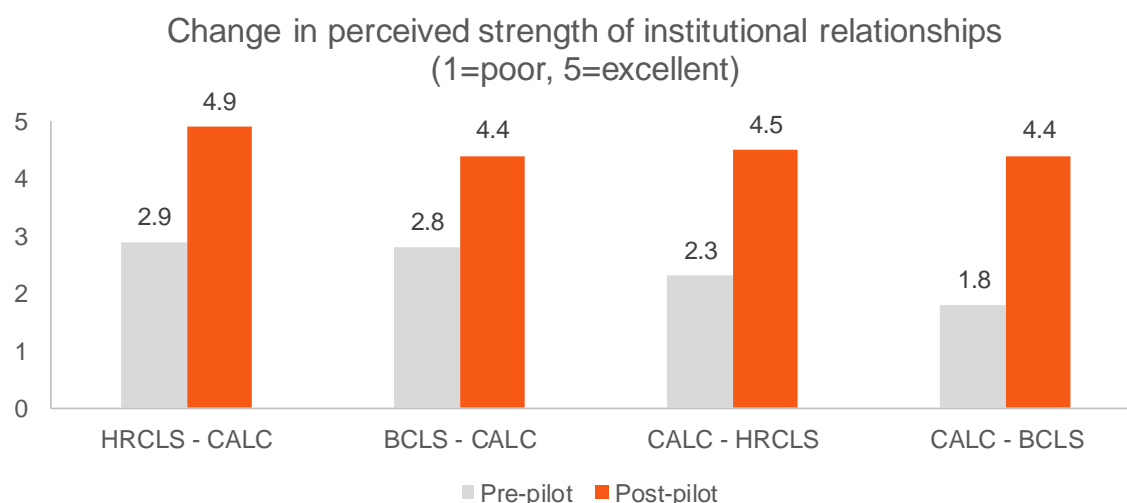


Figure 19 - Change in perceived strength of institutional relationships between centres

- ▼ All of the survey respondents from HRCLS, BCLS and CALC felt that there were stronger working relationships between the centres as a result of this Pilot.

"With some of the legal issues that Hume were picking up, in all likelihood without collaborating [with us], the clients would likely not have gotten these outcomes and would be worse off... It was really encouraging for them to be able to identify and run these cases because it is unlikely we would have been able to (due to the high demand across VIC for our services)" –

Lachlan, Managing Lawyer at CALC

3. Referral pathways developed and strengthened

As noted, CALC has a worker advice service, which was more frequently used by both centres during the pilot. This Pilot informed and reminded staff at both generalists of the advice service, but also strengthened referral pathways through the in situ training and relationship building that has occurred.

"Speaking with [Lachlan from CALC] one on one was a big help as I was able to ask questions about certain things that I was unsure of... I have personally increased my knowledge base around what CALC do, so that I am making the right referral if I do need to refer someone out." –

Grace Forrest, Reception / intake worker Barwon CLS

The confidence at HRCLS and BCLS to both refer and receive referrals on consumer law matters improved, as demonstrated in the consultations and survey results:

- ▼ 100% of HRCLS and BCLS respondents felt that referral pathways between their centre and CALC had improved, while 86% of CALC respondents felt that referral pathways with the two generalists had improved
- ▼ HRCLS and BCLS respondents indicated that their confidence referring clients to CALC had increased, as had CALC's perception of the quality and accuracy of referrals from both generalists.

During the pilot period, the two generalist centres received 1 referral each from CALC while HRCLS made 2 referrals to CALC and BCLS made 5. There were not many referrals between the three centres, but both generalists supported a number of clients through referrals from other agencies in the area and expect this to develop/continue as their respective communities become more aware of their practice in consumer law.

"We received very few warm referrals despite attempting to build up a warm referral protocol. This could be looked upon poorly. The other way to look at it is that the Generalist lawyers had the capacity to run the consumer/credit/insurance law cases themselves and sought support from us through secondary consultations/discrete assistance"

Lachlan Edwards, Managing lawyer, Consumer Action Law Centre

4. Better consumer related law outcomes for clients

The clients surveyed by HRCLS (4) and BCLS (12) demonstrated that clients found the support provided by the two centres valuable:

- ▼ All the HRCLS and BCLS clients were satisfied with the support received; with 100% of HRCLS clients and 75% of BCLS clients considering it to be “a lot better than expected”
- ▼ All the HRCLS and BCLS clients surveyed felt the information they received was useful and that they had a better understanding of their legal issue and options; and the majority felt more confident about dealing with legal issues in the future

Staff at both centres were also confident that the Pilot had led, or will lead, to better support and legal outcomes for clients as shown in Figure 20.

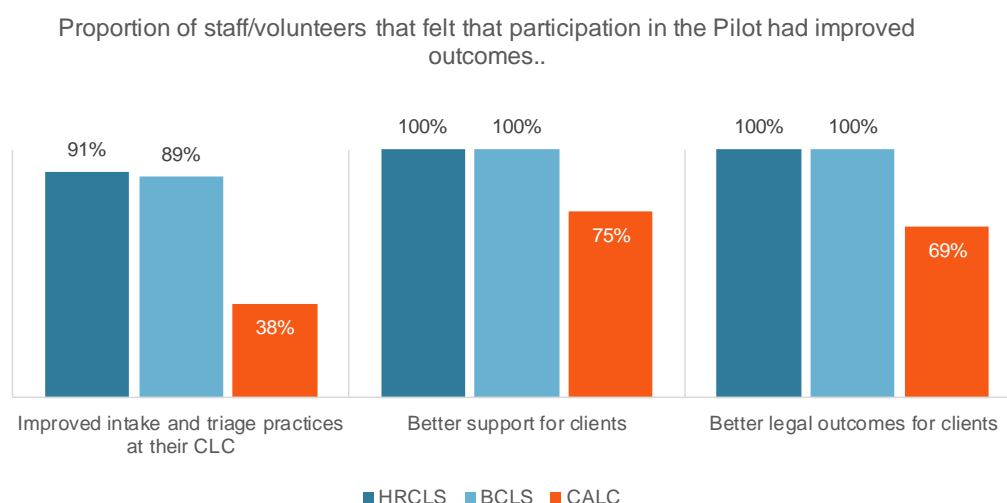


Figure 20 - Proportion of staff/volunteers surveyed that responded that client related outcomes have improved “a little” / “a lot” from the Pilot project

“Some CALC staff may never meet their client in a regional area; it’s all phone/email so long term it’s really great if we can engage with client face to face and get ongoing assistance from CALC as needed. It means we can tell clients “you know that large pile of documents you can’t understand, drop them off at the front desk and we’ll go through them for you”

Shane Foyster, Lawyer, Barwon Community Legal Service

PILOT 2 - CONCLUSIONS

WHAT WORKED WELL?

1. **Commitment to collaborative and responsive practice by specialist** – CALC was highly responsive both with its workers advice line (both generalists found it easy to access support on the line promptly instead of waiting for a call back) and when designing training (e.g. BCLS requested a focus on motor vehicle accidents in the insurance module). The earlier sector-wide consultations (presented in the interim report) identified that CALC is an exemplary CLC in supporting the sector and the Pilot confirmed this, especially in relation to RRR centres, where CALC worked stridently with the 2 Generalists to manage the additional logistics involved.
2. **Having an experienced lawyer with strong approach to project management at Generalists and Specialist** – Shane at BCLS joined the centre as the Pilot was commencing, while Debi at HRCLS was an experienced lawyer who had worked on some consumer law matters. Both were commended by their colleagues and CALC for their methodical and enthusiastic approach to the Pilot, particularly Debi who contended with multiple staff changes at HRCLS as the pilot was commencing. With the logistics involved in arranging training, secondments and ongoing assistance to two regional CLCs, both CALC management and the two generalists emphasised that the Pilot would not have succeeded without Lachlan's diligence and strong project management skills.
3. **Strong buy-in from Management / Board** – the main lawyers involved in each of the three centres appreciated the support and space they received from management to deliver this Pilot. Consultations with the management at each of the centres confirmed the strategic importance of this pilot for their centre and the ongoing value for staff and clients. At BCLS, each lawyer is encouraged to be a 'champion' in a practice area and with the support of this Pilot, Shane was able to champion consumer related law within BCLS.

"It's so important to make space to do projects like this. We all get caught up with dealing with the primary issues for our client, it's easy to fall back to thinking we have expertise in 2-3 areas so will focus on that and send clients to others, but instead we need to think about what our clients need and then building expertise in those areas. I didn't think this pilot model could work in a RRR centre with the distance but the energy and enthusiasm that CALC has brought has been tremendous."

Sarah Rodgers, Principal Lawyer Hume Riverina CLS

"This was a major project for our CLC and important that the Board understood why we needed to take part, and the benefits it would bring both to our service and to our clients. It was a commitment both of time and money."

Mandi Hyland, Principal Lawyer at Barwon Community Legal Service

4. **'Ongoing assistance files', instead of supervision** – Instead of co-case management or supervision, which presents professional risks, CALC supports other lawyers with an 'ongoing assistance file', whereby a worker is allocated to providing ongoing assistance so that it is neither one off general advice nor ongoing casework. This approach was appreciated by both generalists as a way of obtaining peer support while their cases were still supervised in situ.
5. **Cross-centre relationship building** – while only 1 lawyer from HRCLS and 2 from BCLS shadowed CALC at their office, CALC made multiple visits to each centre with different staff going each time as part of a concerted effort to build relationships across the centres rather than between a handful of individuals. This was acknowledged and appreciated by HRCLS and BCLS as a demonstrated commitment to understanding and working with regional centres, whose staff (and clients) often experience unique contextual challenges

and don't participate in as much face to face networking as metro CLCs, therefore making it more likely for their lawyers to contact CALC in future.

WHAT COULD HAVE BEEN DONE BETTER?

1. **More time for the Generalist lawyers to spend working out of CALC** – the original intention of this model was for one generalist to visit the specialist and for the Specialist to visit the other Generalist (a 'two way exchange') but, in recognition of the distances involved (particularly with HRCLS), the 3 CLCs adapted this to have CALC visit both centres and have fewer days of HRCLS and BCLS shadowing CALC. While this made sense and the budget precluded multiple days of shadowing, it may have been beneficial for both HRCLS and BCLS to extend their visits by having the main lawyer spend an extra 1 or 2 days working on files out of CALC's office and using their facilities to teleconference/videoconference with clients and staff 'back home', as needed.
2. **Managing the potential for over delivery** – While the efforts of the 3 CLCs are to be lauded, it was clear that the exceptional results of this Pilot were, in part, due to those involved, particularly at CALC, delivering beyond what was expected from the MoU and the associated funding. The fact that CALC are experienced in collaborative practice meant both that they were likely to put in additional effort and be able to absorb that extra work, however it is important to acknowledge the potential for over delivery / inadequacy of funding if this model was to be replicated in future.

PILOT 3 – EMPLOYMENT LAW WITH JOB WATCH, WESTJUSTICE AND FITZROY LEGAL SERVICE

It was great to shadow [Ian Scott, Principal Lawyer at JobWatch] and experience his approach in getting through complex matters in a short time frame."

Gabrielle Watson-Munro, Employment Project Solicitor, WEstjustice.

HOW DID IT COME ABOUT?

Job Watch is a specialist employment law CLC, which has operated as a statewide service for 37 years. It provides a telephone information service which responds to approximately 11,000 calls, and a legal practice which opens around 120 case work files annually.

In recognition of legal needs research indicating that employment law assistance is out of reach for many Victorians, Job Watch liaised with WEstjustice and Fitzroy Legal Service (FLS) to test the in situ exchange model. WEstjustice is a generalist centre that offers specialised services, including the establishment of an Employment Law Project and Service to support newly arrived refugee and asylum seeker clients with work-related issues. FLS is a generalist service which has also experienced a high level of demand for employment law assistance in its community. The intention was for Job Watch to impart its specialist knowledge to broaden and enhance the service provision at WEstjustice and FLS.

WHAT WAS IT TRYING TO ACHIEVE AND HOW?

The overarching goal of 'Improved understanding of services and capacity building in employment law' was to be achieved in four main ways:

1. Reviewing/developing documents and processes
2. Delivery of training by JobWatch
3. Shadowing and secondments
4. Secondary consultations and warm referrals

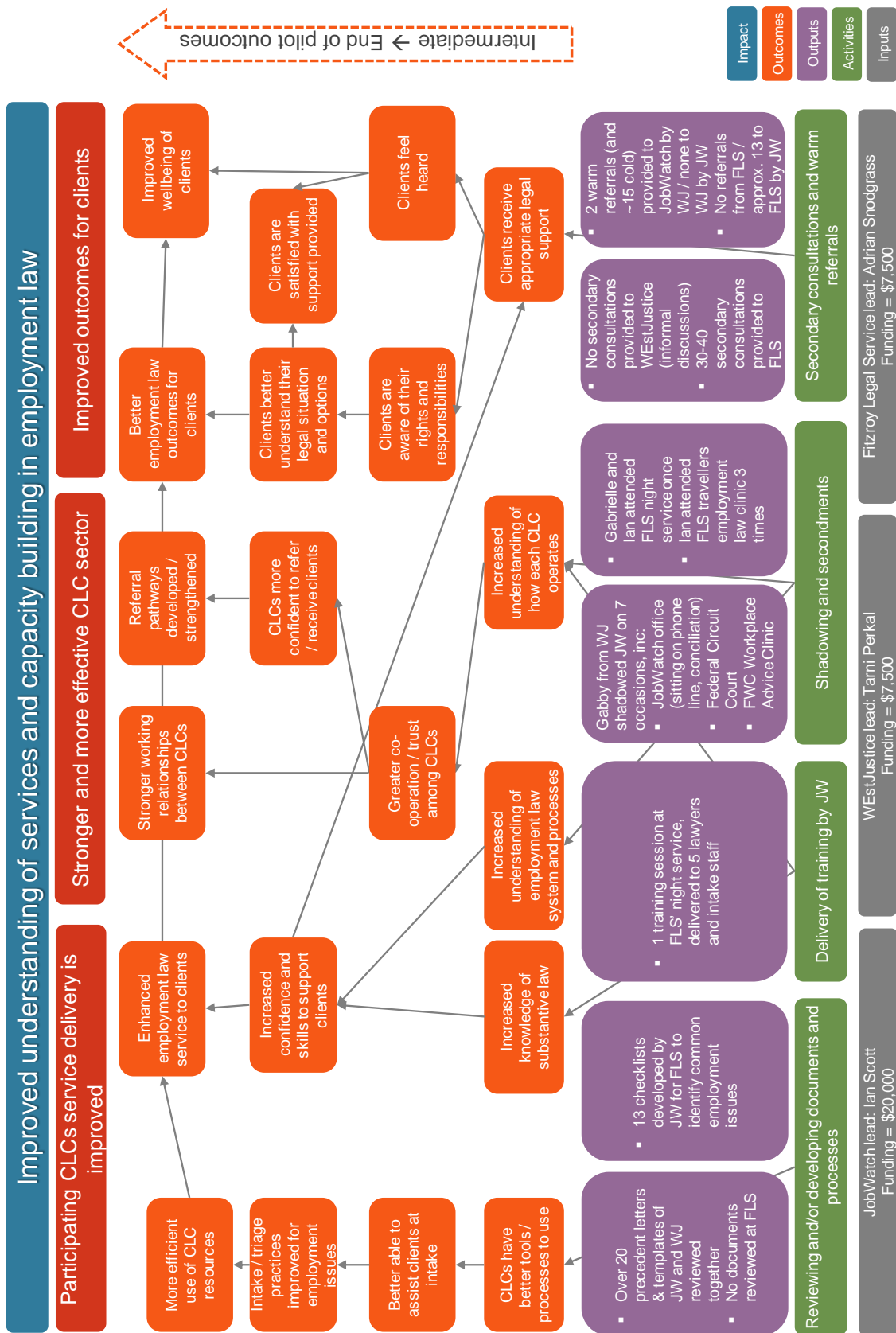


Figure 21 - Theory of Change for employment law pilot

WHAT WAS ACHIEVED?

All expected delivery of activities and outputs were met (green and purple boxes in the Theory of Change), though it should be noted that there was a shift in focus of activities between JobWatch and FLS halfway through the Pilot. Originally a lawyer from JobWatch was to be seconded to the FLS weekly night service and this occurred in February. However, at the same time as this Pilot was commencing (late 2017), FLS obtained funding to commence a weekly Travellers Employment Law Clinic. After Ian and Gabrielle from JobWatch attended the night service once, it was agreed in April by JobWatch, FLS and the Federation to shift the focus of the remainder of the Pilot to the Travellers Employment Law Clinic.

The extent to which the main outcomes (top level orange boxes in the Theory of Change) were achieved is explored below:

1. Enhanced employment law service

Prior to the Pilot, WEstJustice had an established employment law practice, primarily supporting newly arrived migrants, asylum seekers and students in the western suburbs. They have in-house and volunteer lawyers experienced in employment law, as well as strong relationships with a corporate law firm and labour law firm for technical and strategic discussions. At FLS, the manager of the night service (Adrian Snodgrass) had experience and knowledge of employment law, as did some of the volunteer lawyers who staffed the night service, however employment law per se was not an established practice.

As a result, neither of the generalist centres appeared to have experienced a significant enhancement in their employment law service from this Pilot. This is partly due to the relatively high baseline level of existing knowledge, skills and confidence reported in the pre-pilot survey by the two main Generalist lawyers (Gabby at WJ and Adrian at FLS).

- ▼ Only two staff from WJ responded to both the pre-Pilot and post-Pilot survey so it is difficult to draw even tentative conclusions on the impact of knowledge, confidence and skills for individual personnel. The surveys do align with the consultations with WJ staff, which indicated that the partnership with JobWatch was mostly helpful for confirming the quality of WJ's employment practice and had minimal impact on their service delivery to clients

"Whilst the WJ lawyers already had a high level of confidence and skill, the Pilot did assist to increase this confidence, as it provided an opportunity to share experiences and ideas with the JobWatch lawyers. It was reassuring to see that the way WJ approaches matters is similar) to that of JobWatch's approach"

Tarni Perkal, Employment Practice Manager WEstJustice

- ▼ The staff surveyed at FLS reported slight increases in knowledge, confidence and skills, however these results should be considered in the context of the shifting of the Pilot's focus from the night service (whose volunteers mostly responded to the pre-pilot survey) to the Travellers Employment Law Clinic (which had fewer volunteers and so fewer respondents to the post-pilot survey). As such survey responses should be treated cautiously but it appears that the initial training from Ian at FLS resulted in a slight increase in knowledge; while the ongoing visits and support/secondary consultations appear to have enhanced the FLS lawyers' confidence and skill to deliver services to clients.



Figure 22 - Change in specialist law knowledge at fls after the pilot on a scale of 0-10 (n=9)

"I don't think there has been a general increase [in employment law knowledge at either centre] but more in the way of tailored knowledge improvement and exchange of knowledge... It's not telling someone: 'here's something you might need to know in the future', it's looking directly at cases and matters in real time" –

Ian Scott, Principal Lawyer at JobWatch

2. Stronger working relationships between CLCs

The consultations, final reports and surveys indicated that there has been mixed success in this outcome:

- ▼ strong relationships had developed between the two main lawyers (Adrian and Morgan) at FLS and Ian at JobWatch and knowledge of JobWatch's services had improved both at an individual and organisational level at WEstJustice, but it was not clear how much JobWatch's knowledge of the two generalists had improved – see Figure 23



Figure 23 - Change in each centre's knowledge of the other centre

- ▼ The limited number of survey respondents make it difficult to assess but the majority of staff at JobWatch and FLS (apart from the individuals directly involved in the Pilot) indicated that they didn't know whether the Pilot had improved the strength of the relationships between the centres, suggesting that the improved relationships were at a personal rather than institutional level – see Figure 24

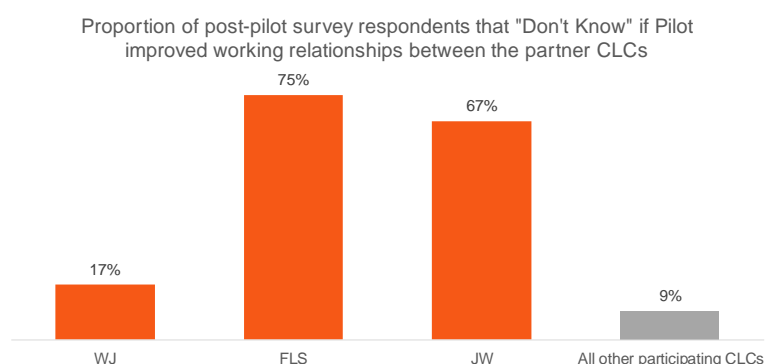


Figure 24 - Proportion of post-pilot survey respondents that "don't know" if pilot improved working relationships between the partner clcs

All 3 centres did expect that the relationships built through this Pilot would last and ideally lead to broader collaborative and strategic work. For example, there has been an unintended benefit from this Pilot with WEstjustice learning about FLS' growing employment practice. This meant that when WEstjustice was setting up a new and regular formal collaborative exchange between the community legal centres working in this space and Fair Work Ombudsman, they invited FLS, thereby contributing to an emerging network of CLCs involved in employment law.

3. Referral pathways developed and strengthened

The pilot has clearly contributed to improved referral pathways between Job Watch to FLS; however the overall picture for this outcome is mixed:

- At an individual level, the consultations revealed that while WJ lawyers had a better understanding of JW's intake processes now to assist with referrals going forward, both generalists were reluctant to refer to Job Watch due to their perception of Job Watch being over capacity and the Generalist wanting to provide continuity of service internally. No referrals were made from FLS, while 2 'warm' referrals were made by WJ to Job Watch and a number of 'cold' referrals from reception. No referrals were made from Job Watch to WJ but 13 were made to FLS and Ian at Job Watch was more open to referring to the two generalists after spending time with them.

"I'm absolutely more confident to refer clients to FLS after getting to spend some time there. I know that they will follow up with a client that I refer, based on their capacity and hunger to provide this work. Communication and referral pathways are open and will remain so post this project. JW has already commenced another partnership with WJ in relation to the International Students Work Rights Legal Service"

Ian Scott, Principal Lawyer, Job Watch

- At an organisation level, survey results indicate that the confidence of personnel across all 3 centres to either refer or receive referrals had not increased markedly and again the majority of staff/volunteers did not know if the Pilot had improved referral pathways between centres.

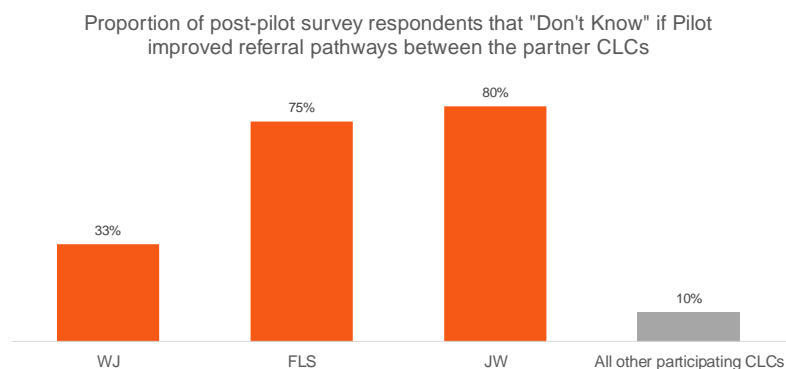


Figure 25 - Proportion of post-pilot survey respondents that "don't know" if pilot improved working relationships between the partner CLCs

- For FLS, the concurrent implementation of this Pilot and the establishment of their Travellers Employment Law Clinic was synergistic as it provided FLS with a stream of referrals from Job Watch for clients that Job Watch may otherwise have been unable to help – a total of 13 warm referrals were made from Ian to FLS; however much of this increase in referrals is due to the extra capacity at FLS due to the clinic and so this Pilot has helped improve individual relationships. However it is not clear whether there would be as many referrals without the Clinic or, conversely, whether there would have been the same number of referrals anyway without this Pilot.

4. Better employment law outcomes for clients

Case studies of clients were provided by both Generalists, as well as survey responses for 3 WEstjustice clients whose files had been closed, to help determine the impact on clients' legal outcomes:

- ▼ The staff/volunteer survey results for all three centres were again mixed for this outcome with the majority of personnel indicating either that they didn't know if the Pilot had led to "Better support / better legal outcomes for clients" or in the case of two respondents, didn't think the Pilot had led to better outcomes for clients.

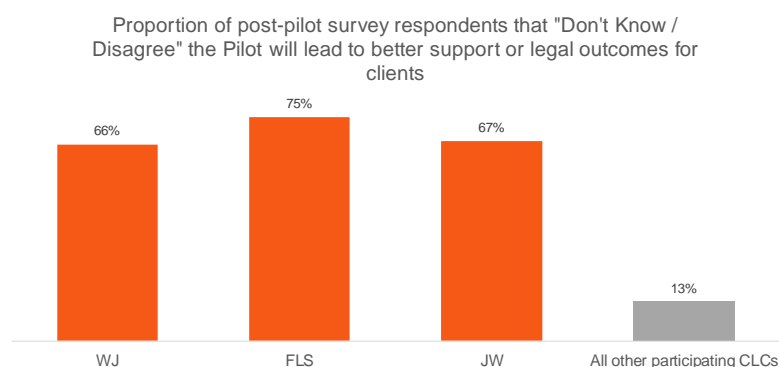


Figure 26 - Proportion of post-pilot survey respondents that "don't know / disagree" that pilot led to better support or legal outcomes for clients

- ▼ For WJ, the case studies and responses of the clients surveyed by WEstjustice (all 3 were very satisfied with the legal support they received) simply corroborated the existing high quality of WJ's employment law practice as the Pilot did not contribute to any better legal outcomes for WJ's clients.
- ▼ For FLS, the case studies demonstrated that the secondary consultations/support for clients provided by Ian unequivocally meant better legal outcomes for clients, especially the 13 who were referred by Job Watch and may not have received support otherwise. While this was to an extent facilitated by the new clinic at FLS, the relationship established through the Pilot appears to have meant greater continuity of service for clients, as evidenced by one particular case where FLS and Job Watch's services have proved complementary.

"Job Watch and FLS are collaborating on a matter where an employer has applied for an intervention order against a young migrant worker when he complained about not being paid. Job Watch are litigating the underpayment and we are providing court representation for the intervention order contest (as Job Watch do not run IVOs)"

Adrian Snodgrass, Managing Lawyer, Fitzroy Legal Services

PILOT 3 - CONCLUSIONS

WHAT WORKED WELL?

1. **Flexibility around activities** – After spending the initial months of the Pilot focused on the FLS night service, Job Watch and FLS agreed to shift their attention to the Travellers Employment Law Clinic. The unpredictability of matters that come up at the night service meant that there may not have been many employment matters on the days when Ian attended. Having the fortuitous circumstance of a separately funded employment focused clinic meant that Ian from Job Watch was deployed more efficiently and demonstrates the flexibility of the two centres to adapt to changing circumstances.
2. **Variety of shadowing opportunities** – This also flowed from flexibility as WJ opted to shadow Job Watch for specific purposes rather than on set days. This meant Gabby from WJ was able to shadow both senior lawyers from Job Watch in multiple ways, e.g. sitting in on JW phone info line, the WAC at the Fair Work Commission, a conciliation teleconference, observing JW supervision of students, and a representation at the Federal Circuit Court. Both JW lawyers also had quite different clients and so Gabby was able to observe a diversity of matters.
3. **Regular case meetings** – Both Job Watch and FLS appeared to greatly value the regular face to face meeting (usually between Ian at JW and Adrian & Morgan at FLS) to discuss case strategies, trade insights and have Ian act as a sounding board.

WHAT COULD HAVE BEEN DONE BETTER?

1. **Reconfiguring the relationship with WEstjustice** – the employment law practice at WEstjustice is fairly well established and they have a number of experienced volunteer and staff lawyers and existing relationships with law firms for technical legal support. It was not clear how the proposed in situ exchange model was going to be of significant benefit to WEstjustice's employment law practice (Gabby could have shadowed WEstjustice's own employment lawyers, for example) nor to Job Watch's clients (as no referrals were made to WEstjustice during the Pilot). Instead, the centres could have initially proposed a more structured secondment exchange model whereby Gabby was seconded to Job Watch and a Job Watch lawyer was seconded to WJ for a period of time. This would have likely led to even stronger individual and institutional relationship building and had the added benefit of not impacting the overall resourcing at either centre. Alternatively, Job Watch could have brought their extensive experience to WJ's employment law project to collaboratively undertake more strategic work and better understand WJ's strategic focus so that eligible calls to Job Watch could be referred on.
2. **Building in a feedback loop for referral pathways** – while there were no formal targets around referrals made or accepted, it was clear that the referral pathways remained quite informal and primarily worked from JobWatch to FLS because of FLS' increased capacity through the separately funded clinic. There were no referrals to WEstJustice from JW and only two of around 15 referrals from WEstJustice to Job Watch were warm and even then, the outcomes of those two were not communicated back to WJ as neither centre followed up with the other. While recognising the busy working environment at centres, building in a feedback loop into a more formal referral pathway would help ensure there is more confidence and accountability around referrals.

There were a number of learnings about inter-CLC collaboration highlighted through this particular Pilot, in light of the unique characteristics of the CLCs involved; namely that one Generalist already had an established practice in the specific area of law, the other Generalist was funded independently to provide a dedicated clinic in the specific area of law, and the Specialist was the smallest in terms of resources of all 4 specialists involved in this Project.

In addition to the above opportunities for improvement, this Pilot has demonstrated that:

- ▼ For an intensive collaborative approach to 'upskilling staff' there should be a significant gap in the level of knowledge/experience between centres from the outset so that there is 'space' for a transfer of skills between the Specialist and Generalist;
- ▼ Specialists should prioritise partnerships with a CLC that does not already have strong established relationships with other firms or practitioners that practise in that specialist area of law; and
- ▼ Undertaking secondments or secondary consultations at clinics where there is some predictability/regularity about the matters and there are not likely to already be experienced lawyer volunteers there anyway, e.g. if this Pilot continued with the FLS Night Service, there may have been fewer consultations by JobWatch.

PILOT 4 – POLICE DUTY FAILURES IN FAMILY VIOLENCE CASES WITH FLEMINGTON KENSINGTON CLC, WOMEN’S LEGAL SERVICE VICTORIA AND ST KILDA LEGAL SERVICE

“Overall, we have learnt a lot about police duty failures, and built relationships across the CLC sector, and our local community, through this project. We have also learnt a lot about what is needed in the collaborative process, what we would look for in a project partner in the future, and it has allowed us time and space to test out a new way of working.”

Agata Wierzbowski, Principal Lawyer St Kilda Legal Service

HOW DID IT COME ABOUT?

When family difficulties turn violent, police intervention is meant to protect the victim. However, CLCs practicing in this field have noted that this does not always occur. Sometimes police fail to take adequate protective action or misidentify the victim as the primary aggressor. This is not a new problem, but the following three CLCs came together and proposed to test a hybrid approach for this Pilot – mixing the “Collaborative Casework” and “Collaborative Advocacy” models - with a view to improving CLC skills to remedy the issue in the short-term and build an evidence-based platform for future advocacy and campaigning.

Flemington Kensington CLC (FKCLC) is a Generalist CLC, with a unique specialisation through their Police Accountability Project. They practice casework and campaigning to bring police to account for breaches of duty standards, by invoking the police complaints mechanism, and engaging in strategic advocacy. Women’s Legal Service (WLS) is a Specialist CLC with significant experience providing casework support to survivors of family breakdown and a strong strategic campaigning approach to advocate for systemic change. St Kilda Legal Service (SKLS), like most Generalist CLC services, does a significant amount of advice and casework support to victims of family violence.

WHAT WAS IT TRYING TO ACHIEVE AND HOW...?

The overarching goal of ‘Creating a clear CLC pathway for family violence victims who experience police duty failures’ was to be achieved in three main ways:

1. Developing an evidence base
2. Sharing expertise through training and materials
3. Supported casework and referrals for litigation

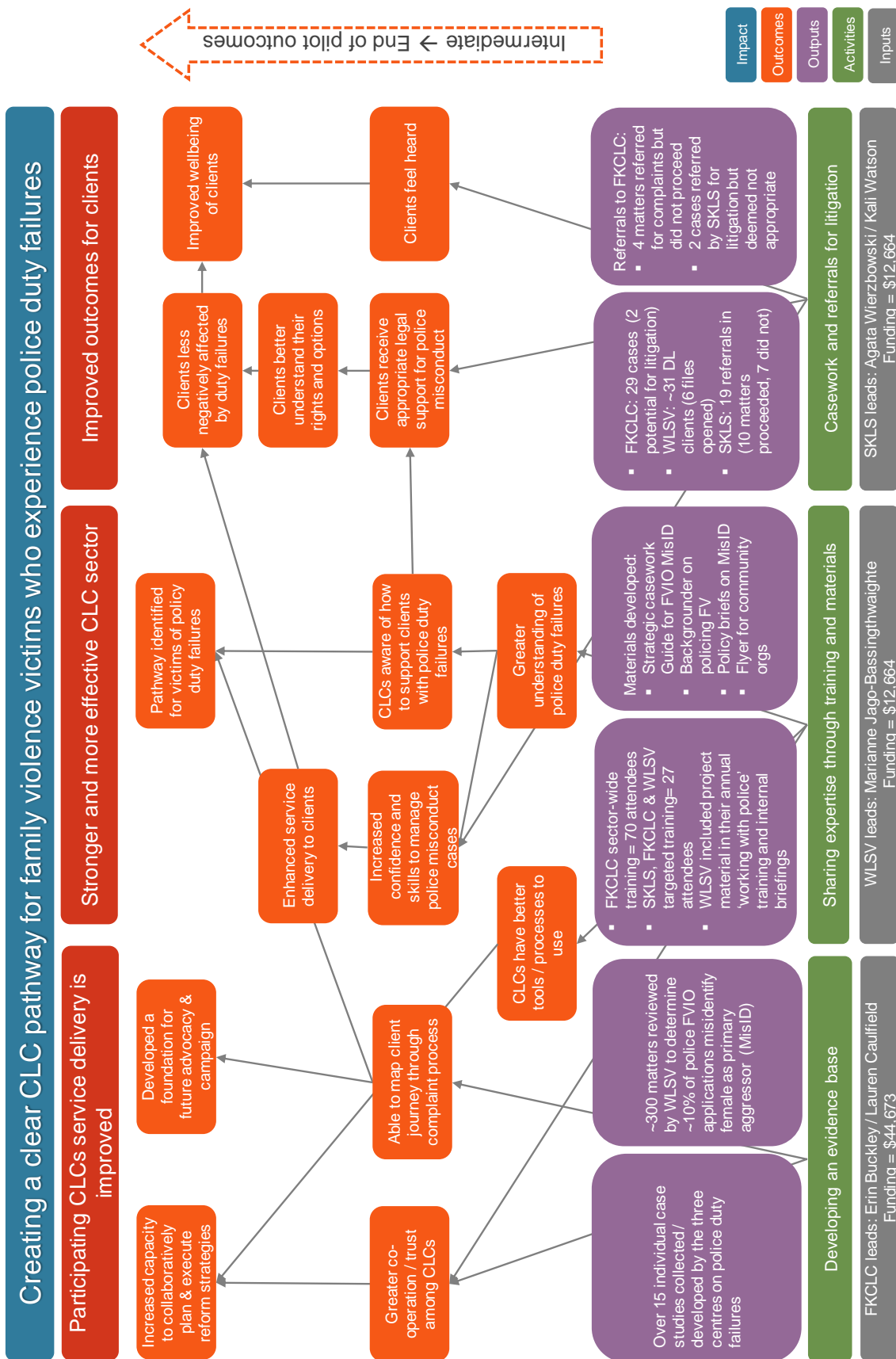


Figure 27 - Theory of change for Police accountability in family violence pilot

Case study: Stephanie

Marianne Jago-Bassingthwaighe, Senior Policy Advisor, Women's Legal Service

We've known for a long time that women impacted by family violence sometimes – wrongly - have policing and court attentions turned on them, at the time when they most need protection. Through the life of the project we really went hard on misidentification of perpetrators (MisID), figuring out the best complaints pathway was to engage as early as possible with VicPol to withdraw their application against her, and to sharpen our court advocacy. We made a lot of calls to police stations, liaising with women who've been misidentified (or been subject to other duty lapses from VicPol). There were just over 50 MisID cases. I wrote 8 case studies, but quickly learnt that at least for some women, telling her own story could also help her recover. Stephanie took some time to write her own impact statement, in which she recounted the horror of betrayed trust - first in the partner who turned violent with the birth of a baby, and then in the police and courts not protecting her, and DHHS becoming involved. It really spoke to how quickly women's lives can spiral out of control - even when they have a supportive family and their own income. In other MisID cases, women had been separated from home, children and faced criminal proceedings. Levels of trauma and fear of both the perpetrator and police are high.

Stephanie did not want to make a police complaint because she is afraid of police and thought that they could involve DHHS. She did want to tell us her story, to assist other women, as part of our project. Stephanie and Marianne have met with an ABC journalist, who interviewed her for a range of media stories on MisID. She was referred to the project by one of our case work lawyers, and was astonished to hear that police misidentify 1 in 8 women on FVIOs, and that she was not alone. Her first contact with WLSV was through our duty lawyer service at Melbourne Magistrate's Court, earlier this year, where she first heard the term "misidentification" in relation to the Family Violence Intervention Order which named her as the primary aggressor.

Stephanie is a 35 year old communications professional, who had recently given birth to her first child when her partner Milo assaulted her. Stephanie fought back, and Milo took her keys and phone, and called the police. Two male police arrived.

"When the policeman asked me to recount my story, I was very emotional, but I tried my best to articulate that my partner had hit me first, without trying to sound like a child. The policeman said, "well if he hit you first, why didn't you call police? I could hear you screaming when your partner was on the phone to us", making out that I was just another crazy screaming female. I replied that I couldn't call because my partner hid my phone. I later confirmed that my partner didn't tell police that he had hit me at all".

Police took Stephanie to the station, in the back of their police wagon, separating her from her baby. They photographed her, and took and searched through her belongings.

"I was crying and repeating myself that I was not a criminal, that my partner hit me first, but no one looked up at me or spoke to me. I was then escorted to a room that was graffitied, with a chair and a table bolted to the ground. The policeman then locked the heavy door behind me. I remember looking at the scratch marks on the back of the door and wondering what sort of people had been here. I felt like a true criminal now and I was furious that I was being unjustly categorised as one".

Later that night police escorted Stephanie home so she could collect her baby and her belongings. They had determined she was the primary aggressor, so she was excluded from the house.

"I went back to my parents' home with my baby and have continued to reside there ever since. My ex-partner and I have now separated as a result of the police removing me from my home. What if I had nowhere to go? What would I have done? Some women have no family or friends, where would they have gone? And with a baby as well?"

PILOT EVALUATIONS

At the third court hearing, following WLSV duty lawyers' advocacy, police agreed to withdraw their application. Stephanie still becomes emotional in describing what happens, but her resilience is also evident.

"In trying to be positive, I'm going to pluck some lessons from my experience over the past 10 months. Firstly, I will never call police again if I need protection. They have destroyed my belief in the system, and quite frankly, I'm scared of them. Secondly, I will never trust a man who tries to isolate me from my own family again. Thirdly, I know who my true friends are now, as they were there for me in my darkest hour".

This work has been challenging, confronting and at times rewarding. Stephanie has read and commented on our two policy briefs, which we have shared with impacted women, our colleagues at VicPol, the media, and other stakeholders with whom we are collaborating to stop MisID. Her articulacy during her interview with the ABC was a great service to all women who are misidentified, and testament to her recovering her belief in herself. We have started sending impacted women a copy of the *Police Code of Practice on the Investigation of Family Violence* (which we first did for Stephanie), to support them in their own advocacy. It's a story whose time has come – we have a lot of support from the sector, which the data from our project has also helped to galvanise. We are particularly grateful to Stephanie for her courage in sharing her story, at a time when her recovery continues.



WHAT WAS ACHIEVED?

All expected delivery of activities and outputs were met (green and purple boxes in the Theory of Change).

The one area where there was less activity than expected was around collaborative / supported casework. The reasons behind this and the extent to which the main outcomes (top level orange boxes in the Theory of Change) were achieved is explored below:

1. Pathway identified for victims of police duty failures

This was considered the primary objective of the Pilot in the six month period (i.e. if a client was unhappy with police response, they know where to go and what to do). In order to identify this pathway, the centres needed to better understand police duty failures, existing complaints systems and how to support clients that have experienced duty failures. All three centres were confident that this had been achieved, noting that their own understanding of what the pathway might look like evolved through the Pilot and that there is no 'clear pathway' but multiple pathways.

- ▼ The combination of training and collecting case studies (through duty lawyer services and referrals) helped with this:
 - The individual centres had different approaches to understanding the pathways.
 - For FKCLC, it was understanding that there are various roadblocks along the way (e.g. access to services, other risk factors, legal support for contests), and identifying the particular cohorts that are least likely to make complaints or Family Violence Intervention Order applications (those who lack trust in the system and those who cannot engage legal support beyond the mention stage with an upcoming contest, because CLCs are generally not resourced to run contested hearings) by the Family Violence Intervention Order process
 - For WLSV, the pathway involves mostly mapping the interaction with women through their duty lawyer service at Melbourne Magistrate's Court, then negotiating advocacy around intervention orders, identifying interrelated legal and non legal issues, and then referring to FKCLC Police Accountability Project.
 - For SKLS, none of their clients proceeded to a complaint stage so it was about better understanding their experiences with police duty failures and working with community organisations/police in their area to determine the best avenues for support.

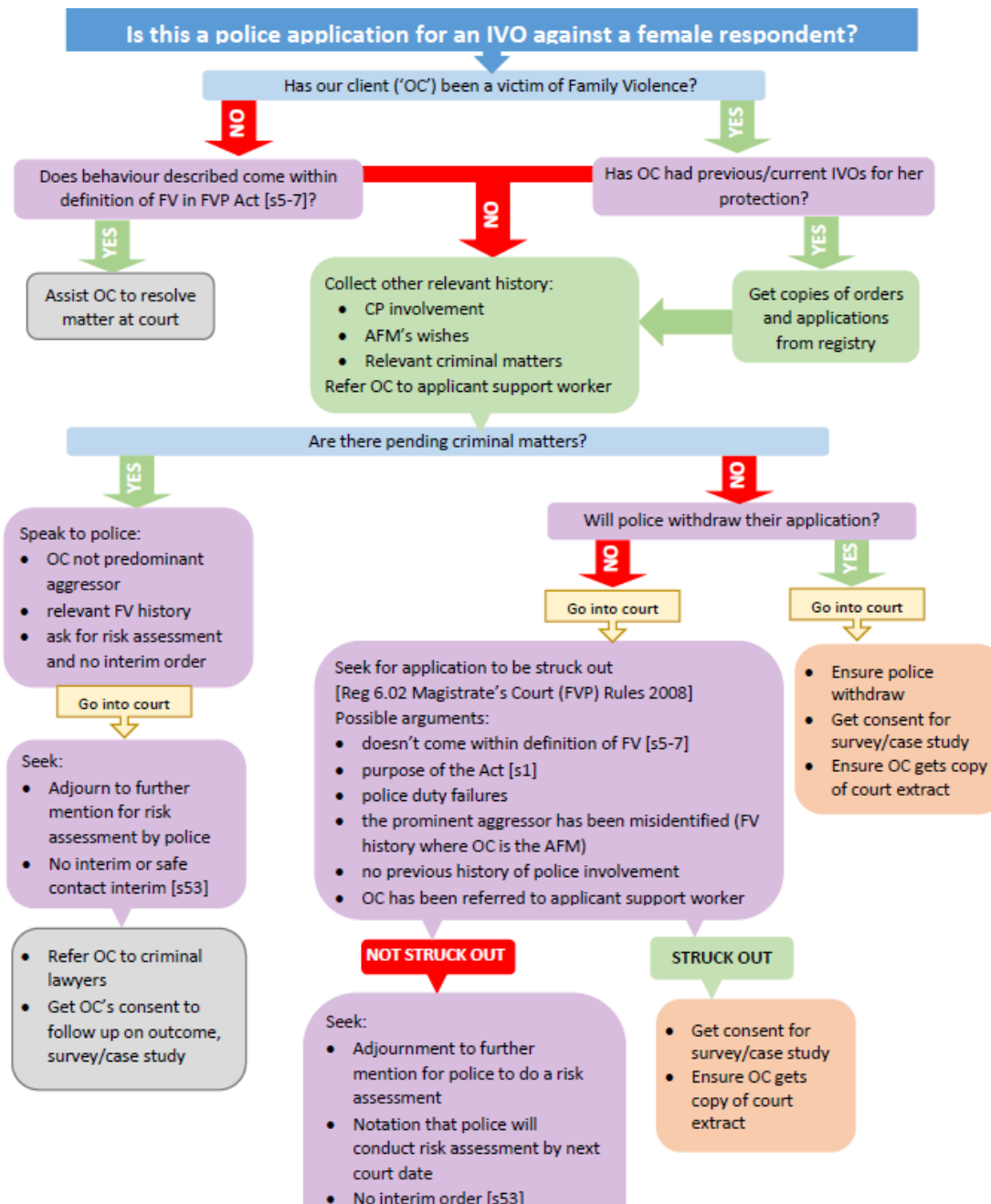
"This [mapping the pathways] has happened through this Pilot and it's not a uniform map and that's ok, clients will vary and there are roadblocks along the way. Without legal representation and no faith in police, there is no imperative for client to proceed with the process"

Erin Buckley, Lawyer Flemington Kensington CLC

- ▼ The experience of WLSV duty lawyers also resulted in the production of a flow chart (and subsequently strategic casework guide) for use by lawyers to determine how to handle a potential case of MisID at court and in at least one case, this guide was used to have police withdraw their application – see extract below.
- ▼ The attendance at trainings delivered by the centres to community lawyers and workers demonstrated the need for better supporting survivors experiencing duty lawyer failures and improved understanding beyond the three centres.

"The oversubscription of the training sessions demonstrated that... workers are identifying [family violence related police duty failures] as an issue but may not have the expertise or capacity currently to respond meaningfully to the problem. This validated the importance of this project."

Kali Watson & Agata Wierzbowski, St Kilda Legal Service



There were far fewer complaints lodged than the CLCs might have expected and while the pathway for clients is nebulous, the process of lodging police complaints is straightforward and so SKLS was quite easily able to upskill in this and required much less support from FKCLC than originally assumed.

For most clients SKLS interviewed, who did not want to make a complaint, telling their story provided them with a sense of validation and closure. They were distrustful of police and felt that although they were aware their experiences were negative, having this identified as a duty failure and having someone listen to their story was a benefit to them"

Agata Wierzbowski, Principal Lawyer, St Kilda Legal Service

2. Developed a foundation for future advocacy & campaign

It was clear from the consultations with the three centres that their improved understanding of police duty failures and materials produced through this Pilot has put them in a strong position to continue future advocacy work in this area. FKCLC felt that the joint work and evidence base gathered meant that the centres now have “a strong idea of the direction that the advocacy needs to take”. While WLSV and SKLS agreed that the foundation exists, the priorities of all three centres are slightly different and so some further work is required to identify the focus for one or more campaigns/advocacy efforts, e.g.:

- ▼ WLSV has led the quantitative analysis of MisID and determined that approx. 10% of FVIO applications by police incorrectly identified the woman survivor as the perpetrator. This provides powerful evidence of the issue at particular police stations so they intend to use this information to further engage police and courts, including by presenting the costs of all the additional service provision required based on MisID

“The case studies show that the overall pilot outcome of a clear CLC pathway was too limited, and slightly misconceived. Trialling this approach was necessary for us to reach ... a deep understanding of why complaints don't work in this context and some new, data-informed ideas for what to do about that. Noting the high level of systemic dysfunction in relation to police duty failures and complaints, the work ahead is to build relationships and coalitions with systemic change makers from within police, the Magistracy and the legal sector more broadly, and look for points of accountability around police MisID and duty failures”

Marianne Jago-Bassingthwaighte, Senior Policy Advisor, Women's Legal Service Victoria

- ▼ SKLS has gathered case studies to understand the issue and are working to expand the capacity of the sector to respond (including working with local police). They feel that in the current political environment, a broad campaign which highlights individual case studies and storytelling will help assist family violence survivors receive a better police response.

“We emailed a number of police stations and Prahran responded so we met with their family violence unit in mid-May and developed a relationship there, which we hope to use as an alternative to formal police complaint mechanism. Without this Pilot, we would not have developed the relationship with Prahran station. It hasn't yet been tested but confident that it helps achieve the overall goal of identifying a clear pathway”

Agata Wierzbowski, Managing Lawyer St Kilda Legal Service

Recognising there was some uncertainty around the future advocacy and campaigning work, the three centres requested the FCLC Project Manager facilitate a reflective session in mid June to explore the shared aspirations for the work going forward. This has since led to ongoing collaborative planning and advocacy work, including the acting CEO of WLSV publicly calling for the Victorian Government to commission an independent evaluation of the implementation of the Victoria Police Code of Practice for the investigation of family violence.

As featured on [ABC website](#), Acting CEO of Women's Legal Services, Helen Matthews, said practice lapses by police officers are common place and stations needed to be audited. “We suggest that the Victorian Government commission an independent evaluation of the implementation of the Code of Practice,” Ms Matthews said.

3. Increased capacity to collaboratively plan and execute reform strategies

This outcome unequivocally occurred for all centres as evidenced by the improvement in relationships, joint materials developed and ongoing work:

- ▼ The staff involved directly in the Pilot at each centre pointed to strengthened relationships and greater trust brought about through the collaboration.
- ▼ The staff/volunteer surveys confirmed that relationships had improved centre-wide, at least for WLSV and FKCLC4, with improvements in the knowledge of each other's services and perceived strength of institutional relationships increasing as well as a majority of staff agreeing that there were 'stronger working relationships' between the centres from this Pilot

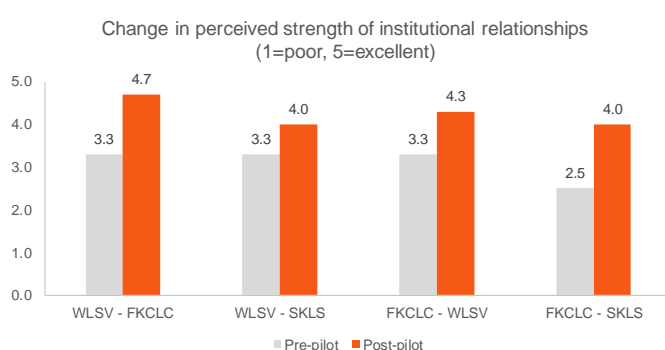


Figure 28 - Change in perceived strength of institutional relationships

- ▼ The increased trust and stronger working relationships also translated into staff and volunteers at FKCLC and WLSV strongly agreeing this Pilot had led to better working relationships with external stakeholders (e.g. governments, police, courts) and more effective advocacy and law reform (especially compared to staff/volunteers at other participating CLCs).

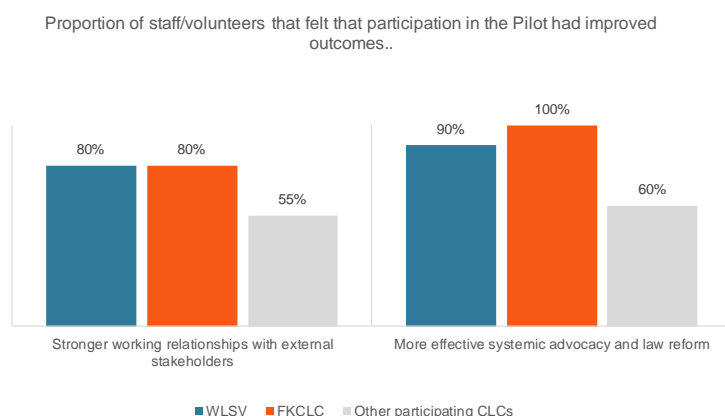


Figure 29 - Proportion of staff/volunteers that felt participation in the pilot had improved systemic advocacy outcomes

⁴ No post-pilot survey responses were received from SKLS; though it was noted that a more centre to centre (rather than personalised) relationship had developed.

PILOT 4 - CONCLUSIONS

WHAT WORKED WELL?

1. The alignment of centres' strategic priorities and current environment – for WLSV and FKCLC in particular, the focus of this Pilot was an extension of much of their centre's work and so it meant that both the Pilot received a large amount of internal support but also that the work of the Pilot catalysed other aspects of the centre's work, e.g. the MisID analysis would have occurred at WLSV regardless but this Pilot accelerated the process. Additionally, FKCLC felt that the current media and community scrutiny around both police accountability and family violence (e.g. IBAC inquiry into police oversight) meant the work of this Pilot progressed and had better outcomes than may have been possible 1-2 years ago. Working on matters which have strategic importance to the centre and capitalise on contemporaneous media/community focus is an efficacious approach.
2. Complementary strategic approaches – this Pilot allowed 3 centres with different philosophies to work together in complementary ways, though this took some time to emerge. As Erin from FKCLC noted, "the institutional separation provided by this Pilot enabled the centres to complement each other, e.g. if WLSV or SKLS face resistance with police for a client they can refer to us"

FKCLC are very much about accountability and challenging police in criminal matters where police are infringing rights, where WLSV tend to take a strengths based approach to working with police (who we often see every day in court). This referral pathway [developed through the Pilot] is a remedy for this tension because we can refer our clients to FKCLC for when they need that extra challenge/accountability more so than our approach."

Elisa Whitaker, Director Women's Legal Service Victoria

3. Complementary skills and practices – WLSV were on the ground at the Melbourne Magistrate's Court providing duty lawyer services which helped identify matters which could feed into the Pilot and FKCLC's broader police accountability work. The two centres also provide a lot of training and used the opportunity to deliver sector wide training with the input of SKLS (to both legal and non-legal professionals), which highlighted the cross-sector nature of the issue of police accountability in family violence cases.
4. Succession planning – It is not uncommon for CLC lawyers, as with other professions, to move on to other centres and succession planning is a key to retaining some of the knowledge and networks of personnel after they leave. This issue was brought into sharp relief as both Erin (at FKCLC) and Kali (at SKLS) moved on at the conclusion of the Pilot. This was recognised in time for the partners to request a reflection session facilitated by the FCLC Project Manager to help ensure continuity of the collaborative outcomes and Marianne at WLSV has committed to working with Lauren Caulfield at FKCLC, with the added benefit that Erin is herself moving to WLSV.

WHAT COULD HAVE BEEN DONE BETTER?

1. **Agreeing on a common vision or objectives early** – the initial priorities were different for the 3 centres, i.e. for SKLS it was decentralising expertise + building capacity to assist clients; for WLSV it was MisID and internal capacity building; for FKCLC it was about extending their police accountability campaign. This meant that there was no shared purpose or vision at the start and centres went about their work somewhat independently and only after establishing a weekly teleconference and regular face to face meeting (and a shared Google Drive) was there a more cohesive and collaborative approach. This was partly exacerbated by the project manager at FKCLC (Erin) being the designated pilot co-ordinator but only commencing two months into the Pilot, therefore missing the initial pilot meeting to develop the theory of change and set up the MoU.

"I think we each assumed we would be able to make complaints successfully for impacted women, because of Flem Ken's successes. I assumed that complaints for one area of specialisation (police conduct in relation to racialized policing) would translate for another area of specialisation (the family violence space). It didn't. But we had to test this in order to know it wasn't going to work so learning to test assumptions carefully at the outset."

Marianne Jago-Bassingthwaighe, Senior Policy Advisor, Women's Legal Service Victoria

2. **Adjusting for the challenging nature of cases in this area** – As noted, FKCLC was the designated project co-ordinator but Erin took on more casework than anticipated. The intensive nature of the work meant a significant amount of additional work had to be done by the FKCLC project manager and this was deemed unavoidable in the circumstances because 3 clients in particular were identified as high risk and FKCLC felt an obligation to provide support once they had requested their story. Casework could have been managed by someone else to ensure Erin had the time and space to focus on the core Pilot activities. Alternatively, the funding could have been adjusted to allow for this casework role to be taken on by WLSV as the majority of funding was allocated to FKCLC for pilot co-ordination and WLSV was not funded to accept referrals or take on any casework from the Pilot. At SKLS, this also manifested in Kali having to go out to clients at a more convenient location as appointments scheduled at SKLS were often cancelled and even then, interviewing clients required additional care to ensure traumatised individuals were able to share their stories and focus on the police duty failure alongside any trauma and mental health.
3. **Longevity around roles and embedding collaborative activities** – It is important to incorporate collaborative activities within the position description of ongoing staff, rather than creating it as a discrete responsibility for a person who is employed solely for the duration of a project. At FKCLC Erin was brought in for this short-term role and that is not conducive to building ongoing relationships or retaining the knowledge.

6. CONCLUSION



CONCLUSION

The Legal Assistance Sector must continue adapting to keep up with the community's legal needs. The findings, conclusions and recommendations in this report might seem a lot to ask of a sector already under great demands. Nonetheless, great change can start with small steps. The pilot models we tested are simple demonstrations that with open-minded collaborative practice and reflection comes improvement and growth. They are proof that collaboration works.

We sincerely hope that the impact of this Project doesn't end with the launch of this Report. We hope that it is a catalyst for change within the Legal Assistance Sector. We hope that it triggers conversations and robust debates about how to best do what CLC's do best – provide essential, integrated, holistic legal support to the people in their communities who need it most.

ANNEXURES

Annexure A - Project Evaluation



EVALUATION OF GENERALIST SPECIALIST PROJECT Federation of Community Legal Centres

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Prepared by The Incus Group

August 2018

About this report

This report presents an evaluation of the Federation of Community Legal Centres (FCLC) Generalist Specialist Project ("the Project"). This document should be read in full and in conjunction with the Project Report.

The report is structured as follows:

- **Section 1** provides background to the evaluation
- **Section 2** discusses the Relevance and Appropriateness of the Project
- **Section 3** discusses its Effectiveness
- **Section 4** discusses its Efficiency
- **Section 5** outlines the lessons learned and recommendations from the Project

This report has been prepared by The Incus Group for FCLC and Victoria Legal Aid (VLA), and the views expressed herein are those of the author and may not reflect the views of either FCLC or VLA.

Acknowledgements

The Incus Group would like to thank all the stakeholders who participated in consultations and provided information for this evaluation. Their generosity of time and insights into the Project were appreciated. These stakeholders include:

- The Project Manager, Project Sponsor and the Project Steering Committee
- Members of the Pilot Selection Panel
- Staff and volunteers at the 11 participating community legal centres (CLCs)
- The managers/directors at three other CLCs (ARC Justice, Mental Health Legal Centre, Social Security Rights Victoria)
- Staff at VLA
- Staff at the National Association of Community Legal Centres (NACLC); and
- The clients of the 11 participating CLCs for sharing their stories

1. Background and scope

The Federation of Community Legal Centres (FCLC) engaged The Incus Group in April 2017 to design and implement a comprehensive monitoring & evaluation (M&E) framework for the Generalist Specialist Project (“the Project”) and associated Pilots.

A mixed methods approach was used to develop and execute the M&E framework to evaluate the Project. This is detailed in Section 2 of the Project Report and involved seven main steps:

1. Reviewing Project documentation (e.g. Project plan, Minutes, Pilot applications)
2. Working sessions with the Project Manager and Steering Committee to develop a Project Theory of Change, which set out desired outcomes and overall impact of the Project
3. Developing a monitoring & evaluation framework, which identified exactly how the success of the Project would be determined and the focus for this evaluation report
4. Co-developing Pilot Theories of Change and M&E frameworks with the CLCs involved in the 4 Pilots, and providing ongoing support for data collection to the CLCs
5. Administering a Pre- and Post-Pilot set of surveys to staff and volunteers at the 11 CLCs
6. Undertaking consultation interviews with the 11 CLCs and other project stakeholders
7. Analysing the data from the consultations, surveys and that which was provided by the individual CLCs to produce this report

The scope of the Project evaluation was determined in consultation with the Project Manager and Steering Committee and was geared towards understanding whether the Project met its broad objective of **“improving pathways to specialist legal assistance”**.

In order to answer this, a series of questions was formulated under four themes. These are listed in Table 7 and guide this evaluation report:

Table 7 - Evaluation questions

Theme	Guiding questions
Project Relevance and Appropriateness	<ol style="list-style-type: none"> 1. Was the Project developed in response to expressed needs and with a clear approach to address those needs? 2. To what extent was the client experience considered in the Project and Pilots design? 3. How well have the Pilot models responded to the barriers identified by the research?
Effectiveness of the Project	<ol style="list-style-type: none"> 4. To what extent were the Project and Pilot outcomes achieved? 5. What were the enablers/inhibitors to the Project and Pilot’s success? 6. What unexpected outcomes were brought about as a result of the Project?
Efficiency	<ol style="list-style-type: none"> 7. Was the approach undertaken by the Project the best use of resources for achieving planned objectives? 8. Was the funding distribution/allocation among Pilots the best use of resources?
Lessons learned	<ol style="list-style-type: none"> 9. What are the key transferable lessons for the legal sector? 10. How can any positive impacts be sustained beyond the life of the Project by the CLC sector?

2. Relevance and appropriateness

The genesis of this Project lies in an application by a group of CLCs to Victoria Legal Aid's (VLA) Innovation and Transformation Fund to conduct the empirical investigation, design and testing of models to improve access to specialist knowledge and practices in the CLC sector. Following VLA's decision to fund a larger project to be managed by FCLC, it was evident that the Project followed a clear and methodical approach to delivering on that broad objective.

A Project Sponsor was identified at FCLC (Ashwinny Krishna, Director of Sustainability), a Project Steering Committee was convened, which included representatives from the CLCs which put forward the original application to VLA (thereby ensuring continuity) as well as a representative from VLA and a Rural/Regional/Remote (RRR) centre. A Project Sponsor was identified at FCLC (Ashwinny Krishna, Director of Sustainability) and an external Project Manager (Michael Tamblyn) was appointed.

The Project Manager worked with the Steering Committee to develop a comprehensive project plan, which laid out the scope, deliverables and timeframes for the Project as well as stakeholder list and risk management approach. The Project adopted a phased approach:

- Phase 1 – Planning, Research and Design of the Pilot models
- Phase 2 – Implementation and monitoring of the Pilots
- Phase 3 – Evaluation and reporting

The Project Manager led Phase 1, which was centred around a literature review and consultation with the sector. The consultation phase was necessarily extensive, in order to firmly test the commonly held assumption that there are multiple barriers between Generalist and Specialist CLCs. A total of 23 CLCs were consulted with 100 staff and volunteers participating in interviews, while an additional 7 CLCs participated in an online survey distributed in July 2017. These 30 CLCs comprised 14 generalists, 11 specialists and 5 RRR centres, providing a reasonable cross section of Victorian CLCs. Additionally, there were further consultations and discussion of interim findings with a variety of stakeholders, including at VLA, NACLC (individual staff and presentation at the National Conference), CLC peak bodies in QLD and WA, and two health service providers.

Evaluation interviews with stakeholders involved in the consultation confirmed that it was conducted in a meticulous, thoughtful manner that enabled a candid discussion of issues faced by clients and centres in accessing the specialist legal assistance required.

"Michael has very thoughtfully constructed and executed this Project. It was clear that he was open to hearing what we had to say and I saw our voice reflected in the research report along with a range of perspectives"

Gillian Wilks, Director at Social Security Rights Victoria

The consultations and research undertaken by the Project Manager and interns were used to develop an interim research report. This interim report identified the three main barriers for CLCs (and by extension, their clients) to accessing specialist legal assistance and ultimately proposed a suite of Pilot models to address these, inviting the Sector to test them.

In developing the Project approach and individual Pilot models, the client experience and perspective featured heavily, although direct consultation with clients was limited to 1 interview conducted by the Project Manager with a client and sitting in at reception during intake, listening in on client advice lines and observing clinic appointments. The client experience was, however, a large factor in the original VLA application that led to this Project and was evident in the literature reviewed by the Project team. Understanding the barriers for clients was also a large focus of the consultations with each centre, with the majority of discussions centred around the client experience from intake through to case management and testing whether there were barriers to specialist legal assistance for CLC personnel and, by extension, clients themselves.

A client focus was also evident in the approach taken to design individual pilots, with the Project Team and Steering Committee initially developing a series of standalone models using a template that prioritised consideration of client barriers and solutions (see Figure 30)

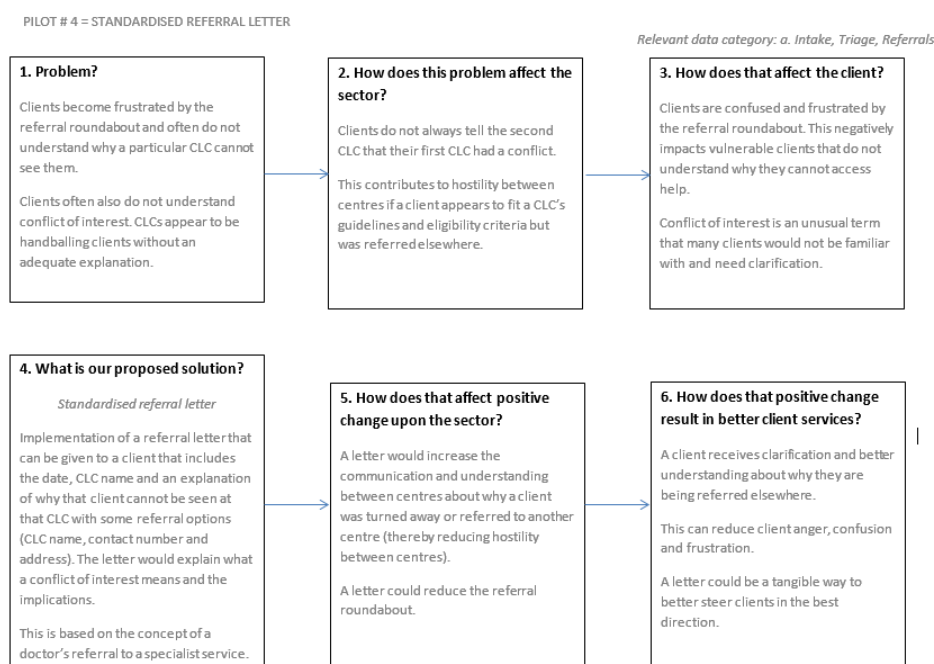


Figure 30 - Example pilot model development template

This process was employed with all twelve standalone models, which then fed into the final five integrated models put out for expressions of interest. Similarly, the development of the initial twelve standalone pilot

models was guided by the multiple barriers identified in the interim research report compiled by the Project team. Each of the twelve models responded to a specific barrier or area for improvement (e.g. to improve the quality of referrals; to develop specialist expertise through clinics; to improve resource sharing and expertise for advocacy). The decision to group these into 5 integrated pilot models was also taken to reflect the interrelated nature and clustering of challenges identified by the sector, namely that there is a need to improve client pathways, streamline access to specialist knowledge and develop specialist expertise.

All of the stakeholders consulted for the evaluation felt the interim report and the models themselves addressed all the barriers and that, while there could have been additional models tested, they would have been variants of those proposed rather than substantially different.

"I was impressed with the interim report. It was well researched, articulate and powerful ... it was a detailed examination of what makes these two groups work [Specialists and Generalists] and the difference between a specialist centre and specialist expertise. You could tell Michael and the team had done a lot of creative thinking to develop the integrated models in a comprehensive manner."

Jon Cina, Associate Director - Access and Equity, Victoria Legal Aid

3. Effectiveness

Understanding the effectiveness of the Project centres around the Project Theory of Change, which is presented below in Figure 31, and evidenced through the accompanying Project monitoring & evaluation framework.

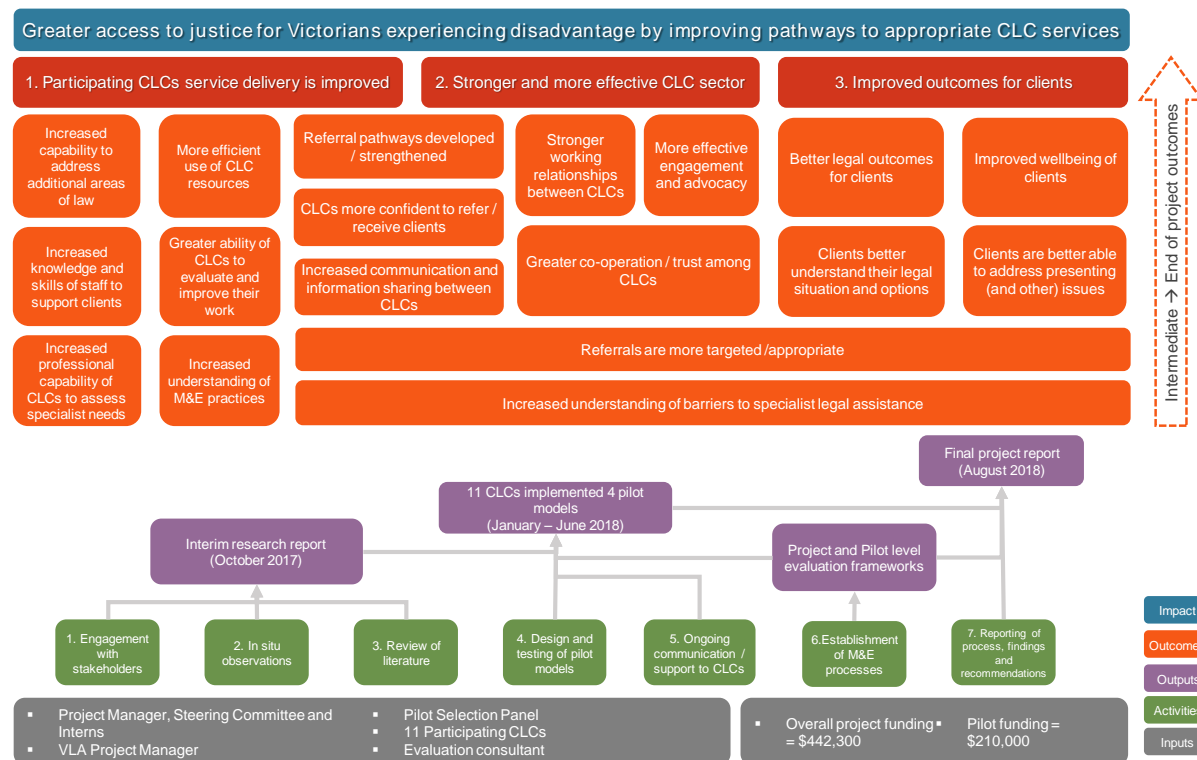


Figure 31 - Project theory of change

The ultimate goal/impact of this Project, as formulated by the Project Steering Committee, was to contribute to **“greater access to justice for Victorians experiencing disadvantage by improving pathways to appropriate CLC services”**. As depicted in the Theory of Change, the achievement of this impact and Project outcomes is contingent upon the successful delivery of a series of activities and outputs, as well as the performance of individual Pilots.

3.1 Project achievements

It is evident from the information and analysis presented in the Project Report (particularly Sections 3 and 5) that this Project has been effective in achieving its objectives through improving the service delivery at participating CLCs, contributing to a stronger, more effective CLC sector and facilitating improved outcomes for clients.

"My view is that each CLC sits somewhere along the spectrum [of collaboration]. One end being a sole operator and the other being a centre that wholly embraces collaborative practice. I feel like no matter where each of the 11 CLCs sat at the beginning, they have all advanced along that spectrum through this project."

Michael Tamblyn, Project Manager

At a fundamental level, it is manifestly clear that all centres improved their collaboration through this Project and that improvements in practice occurred at both the Specialists and the Generalists, with immediate and tangible benefits for staff and volunteers as well as a significant number of clients.

"Participating in the project has strengthened relationships across the CLCs, improved knowledge sharing and provided deep insight into the core work of our CLC."

Erin Buckley, Project Officer, Flemington Kensington CLC

"We have assisted clients (through the generalist lawyers) to achieve great outcomes and in doing this we have built the capacity of good people who do fabulous work assisting clients and we have developed our own professional skills in doing so."

Lachlan Edwards, Managing Lawyer, CALC

The outcomes from this Project and the implementation and outcomes of individual Pilots is discussed in detail throughout the Project Report, particularly Sections 3 and 5 of the Project Report and the reader is encouraged to read these sections as the findings and analysis are not repeated here. Instead the remainder of this section covers:

- the outputs of the project
- a discussion of the stages leading to the implementation of the Pilots (namely the Interim research report and the Pilot selection stages)
- identification of unintended outcomes from the Project

3.2 Project outputs

The outputs of the Project are represented in Table 8 below.

Table 8 - Project outputs

Item	Indicators	Snapshot results
Output 1: Interim research report		
Output 1.1: Field research undertaken (stakeholder interviews, surveys, in-situ observations of CLCs)	<ul style="list-style-type: none"> Number of stakeholder interviews completed (by role) Number of in-situ observations (mix of generalist/specialist, metro/RRR) Number of surveys completed 	<ul style="list-style-type: none"> 100 interviews with staff/volunteers at CLCs (inc. 51 lawyers, 14 executive staff, 13 administrative staff; 6 community and policy staff); meetings with 7 x VLA staff, 2 x NACLC staff, 2 x CLC peak bodies in QLD and WA, 2 x community health organisation staff; meetings at VLA and NACLC fora; and interviews with a selection of public callers to the FCLC Referral Service In-situ observations at 21 CLCs 85 survey responses from 22 CLCs (including 7 from CLCs not visited)
Output 1.2: Review of literature from the legal sector and parallel sectors	<ul style="list-style-type: none"> Breadth of literature reviewed from within legal sector Breadth of literature reviewed from parallel sectors (e.g. health) 	<ul style="list-style-type: none"> 49 reports and submissions referenced in the interim report (with more reviewed during the research phase) The Project team also reviewed literature from non-legal sectors and interviewed 2 individuals from the community health sector
Output 2: CLCs host and implement Pilot models		
Output 2.1: Pilot models designed	<ul style="list-style-type: none"> Multiple models are developed that address problems identified in research report Final models for EOI approved by Steering Committee 	<ul style="list-style-type: none"> 12 individual pilot models were developed initially with 5 integrated models proposed and approved by Steering Committee, following consultation with VLA
Output 2.2: EOI process to select participating CLCs	<ul style="list-style-type: none"> Adequate timeframe for EOI Transparent and clear selection process Number of applications (by model) Number of CLCs applying At least 3 models to be trialled 	<ul style="list-style-type: none"> Application kits circulated to sector with interim research report in early October with 2 weeks for CLCs to provide verbal expressions of interest and 4 weeks to submit their application. A total of 10 applications were received, with 21 unique CLCs involved (with 8 CLCs involved in multiple applications)

Item	Indicators	Snapshot results
	<ul style="list-style-type: none"> Models not selected are recommended for independent funding 	<ul style="list-style-type: none"> 4 different models were trialed, including a hybrid of 2 original pilot models Unsuccessful applicants were contacted by project manager with feedback and suggestions for further funding from other sources
Output 2.3: Pilot models implemented by selected CLCs	<ul style="list-style-type: none"> MoU established for each model Testing period for all models is at least 6 months Expected outputs for Pilot models met Data collected and provided at agreed intervals 	<ul style="list-style-type: none"> MoUs established in a consultative process with CLCs for each Pilot Testing period was in practice closer to 5 months with most activities commencing in Jan 2018 Ongoing data collection by each CLC and provided at mid-point (April) and end (June) [Further details on individual Pilot outputs are provided in Section 7 of the main Project Report]
Output 2.4: Ongoing communication and support to participating CLCs	<ul style="list-style-type: none"> Communication protocol established with participating CLCs Face to face working sessions prior to implementation Mid-point reflection workshop Satisfaction with overall level of communication between Project team and participating CLCs 	<ul style="list-style-type: none"> MoUs established in a consultative process with CLCs for each Pilot Half day working sessions were held with each Pilot grouping, the Project Manager and evaluation consultant in Dec 2017 A 5 hour mid-point reflection workshop was held on 18th April 2018 attended by 14 staff from all 11 participating CLCs, the Project Manager, the Steering Committee and evaluation consultant Survey of all 11 CLCs found a high level of satisfaction with Project Manager / evaluation consultant: <ul style="list-style-type: none"> All 11 agreed that 'I felt sufficiently supported/guided by the Project Manager' and 'The method and frequency of interactions with the Project Manager were useful' All 11 agreed that 'It was useful to count on the expertise of the independent evaluator' Similarly, the Project manager and evaluation consultant note that some CLCs were more responsive than others but overall communication with centres was excellent.

Item	Indicators	Snapshot results
Output 3: Project and Pilot level M&E frameworks		
Output 3.1: Establishment of M&E processes	<ul style="list-style-type: none"> Project theory of change and M&E framework developed with Project team and approved by Steering Committee Pilot theories of change and M&E frameworks developed in concert with participating CLCs and approved by Steering Committee Data collection and monitoring templates/processes agreed 	<ul style="list-style-type: none"> Project theory of change and M&E Framework was developed by evaluation consultant and approved by Steering Committee in late 2017 Pilot theories of change were developed in sessions with CLCs facilitated by project manager and evaluation consultant in Dec 2017 and M&E Frameworks developed in Jan 2018 and approved by Steering Committee Data collection processes confirmed with each Pilot grouping via email and teleconference
Output 4: Project evaluation report		
Output 4.1: Completion of final evaluation report	<ul style="list-style-type: none"> Project report to be prepared and approved by Steering Committee and VLA 	<ul style="list-style-type: none"> Project report completed in August 2018
Output 4.2: Sharing of results/ recommendations with sector	<ul style="list-style-type: none"> Project report distributed throughout sector (emails sent, website downloads) Project champions are identified and promote the results Suitable opportunities to present results identified and utilised (number and types of sessions) 	<ul style="list-style-type: none"> Interim research report distributed in August 2017 / Final report distributed in August 2018 Project learnings to be showcased by participating CLCs at VLA in August 2018 Final report findings to be presented by Project manager at NACLC national conference in August 2018

The interim research report (Output 1) was circulated throughout the sector and findings presented at a number of fora, including the NACLC National Conference, Federation's Member's meeting and VLA Regional Managing Lawyers Forum. The report itself was well received with a number of stakeholders commenting on how well researched and clearly set out it was and while it may not have produced many novel insights not already known by many in the sector, it was considered to have collated and highlighted a number of issues in a valuable way.

"The Interim report was an incredible piece of work. Personally, there are so many findings we experience on a day to day basis. I found it somewhat inspiring that the report recommended solutions to problems that our sector faces, ultimately, to help people who are disadvantaged or cannot access justice."

Lachlan Edwards, Managing Lawyer, CALC

Representatives from VLA noted that the report itself went beyond their expectations and can be considered a successful project in its own right. This view was echoed by a CLC that was unsuccessful in its pilot application, noting that the report helped remind them that other centres experience the same challenges. At least three CLCs also reported drawing on the interim report findings to submit other funding applications.

"The report itself was very engaging because of all the consultation quotes – sometimes you think you're the only centre with these challenges and it's therapeutic to know that there are others in the same boat. We've drawn heavily on the learnings and it informed another application for collaboration which was successful"

Hayley Mansfield, Executive Officer at ARC Justice

The pilot application and selection process can be considered moderately successful. On one hand, there were multiple applications including from CLCs not consulted (suggesting that the report findings had been noticed by the sector) and for all 5 of the proposed models (suggesting that the models were considered appropriate and likely to be effective). On the other hand, the selection panel noted that some of the applications were underwhelming and the selection process was relatively intricate, for the amount of material and funding involved. Notably, members of the selection panel felt the funding was limited and so priority was given to the quality of applications rather than testing a diversity of models in the expectation that the quality of the application would correspond to the quality of work that the applicants would put into implementing the pilot. This meant that 2 of the pilot models ('Ending the Referral Roundabout' and 'Sharing expertise') were not specifically tested; however elements of these models were tested through the successful pilots (e.g. in the Consumer law Pilot, Barwon CLS developed a strong understanding of the intake and referral pathways for CALC; in the Tenancy pilot with Tenants Victoria and Brimbank Melton CLC involved a knowledge management database)

3.3 Unexpected outcomes / new ways of working

Aside from the expected and desired outcomes outlined in the Project and Pilot theories of change, there were a number of benefits that emerged from the Project which are documented below:

- **Expanding partnerships with existing partners**

Since working together on the Pilot, JobWatch are partnering with WEstJustice (and Springvale Monash Legal Service) on an International Students Work Rights Legal Service; while WEstJustice invited Fitzroy Legal Service to join a collaborative exchange network of CLCs practicing employment law.

"An additional outcome of this Project was learning about the increased work that FLS is doing in the employment space. This meant that when we were setting up a new formal collaborative exchange between the CLCs working in this space and Fair Work Ombudsman we invited FLS to attend. This is probably the most useful and crucial outcome of this Pilot for us, hopefully this will make us a stronger and more effective sector as we start to build bridges between all those that are doing this work or interested in doing this work."

Tarni Perkal, Employment Practice Manager, WEstJustice

- **Exchange of expertise across Pilots**

Tenants Victoria had conducted training in 2017 attended by Debi Fisher at HRCLS but there was little follow up; after reconnecting with Ben Cording from Tenants Victoria at the mid-point reflection workshop, Debi contacted Ben and has since been supported on tenancy matters and upskilled in the process.

"TV did some training last year that was useful but we didn't have a personal relationship so never really followed up – spoke with Ben at TV again during mid-pilot workshop and with current case that had tenancy matters come up, prompted me to loop Ben in and if I hadn't met him again through workshop, probably would have continued trying to work on it on my own"

Debi Fisher, Lawyer, Hume Riverina Community Legal Service

- **Expanding partnerships with other CLCs**

Following their successful experience with this Pilot, Tenants Victoria is undertaking issue spotting training with Mental Health Legal Centre.

"This pilot raised our consciousness around how to build alternate client pathways - as we no longer have a drop-in service - and how services can mutually support clients."

Ben Cording, Principal Lawyer, Tenants Victoria

4. Efficiency

Almost \$450,000 and a multitude of resources were mobilised to deliver this Project over two years. A little over half of that money (\$230,000) was set aside for the 'architecture and scaffolding' of the Project (project management/administration) while the rest (\$210,000) was allocated to the 11 participating CLCs to deliver activities under their respective Pilots.

A budget for the Project was developed by FCLC in accordance with grant stipulations, while the Pilots were initially costed by the Project Manager and Steering Committee members. For each successful Pilot application, there was further discussion with the CLCs at the initial joint working session to determine reasonable deliverables within each of the pilot budgets. The final split of funding by Pilot and CLC is provided in Table 9.

Table 9 - Funding allocated to CLCs for pilot testing

Specialisation	Type of integrated model	Total pilot funding	Funding split as agreed between CLCs	
Tenancy Law	Collaborative Casework	\$70,000	\$28,362	TV
			\$41,638	BMCLC
Consumer Law	In situ Exchanges	\$35,000	\$22,640	CALC
			\$6,489	BCLS
			\$5,871	HRCLS
Employment Law	In situ Exchanges	\$35,000	\$20,000	JobWatch
			\$7,500	WJ
			\$7,500	FLS
Police Accountability in Family Violence	Collaborative Casework and Advocacy	\$70,000	\$44,673	FKCLC
			\$12,663	WLS
			\$12,663	SKLS

By the end of the Project, two conclusions around funding emerged from the review of Project/Pilot data and the consultations:

1. The amount set aside for the Project itself was small given its ambitious scope but proved sufficient for the work required and was well directed

At the time of writing, the management, administration and delivery of the project is set to come in on budget and, as noted, there has been a high degree of satisfaction from all parties at what was achieved by the Project (notably the role of the project manager and the production of the interim research report)

2. The amount specifically allocated to the Pilot testing phase was insufficient for the work required and the split of funding to Pilots and individual CLCs was not ideal

Notwithstanding the collaborative approach to determining funding, only 4 of the 11 CLCs indicated in their final reports that the funding was sufficient for the work they did: TV, JobWatch, FLS, and BCLS. However even then, JobWatch and BCLS estimated that the actual cost to their centres in terms of staff time/wages/on costs was at least 50% higher than the funding they received; and this was true of the majority of centres. There were also discrepancies within Pilots. For example, in the Family violence Police Duty Failures pilot, both WLSV and SKLS indicated that they spent more than their respective budgets while their partner FKCLC (which was funded more to take on a co-ordinating role) officially came in under budget. So, in hindsight, there could have been an equal tripartite split of funding in this instance.

Tenants Victoria was one of the few CLCs that did find the funding sufficient – largely because they were already well-equipped and experienced in the provision of organisational support (training and supervision) to external agencies (through their TAAP funding). They could create economies of scale with this organisational strength and redirect it to other CLCs using this model. However, they emphasized that to provide this level of support to multiple CLCs simultaneously would require additional resourcing than they currently have available.

This mismatch between funding and actual costs is partly a systemic/cultural issue, which is explored in more detail in Section 4.2 of the Project Report.

On one hand, CLCs often underestimate the additional work required for projects like this, if not in their own minds then certainly on funding applications, and funders expect in-kind support for certain activities. On the other hand, CLCs sometimes deliver significantly more than what is required under the deliverables (often unavoidably and laudably so where it relates to ensuring a client receives appropriate support).

“Overall the funding for the project was probably not enough, given the scope, and I thought some of the individual centres were receiving too small an amount to do much”

Independent selection panel member

“With the individual pilots and sufficiency of funding, we did expect some in-kind contributions from CLCs. A lot of the work was adjusting practice and sharing of resources and you shouldn’t need new funding to try out new ways of working... and other CLCs can now use these findings to initiate similar projects.”

Victoria Legal Aid manager

“We didn’t have the expectation it [funding] would be sufficient. It wasn’t much but the funding created a space and encouragement and direction for the collaborative work. It brought alignment of purpose with our partners, and sharing of expertise and learnings”

Women’s Legal Service Victoria

Another aspect of this is varying expectations of what work should be funded *additionally* and what should, or can, be absorbed within existing workloads. Some of the collaborative practices tested through this Project involved sharing of materials and calling a dedicated line for secondary consultations and these do not require any additional funding as, without this Pilot, individual CLC staff would likely request materials or professional advice from another colleague or spend additional time trying to work on the matter themselves (i.e. it would be absorbed internally, possibly less efficiently).

Ultimately, the Project approach has led to more efficient ways of working for all centres involved and this is crucial in an increasingly constrained funding landscape. In almost all Pilots, the variety of matters that the Generalist lawyers worked on and the multi-faceted support provided by the Specialists, meant that both serendipitously and by design, the Generalists enhanced their specialist law capability in a way that meant they were able to support their client right through the process of delivering advice, ongoing casework and advocacy and representation if needed. Specific case studies and examples have been provided in this regard, for example for BMCLC, HRCLS, and the Pilot with FKCLC/WLSV/SKLS. While this is undoubtedly of benefit to the lawyer and their client, it also represents an efficient way for centres to have upskilled their staff by having them learn by practicing the law with the scaffolding of specialist support and a pilot structure, rather than solely through reading and training. Beyond that, all 4 Pilots went beyond building individual relationships or capacity in individuals by promoting a broader view about how CLCs should relate to each, which has manifested itself through the continued inter-CLC relationships and collaborative work following the Pilots, e.g. BCLS using CALC's materials and expertise to deliver ongoing CLE, JobWatch partnering with WEstJustice on an International Students Work Rights Legal Service.

When contemplating whether the approach taken by this Project was the best way to achieve the overall objectives of "improving pathways to specialist legal assistance" with the same resources, it might be helpful to consider alternative approaches to achieving this objective. Assuming the same overall funding of \$442,000 over a 20 month period, four possible alternatives are presented below:

Table 10 - Possible alternate approaches for the Project

Alternative approach	Likely advantages	Likely disadvantages
1. No project or pilot structure and instead funding secondment of 1 Specialist lawyer at 4 Generalists for 20 months	Could have directly increased capabilities within centres and enhanced service delivery to clients	May not have fostered any new ways of working and may not have led to inter-CLC relationships
2. Not funding a Project management/administration component and instead funding 8 Pilots or doubling the funding for the 4 Pilots	Could have enhanced the magnitude of service delivery and breadth of specialist areas of law addressed	Would not have had the interim research report and Pilots may have faltered in the absence of a co-ordinating, facilitating function

3. Funding 8-12 of the original standalone (not integrated) Pilots (e.g. a triage lawyer;	Could have resulted in 'quick wins' that could be continued and adopted by other CLCs	May not have led to the broader changes that emerged from this Project, addressing deeper issues within the sector
4. Not funding the CLCs themselves and instead funding a larger project management/administration component to support collaboration sector-wide (as done in the FCLC Outcomes Measurement Project)	Could have focused efforts on the 'scaffolding' required to foster collaboration and drive this sector-wide and/or with the CLCs that were most enthusiastic to do this work (given there was no funding)	May not have provided the fertile ground for learnings afforded by testing multiple pilots and may have restricted involvement only to those CLCs that were resourced enough to participate

This is a surface level appraisal of potential alternate approaches but it illuminates the advantages of the approach taken; a genuinely collaborative attempt with nearly a quarter of the Victorian CLC sector that has resulted in an array of demonstrable benefits for CLCs, as well as directly for clients.

5. Lessons learned

The Generalist Specialist Project has trialled a unique approach in the CLC sector by funding an open-ended empirical investigation into how specialist assistance can be better accessed through improvements in the nature of relationships between Specialist and Generalist CLCs.

Evidence gathered throughout the Project and detailed in the Project Report demonstrates the success of this approach and the Project yielded an array of lessons for the participating CLCs, the Federation and VLA, and the broader legal assistance sector.

5.1 Enablers and inhibitors to success for the Project

The success of this Project and the achievement of outcomes at both a Pilot and Project level were enabled and inhibited by a range of factors, the majority of which are discussed in the Project Report. There are some that relate specifically to the Project and are worth noting, so are outlined here and form the basis for the final Project recommendations.

Enablers of success

- Flexible, iterative approach to the Project – The original grant from VLA’s Innovation & Transformation Fund was not prescriptive about how this Project should unfold and VLA offered wide latitude on the delivery of the Project. Alongside the general approach of the Project Team, this ensured the Project could evolve in an iterative manner, which is often most conducive to innovation. It meant that each step of the Project could proceed in response to what was emerging and needed, and was not necessarily locked into any preconceived direction.

“The Project has been very iterative and there has been a lot of reflection. For example, we went into the consultations with assumptions but obviously didn’t know what the findings were going to be; then we developed models to test in response to those findings but didn’t know which centres would apply; then when they did apply we didn’t know which groupings would be selected and so on.”

Michael Tamblyn, Project Manager

- The experience and consultative approach of the Project Manager – a consistent finding from stakeholders was that the Project Manager was crucial to the Project’s success from the planning stage, through to production of the interim report and driving / supporting the implementation of the Pilots

"Michael has been critical to the success [of the Project]. For him to get that level of candour from such a breadth of individuals in the sector was incredible for the Interim report and it should be an enduring document. He has gone above and beyond and lifted the bar on managing projects in the CLC sector"

Project Steering Committee

- Having an independent selection panel – the Project Manager and Steering Committee put significant effort into developing the proposed models for testing and receiving applications for all 5 would have likely encouraged them to test all 5 models rather than necessarily the most meritorious applications. Delegating responsibility to an panel composed of individuals not involved directly with the Project management or development of models helped ensure there was an objective assessment of Pilot applications.

Inhibitors of success

- The timing of the pilot testing period – The testing period for Pilots was originally envisaged as 8-9 months in both the VLA Grant and Project Plan; however the Project took longer than expected in the early stages and so the Pilot testing period was ultimately condensed to approximately 6 months with the initial meetings with successful applicants occurring in December 2017 and the Pilot commencing in early January 2018. Having the initial work occur around the major holiday break delayed implementation and further encroached on the actual delivery of activities, with a number of CLCs noting at the mid-pilot session (in April 2018) that they felt they had not achieved much as yet. This led to many CLCs undertaking a large portion of the work in the final months of the Pilot and meant that much of the momentum was building just as the official testing period was concluding. Having a slightly longer testing period and/or not commencing the testing in December/January would have likely helped translate the emerging momentum into further embedding of collaborative activities practices.
- The duration and attendees of the initial working sessions with successful applicants – the slightly short duration of the initial working session (3 hours) meant that much of the development of the MoU, theory of change and M&E framework occurred in a compressed, albeit collaborative, manner and further refinement either had to occur remotely and iteratively later (e.g. for the MoU) or was led by the Evaluation Consultant and reviewed by the CLCs, rather than CLC-led. While difficult to organise a session of more than 3 hours with multiple CLC representatives, it would have been beneficial to have a longer upfront planning session, especially given the timing of this session was prior to the holiday period. A number of staff that ended up delivering the day to day activities at their CLCs were also not present at this initial meeting and affected their initial understanding of the Pilot expectations and context. This was ultimately resolved as the Pilots progressed but it represents a missed opportunity early on to ensure key personnel are bought in early and contribute to the development of the Pilot's goals and activities.

5.2 Recommendations

The lessons from the Pilots have been expressed as specific recommendations in the 'Blueprints for Collaboration' section of the Project Report, as well as overall recommendations for how the CLC sector can be more effective through collaboration between different CLCs. The evaluation of the Pilot and Project fed into these recommendations and so the reader is encouraged to refer to these to understand the main lessons learned from this Project.

There was one overall learning from this Project that was not covered in the Project report. This project demonstrated the benefits of bringing the sector along, particularly on a collaborative project aimed at overcoming barriers and changing ways of working. Future projects undertaken by the sector should consider replicating the following six successful elements:

1. **Appoint a Project Manager and Steering Committee** with sufficient experience, enthusiasm and diversity who can drive the Project while maintaining the right balance between possessing understanding and trust of the sector and maintaining sufficient distance and objectivity to probe underlying assumptions and problems and propose meaningful solutions
2. **Engage in multi-faceted and broad consultations** – while recognising the impost on people's time, invite participation across centres in a variety of formats, e.g. in situ observations, surveys, and interviews with staff and volunteers performing different roles (not just the Principal or Client-facing staff)
3. **Include a flexible and independent EOI/selection process with a feedback loop** - this provides an opportunity for CLCs to select potential partners, discuss their applications and propose modifications to a project manager with the ultimate approval undertaken by an independent panel. Both successful and unsuccessful applicants should be contacted to discuss the outcome. If there are 'pilots' involved, ensure there is sufficient time allocated to the pilots for momentum to build and outcomes to emerge.
4. **Schedule a face to face reflection workshop** with at least 1 representative of all participating organisations – this should be at the midpoint for a project of 6-12 months; or every 6 months for projects of longer duration – to share emerging findings, identify success factors /areas for improvement and make any adjustments
5. **Streamline project reporting** by integrating any project acquittal/management data collection with monitoring & evaluation data collection so that centres are reporting in a consolidated way, either through a tailored template (listing the expected activities, outputs and outcomes) or through a consistent structure which individual centres can populate in their own way, aligned with their reporting systems.
6. **Ensure there is monitoring & evaluation support** available to centres (either through dedicated internal resourcing or external expertise) to facilitate data collection and provide advice when needed so that staff and volunteers can focus on the substantive work and upskill in evaluation (if required).

Annexure B - Suggested further reading

The list below is a selection of relevant documents.

One is worth special mention: 'Access All Areas' (2014) by our colleagues at CLC QLD. A study of the interplay between Generalist and Specialist CLCs in the Queensland context – this was enormously helpful in defining our early focus.

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