

# Making a difference



## Fairness Care Courage

**Strategy** 2015-18

 Victoria Legal Aid

# Minister's foreword

The work of Victoria Legal Aid makes access to justice a reality for vulnerable and disadvantaged Victorians.

I commend VLA for its commitment to timely intervention, matching services to need, and collaboration across the justice system.

**The Hon. Martin Pakula, MP**  
**Attorney-General of Victoria**



## Introduction

Legal aid makes society fairer by providing legal assistance to many vulnerable people who can't afford to pay for it. Without legal aid many people would be left to deal with the legal system on their own, take on powerful organisations and governments without support, represent themselves in court or give up their rights altogether.

We can't help everyone who needs legal aid. In developing our Strategy 2015–18 we applied our values of care, fairness and courage to guide our choices about who we help and how we help them. At its heart our purpose is to make a difference by ensuring that disadvantaged and vulnerable people can benefit from the same legal rights as everyone else.

A commitment to making a difference in our community and to the lives of its most vulnerable people is what drives and motivates our staff every day. This includes representing people in courts, particularly in serious criminal cases and where families are split up and children are removed. We remain committed to helping people who suffer or face serious consequences such as those facing imprisonment, homelessness, involuntary detention, unwanted medical treatment and family violence. Our Strategy 2015–18 builds on strong foundations to broaden our focus beyond resolving one legal problem at a time to making lasting positive changes for our clients and the community.

## Stronger together

We understand that living up to our vision, purpose and values relies on consultation and collaboration with our justice sector partners and the community sector.

Our strong and vibrant staff practice works for justice every day, contributes practical legal help to many people, and insights and expertise into how we can improve our services. Lawyers in private practice deliver a large number of legal services to publicly funded clients and we could not operate as effectively without their support. Likewise, community legal services identify and respond to legal needs in diverse and innovative ways, using their close links to the communities they serve.

The contribution of all three service providers is essential and more powerful when working together.

## Informing our Strategy 2015–18

Victoria Legal Aid's Strategy 2015–18 has been informed by extensive research and consultation. We have sought the views of our staff, lawyers in private practice, judges, social and welfare service providers, government officials and ordinary Victorians who told us what they expected from us.

We identified long term trends that will influence the environment in which we operate, including the need for a collective response to dealing with difficult problems such as family violence. We have considered our research that reveals that children who experience family violence or have been in child protection are more likely to need frequent help from legal aid as adults.

We have drawn on external research and enquiry from around the world, including the Legal Australia-Wide Survey, which provides insight into the prevalence of legal problems and how people try to resolve them.

We have listened, taken note and applied ourselves to develop a strategy that builds on our strengths and makes a renewed commitment to the community we serve, while keeping our sights on the future.

**“We value a society that aspires to fairness and opportunity and we work towards remedying injustice where it exists.”**

## Our vision

A **fair and just society** where rights and responsibilities are upheld.

## Our purpose

To **make a difference in the lives of our clients** and for the community by:

- **resolving and preventing** legal problems
- encouraging a **fair and transparent** justice system.

## Our values

### Fairness

- We **stand up for** what is fair.
- We aim to be **fair when making choices** about which people we help and how we help them.

### Care

- We **care about our clients** and the community in which we live.
- We look out for and **take care of each other**.

### Courage

- We **act with courage** backed by evidence about what is best for clients and the community.
- We act with courage **to be the best we can be**.

# Strategic directions to improve Victorians' access to justice

Three strategic directions will guide us in working with our partners in the justice and community sector to improve the way Victorians access justice. They will enable us to deliver the most appropriate legal services at the right time, based on client needs.







**“We will prioritise children and young people whenever we can.”**

## **1. Invest in timely intervention, especially for children and young people**

It is important to help people as soon as they need it rather than when their lives have reached a crisis point.

Timely legal help is good for our clients and also saves the community money because it is cheaper to resolve a smaller, more simple legal problem now than a bigger, more complex problem later on.

Providing timely intervention works for all clients and particularly benefits vulnerable groups such as those experiencing homelessness or family violence, young people living in out of home care, people with a disability or mental illness and people from Indigenous or culturally and linguistically diverse communities.

However, it is especially beneficial for children. We want to see fewer children in the justice system because we know that in the long term that will lead to fewer adults in trouble with the law.

Research tells us that children who are born into disadvantage or who experience neglect have fewer opportunities and greater life challenges. Many frequent users of legal aid services first come to us between the ages of 10 and 16 years. And adults with children are more likely to experience legal problems, particularly sole or separated parents.

By investing in legal services for vulnerable children and young people we aim to help them achieve safety and stability and to lead productive lives and minimise their risk of becoming future legal aid clients.

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### **To achieve this strategic direction we will:**

- Pilot more intensive, case managed services to help vulnerable children.
- Review and improve our child protection legal services for adults and children.
- Critically evaluate when (and where) legal aid services are best delivered.

### **In three years time we will see:**

- At risk children and young people receiving a more intensive, co-ordinated service which addresses the underlying causes of their legal problems.
- Child protection legal services that focus on more timely support to parents and more integrated help for children at risk of further legal problems.
- An increase in the intensity of services at points that are likely to prevent legal problems from escalating.

## 2. Match services to the needs and abilities of our clients

We know that the law and the legal system can intrude into many aspects of life and we know that not everyone will be able to navigate their way through. Help can be difficult to access, particularly for people who have complex legal and personal issues.

We want to make it easier for people to access our services, to get information about their options and we want to make sure that we are responding to problems in the most complete way.

This means we must consider individual needs and abilities and be flexible enough to match the type and level of legal service to what clients need and the consequences they face.

It means considering where and how people live, how they find our services and who will benefit from a referral to another support agency that helps them deal with the issues that contribute to their legal problems. It also means acknowledging that while resolving their immediate legal problem is effective for some clients, it is not enough for others, particularly people who are at high risk of further contact with the law.

Over the next three years we will work with our partners and draw on their expertise to provide better responses to the needs of Indigenous clients. We will trial a new state-wide advocacy service for clients with mental health issues that will involve social workers working alongside lawyers, and we will revise our family violence service delivery approach to ensure high quality legal representation to those who use and experience violence, but in a way that does not condone attitudes that support violence.

While some people need more intensive services, we also want to ensure that all Victorians are able to access legal information about their rights and options. By offering more of these services on the web or over the phone we will help empower people to make choices and avoid more costly problems down the track.

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### To achieve this strategic direction we will:

- See a bigger, modernised Legal Help telephone service with expanded hours of access so that assistance via the telephone and other channels is improved for all Victorians and provides the main entry point for the whole legal assistance sector.
- Provide more outreach services for the most vulnerable clients.
- Provide more comprehensive advocacy services to clients with a mental illness.
- Develop a new family violence service delivery framework that promotes long term safer outcomes.

### In three years time we will see:

- More Legal Help information services available to the community.
- Legal Help as a main entry point for clients to the whole legal assistance sector.
- A more co-ordinated approach to triage, assessment and intake at multiple entry points to the legal assistance sector.
- Consistent use of family violence safety and risk assessment tools as well as more and better referrals for clients to support services.
- More Indigenous clients getting better legal assistance.
- Lawyers and social workers working together to provide a more comprehensive service to clients with a mental illness.

**“We will broaden our focus beyond resolving one legal problem at a time.”**



**“We will champion the value of a well funded legal aid safety net.”**

### **3. Maximise benefits by working with others**

For every person who receives our help we know that someone else may miss out. To maximise our reach we must ensure that we are not just responding to individual problems. We must use our knowledge and experience to advocate for the fair operation of laws and policies as well as changes to laws and policies where they disproportionately impact especially vulnerable people. In this way, we seek to avoid legal problems from occurring and to benefit those who may never qualify or receive an individual service and by doing so to provide broad community benefit.

Our approach to strategic advocacy will be designed to encourage fair, transparent and accountable decision-making and balance in the operation of the criminal justice system so that sanctions operate alongside more equitable access to support services and programs that are shown to reduce re-offending.

We will also contribute to a more responsive and sustainable justice system by working with our partners in the community and justice sectors to plan services around changing need and population growth. We will also work closely with our partners to examine possible changes to our means test to ensure that more people who really need it qualify for legal aid.

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#### **To achieve this strategic direction we will:**

- Work with our partners in the legal assistance sector to identify and solve legal problems that affect large numbers of people.
- Collaborate with our partners in the legal assistance sector to jointly plan services that address areas of highest community need.
- Consult broadly in reviewing our means test to ensure it works as intended.
- Advocate for fairer access to services and support programs that reduce re-offending.

#### **In three years time we will see:**

- Expansion of co-ordinated service planning between Victoria Legal Aid, community legal centres and other justice partners.
- More legal services in the outer metropolitan fringe and in regional areas with acute needs.
- More consistent, easy to understand eligibility criteria, with more people eligible for legal assistance.
- Strategic advocacy that delivers broad community benefit and helps clarify law and policy.



# Working together better

We will realise our strategic directions by working better with our partners and by delivering on the following four commitments.



## 1. Improve, innovate and reform practices to provide better services to clients

Our clients will get the best possible legal service when we embrace innovation, reward creative approaches to problem solving and seek to continuously improve our services.

### To achieve this we will:


- Recognise and encourage excellence and innovation by looking within and beyond the justice sector for new ways of providing services for clients.
- Be open to trialling new approaches and learning from our efforts.
- Increase online interactions with clients and the community to improve service availability.

## 2. Support our people

For Victoria Legal Aid to deliver the best outcomes for our clients and the community we must value, understand and inspire our staff. We must recognise and support staff in their demanding roles, value their experience and ideas, nurture development and leadership, and build a culture of mutual trust and accountability.

### To achieve this we will:

- Take care of staff, build their resilience and support their professional development.
- Build a culture that genuinely supports staff to make a positive contribution and take pride in their unique roles.
- Improve the way we manage change and communicate with staff.



**“We will set new standards of openness with our partners and the community.”**

### **3. Engage externally for accountability and transparency**

Just as we must support staff, we must also support our partners. Openness in the way we engage with our partners in the justice sector, consulting them as part of our decision making processes and explaining the reasons for change will enable us to deliver our goal of increasing access to justice. Improving understanding of our role and purpose will also ensure the community understands the value of legal aid and the services we provide.

#### **To achieve this we will:**

- Consult openly with stakeholders, clients and the community, where appropriate, when planning major change.
- Be more transparent and accountable, providing appropriate, timely and meaningful information to the community.
- Act on feedback and complaints from the clients, stakeholders and the community.

### **4. Use evidence and experience to improve legal service delivery**

The experiences of our own legal practice, private practice and community legal centres form a rich base of evidence to further the case for continued expansion of access to justice.

#### **To achieve this we will:**

- Share key practice resources with our legal assistance partners.
- Monitor, evaluate, communicate and act to improve our performance and services.
- Make appropriate and de-identified data available to research institutions to ensure policy and service decisions are based on evidence.
- Use evidence to encourage increased government investment in legal assistance services.

**“We will work with others to make a difference to the lives of our clients and the community.”**



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