



Family Violence Prevention Legal Services Evaluation: National Forum & Secretariat

Emma Williams, Kevin Dolman & Gill Westhorp
Northern Institute, Charles Darwin University

Acknowledgements

This evaluation was commissioned by the Department of Prime Minister and Cabinet, Government of Australia.

The evaluation team from Charles Darwin University comprised Assoc Prof Emma Williams, Prof Gill Westthorp, Prof Richard Midford (to July 2018), Dr Kevin Dolman, Mr Ben van Gelderen, Dr Carmen Cubillo, Dr Judy Lovell, Mrs Rhonda Hagan and Mrs Shelley Worthington.

Our thanks are due to staff from PMC who provided support to the evaluation, including Section 22 Section 22 and Section 22. We are also grateful to members of the Advisory Committee convened by PMC.

Most particularly, we are grateful to the staff and clients of FVPLS services, and to community members and service providers in the communities in which they work. Their contributions of time and thoughtful participation in this evaluation have been invaluable.

Emma Williams and Kevin Dolman
Researchers

Emma Williams and Gill Westthorp,
Principal Investigators

June 2019

This evaluation was commissioned by the Indigenous Affairs Group of the Department of the Prime Minister of Cabinet. Due to Machinery of Government changes effective as of 1 July 2019, Indigenous Affairs Group was established as an Executive Agency, the National Indigenous Australians Agency (NIAA), under the Prime Minister's portfolio. All references to PM&C and recommendations directed to PM&C are now directed to NIAA.

Glossary, acronyms and abbreviations

A glossary and list of acronyms was developed to apply to all reports. Note that many of these will not appear in this report.

Aboriginal	Typically refers to a member of Australian Aboriginal peoples, but in some cases may refer to a member of Torres Strait peoples, or who would identify as having linkages to both peoples. Local usage was followed in most cases.
ACCO	Aboriginal Community Controlled Organisation
ACNC	Australian Charities and Not-for-profits Commission
Agency	An organisation providing relevant services or functions. In this report (excluding the rubrics), FVPLSs are referred to as 'agencies' to avoid using 'FVPLS services' ('Family Violence Prevention Legal Services services'). The term 'services' is used to describe the particular services provided by those agencies: legal services, prevention services and so on.
AFLS	Aboriginal Family Law Services (a WA-based FVPLS)
AFLSSQ	Aboriginal Family Legal Services Southern Queensland
AGD	Commonwealth Attorney-General's Department
AGM	Annual General Meeting
AOD	Alcohol and Other Drugs
ATSILS	Aboriginal and Torres Strait Islander Legal Services
CAAFLU	Central Australian Family Legal Unit
CAALAS	Central Australian Aboriginal Legal Aid Service (now merged with NAAJA)
CAN	Child abuse and neglect
Case management	A coordination process ensuring that all required services are accessed and service delivery is coordinated
Case work	Provision of direct services (e.g. counselling, support and referral) to a client or family
CAWLS	Central Australian Women's Legal Service
CE/CS Staff	Client Engagement and Community Support Staff
Circle Sentencing	Circle sentencing takes Aboriginal adult offenders out of a traditional courtroom and before a circle of elders, members of the community, police and the judiciary, who decide on the sentence.
CLASS	Community Legal Assistance Services System
CLSIS	Community Legal Service Information System
CLE	Community legal education
Community Member	Used to indicate the category of some respondents in the evaluation: includes local Indigenous elders and FVPLS clients
Context	In realist evaluation, 'context' refers to specific features of population groups, cultures, settings, institutions, relationships or other factors that affect whether and which program mechanisms operate. (See also 'mechanism', below)
CMO	Case Management Officer
CMO	Context Mechanism Outcome: a form of program theory used in realist evaluation
CSB	Community Safety Branch of Prime Minister and Cabinet; funder of FVPLS
CSO	Community Support Officer
Cultural safety	In this context, cultural safety is a philosophy of practice where Indigenous people feel safe and draw strength in their identity, culture and community. In FVPLS, cultural safety creates a service environment in which Indigenous people – clients and staff – feel empowered (psychologically and/or through increased socio-political capital) to devise and implement solutions to problems of family violence. It focuses attention on the interactions between staff, and between staff and clients. This includes cultural safety during the initial intake process, taking instructions and in the ongoing service/client relationship.
Domestic Violence Order	See Restraining Order
DOCS	Department of Community Services (NSW), which is the previous nomenclature for FACS.
DPP	Department of the Public Prosecutor
DVO	Domestic Violence Order; see Restraining Order

FACS	Department of Family and Community Services (NSW)
FDV	Family and domestic violence
FVLSAC	Family Violence Legal Service Aboriginal Corporation
FVPLS	Family Violence Prevention Legal Service (plural: FVPLSs)
FWCLC	Far West Community Legal Centre
GEM	Growth and Empowerment measurement tool
IAS	Indigenous Advancement Strategy
Indigenous	A person or group of persons identifying as members of Australian Aboriginal peoples, of Torres Strait peoples, or as having linkages to both peoples
IT	Information Technology
KWILS	Katherine Women's Legal Service
Legal provider	Used to identify some respondents in the evaluation: includes those from other legal services, police officers and court officials. This category was often conflated with 'other providers' where legal respondents were so few that they could be identified
LGA	Local Government Area
Mechanism	An underlying causal process that results in an outcome. "Program mechanism" refers to an interaction between the resources and opportunities that programs provide, and people's 'reasoning' in response to those resources. That interaction results in changed decisions, leading to changed behaviours, which contribute to changed outcomes.
NAAFLS	Central Australian Family Legal Service
NATSILS	National Aboriginal and Torres Strait Islander Legal Services
NACLC	National Association of Community Legal Centres
NPY	NPY Women's Council: auspice agency for FVPLS operating in Ngaanyatjarra Pitjantjatjara Yankunytjatjara country
NPYWC DFVS	NPY Women's Council's Domestic and Family Violence Service
NSW	New South Wales
NT	Northern Territory
Other provider	Used to identify some respondents in the evaluation: includes all types of external stakeholders not otherwise identified
Outcome	Any change, at any stage of a program, which is at least partly caused by the program. Outcomes may be positive or negative, intended or unintended.
PLO	Principal Legal Officer
PMC	Department of Prime Minister and Cabinet, Government of Australia
QI	Quality Improvement
QIFVLS	Queensland Indigenous Family Violence Legal Service
Qld	Queensland
Restraining orders	A general term used in this report to describe a civil law court order that aims to protect a person by restricting or prohibiting another person's behaviour. Separate State and Territory legislation govern these orders, each with its own nomenclature and regulations, for application, issuance, and enforcement. The National Domestic Violence Order Scheme ensures that any jurisdiction's order can be enforced across Australia.
RFQ	Request for quote
RO	Abbreviation used for Restraining Order/Orders, Intervention Orders, Domestic Violence Order, and DVO
RQF	Request for quote
SA	South Australia
SAC	Southern Aboriginal Corporation (auspicing agency for FVPLS operating in southwest WA)
SAPOL	South Australian Police Service
SDO	Sisters Day Out®
SNAICC	Secretariat of Aboriginal and Islander Child Care
Staff member	Used to identify some respondents in the evaluation: includes: FVPLS staff members and members of their auspicing agencies, CEOs and Board members
Trauma-informed	A program, organisation or system that is trauma-informed realises the widespread impact of trauma and understands potential paths for recovery; recognises the signs and symptoms of trauma in clients, families, staff and others involved with the system and responds by fully integrating knowledge about trauma into policies, procedures and practices and seeks to actively resist retraumatisation (SAMHSA, 2014 quoted in Wall,

	Higgins and Hunter, 2016). Six principles for trauma informed care include Safety; Trustworthiness and transparency; Peer support; Collaboration and mutuality (levelling power differentials between staff and clients and amongst organisational staff to ensure a collaborative approach to healing); Empowerment, voice and choice (strengths-based approach); and Cultural, historical and gender responsiveness. Ten domains for implementation of trauma-informed care are governance and leadership; policy; physical environment; engagement and involvement; cross-sector collaboration; screening, assessment, and treatment services; training and workforce development; progress monitoring and quality assurance; financing; and evaluation. (SAMHSA, op cit).
VCC	Victims of Crime Compensation
VIC	Victoria
WA	Western Australia
WAWLS	Western Australian Women's Legal Service
WDVCAS	Women's Domestic Violence Court Advocacy Services (NSW)
WWLS	Warra-Warra Family Violence Legal Service

Contents

Acknowledgements	1
Glossary, acronyms and abbreviations.....	2
Contents.....	5
1 Background and methods	6
1.1 Background	6
1.2 Purposes of the evaluation	6
1.3 Key evaluation questions	7
1.4 Methodology and methods	8
1.5 Limitations.....	10
1.6 Program Theory	11
2 National Forum, Secretariat and Convenor.....	13
2.1 FVPLS National Forum – history and structure.....	13
2.2 What the Forum, Secretariat and Convenor do.....	16
2.3 Forum outcomes.....	18
2.4 Member feedback, concerns and priorities.....	20
3 National Forum Rubric.....	23
4 Summary and recommendations.....	26
4.1 Recommendations	26
5 Appendices.....	32
5.1 Interview guides relating to Forum issues	32
5.2 Summary of national recommendations	33

1 Background and methods

1.1 Background

This is the first impact evaluation of Family Violence Prevention Legal Services (FVPLS), funded by the Commonwealth Government of Australia through the Safety and Wellbeing Program of the Indigenous Advancement Strategy (IAS), Department of Prime Minister and Cabinet. There are 14 FVPLS providers across Australia, in all States and Territories except Tasmania and the ACT. Some provide services through multiple sites.

FVPLS providers are funded to offer culturally safe legal assistance and support to Aboriginal and Torres Strait Islander victims/survivors of family violence or sexual assault. Primary services include legal assistance, casework, counselling and court support, including family violence restraining orders, assisting victims/survivors of family violence and sexual assault, child protection, victim's compensation, and family law including child support (where it relates to family violence).

In addition, FVPLSs provide referrals, community legal education, and early intervention and prevention services that will address family violence and its associated causes and effects.

The program aims to improve safety for victims/survivors of family violence, and provide them with better access to justice, to change attitudes and behaviours in relation to family violence and inform communities of the support available in relation to family and domestic violence. Individual services tailor their programs to the needs of the communities they serve. According to the RFQ, "there is variability across FVPLS providers in terms of levels of funding, capability and performance." (PMC 2018, p 7)

There have been previous reviews of FVPLS (e.g. Allen Consulting Group, 2012), but no outcome or impact evaluations. The 2012 review recommended a greater focus on measuring both outputs and outcomes.

1.2 Purposes of the evaluation

This evaluation was commissioned by the Department of Prime Minister and Cabinet to inform decisions in relation to:

- the best arrangements for provision of legal services to Indigenous victims of domestic and family violence in communities currently served by FVPLS;
- the best arrangements for programs for prevention of domestic and family violence in Indigenous communities, in particular those communities currently served by the FVPLS;
- future development of the service model to best meet the specific needs of victims and survivors in the communities served.

The evaluation was required by the Department to assess:

- *"The impact and effectiveness of legal assistance activities provided by FVPLS organisations, including Community Legal Education (CLE) and early intervention and prevention activities by considering:*
 - *user experiences and whether FVPLS clients and communities believe their needs were met through the services provided;*

- *the extent to which FVPLS organisations interact with police, courts, child protection, housing authorities, and other key service providers and the effectiveness of these interactions in achieving outcomes for clients; and*
- *the extent to which FVPLS organisations' current practice aligns with the aforementioned best practice framework for legal assistance and victim support services.*
- *the differences and similarities across all 14 FVPLS organisations, and how each of them has adapted its service offering to meet local needs including identifying and assessing the impact of any innovative activities/services that individual FVPLSs are delivering;*
- *the effectiveness of the FVPLS National Forum and the role, structure and function of the Secretariat and Convenor in supporting the sector to share best practice and achieve forum objectives, including:*
 - *supporting and enhancing FVPLSs in their governance, operation, service delivery and programs; and*
 - *coordinating, implementing and continuing to improve communication between all FVPLS units.*
- *the extent to which the FVPLS services build on strengths, demonstrate cultural respect and involve collaboration to make a positive contribution to the lives of current and future generations of Aboriginal and Torres Strait Islander people.” (Commonwealth of Australia 2018, p 10)*

The second last question is the focus of this report.

The evaluation was also required to assess performance of each service against 'best practice' standards. Rather than develop a single set of standards, it was agreed with the Commonwealth that a rubric would be developed, identifying key performance elements along with descriptions of performance at each level for each element. Rubrics provide a basis for self-assessment and therefore a tool for continuous quality improvement. They also provide a transparent basis for evaluative judgements, enabling conversations between services and the evaluators in the short term, and between services and funding bodies in the longer term, about areas of success and areas for improvement.

Although no rubric was required for the national Forum & Secretariat, one was drafted over the course of the evaluation, based on member input. It was presented to services for comment and the current version is provided later in this report.

1.3 Key evaluation questions

Two in the set of key questions to be answered by this evaluation applied to the National Forum and Secretariat.

- *How effective is the FVPLS National Forum and the role, structure and function of the Secretariat and Convenor in supporting the sector to share best practice and achieve forum objectives, including supporting and enhancing FVPLSs in their governance, operation, service delivery and programs; and coordinating, implementing and continuing to improve communication between all FVPLS units.*
- *How might the quality and effectiveness of FVPLS services be improved in future?*

1.4 Methodology and methods

1.4.1 Methodology

The evaluation of the FVPLS Forum and Secretariat occurred within an overall mixed method, realist, impact evaluation.

Realist evaluation assumes that programs do not directly cause outcomes. Rather, programs provide various kinds of resources, opportunities and constraints. These can affect decisions made by program clients and participants, staff and other stakeholders. Different decisions lead to changed behaviours which in turn contribute to different outcomes. This interaction between the 'resources' provided and the 'reasoning' of people making decisions is known as a program mechanism.

The same resources can trigger different responses by different people in different contexts. Realists describe this as different mechanisms operating in different contexts.

FVPLS provides multiple kinds of resources (for example, legal advice, legal representation, early intervention and prevention programs) which contribute to both opportunities (e.g. to take legal action, or access other services) and constraints (e.g. restraining orders). These resources have the potential to affect decision-making by victims/survivors, offenders and potential offenders, police, courts and so on. These resources may contribute to prevention of family violence through mechanisms including awareness raising, deterrence, disablement, community mobilisation and norm-changing, and empowerment of victim/survivors. Each may work differently in different contexts, leading to different patterns of outcomes in different areas. The overarching realist question is, therefore "For whom and in what contexts is this program working, in what respects, how and why?".

A realist evaluation therefore aims to identify the *main mechanisms* through which FVPLS are expected to work and the main *unintended mechanisms* which may be triggered by the same resources; the principle *aspects of context* which are likely to affect whether and which mechanisms operate; and the outcomes that would be expected from each context-mechanism interaction. Program theory thus takes the form of 'Context-Mechanism-Outcome' (CMO) hypotheses. We refer to these hypotheses as "propositions".

Once initial propositions are drafted, evaluation methods and questions are developed to test the theories. Data is collected to answer the questions and it is analysed against the theories. Theories may be supported, amended or rejected in the light of the evidence. Refined theory is then developed which best reflects the evidence. The refined theory aims to explain how, why, for whom and in what contexts interventions are most likely to be effective. The intent is to enable policy makers at the national level, and services at the local level, to tailor their interventions to maximise effectiveness and minimise harm.

1.4.2 Methods

The methods for the evaluation are described in detail in the evaluation design, available on request from the Department of Prime Minister and Cabinet, and the instruments used to ask evaluation participants about the FVPLS Forum and Secretariat are appended.

Research ethics approval was provided by the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) Research Ethics Committee, HREC reference number E077-22032018. Originally permission was given to collect data until the end of 2018, but an extension was later provided to the end of February 2019.

Confidentiality was a requirement of the research ethics approval for the evaluation. Consequently, only two categories were used to identify quotes in this FVPLS Forum and Secretariat report, 'External Stakeholder' or 'Internal Stakeholder'. External stakeholder includes persons of any organisation that had worked with the National Forum, Convenor or Secretariat, whether from an NGO or from government. Internal stakeholder includes all FVPLS staff, Secretariat staff and the Convenor.

Only a subset of the evaluation methods and actions described in the design were used for evaluating the FVPLS Forum and Secretariat. They included:

- An initial visit to the Secretariat office to provide information about the evaluation and consult about who should be involved, and how, in the collection of data about Forum and Secretariat activities, resulting in a list of external stakeholders to be interviewed;
- A reading of the FVPLS Charter and selected publications issued by FVPLS as an organisation;
- A series of visits to conduct interviews and collect data, supplemented by phone interviews. Visits were made to the Secretariat office, but interviews that addressed Forum and Secretariat issues were also conducted with every FVPLS across Australia;
- Transcription, data extraction, an analysis workshop to identify national patterns of outcomes and identify gaps in information, followed by telephone interviews to fill gaps where appropriate and writing of draft reports;
- Drafting a rubric, based on input from services and stakeholders, to describe key features of how the National Forum and Secretariat worked at four different levels (inadequate, adequate, good or excellent);
- A final feedback visit to the Secretariat office attended in person by local Forum and Secretariat members, with the Deputy Convenor participating by phone, which allowed for refinement of findings.

As with all sites visited for the FVPLS evaluation, two researchers were allocated to the Forum and Secretariat, with one of the two undertaking visits one and three, and both attending the second data collection visit. The team included one female and one Indigenous researcher.

Across the evaluation nationally, 258 initial interviews were conducted with 274 participants. Most were one- to- one interviews, but there were a few cases where participants chose not to be interviewed alone. Follow-up interviews, often conducted by phone to clarify points, have not been included in the table below.

The table below shows the categories of participants who were interviewed for the evaluation, with a final column indicating the number who provided input to this report.

1.4.3 Table of evaluation participants

Participant category	Number interviewed	Number addressing Forum & Secretariat issues
FVPLS managers and CEOs	25	17
FVPLS legal staff	45	9

FVPLS non-management, non-legal staff	37	3
External agencies – legal service personnel	36	13
Commonwealth government staff	18	
External agencies – non-legal service personnel	66	
Community members and FVPLS clients	45	0
TOTAL	274	42

Note, in relation to this table:

- The first category included site and service managers as well as Chief Executive Officers.
- The 45 'legal staff' participants included 14 Principal Legal Officers from the 15 services. Almost all of those who commented in relation to the Forum and Secretariat were PLOs.
- Internal counsellors, together with support workers and occasionally administrative staff, were included in 'FVPLS non-legal staff'.
- External counsellors were counted as 'External – non-legal' participants, a category that also included staff at local women's shelters and allied service providers such as those involved in housing or family support.
- 'Non-legal' staff includes Secretariat staff and staff in services whose insights into Forum and Secretariat activities were derived in part from Forum working groups.
- External agency respondents came from two sources. One was a list provided by Secretariat staff, indicating contacts in agencies which had worked with FVPLS to achieve outcomes of mutual interest. Not all of these were service providers. A number of Commonwealth government personnel also indicated interest in participating in the evaluation, and contributed insights into Forum and Secretariat activities during their interviews. External stakeholders were not asked whether or not they were 'legal personnel'.
- Community members included 29 clients and 16 people identified as community elders. It would have been preferable if the number of clients participating had been higher, but a number of services were reluctant or found it difficult to facilitate access to clients. Some clients who had originally committed to participate were affected by illness on the day of the interview or had to withdraw for other reasons.
- There were Aboriginal participants in every category, although only the 'community member' category was 100% Aboriginal.

The Secretariat Executive Officer vacated the position during the period of the evaluation, and the later stages of the evaluation were conducted with the support of the new Executive Officer, who sourced information and materials for the evaluation team.

1.5 Limitations

Several limitations affected this evaluation.

1.5.1 Quantitative data

The most significant limitations relate to access to output and outcome data. The National Forum and Secretariat collects limited quantitative data in regard to their own activities.

1.5.2 Interview data

The primary sources of evidence available to the evaluators, other than Forum-produced documents and publications, were interviews.

The time available for individual interviews (usually around an hour) and the wide range of service types and issues in scope for the evaluation meant that some topics were not addressed in depth. Particularly when discussion of the Forum and Secretariat occurred in sites where many other topics were discussed, this limited the number of comments that could be made. (Copies of the instruments used are appended.)

While over 200 interviews conducted for the evaluation overall, relatively small numbers of interviews were conducted in each site (up to 16 per site). Even fewer at each site were able to discuss Forum and Secretariat activities and outcomes; those who attended Forum meetings were more likely to comment than other staff members, external stakeholders, or clients. If specifically asked about the Forum or Secretariat, interview participants in these groups were more likely to say that they did not know about it. Those who responded with insights on this topic in most sites were FVPLS CEOs, managers or Principal Legal Officers.

Secretariat staff provided a list of external stakeholders who worked with the Forum, and all were contacted for interviews. This may potentially have introduced bias.

1.5.3 Restricted methods

Resource limitations and other factors outside the control of the evaluation prevented the use of additional methods (such as process tracing or Outcomes Harvesting) being used to identify some outcomes, including advocacy outcomes. This was of particular importance in assessing Forum and Secretariat outcomes.

1.6 Program Theory

The initial program theory was developed on the basis of program documentation and previous FVPLS evaluation reports. The theory was developed as a set of six modified 'hierarchy of outcomes' diagrams – that is, hierarchies representing key program activities at the bottom of the diagram, with the immediate, intermediate and medium- to long-term outcomes to which they are expected to contribute.

The diagrams are provided in Appendix 1, but only one of the 'initial rough program theory' charts focused on the FVPLS Forum and Secretariat. It graphically demonstrated paths through which the Forum could work to achieve its desired outcomes of better quality services, which in turn would lead to better client outcomes.

One path was enabling a national approach to develop tools to support work in the areas of:

- Professional development and training;
- Governance; and
- Data collection and evaluation.

A second path was for the Forum to provide a coordinated policy and advocacy function that was anticipated to lead to:

- Improvements to policy and legislation; and
- Improvements to funding.

The program theory diagrams were supported by a total of 23 ‘propositions’ – that is, statements about how FVPLS functions were expected to contribute to outcomes. Two initial propositions were developed that were specific to advocacy. One related to advocacy at a national level, anticipated to be a function of the FVPLS Forum and Secretariat. The other related to local advocacy, where the Forum and Secretariat could potentially play a role by building member capacity to undertake developing and/or presenting cases for local action, although this latter component was not described in that proposition.

Advocacy	
1.	“Political pressure”: Coordination of advocacy at national level strengthens the evidence available which increases credibility of the case. Advocacy by multiple services to multiple policy personnel and politicians increases pressure. Increased credibility and increased pressure contribute to increased effectiveness, resulting in changes to the issues advocated upon (e.g. law, policies, service systems (legal, housing, wellbeing))
2.	“Local relevance”: Local advocacy is tailored to local circumstances and grounded in local evidence, which increases its relevance, which contributes to effectiveness resulting in changes at local level to the issues advocated upon (e.g. availability of local services, procedures, coordination)

2 National Forum, Secretariat and Convenor

2.1 FVPLS National Forum – history and structure

The National Family Violence Prevention Legal Services Forum (FVPLS Forum) was formally initiated in May 2012. Regionalisation has since taken the original 31 services in the Forum to 14.

The Forum commenced at the request of its member services:

... we have always seen the need to have a body that brings us all together, because we were all working in isolation prior to that... way back when there were 31 FVPLSs. The Attorney General's Department, who was our funder at the time, used to bring us all together on an annual basis, and we developed our relationships from that. They would often contact each other by phone and that kind of stuff. But then we went to the Attorney General's Department and said, "Look we see real value in you funding a secretariat for our forum"... We wrote to the AGs as a collective, and I think we secured about \$50,000 at that point. Then from there we just built it and the government, our funders, saw value in what we were doing, being a collective and working together to build capacity within our individual organisations. [Funding now] ... is about \$244,000 annually... (Internal Stakeholder)

The Forum operates through a Charter. The purpose of the National Forum Charter is "to document the objectives of the National Forum and to include procedures to guide its operation." (National FVPLS Forum 2018). The Charter was updated in May 2018, with changes approved by resolution of all Forum members.

In accordance with the Charter, expressions of interest for the positions of Convenor and Deputy Convenor are called from within the CEOs of Forum member organisations. A process for the nominations was agreed to by all Members, and included the following aspects to be included in an EOI:

- ability and experience
- organisational capacity to support the Secretariat
- key priorities for National Convenor/Deputy Convenor for the next two years

The Forum Charter specifies that meetings are to be held at least six times in any calendar year, most via teleconference, but with at least one national face to face meeting each year, and this appears to have been consistently met.

The Charter also outlines procedures for disputes and complaints. These sections could be improved with clarified text and more robust complaint procedures.

Section 11 of the Charter deals with disputes between Forum members and between Forum members and the Secretariat. Straightforward processes are described, with attempts to resolve the dispute between those involved first, mediation if a resolution is not reached, and 'alternate legal pathways' (not specified) to be used if mediation fails.

Section 12 deals with complaints; it is much shorter, and warrants attention and improvement in future. Currently, the distinction between complaints and disputes is not entirely clear. It may be that the dispute procedures are intended to address internal issues and the complaints procedures would address complaints brought by parties outside the Forum, such as service clients, contractors, or other stakeholders. It may also be that disputes require two parties, each considering themselves aggrieved,

while complaints require only one. Because the distinction between disputes and complaints is not clarified, neither is it clear whether Section 11 or Section 12 should apply in a particular circumstance.

Section 12 allows for the National Convenor to attempt to resolve the complaint 'internally' in the first instance: what constitutes 'internal' here is not specified. Greater detail – for example, specifying whether 'internal' refers to the Executive positions, the Board, the Secretariat or those directly involved in or implicated by a complaint – would provide guidance for all involved. Specification that only those directly involved can be informed about the nature of the complaint would provide greater protection for complainants. We note also that there is no provision for complaints to be directed elsewhere should the National Convenor be the subject of the complaint. Providing alternate avenues for complaints is considered good practice.

Subsequent processes involve a complaints committee, preferably comprising Board members from at least three FVPLSs 'to avoid conflicts of interest'; mediation if that is unsuccessful; and then: "If this still fails then the complaint will be forwarded on to the member organisation's board to go through their internal processes." This appears to assume that complaints can only come from a member organisation, which seems to be unnecessarily limiting; and to direct responsibility for resolution of a complaint about the national organisation to a single member, which seems inappropriate. It is the view of the evaluators that this section of the charter should be revised.

It is even possible that the Forum could play a role in providing a pathway where stakeholders, including clients, would be able to present cases that had not been satisfactorily resolved at the service level – or if a complainant felt that they would be at risk presenting the complaint to the local service. This role has been noted as important in ensuring 'downward accountability'¹, that is, accountability not to funders (upward accountability) but to those whom the organisation is intended to serve. The role is more challenging, but also even more important, when those served face barriers such as literacy and remoteness that make it difficult for them to present complaints, as would be the case for many FVPLS clients. This would require significant policy consideration – for example, as to the circumstances in which the Commonwealth Ombudsman (which receives complaints about Commonwealth funded programs)² or State/Territory Legal Services Commissions (for complaints about legal services) would be more appropriate; and whether and how the Forum could draw on its internal high levels of expertise (including legal expertise) without damaging relationships or causing conflicts within the Forum. Should the Forum decide to proceed down this pathway, there are guidelines available on dealing with complaints³, and it would be worthwhile to consider them when developing procedures.

The Secretariat provides support to the Forum. A Secretariat Executive Officer manages a full-time project officer and a part-time support officer. The Secretariat Executive Officer acts as the primary point of contact with Forum members, supports the National Convenor and Deputy Convenor, and supports capacity building and information sharing across members.

The Secretariat staff are co-located with an FVPLS, whose staff supplement the work of Secretariat staff. The same FVPLS has hosted the Secretariat since it was initiated.

¹ See, for example, Ebrahim, A. (2003). Accountability in practice: Mechanisms for NGOs. *World development*, 31(5), 813-829.

² <https://www.ombudsman.gov.au/what-we-do/indigenous>

³ See, for example: Commonwealth Ombudsman (2009) *Better practice guide to complaint handling*. Commonwealth of Australia, Canberra.

The Forum has developed four working groups:

- a capacity building and governance working group;
- an evaluation and data working group;
- a Principal Legal Officers' network; and
- a 'trauma champion' working group.

The 'capacity building and governance' working group, comprised of four FVPLS CEOs, was intended to focus on and the development of a strong community of practice through peer support and sharing of ideas. Also:

In line with the national Forum Charter Section 13. Powers of Working Groups, the Working Group will be assigned with developing relevant proposals for either endorsement by the Forum, or approval by National Convenor, as appropriate.

The Working Group has authority to determine the approval of Forum member applications for General Capacity Building Grant funds, in accordance with the NFVPLS General Capacity Building Grant Guidelines. (National FVPLS Forum Capacity Building Working Group Terms of Reference, undated, p. 1).

This working group had met six times between 2014 and late 2018, as well as holding out of session discussions to approve all rounds of Capacity Building Grant applications.

An additional previous activity was also noted:

... the capacity building and governance working group, they ... conducted a little mini exercise amongst the members called a process review... intended to encourage ... self-reflection on the activity of the service... (Internal Stakeholder)

The evaluation and data working group were focusing on CLASS, the new system for data collection:

...in terms of the evaluation and data working group specifically... in that working group we have quite a diverse range of delegates that attend. So, we have all the way from CEOs to coordinators down to admin support and everything in-between actually engage in that working group, which actually creates a really useful discussion... (Internal Stakeholder)

The Principal Legal Officers' network was intended to enable lawyers from each service to share experiences and learn from each other. Most meetings were by phone, but there was a face to face meeting, and PLOs sometimes had a session of their own at Forum face to face meetings.

I do attend when I can. We tried to organise something a bit more structured ... best practice, that kind of stuff, sharing experiences. A lot of it is just debriefing and saying oh I had this client, having the opportunity to hear someone else's experiences, because you learn ... this happened in that service, okay if we're ever confronted with that kind of situation I kind of can get some information, get some knowledge from what they've given us... At the moment we have a telephone hook-up, that's supposed to be once every month or two but it's really ad-hoc... (Internal Stakeholder)

Due to the request of PLO Network members who wanted to discuss sensitive service matters, the Network had held at least one meeting without a member of Secretariat participating, but the Network recently agreed to reconvene with the Secretariat present. A meeting was scheduled for 18 February 2019.

The 'trauma champion' working group is associated with the national training program that is being implemented in most FVPLS sites. Using resources allocated under the Third Plan, the Department of Prime Minister and Cabinet chose We Al-li to deliver:

...workshops to all of the 14 FVPLSs across Australia [in order to] ... to build the workforce capacity... operationalise ... culturally informed trauma integrated healing approach frameworks and... ensure ... [the approach] starts to be integrated into procedures and policies and ...[the] community of practice across each of the services. (Internal Stakeholder)

Trauma champions were to be identified by each service, and materials (Atkinson et al 2017⁴) were developed for the working group. The champions were to ensure that implementation of the trauma-informed approach continued after training was complete, and begin to build an FVPLS community of practice in trauma-informed approaches, addressing both client and staff trauma issues.

2.2 What the Forum, Secretariat and Convenor do

The Forum has provided a way for members to meet and share information, including good practice examples as well as concerns. Service representatives – the Chief Executive Officer /Co-ordinator or a delegate selected by them – attend meetings and activities, typically out of their own budgets.

An agenda for a Forum meeting was provided to the evaluation team, which detailed items for discussion but also provided space where services could highlight achievements and items for sharing.

While these meetings have enabled a degree of sharing, not all participants felt that they were as effective as they needed to be. A PLO noted:

...the only other time that we meet is at the Forum once a year and I think we have an hour or two just to ourselves to have a chat which is really not long enough. By the time we say hi, how are you, what's happening in each of our services, we don't get a chance to drill down and to actually look at best practice and stuff like that... that's still a work in progress... like we talked about having a portal on the system where we could all put up relevant cases or that kind of stuff, so that we had a resource that we could all go to that was relevant... (Internal Stakeholder)

The Forum has also enabled services to reflect together and provide a unified voice on key issues. For example, when IAS funding commenced, FVPLS organisations were moved from Commonwealth Attorney General's Department to Prime Minister and Cabinet, and provided with six months of funding:

...we didn't know what it meant for all of us individually, because our program, our identity as a program was gone. We were sitting as 14 individual organisations under Prime Minister and Cabinet, and subject to a competitive tender process that didn't have a discrete allocation of money to develop or to deliver a Family Violence Prevention and Legal Service... We landed in a tricky space because the guidelines of the Indigenous Advancement Strategy said that something around 'deliver any services except legal' ... that kind of injected fear in all of us because we provide legal services... so we were kind of working our way through that muddy territory... (Internal Stakeholder)

⁴ Atkinson, C., Atkinson, J., Wrigley, B. & Collard, H. (2017). Aboriginal Family Violence Prevention Legal Services: Culturally Informed Trauma Integrated Healing Approach – A Guide for Action for Trauma Champions.

The Forum enabled issues to be discussed collectively:

We pulled together as a Forum and talked about these challenges and this uncertainty and yeah put our heads together and worked out what kind of questions do we need to ask to understand what this meant, what the Indigenous Advancement Strategy meant.... We were having conversations with PM&C, the Minister. (Internal Stakeholder)

Although early discussions had indicated that there was an opportunity with IAS to increase funding and expand services, such as provision in urban areas, in the end FVPLS funding was frozen at the 2013/14 level, with no CPI increases. Some FVPLS staff considered this a more positive outcome than might have occurred without the joined-up communication the Forum provided.

Not all external stakeholders agreed, suggesting that the IAS provided a great deal of flexibility. Had the Forum or services presented a new model, rather than lobbying for rollover of funding, even better funding outcomes may have been achieved.

Secretariat staff activities include arranging meetings and teleconferences for CEOs or their delegates. Secretariat staff have also resourced working group operations, such as facilitating PLO teleconferences. Written communications were also provided through the Secretariat, enabling all services to have a common and updated knowledge base:

I'm on the mailing list for all the communication that goes out. It's good because like with the Redfern Statement where they're going and with the national plan for reducing violence against women and children, there's always information coming through... (Internal Stakeholder)

Some noted how important this function of the Secretariat could be. One stakeholder, relatively new to FVPLS, noted how helpful the information provided through the Forum and the Secretariat had been in their early months. Another commented on appreciating the value of the information after being absent from the Forum for some time:

...I guess what I realised, because we [had missed a number of Forum meetings], that we had been left behind in so many things, the industry had moved on and we were sitting in the dark around things, so being back engaged with that, that source of information coming through, working with other services... I find it very useful... you've got to be part of it otherwise you get left out... (Internal Stakeholder)

However, the degree of appreciation for Forum activities appeared to depend in part on services' capacity to take advantage of them:

...we get asked to sit into teleconferences and I don't have additional staff to say, "you do this while I sit in on the conference", so I don't have time, so I cop a bit of flak for not engaging but my point is I don't have the staff to free me up to engage. (Internal Stakeholder)

The Convenor undertakes most advocacy activities, representing FVPLS interests with government and also participating in policy work related to violence against women and children. Policy papers and other communications are developed with the support of Secretariat and sometimes staff from the auspicing FVPLS, with other FVPLSs offered opportunities for input:

... They keep in contact regularly and if you're going to have someone leading on behalf of a number of agencies, I think they do it right. They keep us well-informed, they understand that we're all busy and they don't overload, well sometimes they send out a lot of emails but then those emails, often they draft and they just ask for comment. (Internal Stakeholder)

Much of the advocacy on issues related to family violence was undertaken in collaboration with other national bodies, so building and maintaining these relationships was also part of the Convenor's role.

One external stakeholder noted that FVPLS was one of the few organisations they worked with that fully understood primary prevention:

... most organisations out there are working at the crisis or response end, so there are relatively few that are doing what we would see as proper primary prevention work and so FVPLS would be one of those... (External Stakeholder)

Another remarked on FVPLS capacity to advocate on policy issues related to Indigenous women and children at a federal level, and other organisations noted the expertise of FVPLS in issues involving children, particularly in the relationship between family violence and child removal, and the further relationship with Aboriginal children's involvement in the justice system. A recent joint initiative with SNAICC and NATSILS had resulted in a publication on responses to and prevention of family violence, focusing on Aboriginal and Torres Strait Islander children and their families.

This was one of multiple publications produced since 2013. The Forum's outputs in publication and advocacy since 2013 are listed on the Forum's website, and include publications, policy submissions, and media releases

The Secretariat identified documents recently produced by the Forum which they considered to be of particular importance:

- *Submission to the ALRC Family Law Review Discussion Paper*
- *Submission to the merger of the Federal Circuit Court and Family Court* (The Secretariat noted that, in a welcome development, the Government has now not listed this legislation for debate)
- *Submission to Closing the Gap Refresh Process*

The Secretariat noted that the Forum is now a part of the Coalition of Aboriginal and Torres Strait Islander Peaks negotiating with the Federal Government and COAG on the process to determine future targets for Closing the Gap.

2.3 Forum outcomes

As noted in the methodology section, there was limited capacity for the evaluation to identify Forum and Secretariat outcomes, with advocacy outcomes particularly challenging to assess.

Forum outcomes identified by internal stakeholders included:

- strategic issues identified and addressed jointly, such as in the transition to IAS;
- members learning of potential areas of practice improvement from other members, or of new developments that could impact on their service; and
- government's awareness of the ongoing needs of FVPLS members.

One example provided of changing government awareness was ensuring that We Al Li training could be customised appropriately for each service.

Another was increased awareness in Prime Minister and Cabinet staff and in NACLC about serious issues in CLASS design and implementation:

...this Forum in March ... PM&C came in and spoke to all of us and it was really enlightening, it was a great opportunity, and that was all organised by the Secretariat. They then understood the problems that we were having with CLASS. Up until that point PM&C didn't realise...how poor it was. (Internal Stakeholder)

Forum advocacy outcomes identified by the Secretariat included invitations by groups to participate in discussions, provided as evidence that the FVPLS Forum was recognised as having national credibility in issues related to family violence.

Three examples provided were participation in:

- Coalition of Aboriginal and Torres Strait Islander Peaks, as a part of developing a national partnership agreement with COAG for developing the Closing the Gap Refresh targets;
- Indigenous Incarceration Working Group, convened by the Law Council of Australia; and
- FaCtS Study Advisory Group, convened by the Aboriginal and Torres Strait Islander Health, National Centre for Epidemiology and Population Health Research, College of Health & Medicine, Australian National University.

However, there was concern from some external stakeholders that the advocacy was not as effective as it could be, as it was not sufficiently future-focused:

They are not catching up on the fact that things are changing significantly, exponentially at a faster rate... I think the national Secretariat isn't well-positioned to actually support the FVPLSs to make that change. For whatever reason, they take a particular view which is about, in many ways, promoting the status quo ... ideally, a national Secretariat would be able to be agile, be able to ... go 'Okay ... how do we position the sector in the best possible way to respond to not only government priorities but also the [demands] that are coming from our constituents, from our client base?' (External Stakeholder)

It was also challenging to determine the extent to which working group activities were producing outcomes, although some emerged from interviews and/or material provided by the Secretariat after the third visit discussion.

For example, it was noted that the trauma champion working group, working with the Secretariat, had:

- provided input to a submission to the Fourth National Action Plan under the National Plan to Reduce Violence Against Women and their Children;
- created a Clinical and Cultural Supervision Register, for use by FVPLSs across Australia, to track formal and informal mentoring and support FVPLS staff, not limited to staff who receive Clinical Supervision; and
- created an online resources folder, available to all FVPLSs, of trauma integrated resources in areas such as staff induction and "professional development, client information brochures, techniques for working directly with clients, self-care supports, and resources specifically designed for supporting children and young people". (Personal communication, FVPLS Secretariat, December 2018).

2.4 Member feedback, concerns and priorities

Both positive and negative feedback was received about the operations of the Forum and Secretariat. It should be noted that it was not a matter of 'some stakeholders were positive and others were negative'. Both positive and negative feedback was often received from the same people, demonstrating willingness to be balanced and to contribute to efforts to improve the effectiveness of the Forum.

Positive feedback from internal stakeholders related to provision of information, maintaining communication and providing members with influence they could not otherwise achieve.

There's a lot of liaison ... they send out information all the time and let us know what the government is thinking and doing about family violence so there is that communication there. (Internal Stakeholder)

They do a lot of lobbying with the funders and do a lot of media releases and voiceover concerns, ...that helps us. If there are ... particular concerns with our contract agreement or in anything, ... they will look into that deeply. They help us with policy matters as well. (Internal Stakeholder)

Some services have less contact than others. I think ... even if there's less contact, we're getting the benefit of the broader work that's been done by the Secretariat ... the submissions and the lobbying that they do and the researching and the resourcing that they have that other smaller services don't have... I think we'd be lost without their skills... Because ... as little services on our own, I don't think we would get a look see... there's really no other channel [through] which we can be heard. (Internal Stakeholder)

A number of concerns were also identified by internal stakeholders, including perceived disparities in access to Forum resources, concerns about discord between members and how these were handled, and a desire by some to see a more equal balance between enabling good practice at the service level versus policy and advocacy work. These represent areas that the Forum could seek to address, to build its effectiveness in future.

Working in conditions very different than the site where the Secretariat was based and the perceived focus of meetings contributed to a concern for some.

I don't think they have an understanding of our actual local communities and what we have to work in... the vast expanse. Whenever we're at meetings, it's always about [the city in which the auspicing organisation is based] ... they do advocate on our behalf, but I think a lot of the time, it's more eastern-states centric... (Internal Stakeholder)

It is possible that this focus is also perceived by external stakeholders, some of whom conflated the FVPLS Forum and the auspicing FVPLS. One noted:

When I talk about FVPLS, I'm really talking about [the host organisation] ... (External Stakeholder)

Some internal stakeholders suggested that it might be useful to have the Convenor and the Secretariat not always auspiced by the same organisation.

...I think you would be better off having a National Secretariat that was completely separate to all the units, that was a central point that was advocating and lobbying for all the units, so they

don't have their own agenda... Where ... everyone has a voice, I think you'd probably get a lot more involvement. I think a lot of people have stepped back from [active participation in the Forum] in the last 18 months. (Internal Stakeholder)

I would like to see the [Convenor position] rotated, rather than having one person doing that all the time. Maybe each State should get maybe two or three opportunities to do that role so that they get experience, they get to go to Canberra, meet with Ministers as well so it's empowering each unit, not just ...[one] doing it all the time because they are just empowering themselves. It isn't giving an opportunity for other units. (Internal Stakeholder)

At least one stakeholder seemed to believe that the location of the Secretariat was determined by the choice of Convenor (a belief not supported by the evaluators, who see no necessary relationship between the two).

It is very [host state]-centric but that would be the problem of wherever it was, ...I don't know, would they have to move [the Secretariat] if the new Convenor was in Darwin? ... I don't know how that would work ... (Internal Stakeholder)

However, not everyone saw problems. The advantages of this location were noted by some respondents:

... [The host organisation] actually add a lot to the Secretariat... a team of policy people that add value to what the Forum does... often it's ... [host organisation] staff that are drafting submissions to enquiries... (Internal Stakeholder)

A few stakeholders perceived exclusion of some regions or services from participation in aspects of Forum work such as advocacy.

Advocacy, lobbying ...sometimes we do get invitations to meet with some Ministers. That happened two years ago where we caught up with Indigenous Minister Nigel Scullion... and a few Ministers and the Opposition as well. I thought it was good but in-between, you know, there were some grey areas where we didn't get the invite, only a few groups used to get the invitation. Those who were in good circles with them, the inside circles... (Internal Stakeholder)

Feedback received on the draft report suggested that all Forum members are informed of meetings and can self-nominate to attend. It may be that not all members are aware of this option, or that other issues act as barriers to self-nomination. An active policy with clear strategies to ensure all services are enabled to participate over time may help to address the issue.

There were also concerns expressed about discord between members, sometimes openly expressed at Forum meetings. A number of incidents were described, one at least with substantial impact on staff, and repercussions including a threat from one service to leave the Forum⁵. One person suggested:

I'd like to see an independent person doing the facilitation because with having the Secretariat doing that, sometimes, you know, it could be biased ... A few people felt they have not been

⁵ Handling of disputes and complaints is addressed in the Charter, as noted above, but it is not known if those procedures were used in this incident.

heard and a few people talked over another person. There were clashes between the principal solicitors and the CEOs; principal solicitors from other units to CEO of another unit. (Internal Stakeholder)

Feedback on the draft report suggested that independent facilitators are used for Forum meetings; it is not clear whether this is a recent introduction or whether facilitators are only used for some meetings.

Some respondents wanted a greater emphasis on enabling good practice at the service level. Member priorities included ensuring that advice was timely, with the Secretariat able to provide timely support in areas such as governance issues.

There was a desire for working groups to be productive, with outcomes reflecting the priorities of FVPLS members. One suggestion was for the data group working to ensure that reporting could focus on the FVPLS model, rather than more generic community legal services:

...because we are operating under the data standards manual of the Attorney General's Department, that data standards manual applies to all of the community legal services... there's so many variables with the way that a lawyer here [in an FVPLS context] will work with a client depending on their needs... (Internal Stakeholder)

Given the distances between services, and the need for cost-effective and timely learning, online resources such as those developed by other groups were a priority for some:

... a website with all the materials from all the FV units across the country, like a library... (Internal Stakeholder)

Legal resources were most often mentioned, but others were identified as useful, including resources addressing governance and case management issue. The introduction of online resources related to trauma informed service provision has already been noted above.

The opportunity for the Forum to operate more effectively as a forum for 'peer to peer' support was also raised. In the local evaluations, a number of FVPLSs were identified as having areas of particular expertise which could usefully be shared with others. Care will be necessary to address issues of ownership of intellectual property, to ensure that services are recognised for their leadership (for example, in acknowledgements in written resources), and to guard against imbalances where a few services support the many, without in turn benefiting from other services' specialist expertise.

Finally, a number of issues raised appeared to concern transparency, that is, members feeling that they were not receiving enough information to be sure that decisions were equitable and that benefits flowed to all services and their clients. Concerns were raised in relation to the level of detail provided about financial expenditure; how some decisions were made; and how members' investment in the Forum and Secretariat was providing benefits for each service.

3 National Forum Rubric

Standards were not required to be developed for the national Forum and Secretariat, and a draft was not developed for consultation in the sector. The following rubric was developed by the evaluation team based on Forum members' and stakeholders' feedback received during the second stage evaluation, and was intended to be refined in the final stage of the evaluation. However, comments were generally positive, and some the few changes suggested by services contradicted each other. This draft has therefore also been left as originally presented. Forum members, potentially working collaboratively with the Commonwealth, could refine it for future use.

Elements	Inadequate	Adequate	Good	Excellent
Consultation and communication with members	Meetings and communications to members are irregular.	Meetings are conducted regularly as scheduled. Agreed agendas are prepared for each meeting. Outcomes of Forum meetings are documented and disseminated to members in a timely manner. Consultations are conducted with members on significant issues, both internal to the operations of the forum and of relevance to FDV. Communications between meetings keep members up to date with important developments.	Adequate, plus: Structures and processes for consultation provide client voice in relation to legal and policy issues, and in relation to the priorities addressed by the Forum.	Good plus: Communications materials are provided for external stakeholders (e.g. users of FDV services, other stakeholders) and increase awareness of the work of the National Forum and Secretariat
Membership participation	Internal structures (e.g. Working Groups) are not convened OR are not representative OR are dominated by	Working groups are established in areas identified by the membership as important. Working groups have clear Terms of Reference,	Adequate, plus: The majority of services participate actively in at least one area	Good, plus: Membership based structures (e.g. Working groups) carry forward the

	<p>particular FVPLS agencies.</p> <p>Processes are not appropriate for smaller agencies to participate.</p> <p>A significant minority of members do not participate in Forum meetings or other activities.</p> <p>Charter guidelines are not always respected.</p>	<p>aims, and work plans with timelines.</p> <p>Secretariat support is provided as agreed for Working Group meetings.</p> <p>Working Groups report regularly to Forum meetings.</p> <p>Outcomes of Working Groups are fed back to members for endorsement or revision.</p> <p>Charter guidelines are implemented transparently.</p>	<p>of Forum activity.</p> <p>The Forum formally monitors the progress of Working Groups against their Terms of Reference.</p> <p>The Terms of Reference of Working Groups are reviewed annually. Completed working groups are formally disbanded.</p> <p>The Forum Charter is formally reviewed every three years and updated as required.</p>	<p>majority of the work of the Forum.</p> <p>The achievements of Working Groups are celebrated both internally and in appropriate communications materials (e.g. newsletters).</p>
Advocacy	<p>Advocacy is ineffective and/or topics of advocacy do not address the diversity of issues of concern to FVPLS members and/or contexts in which members work.</p>	<p>Priority topics and strategies for advocacy are determined by the Forum.</p> <p>Advocacy is undertaken in relation to priority issues.</p> <p>Advocacy is strategic, evidence based, and rights based.</p>	<p>Adequate, plus:</p> <p>The effectiveness of advocacy identified as a priority by the Forum is monitored and strategies to improve effectiveness are developed.</p> <p>Advocacy utilises multiple strategies to reach multiple audiences.</p>	<p>Good, plus:</p> <p>Recognising restrictions on advocacy by individual services, the national Forum undertakes regional advocacy on important legal and policy issues, in negotiation with the FVPLSs operating in those jurisdictions.</p> <p>Additional resourcing is sought for projects</p>

			Advocacy is undertaken in collaboration with other stakeholder groups where appropriate.	to enhance the quality of advocacy (e.g. research projects to improve the evidence base for policy positions).
FVPLSs are supported in governance, operation, service delivery and programs	<p>Support is not provided to enhance the performance of local FVPLSs and/or</p> <p>Support is only provided in response to requests.</p> <p>Support is not available in relation to key areas (i.e. good governance, management, legal and prevention service delivery)</p>	<p>Timely support is provided to members in relation to good governance, management, legal and prevention service delivery.</p> <p>Forum members are assisted to share expertise and resources, both within and between Forum meetings. Support includes development of policies or protocols which recognise the contributions of FVPLS agencies.</p>	<p>Adequate, plus:</p> <p>Consultations are conducted to identify priority development needs of local FVPLSs, and to identify particular areas of expertise in which local FVPLSs could contribute to development of the sector.</p> <p>Resources to support effective governance and operations of local FVPLSs are developed and/or made available on line.</p>	<p>Good, plus:</p> <p>The effectiveness of support provided to local FVPLSs is monitored. Feedback from local services is used to improve the quality of resources and support.</p> <p>Additional resourcing is sought for projects to enhance the quality of support (e.g. grants to develop resource materials).</p>

4 Summary and recommendations

The two potential paths identified in the initial program theory for the Forum to achieve better quality services and better client outcomes were supported only in part.

There was evidence from both output and interview data that the Forum, particularly the Convenor, were conducting policy and advocacy activities, and some results of this activity have been noted. Concerns raised in this area included the perceived exclusion of some topics, regions or services from advocacy activities.

There was little consensus on the degree to which the Forum was supporting good practice in governance, operation, service delivery and programs, although channels for communication between services had been developed, through written communication, meetings and working groups. Member priorities included productive committees or working groups that focused on issues of greatest importance to FVPLS members, a focus on timely advice related to governance and service issues, and resources available online. Examples of recent achievements in this area have been noted above.

Views were divided about the relationship between the auspicing organisation and the Forum. Concerns were expressed by some participants about over-identification of the Forum with the host organisation, although it was acknowledged that there were ways in which the Forum benefited from the situation.

The rubric was developed to identify and assess good practice as identified by FVPLS evaluation participants, and may serve to guide future quality improvement activities.

4.1 Recommendations

Recommendations are presented in the national report and are duplicated below for ease of reference.

FVPLS Forum and FVPLSs: The rubric should be considered as a tool to support assessment of the Forum and Secretariat, including self-assessment, and findings should be used to identify areas for improvement.

PM&C and FVPLS Forum: The Department of Prime Minister and Cabinet should commission, in collaboration with the Forum, a structured, independent national consultation with FVPLSs about issues identified in the evaluation report, including the advantages and disadvantages of making the Secretariat independent of a single FVPLS, and clear strategies for addressing the disadvantages of the selected option. Other issues to be addressed should include transparency; how the forward program of work is developed and decided; and potential improvements to how disputes and complaints are handled.

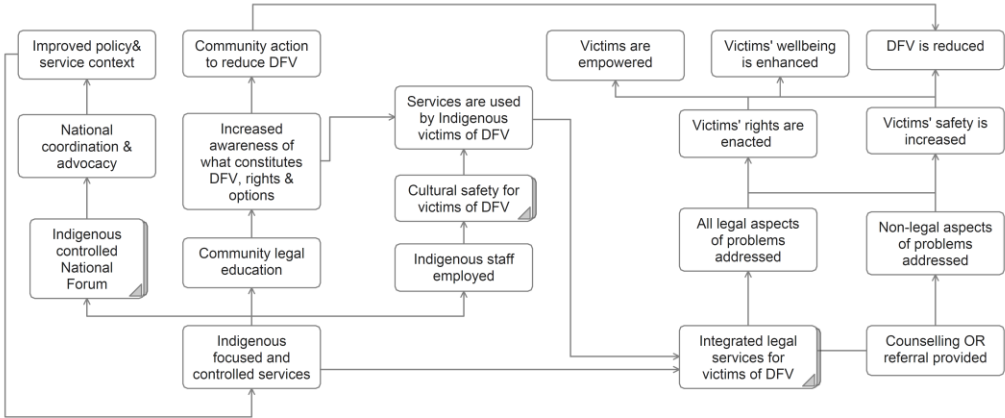
FVPLS Forum: The National FVPLS Forum should use independent facilitators for all Forum face to face meetings and strategic discussions.

FVPLS Forum: The Forum should increase the proportion of Forum and Secretariat resources (time in meetings, budgets, staff time allocations and Forum member time allocations) allocated to quality improvement of member services and support for member services. This may be achieved by bringing in additional resources dedicated to quality improvement projects or by reducing the proportion of resources allocated to policy and advocacy work, or some combination of the two.

FVPLS Forum: The Forum should investigate the development of further online resources for FVPLS practice, including nationally-accessible resources for areas of legal practice of relevance to FVPLS; resources for other areas of FVPLS work, such as child protection and case management; and resources for organisational issues such as governance. Consultation with FVPLSs should determine the nature and order of resources to be developed. Consideration should be given to development of resources in areas of relative weakness identified through the national FVPLS evaluation, including needs assessment and planning, and monitoring and evaluation.

FVPLS Forum: The Forum should consider how best practices developed by member agencies can best be identified and disseminated for potential adoption, or adaptation, by others. This should include development of a shared position in relation to ownership of intellectual property of tools and resources.

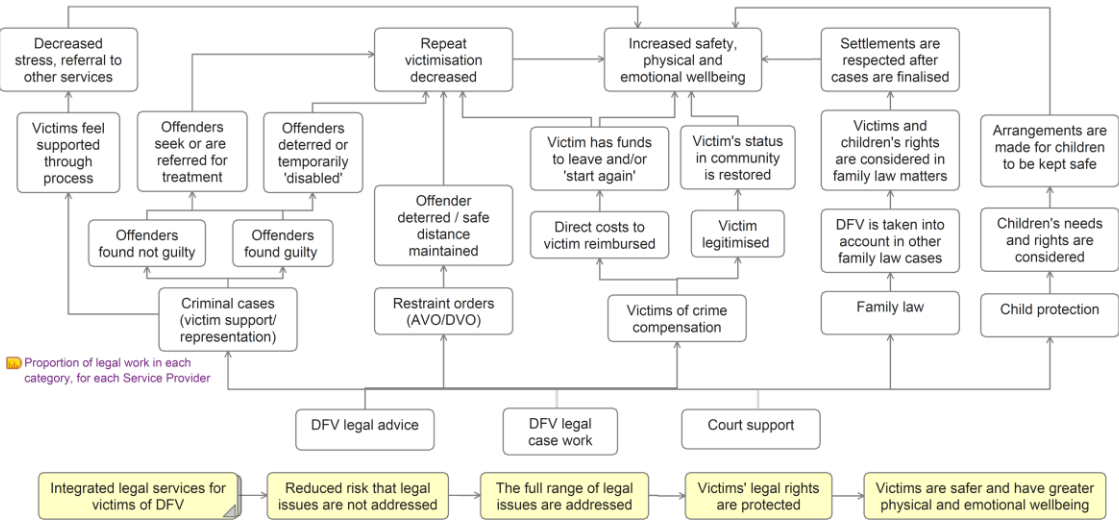
PROGRAM THEORY MAP 1: OVERVIEW



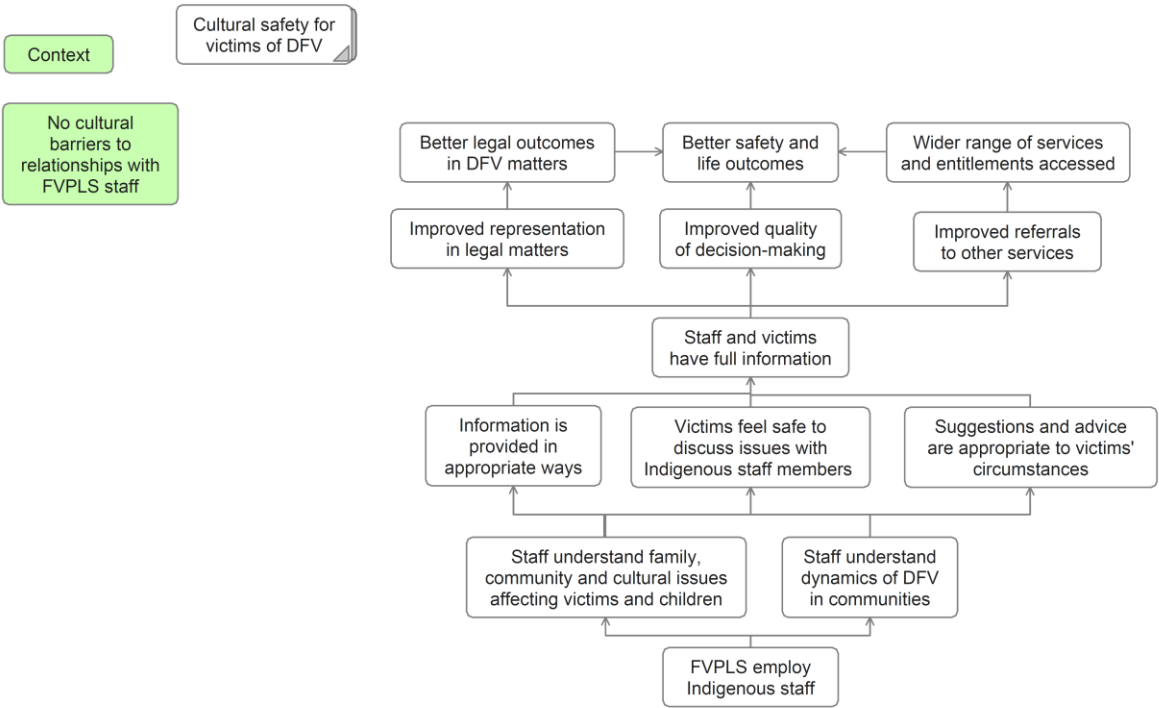
doview.com model

Integrated legal services for victims of DFV

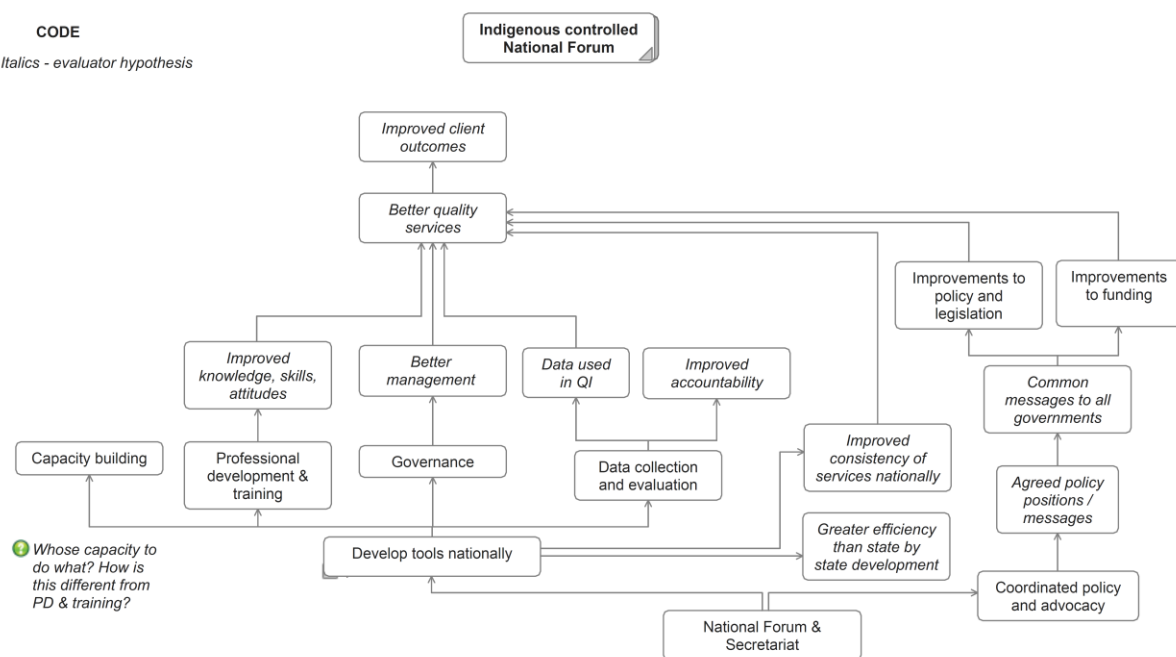
- 1 In what circumstances does / does not compensation contribute to prevention of violence?
- 2 What are the impacts of restraint orders, for victims, families, offenders, communities?
- 3 Do DVPLS have, or can we get elsewhere, data on restraint orders that have been breached?



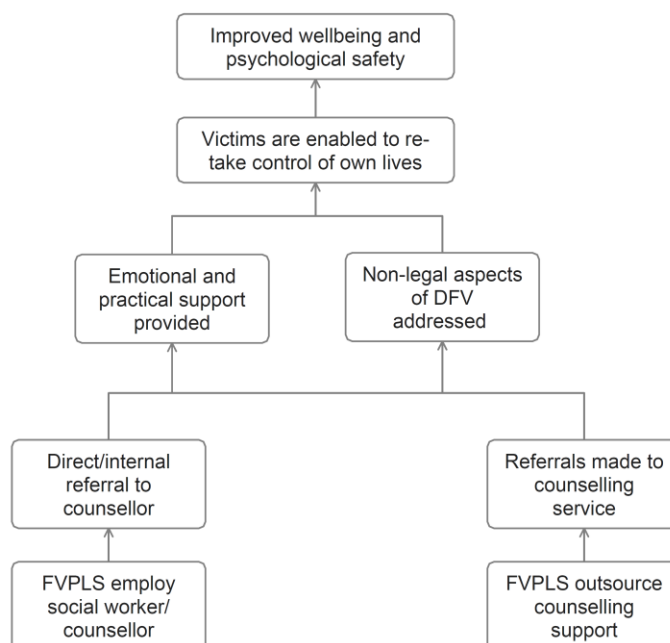
doiview.com model



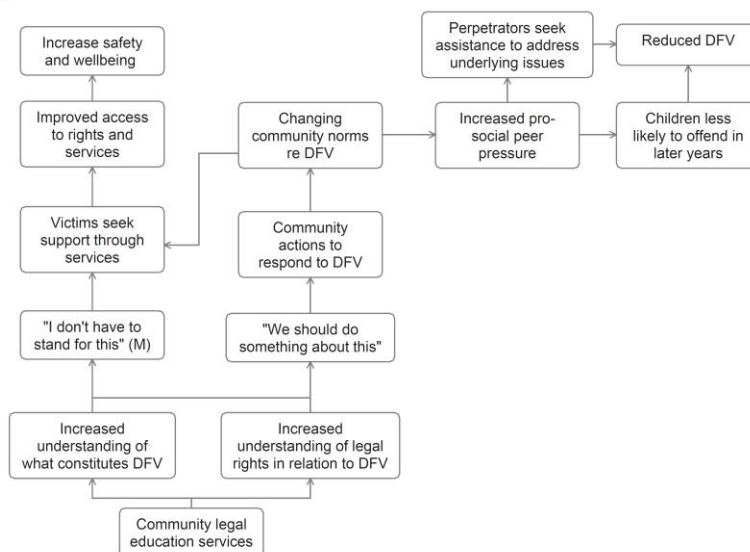
CODE
Italics - evaluator hypothesis



Counselling / Case Work Services



COMMUNITY EDUCATION PROGRAMS



5 Appendices

5.1 Interview guides relating to Forum issues

Questions were asked as part of longer interviews with managers, CEOs and/or PLOs.

5.1.1 Interview guide: Internal stakeholders

Service/site: Work role Gender: Indigenous status:

- In what ways has the National Forum supported your work or your effectiveness at a local level? How effective has that support been, and how could it be improved?
 - Prompts: e.g. improving governance and operation systems, sharing best practice,
- How effective do you think the Forum has been at a national level, and why?
 - Prompts, e.g. enabling communication between all FVPLS units, political advocacy
- Is there anything else you would like to tell us for this evaluation?

5.1.2 Interview guide: External stakeholders

Respondent's organisation Work role.....

Gender: Indigenous status

- How long have you been working in your current organisation / service?
- Can you please describe your work role, and how it relates to FDV?
- What kinds of contact do you have with the FVPLS Forum?
- What are the main outcomes that you see from the Forum's work?
 - If you think about the sorts of cases in which the outcomes are and are not achieved, what distinguishes between them?
- What is it that matters about the way that the Forum works? Why is it important that they do it that way?
- How would you describe the working relationship between the Forum and your own service? What do you see as the implications / impacts of the quality of that relationship?
- How would you describe the contribution that the Forum makes to the community?

Is there anything else you would like to say to contribute to the evaluation?

5.2 Summary of national recommendations

The following recommendations are addressed to separate groups: the Department of Prime Minister and Cabinet (PM&C) as the funding Department for the program; FVPLSs themselves, and the national FVPLS Forum. Recommendations to the Forum may be actioned by the Secretariat, but are addressed to the Forum as the appropriate policy, directions and decision-making body. A fourth category of recommendations comprises opportunities for systemic reform, where collaboration between any or all of these parties, and in some cases, the wider Commonwealth Government, will be required to address issues which currently affect access to justice, and/or outcomes from the work of FVPLSs. Each recommendation is labelled accordingly.

While the primary focus of this evaluation is on the effectiveness of FVPLSs, the Indigenous Advancement Strategy and other Commonwealth policies emphasise the importance of partnership between Government, communities and service providers for outcomes to be achieved. Funding is of course a significant element of context that affects what is implemented, to what extent, and how. We have therefore included discussion of funding and policy implications where we believe that they are relevant to improving the effectiveness of services, and particularly where additional resources may be required to implement recommendations.

Note that the order of recommendations follows the order in which they arise in the report, and not necessarily the order of importance.

Recommendation 1: FVPLS Forum, FVPLSs and PM&C: The indicators for which data is required in the CLASS data system should be reviewed, with priority afforded to developing outcome indicators for the full range of FVPLS core activities (legal, counselling/wellbeing, community legal education, and prevention/early intervention).

Recommendation 2: PM&C, FVPLS Forum and AGD: That the outcomes identified in this evaluation be used as the basis for developing agreed outcomes indicators and data collection tools for FVPLSs.

Recommendation 3: FVPLS Forum and PM&C: Data entry processes for CLASS should be reviewed, taking into account technical difficulties for remote services, including adequate internet access. Consideration should be given to centralised support for some administrative functions, including data entry and reporting.

Recommendation 4: FVPLS Forum, Commonwealth Government: The technical barriers to producing data reports should, if not already resolved, be addressed. If resolved, all FVPLSs should be supported to produce reports that can inform quality improvement processes.

Recommendation 5: PM&C: Additional training should be provided to FVPLSs in use of CLASS, and should be available recurrently, both to build capacity over time and to address staff turnover.

Recommendation 6: PM&C and FVPLS Forum: Requirements for training should be investigated, and required training provided, on how to collect and use a variety of kinds of data for needs assessment, strategic planning, quality improvement and evaluation.

Recommendation 7: PM&C and FVPLS Forum: The Growth and Empowerment measure should be trialed for use as an empowerment and wellbeing measure for use across FVPLSs. Subject to acceptable performance, FVPLSs nationally should be trained in administration and use of GEM in evaluation of its work.

Recommendation 8. PM&C: FVPLSs can contribute to access to justice and wellbeing of victims/survivors of FDV. Services are largely in line with the *National Plan to Reduce Violence against Women and their Children 2010-2022*. Funding to FVPLSs should therefore be continued.

Recommendation 9. FVPLSs: Agencies currently operating a blanket exclusion for services to perpetrators should review their position to ensure that victims of FDV who have perpetrated violence are not unreasonably excluded from services.

Recommendation 10. FVPLS Forum, Systems Reform: A legal project should be instigated to investigate the impacts of legal conflict of interest in FDV and the potential to waive conflict of interest provisions in particular circumstances, including but not limited to enabling families to deal with legal issues together, or where there has been a substantial time period following previous representation, (for example, more than five years ago).

Recommendation 11: PM&C: The wording of the relevant clause in the funding contracts (Objective 1 c) for eligibility for counselling services should be updated. Funding contracts should also specify that agency accreditation status must be reported annually.

Recommendation 12: PM&C, FVPLSs: Where FVPLS agencies outsource 'core' functions, including legal or counselling services, they should be required to ensure the quality and acceptability of those services. This should include establishing formal contracts or Memoranda of Understanding with agencies which include processes for ensuring quality and acceptability of services. It should also include automatic follow-up and monitoring of clients referred to outsourced services.

Recommendation 13: FVPLSs, FVPLS Forum and PM&C: All FVPLSs should adopt data-based approaches to ongoing quality improvement and effectiveness of their services.

Recommendation 14: FVPLS Forum, FVPLSs and PM&C: A national project should be developed and funded to improve evaluation across FVPLSs.

Recommendation 15. FVPLSs and Systems Reform: FVPLSs should negotiate with State/Territory Police Departments to be included in automatic referral lists for victims of FDV.

Recommendation 16. FVPLSs: All FVPLSs should ensure that the basic range of legal services for victims of FDV (support for participation in prosecution of offenders, restraining orders and Victims of Crime compensation, family law and child protection law) – are accessible in the regions they service.

Recommendation 17. FVPLSs and PM&C: Active consideration should be given to practical strategies to facilitate engagement and retention of legal staff, including five-year funding contracts for FVPLS agencies with concomitant five-year contracts for staff; provision of accredited training options in specialisations such as family law, child protection or sitting on Legal Aid panels; and schemes to enable local paralegal and CSO staff to undertake legal education.

Recommendation 18. FVPLSs and FVPLS Forum: Strategies should be investigated to train and employ local people to provide support functions for legal processes (e.g. facilitating signing of documents) in remote/outlying communities serviced by FVPLSs.

Recommendation 19. FVPLSs, National Forum, Commonwealth government, Systems Reform: Recognising the background of colonisation, Stolen Generations and intergenerational trauma, further consideration should be given to development of therapeutic jurisprudence for Indigenous family violence. This is necessarily wider than FVPLS, but FVPLS should be resourced to participate in such considerations.

Recommendation 20. National Forum, Commonwealth government, Systems Reform. Recognising the turnover in magistrates and their varying levels of expertise, the development of a Bench Book for Indigenous FDV should be investigated.

Recommendation 21. FVPLS Forum and FVPLSs: The National Forum should develop a national initiative to identify FVPLS roles and responsibilities in relation to clients' children, who are themselves victims of family violence, with the aim of building on examples of good practice, and formulating guidelines on how legal and non-legal staff of FVPLS can each best engage with parents/carers and with child protection personnel to achieve the best outcomes for children and adult clients.

Recommendation 22. FVPLS Forum: The National Forum should maintain early referral from child protection agencies to FVPLSs as a high priority for its policy and advocacy work, seeking to create the greatest possible consistency across all jurisdictions.

Recommendation 23. FVPLSs and PM&C: Where possible, FVPLSs should provide counselling services for victims of FDV internally; they should be adequately resourced to do so; and agencies without existing capacity (staffing, skills and knowledge) should build their capacity to provide such services. Services which do not currently provide counselling services should review arrangements to determine a) whether to provide such services internally, or b) how to ensure access to high quality, culturally safe services. This may require investigation of reasons for low use of external services.

Recommendation 24. FVPLSs: In communities where no case management function exists, consultations should be undertaken to investigate whether case coordination services are required, and if so, the best model for them to be provided in the local context.

Recommendation 25. FVPLSs and FVPLS Forum: Clear program theory should be developed for all for prevention programs provided by FVPLSs, where it is not already in place. Recognising the difficulties inherent in good quality evaluation of prevention programs, FVPLS agencies should be supported, potentially through a national project, to introduce effective monitoring and evaluation of prevention programs.

Recommendation 26. FVPLSs, PM&C and FVPLS Forum: A project to investigate and develop, in consultation with Aboriginal communities and services, proposals and strategies for 'the third way' should be funded and undertaken through the National Forum. 'The third way' should seek to provide alternative services that enable families and communities to address violence without pursuing western legal action, where that is the wish of the victim and is supported by other family members. Options to investigate include adequate access to family healing; support for families 'before it comes to violence'; development of family safety plans (as an alternative to 'victim safety plans'); and additional support for families following reunification.

Recommendation 27. PM&C: The Department of Prime Minister and Cabinet should increase the priority afforded to prevention within FVPLS services. This requires integrated consideration across contract requirements, data collection and evaluation, and may have funding implications.

Recommendation 28. FVPLS Forum, PM&C and FVPLSs: A strategy should be developed to enable design of appropriate FDV prevention strategies for communities in which FVPLSs provide services.

Recommendation 29. PM&C and FVPLSs: Services which are rated as under-performing (at the time of this evaluation or in future) should be required to develop specific quality improvement plans and timeframes for their implementation.

Recommendation 30. PM&C and FVPLSs: All services should be required to provide evidence of needs assessment and clear plans demonstrating how service provision will respond to community needs.

Recommendation 31. FVPLS Forum and FVPLSs: The Forum rubric should be considered as a tool to support assessment of the Forum and Secretariat, including self-assessment, and findings should be used to identify areas for improvement.

Recommendation 32. PM&C and FVPLS Forum: The Department of Prime Minister and Cabinet should commission, in collaboration with the Forum, a structured, independent national consultation with FVPLSs about issues identified in the evaluation report, including the advantages and disadvantages of making the Secretariat independent of a single FVPLS, and clear strategies for addressing the disadvantages of the selected option. Other issues to be addressed should include transparency; how the forward program of work is developed and decided; and potential improvements to how disputes and complaints are handled.

Recommendation 33. FVPLS Forum: The National FVPLS Forum should use independent facilitators for all Forum face to face meetings and strategic discussions.

Recommendation 34. FVPLS Forum: The Forum should increase the proportion of Forum and Secretariat resources (time in meetings, budgets, staff time allocations and Forum member time allocations) allocated to quality improvement of member services and support for member services. This may be achieved by bringing in additional resources dedicated to quality improvement projects or by reducing the proportion of resources allocated to policy and advocacy work, or some combination of the two.

Recommendation 35. FVPLS Forum: The Forum should investigate the development of further online resources for FVPLS practice, including nationally-accessible resources for areas of legal practice of relevance to FVPLS; resources for other areas of FVPLS work, such as child protection and case management; and resources for organisational issues such as governance. Consultation with FVPLSs should determine the nature and order of resources to be developed. Consideration should be given to development of resources in areas of relative weakness identified through the national FVPLS evaluation, including needs assessment and planning, and monitoring and evaluation.

Recommendation 36. FVPLS Forum: The Forum should consider how best practices developed by member agencies can best be identified and disseminated for potential adoption, or adaptation, by others. This should include development of a shared position in relation to ownership of intellectual property of tools and resources.

OFFICIAL

PDR: MS19-004691

NATIONAL INDIGENOUS AUSTRALIANS AGENCY

NIAA
CEO
Prof
Anderson
Mr Exell
Section 47F

To: Minister for Indigenous Australians (for signature by 20 September 2019 to enable publication of the evaluation before 5 October 2019 as required by the IAS Evaluation Framework)

IMPACT EVALUATION OF FAMILY VIOLENCE PREVENTION LEGAL SERVICES

MO
Mr
Fordham
Section 22

Recommendation - that you:

1. Note receipt and findings of the Charles Darwin University (CDU) Impact Evaluation of the Family Violence Prevention Legal Services (FVPLS) program.
2. Note the CDU Impact Evaluation of the FVPLS program will be published on the National Indigenous Australians Agency (NIAA) website by 5 October 2019, in line with the Indigenous Advancement Strategy (IAS) Evaluation Framework.

[Signature]
Noted

[Signature]
Noted

Section 22

KEN WYATT

Date:

1 October 2019

Comments:

Key Points:

1. The Final National Evaluation Report of the Family Violence Prevention Legal Services (FVPLS) program, completed by Charles Darwin University (CDU), was submitted to the National Indigenous Australians Agency (NIAA) on 5 July 2019. The report is at Attachment A.
2. Key findings of the evaluation determined that there are some legal assistance activities which FVPLSs deliver effectively and achieve outcomes for their clients. However, the findings also indicate that FVPLS services do not contribute to the prevention of violence in Indigenous communities, in part due to data collection challenges and poor monitoring frameworks, and that considerable improvements to practice across broad areas of their work is required.
3. The evaluation made 36 recommendations, directed to FVPLSs (as individual providers), the National FVPLS Forum (the group of 14 FVPLS providers) the National FVPLS Secretariat (the national peak), NIAA and the Attorney-General's Department (AGD) (given AGD's overall responsibility for managing Commonwealth legal assistance funding and relevant data systems for legal services providers).

OFFICIAL

OFFICIAL

4. Recommendations fall into four categories: data collection, evaluation and outcomes reporting; quality and practice improvement in design, delivery and contract management; systemic reform; National Secretariat and Forum reform. (Summary of the findings of the Final Evaluation Report is at Attachment B).
 - a. The evaluation recommends continued funding for FVPLSs due to their delivery of effective legal services for their clients, and potential for outcomes that will contribute to safety and to the prevention of repeat victimisation.
 - b. However, it recommends reforms to the sector's practice, particularly delivery of family violence prevention activities. It also recommends changes to the structure of the Forum and Secretariat arrangements to improve the overall effectiveness and capacity of the sector.
5. NIAA will support a coordinated approach with your office to address any potential media queries.

Publication and dissemination:

Section 22

8. Prior to NIAA receiving the final report FVPLS providers had multiple opportunities to provide feedback and request changes to draft reports. All FVPLS providers and the National Secretariat have been provided with the final report.
9. NIAA recommends that the final report be published on the NIAA website.

Evaluation methodology:

10. CDU employed a rigorous mixed methodology in undertaking the evaluation. This involved the review of a large number of performance reports for each site, and conducting over 200 interviews with FVPLS staff, AGD staff, NIAA staff, community members and FVPLS clients.
11. The final report provides well-substantiated evidence and recommendations.

Sensitivities:

12. FVPLS receive \$121 million under the IAS for 2015-16 to 2019-20. Current funding arrangements cease on 30 June 2020. The NIAA has consistently advised the sector that future funding decisions will be informed by the findings of the CDU evaluation.
 - a. Subsequent to this brief, NIAA will seek your view on proposed future funding arrangements for the program.

Section 47F

OFFICIAL

Section 47F

Background:

14. On 28 November 2017 (Section 22) the former Minister for Indigenous Affairs, approved the commissioning of CDU to complete an impact evaluation of the FVPLS program for the total value of \$841,186 (GST exclusive). CDU undertook the evaluation over 2018-19.
- a. The purpose of the evaluation was to assess the impact of the FVPLS program, including whether program objectives and outcomes are being achieved and if providers are meeting the needs of Aboriginal and Torres Strait Islander victims/survivors of family violence and sexual assault.
 - b. The evaluation also produced 14 site reports for each of the FVPLS providers' sites evaluated, making recommendations to improve FVPLS practice.

Section 22

Ursula Carolyn
A/g Branch Manager
Education, Community Safety and Health
13 September 2019

Policy Officer: (Section 22)
Phone no: (Section 22)
Consultation: NIAA Program Management
Board, Employment, Environment and
Evaluation Group

OFFICIAL

ATTACHMENTS

ATTACHMENT A	FINAL NATIONAL EVALUATION REPORT
ATTACHMENT B	SUMMARY OF KEY FINDINGS OF FVPLS EVALUATION
ATTACHMENT C	FVPLS EVALUATION MANAGEMENT RESPONSE
ATTACHMENT D	INDIGENOUS ADVANCEMENT STRATEGY EVALUATION FRAMEWORK

OFFICIAL