

## Agenda

VLAF Main Forum

Meeting number: 2 of 4

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| <b>Date</b>  | <b>Thursday 26 May 2016</b>   |                          |
| <b>Time</b>  | <b>8:30am – 11:30am</b>   |                          |
| <b>Location</b>  | <b>The Boardroom, Monash University Law Chambers, 555 Lonsdale St. Melbourne</b>  |                          |
| <b>Attendance</b>  | <p><b>Romesh Kumar</b> (Chair) The Victorian Bar <b>(RK)</b><br/> <b>Mark Woods</b> (Deputy Chair) Law Institute of Victoria <b>(MW)</b><br/> <b>Keren Murray</b> Law Institute of Victoria <b>(KM)</b><br/> <b>Bevan Warner</b> Victoria Legal Aid <b>(BW)</b><br/> <b>Jon Cina</b> Victoria Legal Aid <b>(JC)</b><br/> <b>Catherine Caruana</b> Victoria Legal Aid <b>(CC)</b><br/> <b>Deborah Di Natale</b> Justice Connect <b>(DDN)</b><br/> <b>Fiona McLeay</b> Justice Connect <b>(FM)</b><br/> <b>Annette Vickery</b> Victorian Aboriginal Legal Service <b>(AV)</b><br/> <b>Emma Fox</b> The Victorian Bar <b>(EF)</b><br/> <b>Ursula Noye</b> Brimbank Melton Community Legal Centre <b>(UN)</b><br/> <b>Simon Roberts</b> Brimbank Melton Community Legal Centre <b>(SR)</b><br/> <b>Dan Stubbs</b> Inner Melbourne Community Legal Inc. <b>(DS)</b><br/> <b>Allegra Walsh</b> Department of Justice and Regulation <b>(AW)</b><br/> <b>Kerin Leonard</b> Department of Justice and Regulation <b>(KL)</b><br/> <b>Ester Bogaart</b> Attorney-General's Department <b>(EB)</b><br/> <b>Carolyne Howard</b> Attorney-General's Department <b>(CH)</b><br/> <b>Andrew Gargett</b> Aboriginal Family Violence Prevention and Legal Service <b>(AG)</b></p> |                          |
| <b>Apologies</b>   | <p><b>Wayne Muir</b> Victorian Aboriginal Legal Service<br/> <b>Antoinette Braybrook</b> Aboriginal Family Violence Protection Legal Service<br/> <b>Jenna Davey-Burns</b> Aboriginal Family Violence Protection Legal Service<br/> <b>Elisa Berg</b> Victoria Law Foundation<br/> <b>Cate Edwards</b> Federation of Community Legal Centres (Vic) Inc.<br/> <b>Joh Kirby</b> Victoria Law Foundation<br/> <b>Sarah Fregan</b> The Victorian Bar<br/> <b>Marisa De Cicco</b> Department of Justice and Regulation</p>   |                          |
| <b>PART A – VLAF MEETING – 8.30 AM - 10.30 AM</b>              |   |                          |
| <b>Item</b>  |   | <b>Attachment number</b> |
| <b>1. Welcome and Acknowledgement of Country</b>               |   |                          |
| <b>2. Minutes of previous meeting held on 25 February 2016</b> |   | 1                        |
| Both Main Forum and A2J minutes were accepted in Feb Meeting.  |   |                          |

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| <p>Romesh Kumar queried any concerns with sharing the minutes on the website for VLAF and A2J.</p> <p>Suggestion that comments could be generalised. Overall low risk with great reward. Move to upload minutes to the VLAF website on approval. <b>(Action)</b></p> <p>Forum also agreed to publish information about its activities in a more timely way by approving and uploading minutes out of session and uploading meeting summaries with links to minutes &amp; papers after each meeting. <b>(Action)</b></p>  | <p>Action</p> <p>Action</p> |
| <p><b>3. Minutes of Access to Justice meeting held on 4 February 2016</b></p> <p><i>As above</i></p>   | <p>2</p>                    |
| <p><b>Substantive agenda items</b></p>   |                             |
| <p><b>4. VLA's family guidelines and tools project.</b></p> <p>VLA has briefed a number of organisations about this project to date.</p> <p>The project will implement two key actions from the Family Law Service Review.</p> <p><u>Phase 1</u> is to redraft the Family Law Guidelines. A new structure has been considered.</p> <p>The advisory group includes lawyers from the private and community sector, internal, rural, regional and metro areas, and senior assignments staff have also been attending these meetings.</p> <p>The project will be fully costed before presentation to the VLA Board (in Nov) with changes piloted.</p> <p>Aim for April 2017 roll out.</p> <p><u>Phase 2</u> will look at development of quality practice tools.</p>  | <p>3 &amp; 4</p>            |
| <p><b>5. RMIT fast track program and Dutch Justice Innovation Lab</b></p> <p>VLA has been increasing its focus and investment in two important areas: designing its services around the needs of users; and exploring and exploiting the potential of technology to improve the operation of the justice system. Two activities illustrate this effort.</p> <p>VLA sponsors the RMIT Centre for Innovative Justice FastTrack program's social justice stream. In this 13 week, high intensity course, students are paired with mentors and innovation partners to hothouse project challenges nominated by VLA and other agencies. Team's scope, design, test, refine and retest until arriving at a viable proposed solution to the challenge.</p> <p>2016 projects cover employment law; utility debts; improving people's capacity to access self-help legal information; and providing consistently high quality CLC services regardless of location, issue or setting.</p> <p>VLA is also supporting a forum at RMIT on 6 July that will explore how technology can improve access to justice. Guest speakers the Executive Director of the Dutch Legal Aid Board, Peter Van Den Biggelaar and Hague Institute of International Law Research Director, Maurits Barendrecht- will demonstrate an online dispute resolution (ODR) tool (<a href="#">Rechwijzer 2.0</a>) that is in use in the Netherlands and Canada for divorce, debt and employment cases.</p> <p>VLA encouraged members to attend the 6 July forum and to promote it among their networks.</p> <p>VLAF discussed developments in artificial intelligence, algorithms and other technologies and their potential impact on the practice of law and the operation of the</p> |                             |

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| <p>justice system. Members reflected on the recent talk in Melbourne Professor Susskind, one of the worlds leading thinkers in this field and his view that lawyers are the slowest profession to accept change. Links to Professor Susskind's talk and invitations to the 6 July forum will be circulated to the group. <b>(Action)</b></p>   | <p>Action</p> |
| <p><b>6. Legal Aid funding campaign</b></p> <ul style="list-style-type: none"> <li>• Mark Woods – <u>Legal Aid Matters</u> is unrelated to the Federal election campaign.</li> </ul> <p>It is a longer-term strategy to improve the fiscal situation of legal assistance sector and to increase understanding of what legal aid means and its importance to the public.</p> <p>Campaign so far established local committees that include representatives from the sector and a coalition of groups (other than lawyers). All groups targeted to have some presence in Canberra and all have representatives from the most popular states and territories.</p> <p>Campaign is in full swing with buy in from all sectors/participants:</p> <ul style="list-style-type: none"> <li>• Symposium held during April - included trade unions and the social service sector.</li> <li>• Rallies held during Law Week in Melbourne (attendance by 400-450 people outside the County Court), Adelaide and Sydney.</li> <li>• Social media campaign launched with a hash tag - trending nationally.</li> <li>• Exploring options for TV coverage</li> </ul> <p>Dann Stubbs –spokesperson for the NACLC fund equal justice campaign for the community legal sector.</p> <p>Commonwealth budget cuts will mean \$12.1mil less for Victorian legal assistance sector in 2017, including nearly \$3mil of cuts to CLCs.</p> <p>Injection of funds for FV welcomed, but will be spread very thinly across sector.</p> |               |
| <p><b>Working group and LAF updates</b></p>  |               |
| <p><b>7. Update from Law Foundation re. Legal information working group</b></p> <p>Joh Kirby not present. Update will be provided out of session <b>(Action)</b></p>   |               |
| <p><b>8. Prisoners WG</b></p> <p>PWG now chaired by Ursula Noye and Simon Roberts.</p> <ul style="list-style-type: none"> <li>• Group recently revisited the Terms of Reference. Agreed that they remain relevant, but will add additional term for advocacy role of PWG in prisons.</li> <li>• Warmly welcomes VLA commitment to phone line and commencement of the project.</li> <li>• Facilitating co-operation between VLA helpline project and Fitzroy Legal Service helpline for people in police custody</li> <li>• Some smaller working groups to come back to main meeting re. mapping of legal need in Victorian Prisons</li> <li>• Commitment to reconnect with reps from justice. Chair and representatives from VLA and FCLC will continue to attend these meetings.</li> <li>• Trialling more efficient ways to share information, such as via an online forum.</li> </ul> <p>VLA emphasised the importance of evaluating prisoner legal help services to</p>  | <p>5</p>      |

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| <p>demonstrate the positive impacts of legal assistance and document the economic benefits of reduced reoffending.</p>   |                        |
| <p><b>9. Aboriginal/Torres Strait WG – for noting</b></p> <p>WG Chair, Annette Vickery:</p> <ul style="list-style-type: none"> <li>• finalised terms of reference, agreed that VALS &amp; FVPLS will co-chair. Tarwirri declined due to resourcing. This repositioning supports diversity of voice from the Aboriginal community controlled organisations. TOR to be circulated to VLAF out of session. <b>(Action)</b>.</li> <li>• WG focused on ensuring effectiveness and that it achieves its goals.</li> <li>• welcomed VLA's continuing commitment to its reconciliation action plan, and funding for Rumbalara legal assistance project.</li> <li>• welcomed Justice Connect commencing work on a RAP and offered to provide advice/feedback to any organisations doing so.</li> <li>• noted that AFVPLS held the 100<sup>th</sup> Sisters Day Out</li> <li>• emphasised the importance of organisations ensuring their staff complete Aboriginal cultural awareness training – WG can offer advice and support to organisations</li> </ul>   | <p>6</p> <p>Action</p> |
| <p><b>10. VLAF Project Officer update</b></p> <p>Forum noted Project Officer Sam Watson's resignation and expressed its appreciation to her for her support of the Forum.<br/>Forum reviewed its operations, progress against its stated objectives and possible future directions. Broad agreement that:</p> <ul style="list-style-type: none"> <li>• Forum is working well, has a good rhythm with meaningful collaboration</li> <li>• Opportunities exist to operate as a more active and strategic peak body</li> <li>• Important for members to retain individual identities and advocacy</li> <li>• Members agreed that realistically development of the Forum will be incremental</li> </ul> <p>Agreed that new project officer should be more than a secretariat. Functions should include problem solving, integration, actively promoting transparency, information sharing and creating a brand for the Forum, coordinating, holding working groups accountable and having skills to add value to them.</p> <p>VLA to talk to Queensland about the role they are creating, then revise the project officer position description and advertise it. <b>(Action)</b></p> | <p>7</p> <p>Action</p> |
| <p><b>11. Members will bring up to three major issues that their organisations have identified since the last VLAF meeting in the areas of: legal needs, identified gaps in services, emerging issues and research projects</b></p> <p>Victoria Legal Aid</p> <ul style="list-style-type: none"> <li>• VLA has seen 14% increase in grants of aid for summary crime and child protection compared with same time last year.</li> <li>• Child protection review kicking off in earnest. 15/16 months of deep thinking &amp; consultation</li> <li>• VLA more active and committing more resources near border NSW. VLA Board visited Mildura last year. Wogga office opening in NSW. Complicated cross-border issues. Vic side highly dependent on private practitioners and limited CLCs.</li> </ul>   |                        |

Looking at resource commitment in Shep, up to Wodonga and through the Mallee. Stay tuned over next 12 months. Decision made not to formerly open Mildura VLA office. Other options being explored.

#### Law Institute

- LIV – change needed to unbundle legal services so that clients can access assistance for unbundled legal services. Also to address unrepresented litigants.
- Looking into legal expenses insurance – trying to get data to determine feasibility
- Legacy caseload WG established with smaller group within. LIV conducted judicial review training. Looking to hold this again in future. Also produced fact sheet on what to do as member of legacy caseload.

#### Department of Justice and Regulation

- Attorney-General appeared before Public Accounts and Estimates C'tee (PAEC) and received questions relating to legal assistance. Transcript now available [here](#).
- State budget \$4.6mil commitment with \$2.1mil going to VLA for FV services. Announcements on the CLC funding component from the \$4.6m will be made in the near future.

#### Justice Connect

- Big focus in next year looking at digital innovations to scale what they do. Online info hub of webinars and decision trees – exploring opportunities across program and how to be more efficient internally. Will look to appoint someone 1 day per week to focus on this.
- Acknowledge VLA work on legacy caseload. Great work. Model should be adopted by other states.
- DDN – Seniors Law FV framework – number of older women hospitalised due to FV involving adult children.

#### Brimbank Melton Community Legal Centre

- Evaluation of mortgage wellbeing service –works well. LSB grant in second year – looking at how to keep this going. Recent roundtables with banks, Worksafe and TAC and impact this has on paying bills etc. How can these issues be resolved?
- FV outreach to Sunshine hospital just launched. Need for a lawyer in every hospital. Talking to partners about these issues.

#### Victorian Aboriginal Legal Service

- Monash project on acquired brain injury near completion.
- Melbourne Uni running project on fitness to plead. Outcomes of these will come to the forum.
- VALS are undertaking a state-wide consultation with Indigenous communities on their expectations of legal services and CLE in particular. Will also share this when ready.
- VALS have linked up with Morris Blackburn for civil law to have targeted development and mentoring for their lawyers. Will look to do this for family and crim also.

#### The Victorian Bar

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| <ul style="list-style-type: none"> <li>• Law Council launched website – <a href="http://legalaidthematters.org.au">legalaidthematters.org.au</a></li> <li>• Facebook page also launched yesterday (25/6/16)</li> </ul> <p>Western Legal Assistance Forum</p> <ul style="list-style-type: none"> <li>• Last meeting cancelled because drifting away from main purpose. Looking to restructure and reform in July. Panel discussions will be held on this.</li> <li>• West Justice fines publicity – great deal of interest in toll fines. VLA also offered resources toward this. Looking at citylink contracts and criminalisation of civil debt. What can be done about this?</li> </ul>   |                  |
| <p><b>Other business</b></p>  |                  |
| <p><b>12. Other business</b></p> <p>None to note.</p>   |                  |
| <p style="text-align: center;"><b>PART B – VICTORIAN JURISDICTIONAL FORUM – 10.45 AM - 11.30 AM</b></p>   |                  |
| <p><b>13. Client Surveys</b></p> <p>Commonwealth noted that client surveys are an NPA requirement. Focusing on reducing administrative workload and duplication while ensuring consistent approaches and useful, high quality data. Legal Aid Commissions to carry out surveys in first year, CLCs in second and then continue to alternate over the life of agreement. Aboriginal service providers to conduct twice over life of their funding agreements.</p>  |                  |
| <p><b>14. Data</b></p> <p>Data standards WG met earlier this year to discuss and implement transition to new Data Standards Manual Databases are now being updated. Working on resolving inconsistencies of terminology, meanings and concepts, which are different between LACs, CLCs and Aboriginal providers.</p> <p><b>Update on Women’s Safety Package Implementation</b></p> <p>Women’s safety package funding - \$15mil over three years – work continuing on this. DV bringing together lawyers and case management for wrap around service. Challenges re. finding partners for health justice partnerships, and recruiting staff in regional/remote areas. Forum noted existing networks of health/justice partnership providers.</p> <p>Considering best way to make data available to sector.</p> |                  |
| <p><b>15. Implementation of Royal Commission recommendations (and funding)</b></p> <p>Decision that holding separate meeting on this not worthwhile as government and individual VLAF members are progressing their responses to the Commission’s report.</p>   |                  |
| <p><b>16. Update Access to Justice Review</b></p> <p>The Review is 2/3 complete.</p> <p>81 submissions received, most available on review website.</p> <p>Surveys have been distributed and roundtables also held on key areas, including self-represented litigants, online dispute resolution, govt. dispute resolution etc.</p> <p>104 recommendations have come from LIV alone</p> <p>Report due 27 August for AGs and Ministers consideration. Publication and timing will</p>   | <p>8 &amp; 9</p> |

be a matter for the Attorney-General.

Next VLAF Main Forum meeting: **25 August 2016, 8:30am – 10:30am**  
Location: TBC