

17 August 2026

Legal Privilege and Integrated Legal Assistance Review Team
Victorian Law Reform Commission
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Dear Legal Privilege and Integrated Legal Assistance Review Team

Victorian Law Reform Commission Inquiry into Legal Privilege and Integrated Legal Assistance Services

The Women's Legal Centre ACT ('the Centre') welcomes the opportunity to make a submission to the Victorian Law Reform Commission's ('VLRC') inquiry into legal privilege and integrated legal services. The Centre supports VLRC's consideration of this important issue and supports efforts to provide greater clarity about the operation of legal privilege within integrated legal practices.

As an organisation that delivers legal services alongside social work and other multidisciplinary supports, the Centre has a strong interest in ensuring that legal professional privilege operates in a way that protects clients, supports effective service delivery, and reflects the realities of contemporary integrated practice.

Our Integrated Practice

The Centre is a specialist community legal service in Canberra supporting women, trans, and gender diverse people across the ACT and surrounding region. We offer support across all levels of need, including legal information, referrals, advice, representation, and litigation, alongside community legal education and contributions to law and policy reform. Our primary focus is supporting clients at greatest risk of structural disadvantage and harm to resolve their legal matters so that they can be safe, empowered, and in control of their lives.

The Centre adopts a closely integrated practice model in which lawyers collaborate with victim advocates, social workers, migration agents, and cultural support workers (collectively, 'multidisciplinary professionals') to address client needs. This approach enables clients to receive assistance with their legal matters, as well as with related social, emotional, and financial issues that may affect their ability to seek legal advice or engage in their legal matter. We also deliver loosely integrated outreach services with local health and education providers, including co-located health justice services in ACT Government Child and Family Centres.

How easy or difficult is it to implement these two models of integrated legal assistance services in practice?

Assessing and Managing Risk

A key challenge in delivering integrated legal assistance services is managing the risks associated with sharing, storing and protecting client information within a multidisciplinary practice.

As of June 2026, 118 generalist or specialist community legal centres across Australia operate health justice partnerships¹. This reflects significant growth in integrated service models. We have also seen private legal firms in the ACT adopting integrated service models to best meet the needs of their (paying) clients. However, the profession and the sector lacks a coherent set of principles for managing risks specific to this model, including standard approaches to confidentiality, legal professional privilege, and competing professional obligations.

Our service relies on limited guidance from peak bodies, including the Federation of Community Legal Centres. While these resources are valuable, they do not provide the certainty that would come from legislative reform or further judicial consideration. Without clearer legal authority, services must make careful but uncertain assessments about how to protect client information and manage legal risk.

We believe this slows the continued maturation of integrated service models in the profession. Our experience, consistently supported by evidence and practice, demonstrates that integrated approaches are the most effective way to achieve positive social and legal outcomes for women affected by gender-based violence and discrimination. Maintaining and strengthening this model is therefore critical to ensuring that women can access coordinated, trauma-informed support that is genuinely empowering.

Across the sector, uncertainty about the application of legal professional privilege gives rise to several complex questions, including:

1. What file management steps are needed to protect privilege on joint files or to support other available protections (e.g. protected confidences)?
2. How can we explain the legal risks of integrated practice so clients can give informed consent without undermining their trust in our service and the system?
3. How can we reconcile differing professional obligations, such as mandatory reporting or ethical duties, and explain them to clients clearly?
4. How can we deliver integrated services that appropriately balance risk against the importance of delivering holistic, wraparound support?

It is difficult to answer these questions and quantify the risk when it remains unclear whether, and to what extent, information shared between multidisciplinary professionals and lawyers in an integrated model is protected by legal professional privilege. This uncertainty may discourage some professionals and services unfamiliar with integrated practice from participating in the model due to risk concerns, despite their demonstrated benefit for clients.

Adequate Resourcing

A key challenge in implementing and sustaining integrated legal assistance services is securing adequate and ongoing resourcing.

Integrated practice requires investment not only in multidisciplinary teams, but also in the systems, training and collaboration needed to support effective service delivery across disciplines. Maintaining these foundations requires significant and ongoing organisational resources.

¹ Health Justice Australia (2026). Health justice landscape: June 2026 snapshot. Available at <https://healthjustice.org.au/resource/snapshot/health-justice-landscape-june-2026-snapshot/>

In practice, this can be difficult. Many community legal services operate in an environment of increasing demand and short-term funding arrangements. At the Centre, demand continues to grow. In 2024-25, the Centre received 3,490 calls to our intake line, an increase of almost 30 per cent on the previous year.

These pressures can limit a service's capacity to invest in workforce development, cross-disciplinary training and the collaborative practices that underpin integrated service delivery. Without adequate and sustained funding, integrated models can be difficult to establish, maintain and expand, despite their demonstrated benefits for clients.

What are the benefits of integrated legal assistance services for clients, service providers and the justice system? Do you have case studies, examples or other evidence you can share?

Integrated legal assistance services provide significant benefits for clients. In our experience, an integrated model improves clients' ability to engage with legal advice, participate in legal processes and achieve sustainable legal outcomes. This ultimately makes women stronger, more empowered, and in control of their lives.

A Holistic Service

Legal and social issues are 'inextricably linked'². In practice, most, if not all, of our clients experience legal issues in the context of conflict, risk, and insecurity in the rest of their lives. This means that our clients often benefit the most when multidisciplinary professionals can work together in a coordinated way, rather than addressing each issue separately.

Integrated legal assistance services recognise that legal problems rarely exist in isolation and that a range of personal, social, cultural and systemic factors can affect a client's ability to engage with and resolve their legal issue. Many of our clients have difficulty accessing multiple separate services, especially when they have lived experience of trauma or a distrust in legal and support systems. Centralising support promotes greater continuity and accessibility of care. It also increases efficiency, which is crucial in urgent situations and where complex, interconnected social and legal issues require a coordinated response. This allows our clients to stay engaged, safe, and empowered throughout their legal matter.

Case Study

Laila* is a migrant woman with limited English and two children, including one with disability. She sought our help to leave an abusive 20-year relationship. Facing financial hardship and ongoing harassment, she received legal assistance and integrated support from the Centre's legal and social work teams. While the lawyer secured a fair property settlement, the social worker provided emotional support, helped access financial assistance, and assisted with interim housing while the matter was on foot and the matrimonial home was sold. This coordinated approach enabled Laila to achieve financial security, secure long-term housing for her family, and rebuild her future with confidence.

Collaboration Between Disciplines and Sector Sustainability

Integrated legal assistance services foster collaboration and mutual learning between lawyers and multidisciplinary professionals, which contributes to better outcomes for clients. For example, social workers are trained in crisis intervention, assessments, and supporting vulnerable people. They also have extensive

² Davidson, J., Hall, G. and Rose, D.N. (2023). Social Workers in Socio-Legal Collaborations: Re-Asserting a Pivotal Role of Influence and Leadership. *British Journal of Social Work*.

knowledge of the different supports and services available for clients to be referred to. Conversely, lawyers are trained in identifying legal problems and providing timely legal advice and assistance to address them³.

Working together creates an environment where each profession's expertise complements and strengthens the other, allowing practitioners to learn from one another and improve client experiences⁴. This is also especially important for staff satisfaction and retention, in a sector that experiences high rates of burnout and vicarious trauma⁵. Operating as a closely integrated legal assistance service strengthens the Centre's capacity to manage these risks through shared responsibility for managing complex client needs and practices such as regular reflective debriefing, and the collaborative exploration of trauma-informed practice. This supports staff wellbeing and resilience, which in turn strengthens staff capacity to provide safe, effective, and responsive support to clients.

Case Study

Adeline*, a survivor of child sexual abuse, received legal assistance and integrated legal and victim support from our Sexual Violence Legal Service throughout criminal proceedings in which she was a complainant. Specialist lawyers protected her privacy by representing her in Supreme Court proceedings concerning access to sensitive personal records, while victim advocates provided emotional support, explained court processes, attended hearings, and assisted with a compensation claim. This ensured Adeline was supported holistically, enabling her to navigate a complex and traumatic process with dignity.

Client Engagement

Integrated legal assistance services provide a more empowering and supportive client environment, which can lead to stronger client engagement and trust in legal and social services more broadly. As previously mentioned, many people experiencing legal problems also simultaneously experience broader socioeconomic disadvantage. Navigating a legal problem on its own can be difficult, retraumatising, and stressful, not least where it is also compounded by other forms of structural disadvantage. Having a support professional present can be an incredibly powerful tool for keeping clients engaged in their legal matter.

For example, multidisciplinary professionals such as social workers and cultural support workers, have strong specialist communication and interpersonal skills, which means they can provide comfort to a client and support them to open up about their thoughts and feelings.⁶ They can also strengthen communication by recognising when a client may be struggling to express their views, concerns, or instructions to a lawyer and empowering them to communicate effectively. In our experience, the involvement of a social or cultural support worker can reduce distress and physiological arousal, leading to higher quality instructions to lawyers and greater client satisfaction.

Finally, multidisciplinary professionals can contribute to more successful legal outcomes, through referring clients to support services which may increase their capacity to engage or liaising with stakeholders on their

³ Andrews, A. and Tarver, L. (2020). Review of the Literature on Integrated Social Work and Legal Practice. <https://cij.org.au/cms/wp-content/uploads/2020/12/literature-review-on-integrated-practice-november-2020.pdf> , p.4.

⁴ Ibid.

⁵ Community Legal Centres Australia (2024). A Sector in Crisis: State of the Sector 2022-23 Survey Report. p.4. Available at: https://clcs.org.au/wp-content/uploads/2024/03/SotS22-23SurveyReport_ASectorInCrisis.pdf .

⁶ Andrews, A. and Tarver, L. (2020). Review of the Literature on Integrated Social Work and Legal Practice. <https://cij.org.au/cms/wp-content/uploads/2020/12/literature-review-on-integrated-practice-november-2020.pdf> , p.2.

client's behalf to communicate their circumstances. This active role fosters a more positive environment where clients feel heard and more likely to trust and engage with legal and social services in future.

Case Study

For our First Nations clients, culturally safe support is often essential to building trust and enabling meaningful engagement with legal services. Access to cultural support can help address the impacts of intergenerational trauma and distrust of the legal system, which can otherwise prevent clients from engaging or continuing to seek assistance.

Bridie*, an Aboriginal mother, sought our help to protect her son from ongoing family violence and coercive control by her former partner. Through our integrated legal and cultural support, she received trauma-informed legal advice, representation and advocacy, alongside cultural support. This enabled her to engage safely and confidently with the legal process and ensured that her updated consent orders reflected the specific cultural and safety needs of both her and her son.

Do you have case studies, examples or other evidence that indicate how easy or difficult it is for lawyers, social service professionals or clients to manage information disclosure requirements and requests in this context?

Managing information disclosure requirements in integrated service settings can be challenging, particularly where multiple practitioners are involved in supporting a client.

Clients often expect information shared within a service to be treated consistently and may find distinctions between legal and other professional obligations difficult to understand. Practitioners must also navigate different confidentiality, record-keeping and disclosure obligations across disciplines while maintaining a coordinated approach to client support.

These complexities can increase the time and resources required to respond to disclosure requests and explain information-sharing arrangements to clients. Greater clarity in the law would support more consistent practice across the sector and help ensure clients can access integrated services with confidence.

Should the law enhance protection for communications between clients, lawyers and social service professionals in integrated legal assistance service settings? Why or why not?

Greater Clarity

The law must evolve to reflect the growing role of integrated services in supporting clients. Failing to recognise and accommodate this evolving model risks creating barriers to support, disproportionately affecting people experiencing vulnerability and disadvantage. This risks entrenching systemic disadvantage and undermining equitable access to justice.

In particular, the sector needs greater clarity about the extent to which client files and communications are protected. This would enable services to more confidently assess and manage risks in their practice, while reducing the time and resources required to navigate uncertainty. It would allow a greater focus on service delivery.

Greater protection may also reduce the sector's exposure to professional indemnity risks, including potential claims and associated insurance premiums. In complex or high-risk matters, it could help ensure that clients are not forced to choose between accessing essential support services and preserving legal professional privilege.

Empowerment and Trust

Increasing protections would recognise the intersectional experiences and needs of people navigating the legal system. This is particularly important for people who may already feel that legal services do not reflect their needs or experiences, and for whom engagement with the legal system can be particularly distressing.

It would also enable services to have more open and meaningful conversations with clients about privilege, in a way that is accessible and less likely to undermine the trust clients place in their lawyers and multidisciplinary professionals. We believe that greater protection may increase clients' confidence in, and willingness to consent to, an integrated model of service delivery. In our experience, this leads to better client outcomes.

Encouraging Integrated Practice

Enhancing protection may also encourage the establishment of more integrated practice services or encourage loosely integrated services to become more closely integrated.

Despite the demonstrated benefits of working alongside multidisciplinary professionals, many in the legal profession remain apprehensive about the model, primarily due to concerns about risk and professional obligations. As the Council of Attorneys-General observes, unresolved legal problems can 'escalat[e] or cascad[e] into multiple problems', increasing social and economic costs to individuals, communities and governments⁷. Holistic approaches can therefore promote better justice outcomes and broader socio-economic benefits⁸.

Greater protection and clarity may help address these concerns and support the development of services that provide earlier, more holistic assistance to vulnerable clients.

To discuss this submission, please contact Tori Harrington (Director of Legal Services) via admin@wlc.org.au or 02 6257 4377.

Yours Faithfully,



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⁷ Council of Attorneys-General (2019). *National Strategic Framework for Legal Assistance 2015-2020*. p.11. Available at: <https://www.ag.gov.au/system/files/2020-06/National-Strategic-Framework-for-Legal-Assistance.pdf>.

⁸ Ibid., p.5.