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Victorian Law Reform Commission
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To the Victorian Law Reform Commission

Submission to the Legal Privilege and Integrated Legal Assistance Services Inquiry

This submission is made on behalf of Western Community Legal Centre Ltd t/as Westjustice (**Westjustice**). We consent to this submission being published and for Victorian Law Reform Commission (**Commission**) to contact us if you would like to find out more information about our programs and services.

Westjustice welcomes the opportunity to make this submission to the Commission's Legal Privilege and Integrated Legal Assistance Services Inquiry (**Inquiry**), in order to explain how we deliver Multidisciplinary Integrated Practice Services (**MIPS**) and manage risks to legal professional privilege, as well as set out our preferred position for law reform in this space. We have only provided comments where we were confident that our expertise was a valuable contribution to the subjects raised.

1. Recommendation

Westjustice supports the introduction of a form of absolute privilege that attaches to confidential communications between clients, lawyers and social service professionals in all forms of integrated legal assistance service settings. We consider this will enhance access to justice for clients in the legal assistance sector and ensure flexibility in determining the best way to provide MIPS to a client based on their specific needs.

2. About Westjustice

Westjustice is a rights-based Community Legal Centre servicing Melbourne's West on the lands of the Bunurong and Wurundjeri peoples and including the LGAs of Wyndham, Maribyrnong, Hobsons Bay, Melton and Brimbank, a population of over a million people. Melbourne's Western Suburbs are the thriving backbone of the state, and home to Australia's most diverse and fastest-growing population.

We work to uphold peoples' rights by providing free legal, social work, financial counselling services, community engagement, and advocacy for systemic reform across the five impact areas of Workers' Rights, Children and Young People's Rights, Women and Gender Diverse people's Rights, Economic and Housing Rights, and Our Team.

We provide place-based, multi-disciplinary programs, and partner with values-aligned organisations to focus on servicing those most impacted by these issues, and to ensure people have access to the services they need where they need them.

Through our work, we consistently see complex legal issues and the cyclical impact they have on longer term justice, economic, health, and life outcomes. This is why our services and programs focus on prevention and early intervention in the cycle of economic precarity, criminalisation, violence and housing insecurity. It is also why we advocate for legal, social and policy reform to ensure the people of Melbourne's West have access to services and the best version of justice.

This work is particularly important in Melbourne's West, which is being left behind on many metrics, such as public infrastructure, climate adaptation, public transport and access to services, work and education. Further, we service two of the busiest Magistrates' Courts in the state and a population with higher-than-average rates of family violence, economic stress, casualised work and unemployment and the biggest per capita youth population when compared with the rest of the state

3. Westjustice's Multidisciplinary Integrated Practice System (MIPS)

In our Strategic Plan 2024-27, Westjustice has renewed its commitment to Multidisciplinary Integrated Practice System (**MIPS**) as a key pillar in delivering on its vision of Fairness, Safety and Justice for Melbourne's West. Westjustice currently directly employs two financial counsellors and is recruiting a third, a social worker, a community development program manager, and a community development worker. We are working on developing a comprehensive MIPS manual to guide our service delivery and plan to grow this in-house capability as far as funding and government policy allows. However, we also work in partnership with a range of other social services, including health services, family violence services and settlement services, who provide support and advice to our clients in tandem with our programs.

The VLRC consultation paper discusses a range of different types of ways to work with social services and the MIPS Westjustice currently utilises sits along a spectrum of all of these: the independent model, where a lawyer might suggest a client see a particular social service but leaves them to find their own way there; a cooperative model, where practitioners refer clients to each other but don't otherwise share information; a loosely integrated model, where legal and social services are delivered through the same entry point but kept separate; and a closely integrated model, where practitioners meet jointly with clients and share information in real time.

Sometimes, there are multiple models used within a practice area, whereas some programs or projects utilise a particular model as a design feature to reduce the client having to tell their story multiple times, to ensure close collaboration between practitioners, and to ensure the service is client led and holistic. In some cases, the social service provider is external to Westjustice and provided by a partner agency, and in other cases Westjustice employs the social service worker directly 'in house' as noted above.

Some examples of Westjustice's MIPS are:

- **Unlocking Pathways Project:** Providing holistic support for young people aged 18–24. This program integrates legal assistance with social work. Housing Justice Lawyers and an Integrated Housing Justice Social Worker operate across Westjustice, CIJ, Youthlaw and Melbourne City Mission.
- **Tenancy Stress Victoria (TSV):** Provides holistic support to people experiencing rental stress, particularly renters who have been impacted by flood or disaster. Upon accessing the legal service, clients may be referred by lawyers to a social worker or financial counsellor, who are employed by Westjustice. Practitioners work on separate legal, social work and financial counselling files, sometimes sharing information and working in an integrated manner upon the client's request or with their consent.
- **Health Justice Support for Families** is a three-way partnership with Westjustice's Women and Gender Diverse People's Rights Program, Werribee Mercy Hospital and Wyndham City Council's Enhanced Maternal and Child Health Team which aims to be the driver of system change for the safety and wellbeing of birthing parents, carers, and their babies and children by providing safe access to timely early intervention to family violence within a continuity of care approach. By connecting hospital-based care, maternal and child health services and legal assistance, this partnership strengthens safety planning and continuity of support, which enables women and birthing parents to receive coordinated health, social and legal assistance during pregnancy, after discharge from hospital and as they transition back home with their babies.
- **Restoring Financial Safety (RFS) Program:** Provides integrated legal and financial counselling for clients experiencing family violence and financial abuse. Lawyers and financial counsellors are directly employed at Westjustice and both attend the initial triage and screening interview. This program is delivered via partnerships with McAuley Community Services for Women and The Orange Door. More information about RFS will be provided below.
- **Burmese Financial Counselling Clinic:** One of Westjustice's earliest MIPS examples. Lawyers, financial counsellors and a Burmese community interpreter each employed directly by Westjustice deliver accessible legal and financial support together in one initial appointment.

In each of the cases, the interaction between the lawyer and the social services support is tailored to the type of program and client problem that is being addressed with the consent of the client. It might be that the most closely integrated option is not automatically the best one for the client. A client may prefer to talk to a lawyer for their most pressing issue (such as safety) and receive referrals for issues they can deal with later. In all circumstances Westjustice aims to be client-led; this is a fundamental principle in how we deliver services in a trauma informed way.

In order to work in as flexible way as possible but to protect the client's confidentiality and application of legal privilege, there are guardrails placed around the service. Westjustice uses template file notes for each of its programs and lawyers are expected to provide all clients with standardised wording around privacy, confidentiality and legal privilege, including when we may need to disclose information in both de-identified and identifiable ways according to law.

Take as an example our RFS program. It is a key and deliberate design feature that the first meeting with a client has both the lawyer and financial counsellor in the room to minimise duplication of instructions and the number of times a client has to 'tell their story' (i.e. speak to their experience of family violence). It also enables the practitioners to complete a more comprehensive triage and assessment of financial and legal issues. RFS clients are often already receiving family violence case management and/or accommodation services separately from partner family violence agencies, The Orange Door and McAuley Community Services for Women. For many of our RFS clients, given the choice, the benefit of receiving closely integrated legal services is more important to them than strictly preserving legal privilege.

RFS is the best example of a closely integrated service at Westjustice in its initial stages. To manage the risks, Westjustice has developed a Financial Counsellor Practice Guide which acts as a guide to assist financial counsellors implement an effective practice when working with lawyers in delivering economic abuse assistance to victim-survivors of family violence. The Guide provides:

- A clear outline of the role of the Financial Counsellor in the program, including assisting the client to understand their financial position, options for their future financial wellbeing, developing budgets and debt repayment plans, obtaining credit reports and contacting banks and providers in relation to hardship applications;
- A summary of the professional standards, educational requirements, professional body membership, and expectations under the CLCA Risk Management Guide, including supervision requirements;
- An overview of legal professional privilege and confidentiality and how it applies in practice in the RFS program and where the Solicitors Conduct Rules permit disclosure in limited circumstances (e.g. consent, being compelled by law, for the sole purpose of avoiding the probable commission of a serious criminal offence, or for the purpose of preventing imminent serious physical harm to the client or to another person);
- A discussion about where legal professional privilege may be broken and the risk of having joint meetings with a client, with guidance on how to run joint appointments and identify legal issues; and
- Boundaries in the program to protect client needs, including maintaining privilege.

Relevantly for this Inquiry, Westjustice requires that RFS practitioners:

- Plan appointments in advance and identify who is responsible for providing disclosures and disclaimers at the start of the appointment, who will discuss which issue, and what issues will be prioritised;
- Discuss what will be recorded in meeting notes to ensure there is not information which, if subpoenaed, could disadvantage the client or disclose confidential communications made for the purpose of getting legal advice or preparing for litigation;

- Utilise supervision with Program Managers to ensure that risks are being appropriately managed;
- Provide a clear explanation at the start of the initial appointment about confidentiality and legal privilege and how it applies to their matter depending on the worker. This ensures that we operate within an informed choice and consent model;
- Ensure that a client meeting is paused when a client begins to discuss information relevant to a known legal issue so that the financial counsellor can leave the conversation or arrange for a separate time to discuss the legal issue (noting that the financial counsellor needs to be able to identify legal issues adequately to do this); and
- Clearly file note discussions – being clear as to which worker provided what advice, and marking communication and documents as “Legally Privileged and Confidential” to avoid doubt where appropriate.

It is important to note that RFS workers maintain separate legal advice and casework files to the financial counselling files, obtain separate additional instructions on matters that require dedicated legal advice or representation, and depending on the advice, may provide advice in a separate appointment without the financial counsellor present. Moreover, the financial counsellor may remain engaged with the client beyond the end of the legal service and so the client continues to receive Westjustice-based services that are not legal in nature but which are no longer privileged.

An example of a loosely integrated service is Tenancy Stress Victoria (**TSV**). TSV is a program that was created in response to the 2022 Victorian floods including in the Westjustice catchment of Maribyrnong. The TSV model provides multidisciplinary place-based services to address people’s tenancy stress and housing insecurity, along with other related issues. Through the provision of coordinated and contemporaneous support we ensure that people remain in their homes or transition to safer homes where the tenanted property is no longer fit for purpose. Clients only need to tell their story once and receive immediate, tailored, long-lasting support for the range of problems they face. This prevents evictions and other legal proceedings, and further social problems or disadvantage such as homelessness, family violence and mental health issues.

Westjustice employs a dedicated social worker, financial counsellor and lawyers to deliver this service. The TSV program can be delivered in the same model as RFS – or what is more common is that clients obtain legal assistance first and are separately referred to the financial counsellor and social worker who deliver separate services in-house as complementary wrap-around services. In delivering these services separately to the lawyer, however, the social work and financial counsellor files are not privileged and are at risk of subpoena or request as is noted in the Consultation Paper. To date we have not received subpoena requests for our files and our clients experience great benefits from having these integrated wrap-around services.

The Consultation Paper asks what the benefits of integrated legal assistance services are for clients and for case study examples of these. We provide a range of case studies for the Commission’s consideration at Appendix One of this submission.

4. Reform options to enhance protections for confidential communications

Westjustice is in favour of the VLRC's second option for reform, namely, establishing a new category of absolute legal privilege between clients, lawyers and social service professionals in integrated legal assistance settings that would enhance protection for all confidential communications. However, there is one proviso - we do not consider the privilege for confidential communications should solely be for closely integrated services. Instead, it should simply apply where the social service is provided in connection, or partnership with, the delivery of a legal service, wherever it sits on that spectrum of integration. In other words, where the client is accessing integrated services delivered by a legal assistance service, to further the administration of justice (in the broadest sense).

Westjustice staff are able to manage the demands of MIPS where there are clearly defined roles and responsibilities, and boundaries for management of files. Written guidance and close supervision assists with this goal. However, the law has not yet evolved to ensure protection of both legal professional privilege for the client and for confidential communications with social services who are working in partnership or directly employed by legal assistance services.

Westjustice submits that the key principles for law reform under this Inquiry to guide considerations of scope, elements, eligibility and implications of the privilege are:

1. The client must be at the centre of any reform, as the holder of the privilege, to ensure they are able to receive trauma informed legal and social services in an accessible way. This means in places they are comfortable attending, with workers that can interpret or emotionally support a client, or help the client navigate complex systems, without the risk of confidential communications being disclosed where the client does not request or consent to the disclose.
2. The client is able to speak freely and seek professional advice in an appointment which is not limited by rules of professional practice applying to one worker and not the others, and is able to have a clear explanation provided to them of what confidentiality and privilege applies and how.
3. The protection must be absolute to provide the client with the confidence that they are in control of disclosure. Any exceptions such as for safety reasons must be equivalent to the permitted exceptions in rule 9.2 of the Legal Profession Uniform Law Australian Solicitors' Conduct Rules 2015 which allows disclosure but does not require it. These rules appear to align with other professional rules referred to in paragraph 4.19 of the Consultation Paper and would still apply subject to the professional judgement of the worker. Mandatory disclosures under law (such as in relation to child sexual abuse) referred to at paragraphs 4.21-24 of the Consultation Paper should also still apply as an exception.
4. The protection for confidential communication does not extend to every social service worker the client engages – it should be limited to those specific services being delivered by or in partnership with a legal assistance service. This is because

the dominant purpose will either be accessing assistance of a legal or quasi-legal nature or accessing social services within a legal context, because the service is integrated into a legal practice (similar to what is noted at para 7.40 of the Consultation Paper).

5. A legal assistance service would be defined as accredited community legal centres (CLC), legal aid commissions (LAC), and any pro bono legal firm who has been engaged by a CLC or LAC and is providing services free of charge. Note that CLCs are already accredited through CLC Australia and further accreditation through a separate system should not be required.
6. Social support provided by non-lawyers within the legal practice should continue to be covered by legal privilege even once the lawyer's work is complete. This is because the client's expectations of confidentiality and protection are unlikely to end while they are still engaging with a legal assistance service. Any issues with mandatory reporting or information sharing requirements must be dealt with by way of organisational policy and training to ensure all staff understand what steps to take if there is a professional conflict issue.
7. Social support being delivered outside a legal assistance service, such as at a hospital or general practice, settlement service or family violence agency, would not be covered by any new form of privilege or extension of legal professional privilege as it is the nature of the service being delivered in connection with legal services that is creating the impetus for protected communications.

The rationale for this approach is as previously stated: to support trauma informed client led legal practice with wrap-around holistic supports, and where the client is able to provide information to a range of professional workers in a confidential setting and receive free and frank advice and support in return. It allows the client to be in control of what information is shared and with whom, and reduces the risk of a subpoena of non-legal files from a legal assistance organisation in a contested or contentious matter.

We refer the Commission to the Victoria Law Foundation's PULS survey and its key findings in relation to the Victorian community's approach to everyday legal issues.¹ In particular, we note that the PULS survey found 66% survey respondents did not consider everyday problems to be "legal problems" such as issues relating to debt, money, and their family.² The PULS survey also found that only 21% of people surveyed obtained legal help when facing an everyday legal issue. All other respondents either handled the issue alone, got independent help (such as from the local council, health service or a community organisation), used informal help such as from family or friends, or did nothing.³ This research shows that there is a critical role and entry point for clients in accessing non-legal assistance in order to create a pathway into getting help from a lawyer, particularly those with complex needs, and who may be happy to

¹ Balmer, N.J., Pleasence, P., McDonald, H.M. & Sandefur, R.L. (2023). *The Public Understanding of Law Survey (PULS) Volume 1: Everyday Problems and Legal Need*.

² Ibid, pp5,12

³ Ibid, pp8,11

get help understanding a bill or filling in a financial aid form, but may have barriers to seeing a lawyer for their needs.

Finally, from a practice and management perspective, a form of confidential communication privilege for MIPS within a legal assistance service will ensure that we are able to streamline and simplify how we manage files, make supervision easier, and will largely remove the need for information barriers. Our lawyers and social support workers will still be expected to make detailed file notes in the normal way but ensures that when relevant information is provided to one worker and not the other by the client, it can be shared and used to the client's advantage. Moreover, it will reduce concerns that some lawyers might have around allowing others in the room and will encourage them to work with their social support workers more closely and develop integrated practices where none currently might exist.

Westjustice accepts that the new form of privilege will mean that staff need more training and education around working in a MIPS model and that different workers have different contexts – such as a social worker using a 'whole of family' model where they are helping a client and those that are affected by their social issues (such as in our case studies below). However, we do not accept that a new form of privilege will constrain each workers' ethical obligations or undermine their role but rather will support and strengthen it, where appropriately limited to the social service professionals working within a legal assistance service environment.

5. Conclusion

In summary, Westjustice considers MIPS are essential to deliver holistic, client-led and trauma informed justice solutions to clients in Victoria. We welcome the Commission's Inquiry into ways to better protect confidentiality of our clients' communications.

We consider the client experience should be the focus of any recommendation by the Commission, and support the second option proposed with the variation that it encompass all confidential communications made between a client, lawyer and social service professional for the purpose of accessing any integrated services delivered by a legal assistance service provider.

[REDACTED]

Yours sincerely,

[REDACTED]

Jennifer Jones
Legal Director, Workers' Economic and Housing Rights
Westjustice

APPENDIX ONE – CASE STUDIES DEMONSTRATING THE BENEFITS OF MULTI-DISCIPLINARY INTEGRATED LEGAL SERVICES (MIPS)

Bethany's case (Tenancy Stress Victoria)

Bethany (not her real name) is over 80 years old. She has been a private renter for over 10 years, and had lived at this particular rental property for over 7 years.

Bethany first attended Westjustice in 2022 for assistance with repairs and eviction proceedings for rent arrears, as well as other reasons relating to the rental provider's intended use of the property. Over the next 18 months, Westjustice assisted and represented her in six separate possession proceedings, five of which were withdrawn or dismissed, before a payment plan was finally ordered.

In 2024 – 2025, the rental provider commenced further possession proceedings, at which point Bethany was referred to our social worker. While Westjustice's advocacy assisted Bethany secure further time, the rental provider was ultimately successful in obtaining possession of the premises. With the support from our social worker, after being housed in emergency accommodation, Bethany was accepted into public housing.

How did Westjustice help?

Bethany was supported by a Westjustice lawyer in relation to eviction proceedings and other proceedings regarding the condition of the premises. Separately, the Westjustice social worker assisted Bethany in the following ways:

- Assistance accessing the Utility Relief Grant
- Long-term case management and expectation management on searching for housing.
- Engaging housing and homelessness organisations for assistance with rental arrears and searching for other properties.
- Registering Bethany with My Aged Care for ongoing assistance with day to day needs such as gardening.
- Assisted in collecting documents for applications for financial aid and obtaining that aid
- Provided updated support letters, advocating for Bethany to remain in the property. These were used at each VCAT hearing.
- Assisting with applying for private rentals including scheduling inspection times for Bethany and monitoring an email address for outcomes.
- Assisted in applying/updating public housing application.
- Organised removalist and storage unit after warrant of possession was granted and physically oversaw and assisted in the removalist process at the property
- Established emergency housing for Bethany through a housing organisation.
- Assisted Bethany in filling out her lease for public housing, transport to view the property, and establishing her in the property.

Why was MIPS important for Bethany?

Bethany received legal help to challenge the actions of the rental provider, effectively maintaining her private rental housing for around 3 years after their first attempt to evict her, while also securing significant repair works to the property. As an elderly woman with low income, limited social and family supports, and no technological skills, she required high levels of support and reported high levels of distress. Through this difficult time, our social worker assisted with non-legal aspects, including aid applications, practical help in seeking alternative

accommodation and emotional support, particularly as it became apparent the tenancy was no longer sustainable. This ultimately led to Bethany being accepted into public housing, removing her from emergency accommodation and avoiding homelessness. This level of support relied heavily on our multi-disciplinary practitioners being able to work in an integrated manner and share information.

Bethany told us she never knew what each day would hold and if she would need to move before she had support. By the end of the support period, Bethany was linked in with several services and had begun to make new friendships in her building and no longer worries about where she will “end up” the following day.

Shelley's case (Tenancy Stress Victoria)

Shelley (not her real name) is in her 50s. She lives in a private rental in Melbourne's West with her [REDACTED] adult daughters, her [REDACTED] nephew and [REDACTED] great niece, for whom she is the primary carer. She is from a CALD background and has limited English language skills, as well as limited knowledge of how to access local support services. Shelley also reported having a physical disability, [REDACTED]

Shelley was facing eviction. She attended Westjustice for help with a notice to vacate for rent arrears and related possession order proceedings at VCAT. The rental provider alleged that she owed over \$8,000 in unpaid rent, as well as a \$2,085 bond for the property. After speaking with a lawyer about her options, Shelley advised that she would like to resolve the matter by way of a payment plan. She was referred to our social worker and financial counsellor to assist with this and related matters.

How did Westjustice help?

With Westjustice's assistance, Shelley was ultimately successful in negotiating a payment plan with the rental provider and the VCAT possession order proceedings were withdrawn.

Shelley's lawyer advocated with the real estate agent for the arrears to be resolved by way of payment plan and sought a 6-month rental agreement renewal, in order to further apply to the Department of Housing (DOH) for a RentAssist bond loan.

Our financial counsellor assisted Shelley with budgeting and creating a statement of financial position (SOF). She adjusted existing Centrepay payments and arranged payment plans for other debts. This meant that the client was able to increase the amount of her income available to make rent payments.

Shelley was also assisted to apply for funds towards the rent arrears from various housing support services. The SOFP produced by our financial counsellor was instrumental in helping us demonstrate to some of these support services that our client's tenancy was sustainable.

Our social worker further provided Shelley with emotional support, linked her with NDIS providers, and assisted her to obtain food vouchers from charitable organisations.

Why was MIPS important for Shelley?

Through Westjustice's integrated support and advocacy, Shelley was able to avoid eviction and homelessness and continue to live in her private rental property.

Westjustice was successful in securing her a total of \$4,150 in funds towards the rent arrears from housing support services.

With help from our financial counsellor, Shelley was also able to significantly reduce her expenses to and ensure she had sufficient income for rent moving forwards. She secured a waiver of \$387 fines and cancelled hundreds of dollars of rental fees for items she was not aware of. The financial counsellor also assisted her obtain a \$650 utility relief grant towards her water bills, and to transfer onto more affordable utility plans. She also reduced existing payment plans for other debts to reduce her Centrepay deductions to a more sustainable level.

These financial and social supports put Shelley in a position to propose a sustainable payment plan. After extensive negotiations, the rental provider agreed to her proposed plan and withdrew their VCAT possession application. Shelley signed the 6-month rental agreement renewal we had sought on her behalf, and successfully obtained a \$2,085 DOH bond loan, which the agent lodged with the RTBA.

Shelley reported that she was extremely grateful for Westjustice's support. Our social worker observed that her emotional wellbeing and stress levels significantly improved when no longer facing eviction and having to search for a new rental. She has been empowered to better manage her finances moving forwards.

Maryam's case (Restoring Financial Safety)

Maryam (not her real name) is a single mother of four children and receives Centrelink benefits as her sole income. When she initially engaged with Westjustice she was residing in a private rental, but was at risk of homelessness due to financial hardship. She had barely any money left over after paying for her rent and prescription medication.

Maryam had been subjected to significant family violence by her ex-husband, which impacted her physical and mental health, and exacerbated pre-existing health conditions.

At her intake appointment with the Restoring Financial Safety program's lawyer and financial counsellor, they identified:

- Maryam had fines in her name incurred in the context of family violence;
- Maryam had been issued notices to vacate by her rental provider as she was in rent arrears, and she was facing homelessness;
- Maryam had been involved in a motor vehicle accident due to her experiencing a medical episode behind the wheel, and was being pursued by the other driver's insurer for damage to their vehicle;
- Legal proceedings had been initiated against Maryam by a private school that her children had attended, despite her ex-husband agreeing to bear all schooling costs;
- Maryam wanted to get divorced from her ex-husband;
- Maryam was being chased by a debt collector for a utility debt relating to a previous rental address;
- Maryam had received disconnection notices from her current electricity and gas provider due to the outstanding balances; and
- Maryam had an outstanding debt on her water account.

How did Westjustice help?

The Restoring Financial Safety program's lawyer and financial counsellor conducted joint appointments with Maryam to reduce the amount of contact she needed to have with service

professionals, and to prevent her from re-telling her story and experience of family violence to multiple practitioners.

The Restoring Financial Safety program's lawyer assisted Maryam to have her fines withdrawn by filing a successful application with the Family Violence Scheme at Fines Victoria, represented Maryam in proceedings commenced against her by the rental provider in the Victorian Civil and Administrative Tribunal that were ultimately withdrawn, provided advice to Maryam regarding her liability for the motor vehicle accident debt and the school debt, and represented Maryam in divorce proceedings, resulting in Maryam being granted a divorce from her ex-husband.

The Restoring Financial Safety program's financial counsellor assisted Maryam to have the old utility debt waived, apply for the Utility Relief Grant for her current utility accounts, ensured her concessions were applied, set up payment plans to prevent future disconnections, and completed a statement of financial position with Maryam to help her understand her income and expenses.

Why was MIPS important for Shelley?

The Restoring Financial Safety team together ensured that Maryam and her children avoided homelessness and disconnection of her essential services, and put her in a better financial position. Their support enabled Maryam to take steps towards her recovery from family violence and improved health. Maryam was grateful for the support provided by Westjustice.

Sophie's case (Health Justice Support for Families case study)

Sophie was referred to Westjustice through our partnership when she was 5 months pregnant. She had disclosed to the midwife at the Hospital that she had been repeatedly sexually assaulted by her manager at work and the father of her unborn child. She was married at the time with a son, and when she informed her husband it led to the breakdown of their marriage, a divorce and a property settlement. She was also bound to a spousal visa so she was very worried about her immigration status, especially being the primary carer of her son.

How did Westjustice help?

Our lawyer quickly established that Sophie had suffered substantial physical, sexual, emotional, financial and extreme coercive control by the manager and father of the unborn child for almost 4 years. He had coerced her into applying for a personal loan and giving him all of her family law settlement funds [REDACTED]. The family violence she experienced severely impacted both her physical and mental health, resulting in multiple emergency hospitalisations including an attempted suicide whilst pregnant.

Initially Sophie was not ready to take any legal action, and as our trauma-informed practice sees us meeting clients where they are at, so we provided her with legal advice and made some referrals to support services, leaving the door open for her to contact us again if she decided to take action.

After Sophie's baby was born we met her again. A newborn report has been made to child protection due to the severity of the family violence and the condition of her mental health which were deemed a significant protective concern in relation to her newborn baby. Due to our collaborative relationships in the partnership, the hospital social worker immediately referred her to our service in relation to the emergency protection application sought by DFFH.

Our lawyer was able to give her advice on the same day, and in less than 24 hours we were representing her in the child protection proceedings in the Children's Court where we successfully defended an application to have her baby removed from her care and placed in foster care.

This was because we were able to demonstrate to the Court that the protective concerns could be alleviated by providing wrap around support services which the partnership facilitated:

- Intensive case management by the hospital social worker;
- Regular in home support by our enhanced maternal child health team;
- family violence case management, including safety planning, weekly meetings, and a security sweep through Genwest;
- financial counselling from Anglicare, who assisted to waive personal loans under grounds of family violence and coercion;
- specialist therapeutic sexual assault counselling through WestCasa.
- A targeted referral to a Services Australia social worker, who assisted her to access specialist Centrelink benefits as she didn't qualify for parenting payments due to her visa.

The legal support we have provided is extensive and ongoing including child protection, family law property advice, child support and parentage, family violence intervention orders, employment law, victims of crime, civil debt recovery and migration.

Why was MIPS important for Sophie?

As a result of receiving integrated services, Sophie has:

- Improved family functioning and wellbeing with both her children in her care and the baby is thriving;
- Improved financial security through targeted Centrelink assistance, victims of crime compensation, waiver of debts and debt recovery of the funds obtained through coercive control;
- Improved wellbeing and stabilised mental health with psychological and social supports in place
- Personal safety with an intervention order against the father of the baby
- Improved future employment opportunities having been assisted to disentangle herself from the toxic workplace and legal action against the employer for compensation and
- Housing with her children in her care.

Sophie's story is a prime example of our Westjustice trauma informed multidisciplinary methodology of practice in a health justice framework where the three-way partnership with health, legal and social services delivers targeted wrap around support which ultimately prevented the removal of her newborn baby, further harm and significant cost savings to government. These outcomes could not have been achieved as effectively and timely without this service collaboration which has resulted in invaluable positive mother baby bonding and family cohesion.