

Legal Privilege and Integrated Legal Assistance Services

Submission to the Victorian Law Reform Commission
Consultation Paper

August 2026

Acknowledgement of Country

This submission was written on the lands of the Wurundjeri and Bunurong peoples of the Kulin Nation. We acknowledge and pay our respects to Aboriginal and Torres Strait Islander peoples and Traditional Custodians throughout Victoria, including Elders past and present. We also acknowledge the strength and resilience of all First Nations people who today are still arrested and imprisoned at rates far higher than other Australians.

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Disclaimer. This submission includes case studies and client stories. These stories are based on several clients' experiences. Names and identifying details have been changed.

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Executive Summary

Victoria Legal Aid (VLA) welcomes this review of how the law of legal privilege operates in integrated legal assistance service settings, and thanks the Victorian Law Reform Commission (VLRC) for the opportunity to contribute to this important consultation.

Integrated legal assistance¹ is designed to improve access to justice for people experiencing disadvantage. VLA's non-legal services enable clients to participate in decision-making, navigate systems, access services and improve legal and other outcomes. Our specialist non-legal advocacy services also provide advocacy and coaching for self-advocacy.²

These services help resolve issues early and practically, reducing the need for legal intervention and preventing matters from escalating unnecessarily. Non-legal services complement VLA's core legal role and are a practical, efficient and evidence-based approach that improves outcomes for clients and reduces demand on courts and other public services.

Our clients have complex intersecting legal and social needs. Our multiple non-legal services, led by allied professionals,³ have been informed through identifying systemic issues, service gaps and learning from people with lived experience as clients of these systems. Throughout our submission, we share our clients' stories to highlight the impact and benefits of integrated service provision to people's lives and broader systemic benefits of these services. Our knowledge and expertise in delivery of non-legal services in unique and diverse contexts also inform our insights for this submission.

Navigating legal privilege is a key consideration in how we design our non-legal services at VLA and the level of integration with our legal practice. Protecting free and frank communications between a client and their lawyer is critical to providing legal representation and is a fundamental pillar of the justice system.

We broadly support extended protections of communications by lawyers and allied professionals working closely together aimed at increasing access to justice, reducing uncertainty and ensuring flexibility and choice for professionals and clients.

Based on our practice experience, we recommend that the following factors are engaged with and balanced in progressing reform options to legal privilege:

- **Different professions, ways of working and obligations:** Lawyers and allied professionals operate under distinct professional, ethical and reporting frameworks. The design should occur in partnership with allied professionals practicing across diverse integrated legal assistance service models, recognising and elevating their leadership to ensure balance within the dominant legal framework in which they operate.

¹ See table 1 for VLA's integrated services. In our submission we use the term non-legal services to refer to our own services and integrated when related to discussion of the VLRC service model descriptors.

² Non-legal advocacy refers to a service provided by allied professionals to support people to understand and enact their rights, navigate systems, access the services they need to address legal and psycho-social needs and present their views and preferences to decision-makers (e.g., to mental health clinicians or in child protection practitioners).

³ We note the term social service professional is used by the VLRC in the Consultation paper to denote the broad range of professionals who work in different integrated services. At VLA our services use the term allied professional, but the meaning is the same as that described in the paper.

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- **Diverse contexts:** The design should contemplate different ways and settings in which allied professionals and lawyers work together, including in high volume contexts, litigation, pre-court, post-court or in parallel to legal processes.
 - **Lived experience expertise:** Prioritise the expertise and views of people with lived experience to ensure reform strengthens access to justice and supports, rather than constrains effective multidisciplinary practice. This should include meaningful co-design with people who have used integrated legal assistance services, experienced barriers to accessing them, or may have benefited from this support.
 - **Related considerations:** Other factors that are being managed by the sector alongside privilege that influence design should also be considered, including, for VLA, the risk of conflicts of interest and our obligations as a government agency.

We look forward to continuing to engage with the VLRC as this reform progresses.

VLA's non-legal services

VLA is deeply committed to providing innovative, client-centred services that support better legal assistance to the Victorian community. VLA currently operates five non-legal services that engage allied professionals alongside legal service delivery. For this submission, we have also included important learnings from the Child Support Legal Service (CSLS) and Good Shepherd Financial counselling partnership that ceased due to funding restrictions. The table below provides an overview of the key characteristics, purposes and service models adopted by each of our non-legal services commensurate with the models described by the VLRC in the consultation paper.

Our non-legal services feature elements of the different models, depending on the purpose, scope and operating context, however we have indicated a best fit model for each to support discussion.

Table 1 VLA non-legal service snapshot

Service snapshot	Types of allied professionals	Approximate model of integration
Independent Mental Health Advocacy (IMHA)		
Independent Mental Health Advocacy IMHA IMHA provides statewide non-legal mental health advocacy for people at risk of or are receiving compulsory mental health treatment. Services provided include representational advocacy, information provision, emotional support, coaching for self-advocacy, support navigating the legal system and referrals. Access to IMHA is supported through an 'opt out' notification mechanism in the <i>Mental Health and Wellbeing Act</i> . ⁴ An independent evaluation of IMHA was undertaken in 2019. ⁵	Advocates have a range of allied professional backgrounds, including social work, psychology, mental health nursing. There are designed lived experience roles and First Nations designated advocates. All staff are trained in providing trauma-informed, person-centred and human rights-based services.	Co-operative model With consent, IMHA will refer consumers to the Mental Health Legal Rights Service (MHLRS) or other legal services. IMHA advocates occasionally attend legal meetings on request from the consumer.
Independent Family Advocacy & Support (IFAS)		
Independent Family Advocacy and Support Victoria Legal Aid IFAS provides non-legal advocacy and support to parents and primary	Social service and advocacy support professionals with backgrounds in social work, human services or	Co-operative model

⁴ In 2024-2025 5.7% of consumers opted out; a 2.1% reduction from the previous year.

⁵ IndependentMental Health Advocacy 2026, *IMHA report on opt-outregister and non-legal advocacy service*, Victoria Legal Aid, Victoria.

Service snapshot	Types of allied professionals	Approximate model of integration
carers across Victoria who are involved in the child protection system at the early stages, before court involvement. Services include representational advocacy and referral, system navigation, information provision and emotional support.	community development, including consultants with lived experience of the Child Protection system.	Independent non-legal service with referrals to a VLA or other legal service if required. It is rare for IFAS advocates to be present during clients' interactions with lawyers.
Remand Support Service (RSS) (Pilot)		
Remand Support Service Victoria Legal Aid RSS provides trauma-informed emotional, practical and holistic non-legal support for people on first remand at the Bail and Remand Court (BaRC) to address their immediate non-legal needs and help them engage with the legal process.	Remand Support Practitioners (RSPs) have varied professional backgrounds, including social work, allied health, Alcohol and Other Drugs (AOD), and justice.	Loosely integrated model RSPs work in close collaboration with VLA duty lawyers to support and enable clients' participation in the legal process. The RSS also accepts referrals from some other organisations.
Aboriginal Community Engagement Officer program (ACEO)		
Aboriginal community engagement officers Victoria Legal Aid ACEOs offer culturally safe guidance, assistance and advocacy to First Peoples clients in locations across Victoria.	Cultural knowledge and community engagement professionals.	Loosely integrated model ACEOs support First Peoples clients at initial VLA lawyers' appointments and provide information, support at court hearings. Clients may meet with a lawyer and an ACEO together at the initial lawyer appointment.
Family Advocacy and Support Service (FASS)		
Family Advocacy and Support Services Victoria Legal Aid FASS is an at court service in the Federal Circuit and Family Court of Australia (FCFCoA) for families affected by family violence involved in family law proceedings. FASS is available at Melbourne and Dandenong Registries, and regionally with circuits.	Family violence support and mental health support workers. These professionals are employed by partner organisations, not by VLA.	Loosely integrated model Clients who have experienced, used, or are alleged to have used family violence can see a FASS duty lawyer for their legal problems, and a social support worker to work through other issues. Parties must be currently or soon to be involved in court proceedings. Occasionally clients

Service snapshot	Types of allied professionals	Approximate model of integration
		may meet with a lawyer and the social service professional at the same time.
Child Support Legal Service (CSLS) and Good Shepherd Financial counselling partnership (no longer provided)		
Child support Victoria Legal Aid A Partnership between VLA CSLS and Good Shepherd (GS) which operated from Feb 2020 to Oct 2025. Partnership ceased due to funding restrictions. VLA's CSLS provides legal information, legal advice, duty lawyer support as well as FASS secondary consults.	Financial counsellor funded and employed by GS.	Co-operative model A financial counsellor was co-located at VLA Melbourne office 1 day a week. Eligible clients entered one service (VLA or GS) then received a warm referral to the other service with client consent if eligibility criteria met. Clients did not meet with lawyers and the financial counsellor together as the service operated via mutual referrals.

For more detailed information about VLA's non-legal services and how legal privilege is navigated in each program's context, please see **Appendix A**.

Navigating legal privilege in our non-legal services

Implementation of different models of integrated services

Question 1

Integrated legal assistance services involve the delivery of legal and social services by professionals working for the same organisation or partnership. Loosely integrated legal assistance services impose strict information barriers between lawyers and social service professionals providing services to clients. Closely integrated legal assistance services promote the joint delivery of legal and social services to clients at the same time, sometimes after obtaining client consent to potentially compromise privilege. How easy or difficult is it to implement these two models of integrated legal assistance services in practice?

VLA's non-legal services align either with a 'co-operative' or 'loosely integrated approach' as articulated in the Consultation Paper although each has its own unique features. Our non-legal services operate as separate programs within VLA, with their own management structure and record keeping. Referrals are made, where appropriate, between non-legal services and legal services, rather than a client of one service automatically becoming a shared client. There is a clear distinction between the roles of allied professionals working in these services and lawyers' roles. This design has allowed us to protect legal privilege. Strict information barriers are maintained between our non-



legal services and our legal services. Client information is only shared with consent. Generally, allied professionals and lawyers across our services meet separately with clients, although joint meetings sometimes occur, as discussed further below.

It is important to note that while navigating the issue of privilege was a key consideration in the design of our non-legal services, it was not the only factor. We also see value in the allied professionals maintaining independence from legal services. This allows them to focus on clients' non-legal needs, and ensures their professional approach guides their work, rather than being secondary to lawyers' objectives.

As a large organisation, VLA is able to establish non-legal and non-legal advocacy services that operate separately. However, this approach may not be feasible for community legal centres or other small community-based organisations, where an integrated service may comprise a sole allied professional working alongside a legal team.

Overall, we have been able to manage the issue of privilege relatively effectively across our services. However, we experience the following challenges in implementing loosely integrated services:

- **Constraints on holistic service delivery**
Maintaining information barriers and seeing clients separately can limit the ability of allied professionals and lawyers to develop a complete understanding of a client's circumstances, which limits each professional's capacity to deliver an effective service. There can also be missed opportunities to work collaboratively where legal and non-legal issues are intertwined. Clients may have to re-tell their story to multiple professionals.
- **Uncertainty about privilege can affect referrals and collaboration**
Concerns about maintaining legal privilege can contribute to lawyers being hesitant to refer clients to our non-legal services. Uncertainty about the operation of privilege and confidentiality has led to instances where professionals across both groups have been overly cautious in sharing information, which has at times limited collaborative practice. Additionally, lawyers have noted that if they were particularly concerned about a risk to privilege, they would be unlikely to invite an allied professional to a joint meeting.
- **Constraints on culturally safe service delivery**
VLA's ACEOs are specialist non-legal roles intended to bring cultural expertise and community knowledge to VLA's service delivery. However, the ACEO program operates separately to VLA's lawyers, which can impact on the program's ability to enhance culturally responsive service delivery and to facilitate culturally safe environments for clients when navigating interactions with lawyers. This is critical when considering the historical impacts, trauma and discrimination experienced by First Peoples when engaging with the justice system.
- **Increased complexity for clients needing to understand how privilege works in the context of holistic services**
For the most part, our allied professionals and our lawyers see clients separately. However, in some of our non-legal services, they occasionally attend meetings with clients together. This is particularly helpful when a client may be acutely distressed or experiencing barriers in engaging with the lawyer and the legal process. In these circumstances, the risk to legal privilege is managed by seeking the client's informed consent that the conversation may not maintain their legal privilege in the same way it would be if they were speaking only with their lawyer. We see limitations in this approach, including the additional barrier for clients having to consider the concept of privilege in addition to their substantive legal matters which increase the amount of complexity they have to navigate.

We acknowledge that the complexity around navigating privilege can mean VLA does not engage in forms of service delivery that would be more holistic and involve a more closely integrated way of working between allied professionals and lawyers. Furthermore, asking clients to waive privilege is inherently complicated and may be counter-productive to the aim of making legal services easier to access.

Benefits of integrated service delivery

Question 2

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?

VLA sees significant benefits from integrated service delivery for clients, service providers and the justice system. Across our different models, non-legal services create new pathways to legal assistance, help overcome barriers to participation, enable earlier and more holistic responses to clients' needs, strengthen service coordination and contribute to more effective legal system outcomes. These benefits are demonstrated through our service data, independent evaluations and the experiences of our clients and staff.

Importantly, VLA's experience demonstrates that these benefits do not depend on a single model or level of integration. Our services operate across very different contexts and maintain different degrees of separation between legal and allied professionals. The value of integration lies in enabling complementary expertise to respond to the interconnected legal and non-legal needs of clients, while retaining sufficient flexibility to reflect the purpose of the service and needs of the client.

Benefits to clients

Improved access to justice

For many of our clients, the process of engaging with the legal system is incredibly difficult. Allied professionals employed by our non-legal services play a crucial role in helping clients understand and navigate legal processes, build trust and confidence, address immediate barriers to participation, and connect them with legal and social services.

For First Peoples, experience of systemic disadvantage through racism and intergenerational trauma can lead to distrust and fear of the legal system. Being able to access the ACEO can ensure a more positive experience for First Peoples clients. The 2021 ACEO program evaluation highlighted the importance of clients feeling 'cared about' when moving through the justice system.⁶ A client described the practical impact of the combined support of their ACEO and lawyer:

"I think if I hadn't been given that chance, I would be in jail as the VLA lawyer and ACEO supported me throughout and kept me calm and then I could talk properly on the day."

⁶ Evaluation of ACEO program, 1 June 2022, Final report, Karen Milward Consulting, p 23 and 24

The trusted relationship between an IMHA advocate and consumer can also promote more confident engagement with legal assistance, as reflected in consumer experience:

“The advocate did a fantastic job and provided me with the forms and information that I required to prepare for my tribunal hearing. I was treated with dignity and respect and felt listened to. The advocate went through the information provided carefully and in a way that was easy for me to understand. I was able to gain legal representation through Legal Aid which helped immensely with the tribunal hearing.”

The experience of being remanded has been described by people with lived experience as dehumanising, with strip searches, constant relocation, and no information about what is happening, resulting in a complete loss of agency.⁷ Remand Support Practitioners (RSPs) are skilled in supporting and communicating with people experiencing high levels of distress. Our clients have reported that they greatly value the support of the RSS, which can make it possible for them to engage with information about their case that would otherwise feel overwhelming:

“They [RSS] told me [what was happening] because I don’t understand courts, how they work, jails and all that stuff. For me, it was like, ‘what are you all on about?’”

Prevention and early intervention

Non-legal services provide opportunities for earlier intervention and more holistic responses to the circumstances underlying or intersecting with a person’s legal problem. The ability to identify and address non-legal needs can assist clients to resolve issues before they escalate, improve their ability to engage with legal and other systems and connect them with services they may not have otherwise accessed.⁸

VLA’s IFAS service illustrates this early intervention role. IFAS supports parents and primary carers during the pre-court Child Protection investigation phase, including by linking them with services that can assist them in addressing the protective concerns raised by Child Protection, such as parenting support, drug and alcohol or men’s behaviour change services. In the 2025-26 financial year, 53% of IFAS clients’ matters that closed resolved without a protection application issued.⁹ A previous cost-benefit analysis estimated IFAS diverts 20% of referred clients away from court, resulting in an estimated saving of \$3.52 to the Victorian government for every dollar invested in IFAS.¹⁰ The average saving to the Victorian government per family diverted from the Child Protection system was estimated at \$65,911, realised within 12 months.¹¹ These savings do not include the value in IFAS diverting families to other support services. Feedback from our clients indicated that they greatly valued the service:

⁷ Winford, S., Armstrong, D., Elletson, P., Hughes, M., Lewers, N., Piggott, E. (2023) Review of Victoria Legal Aid’s Remand Services, Centre for Innovative Justice, RMIT University, Melbourne

⁸ McDonald, H.M. & Wei, Z. 2025. *Justice at a disadvantage: What we know now about legal need, capability and multiple disadvantage*, Victoria Law Foundation, viewed 24 August 2025, pp. 26-28.

⁹ Internal VLA service data

¹⁰ The cost savings were calculated by estimating the rate at which IFAS diverts families from court who would otherwise have proceeded, then calculating the costs saved through avoiding court. Savings were identified in areas including DFFH costs to apply for the order or provide support to children on orders, intensive family support services, legal aid grants to parents and out of home care costs.

¹¹ Maylea, C, Bashfield, L, Thomas, S, et al Final Evaluation of the Independent Family and Support (IFAS) Pilot, September 2021 [Final Evaluation of Independent Family Advocacy and Support \(IFAS\) pilot](#), p 33.

“It’s a service that should be available for everyone because your brain goes to mush. You’re emotional. It’s terrifying to think that the worst thing that could happen. And to have somebody who was really supporting you in that, it’s a service that is fantastic.”¹²

Many single mother victim survivors of family violence who sought assistance from VLA’s CSLS and family law services benefited from financial counselling early after separation or during legal proceedings to help deal with financial abuse and debt proactively, effectively disrupting family violence in the form of economic abuse. Early advice about different options to manage financial issues led to better financial security for parents and supported the wellbeing of their children. In conjunction with legal representation, clients were empowered to sever debts and financial relationships with their former partner.

Empowering single parents

A CSLS client who was a single mother of 5 children was totally reliant on Centrelink benefits and not receiving child support despite the father earning a high income. While CSLS helped with her legal child support matter, she was referred to the Good Shepherd financial counsellor in relation to high interest debts of over \$12,000 taken out when she was pregnant with her youngest child. The financial counsellor assisted her to negotiate her debt down to \$2,800 with no interest or fees, reducing her repayments from more than \$750 per month to a more manageable \$60 per month. She also received a \$100 grocery voucher via a referral to Catholic Care Victoria and was provided information about applying for a \$250 Power Savings Bonus payment.

Better client outcomes

VLA’s non-legal services also produce better client outcomes both within and beyond their legal matter. Addressing the social, health, financial and safety issues that intersect with legal problems can reduce distress and re-traumatisation, improve wellbeing, strengthen safety, increase agency, and financial security, and connect people with supports that can have benefits well beyond the immediate legal proceeding. This can also make legal outcomes more effective by addressing circumstances that may otherwise contribute to continuing, recurring or exacerbated legal problems.

The RSS demonstrates the value of a holistic response at a point of considerable distress. RSPs can provide trauma-informed and therapeutic responses to crisis, address immediate practical concerns and connect people with health and community services they may have been unable to access in the community. The benefits can extend to families and support people, who can receive information and practical support when a family member is remanded. One family member described RSS as having ‘probably prevented me from having a nervous breakdown’.

¹² Ibid, p 25

Sam's story

When Sam* was remanded to the Melbourne Custody Centre, they were experiencing acute distress and experiencing suicidal thoughts. It was an unfamiliar environment, and they were worried about their safety, and the wellbeing of their family and pets at home. They also wanted their family to know where they were but didn't know how to contact them.

While Sam's lawyer focused on preparing a bail application and legal representation, the RSS provided trauma-informed support to help de-escalate the crisis and established communication between Sam, their family and lawyer. The RSS explained what to expect in custody, provided information about court and visiting arrangements, and helped ensure urgent matters outside custody were addressed, such as the care of pets and contact with loved ones.

After Sam was granted bail to receive mental health treatment, the RSS continued working alongside their lawyer. As Sam struggled with their mental health and other practical challenges, they became disengaged from the legal process and were at risk of breaching bail. The RSS reconnected them with medical care, income support and community services, and provided the court with information about their engagement and support plan.

By addressing urgent non-legal needs alongside legal representation, the RSS enabled Sam to remain connected to their lawyer, access the supports they needed, and continue participating in the court process. This integrated approach allowed the lawyer to focus on legal advocacy while giving the court confidence that Sam had the practical and therapeutic supports needed to remain safe in the community.

**not their real name*

Targeted warm referrals provided within the CSLS and Good Shepherd partnership resulted in a much better outcome for clients who had experienced trauma and abuse, including economic abuse, as demonstrated in the below client story.

Deng's story

Deng* and her husband Manyok* arrived in Australia as refugees in 2016. Shortly after arriving, Manyok forced Deng to obtain two personal loans from a bank in her sole name, totalling \$20,000. He told her that these loans were needed for furniture, however, all purchases made with these monies were sent overseas to his family. She obtained no benefit from the use of these loan funds.

They separated in [REDACTED] 2020 following significant family violence. Deng was referred to VLA to assist her to obtain child support for the [REDACTED] children of the relationship. She disclosed that she had recently discovered that she owed \$16,000 in relation to the loans and was left with the sole financial responsibility to repay them.

Her CSLS lawyer referred her to the Good Shepherd financial counsellor, who assisted her to successfully negotiate the debt down from \$16,000 down to \$5,000, interest free. Relieved by the significant reduction, Deng entered a payment arrangement to pay off the

loan by instalments and was very grateful for the services and referrals provided by VLA and Good Shepherd.

**not their real names*

Benefits to service providers

Across VLA's services, more integrated practice has strengthened service coordination and referral pathways, increased professional capability, supported appropriate professional boundaries¹³ and reduced the burden on lawyers of responding to complex needs outside their expertise. This is particularly evident where clients have complex or intersecting legal and non-legal needs.

Access to allied professionals with specialist expertise in areas such as trauma-informed practice, crisis management, cultural safety, self-advocacy and advocacy, systems navigation and referral, and financial counselling enables those needs to be addressed by professionals best equipped to respond. In the RSS, for example, RSP expertise in trauma-informed practice, de-escalation and crisis management allows duty lawyers to concentrate on obtaining instructions, developing legal arguments and representing clients before the court. As one duty lawyer explained:

"RSS freed up mental space for me to deal with the legal issues, knowing somebody was there to deal with the social issues.... I can spend more time looking at some of the submissions I could make."

Integrated practice can strengthen coordination and relationships between organisations and professional disciplines. Established relationships create better understanding of respective roles, facilitate appropriate referrals and provide pathways for professionals to work together where a client's needs cross service boundaries. IFAS's relationship with DFFH, for example, has enabled advocates to act as a bridge between families and Child Protection where communication has broken down,¹⁴ while the ACEO program has strengthened VLA's relationships with First Peoples organisations and other legal assistance providers. IMHA relationships with mental health and wellbeing providers have supported improved relationships between consumers and treating teams.

Non-legal services also create opportunities for professional learning and capability development. Working alongside allied professionals can broaden lawyers' understanding of clients' needs and the interventions available to address them. RSS lawyers reported greater awareness of therapeutic approaches and specialist community services, while the co-location of a Good Shepherd financial counsellor increased lawyers' understanding of debt, financial counselling and options such as grants and concessions. The ACEO program evaluation highlights how this benefit increases organisational cultural safety capability and the capacity of VLA regional staff to provide higher-quality and more culturally responsive services to First Peoples, with ACEOs also contributing their expertise to service design and strategic advocacy across VLA and the legal system.¹⁵

There are also important workforce wellbeing and professional boundary benefits, particularly in high-volume, high-pressure environments. Lawyers assisting clients experiencing acute distress can be exposed to significant vicarious trauma and may feel compelled to respond to social or therapeutic

¹³ [Professional Boundaries | VLSB+C](#)

¹⁴ Maylea, C, Bashfield, L, Thomas, S, et al Final Evaluation of the Independent Family and Support (IFAS) Pilot, September 2021 [Final Evaluation of Independent Family Advocacy and Support \(IFAS\) pilot](#)

¹⁵ Evaluation of ACEO program, 1 June 2022, Final report, Karen Milward Consulting, p 2

needs beyond their professional role as an independent advocate. By having allied professionals provide a more sustainable response, clients' needs can be addressed without requiring lawyers to work outside their expertise and lawyers can maintain professional boundaries and focus on the legal matter.

Benefits to the legal system

The involvement of VLA's non-legal services can assist the legal system to function more effectively through increasing clients' capacity and capability to respond to their legal issues and in decreasing distress associated with going to court. Where the client's complex intersecting non legal needs are being addressed, where their distress is reduced and information is being provided by non-legal services, beneficial impacts flow on to support effective and efficient functioning of courts and tribunals.

The 2018 evaluation of FASS found that:

Providing support to self-represented parties was felt to positively impact on preparedness and completeness of evidence and contribute to a significant reduction of court time spent on self-represented matters. ... Connecting clients to social services also helped strengthen courts' responses to client safety, enhance duty lawyer support to vulnerable clients and improve the quality and timeliness of referrals to other support services.¹⁶

The following judicial comments provide further evidence of the benefits of FASS to the court in individual matters:

Family Law [sic] Support Services ('FASS') provided the mother with a support worker who sat next to her throughout the trial including as she was being cross-examined. I take this opportunity to express my gratitude to the FASS workers who were in the courtroom. During this trial at all times they were quietly giving the mother support which facilitated the running of the trial, particularly during periods where the mother became distressed and needed a break. FASS provide an important service and enhance the Court's ability to deliver justice. Much of that work occurs outside the courtroom, but I always appreciate their quiet assistance in Court. The Court proceedings can be incredibly distressing and confronting for anyone, particularly in family law matters dealing with children and sensitive issues.¹⁷

I am again grateful to the Family Advocacy and Support Services ('FASS') who provided assistance to the mother throughout the trial. FASS provide an important multi-disciplinary service including mental health and emotional supporting during court proceedings. They regularly assist litigants in distress and greatly assist the Court to run matters smoothly.¹⁸

¹⁶ [An Evaluation of the Family Advocacy and Support Services Final Report](#) (2018), Inside Policy for the Australian Government Attorney-General's Department, pp 6-7

¹⁷ Grossman & Myles [2023] FedCFamC2F 1492 at [9]

¹⁸ Judge Harland, 21 May 2025, in Bouchaud & Bouchaud [2025] FedCFamC2F 660 – para 24, p15.

Risks to legal privilege when providing integrated services

Question 3

Integrated legal assistance services may compromise a client's ability to retain legal privilege and expose their private information, including through the professional reporting obligations of social service professionals. 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

As detailed in the response to question 1, VLA's non-legal services are predominately aligned with cooperative or loosely integrated models and risks to legal privilege and client information is managed through careful service design, information barriers, clear operational protocols and staff training.

Co-operative and loosely integrated service models also align with VLA's existing information barriers systems. Our lawyers and legal practice staff are subject to obligations under the *Legal Profession Uniform Law*,¹⁹ including avoiding conflicts of interest.²⁰ Information barriers exist across the organisation between different practice areas and our non-legal services. These are in place to optimise management of conflicts of interest between clients of the law practice and allow VLA to service a greater volume of clients, particularly in the high-volume duty lawyer context. Providing access to legal aid for a greater number of people has significant benefits for clients and the Victorian community and is a key factor influencing alignment with co-operative and loosely integrated service design.

VLA's operating environment as a statutory authority and public sector body also influences our approach to service design. VLA is established under the *Legal Aid Act 1978* (Vic). Section 43 provides an added layer of confidentiality and protection for VLA clients by prohibiting all employees of VLA from communicating any information received in relation to an application for, or the provision of, legal assistance, without the consent of VLA, including to a court. VLA is also subject to privacy and freedom of information legislation and employees must comply with the Victorian Public Sector Code of Conduct.²¹ The intersection of these obligations necessarily differentiates how VLA operates non-legal services from the operating environment of the community legal sector.

VLA also benefits from an internal legal services team who work with service areas to determine appropriate models for non-legal service provision considering VLA's intersecting obligations, client groups, service purpose and operating environment.

The ACEO program, for example, operates broadly and is not limited to helping First Peoples clients where litigation might be anticipated. The program operates separately from VLA legal services, with separate data and information recording because there is some uncertainty as to whether communications are protected within existing boundaries of legal privilege. Although to date, the ACEO program has not been subject to requests for disclosure or subpoenas, the program was carefully designed not to provide case management to clients, rather focusing specifically on facilitating access to legal assistance, and providing wraparound support to clients through extensive

¹⁹ *Legal Profession Uniform Law Application Act* (Vic) 2014

²⁰ See Rules 10, 11 and 11A of the [Legal Profession Uniform Law Australian Solicitors' Conduct Rules 2015](#)

²¹ [Code of Conduct for Victorian public sector employees - VPSC](#)

referral pathways. This design feature limits the ACEOs' exposure to potential client admissions and related reporting obligations. However, in practice, clients do not differentiate between communications that attract legal privilege and admissions made to ACEOs that may trigger related reporting obligations and hinder the intended therapeutic relationship between them and clients. In contrast, FASS operates only in a litigation context, meaning communications between clients, FASS support workers and lawyers are more likely to fall within existing boundaries of legal privilege.²²

We note for the types of legal matters typically arising within IMHA, a non-legal advocacy service, the practical benefits of extending privilege to advocates are more limited. Mental Health Tribunal proceedings are primarily determined based on clinical evidence, medical records and statutory treatment documents, rather than disclosure of advocacy records. IMHA's cooperative service model provides effective access to justice for consumers by supporting engagement with legal assistance, supporting consumers' agency and self-determination to participate.

The following case studies further illustrate some experiences we have had with information disclosure and management.

IFAS fosters understanding of non-legal advocacy

In 8 years of operation, IFAS has been issued with a subpoena once by DFFH. The subpoena was withdrawn following discussions with the Child Protection practitioner and manager who issued the subpoena. The discussions explained IFAS' representation advocacy model where advocates do not provide a professional opinion but rather act as the client's voice, putting forward the client's position with their consent.

Following this, DFFH have not issued any further subpoenas. IFAS advocates have conversations with DFFH about their operational model and the service they are providing when establishing new services or expanding to new regions to increase understanding of the service provided. These conversations also occur at care team meetings with new staff and DFFH to initiate these new relationships.

RSS on navigating conversations

The RSS employs allied professionals who have varied and extensive professional experience across different professions including social work, alcohol and other drugs, mental health and justice. To address issues of confidentiality, RSPs are intentionally hired as allied professionals rather than, for example, as a social worker. This means RSPs are not bound by the mandatory reporting requirements that apply to people employed as social workers.

A key concern from a criminal law practice perspective is the risk that a client might make admissions to an allied professional, which could compromise their defence. To mitigate this, the RSPs have specific training on navigating conversations with clients in ways that minimise the possibility of the client making admissions.

²² Noting this service also operates at the Commonwealth level.

Enhanced protection for client communications in integrated service settings

Question 4

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

VLA supports broadened protection for client communications in integrated legal assistance settings where this would facilitate safe, effective and holistic service delivery that benefits clients.

In the context of the ACEO program, existing information barriers can impede culturally safe and holistic assistance. In particular, the ACEO's are commonly not included in earlier interactions between First Peoples clients and their lawyer to preserve information barriers and legal privilege. During these interactions, lawyers observe that First Peoples clients are visibly uncomfortable, and report difficulties in building rapport. The ACEO's also note that their fragmented involvement in discussions reduce their ability to record accurate and detailed notes of the client's story, limiting the required details to action appropriate referrals to services for holistic wrap-around support. Greater protection of communications may enable closer collaboration with lawyers and holistic approaches to supporting clients.

It is important to consider the distinct role, practice and professional obligations between lawyers and allied professionals in developing extended models of privilege. Any reform must preserve the flexibility of allied professionals to respond to evolving health, safety and social needs, undertake risk assessments, make referrals and share information where appropriate. The objective should be to provide greater protection and certainty for clients without undermining the distinct role and value of non-legal support.

For example, the exemptions or circumstances for allied professionals to report risks of harm would need to be co-developed with allied professionals, to make sure their professional and ethical obligations and ways of working are properly contemplated and mutually understood and that allied professional ethical and professional obligations and ways of working are not impinged upon.

Any reform would also need to clarify whether privilege attaches to the individual allied professional or the service. Allied professionals may not practice in isolation, and risk assessments are often made in consultation with supervisors and management who retain responsibility for overseeing client safety and governance frameworks. Uncertainty about how legal privilege would operate where risk assessments are not owned by one single professional should be addressed with care.

Feedback on proposed new privilege options

Questions 5, 6 and 7

Option 1

A social service professional privilege that would enhance protection for communications between clients and social service professionals in loosely integrated legal assistance service settings and/or

Option 2

A new category of legal privilege that would enhance protection for communications between clients, lawyers and social service professionals in closely integrated legal assistance service settings

VLA recognises the complexity of developing a privilege model that can apply across different integrated service settings while supporting client-centred practice.

We support further exploration to understand how the options would individually operate across different service settings and, particularly, their impact on how allied professionals currently practice.

In developing new privilege options, VLA recommends making sure the models:

- are developed by directly involving people with lived experience of legal and social support services to ensure any reform intended to improve access to justice reflects the needs of the people who use these services
- are developed in partnership with allied professionals practicing across diverse legal assistance sector settings and are mindful of different ways of working, including in relation to reporting or other professional and ethical obligations
- contemplate whether privilege can or should apply across different integrated services, different service settings and for different types of allied professionals
- support client-centred practice
- are informed by community and expert feedback
- are responsive to the operating context of individual services rather than set model expectations
- do not impact on how legal privilege currently operates at common law and legislatively in Victoria
- support flexibility and clarity for service providers.

Option 1: Social Services professional privilege

We understand **Option 1** is intended to provide a new stand-alone category of privilege for communications with allied professionals in *loosely integrated* services and would sit alongside current legal privilege without impacting it in any way. Similar qualified professional relationship privileges operate in other states under local applications of the *Uniform Evidence Law*,²³ which are not confined to an integrated legal assistance service context.

For VLA's services that are considered loosely integrated, Option 1 would more readily align to current VLA practice and obligations including our framework of information barriers to manage

²³ For example as set out in Division 1A of the [Evidence Act \(NSW\)1995](#)

conflicts. Importantly it would leave existing legal privilege intact for VLA's legal practices but could potentially provide additional protection against disclosure of clients' communications with allied professionals.

Our allied professionals said that any proposed new privilege would need flexibility and allow compliance with their existing professional ethical standards and obligations, including disclosure to appropriate authorities where there is a risk of harm that the allied professional or management determines should be reported. An essential part of working with clients is ensuring that they understand the circumstances in which the allied professional will need to share information if they become aware of a risk of harm. This option would also need to allow for disclosure with consent for the allied professional to advocate on the client's behalf to other organisations.

VLA is supportive of further exploration of Option 1 and would favour features that maximise flexibility including:

- a qualified, rather than an absolute form of privilege
- a broad range of allied professionals included in the scope, that reflects the diversity of our current services, such as the ACEO program
- clarity in the definition of integration to provide clear choice to current and future services, including those of our services that align with a co-operative or independent model.

We support the VLRC's observation that the broadly cast 'professional confidential relationship privilege' currently operating in other states is a useful starting point for reform.²⁴ We would be interested to explore how this has influenced allied professional practice in integrated service provision in those states, including if it has impacted in any way on information sharing with lawyers within the service.

As this option is intended for application only to confidential communications with allied professionals, allied professionals must play a key role in leading and informing further design.

Option 2: new category of legal privilege

We understand **Option 2** is intended to create a new category of legal privilege that will apply only to *closely integrated* legal assistance services. It is proposed to be enshrined legislatively within the ambit of the current provisions of the *Evidence Act 2008* (Vic),²⁵ and relying on the current common law understanding of legal privilege. To achieve clarity and integrity, it would be supported by an accreditation scheme which the legal assistance sector could opt into if they met the criteria. Framing the dominant purpose test around 'providing integrated legal assistance', is intended to eliminate uncertainty and litigation risks regarding allied professional communications. The current legal privilege would continue intact outside of this proposed accreditation scheme, so our services could either opt into the new model or rely on existing legal privilege.

We confirm VLA does not currently provide non-legal services aligned with a closely integrated model. We would not necessarily seek a more closely integrated model, particularly for our non-legal advocacy services, IMHA and IFAS, whether or not privilege was a consideration because of the benefits of our existing models and other factors including how we manage conflicts. However, in some of our non-legal services there are situations where lawyers and allied professionals meet clients together in a closely integrated way for different reasons and purposes and the privilege risk is

²⁴ See p 45 *Legal Privilege and Integrated Legal Assistance Services* Consultation paper

²⁵ See Part 1 of Division 3.10.

managed (if it exists) in different ways depending on the operating context of the service. We see advantages to supporting clients with more certainty in these situations. In the context of the RSS, this option may allow the allied professional employed in this service to work more closely and collaboratively with the duty lawyers, enabling more seamless information flow and reducing the need for the client to repeatedly disclose their circumstances and support needs.

We agree with the VLRC that in developing Option 2, the question of how the different disclosure thresholds for lawyers and for different allied professionals might be reconciled where there is a risk of harm must be addressed. We consider that the proposed 'safety exception' would need to be carefully and clearly designed for Option 2 to be viable, including addressing practical implications such as agreement on and responsibility for the disclosure between the professionals.

Legal privilege is essential when representing accused people in criminal proceedings as it underpins critical rights to a fair trial, including the requirement for the prosecution to prove its case and the right to silence. Criminal defence lawyers have concerns about adopting a form of legal privilege that may require different disclosure thresholds for risk of harm than currently permitted. Doing so may allow the prosecution to access lawyer/client communication, which would have the potential to result in significant injustice to the accused person.

We note that the impact of potentially tighter disclosure restrictions on allied professional practice may present challenges for disclosure of safety and wellbeing risks and to work flexibly across needs that extend beyond the client's legal matter. Option 2, particularly as it is proposed to be absolute, could substantially restrict these functions, create conflict with professional ethics and undermine the value of multidisciplinary practice.

Considerations about the definition of *closely integrated practice* should include the desirability of enabling integrated legal services to continue to operate with flexibility, in order to be responsive to clients' needs. A dominant purpose test would need to encompass services that operate in multiple ways. Changes to the law that are designed to support integrated practice must ensure that innovative and flexible practice are not inadvertently restricted.

We are particularly interested in exploring opportunities to enhance protections envisaged by this option in our RSS and ACEO programs. One of the benefits of the RSS is the flexibility and creativity of its allied professionals to find solutions that meet their clients' needs in complex environments, which may or may not be directly related to their legal matter. Additionally, people on first remand experiencing acute wellbeing and safety issues and with limited capacity to understand complex distinctions between confidentiality and legal privilege would benefit from the option to see the RSPs and lawyer together.

The ACEO role is unique and provides a vital contribution to First People's access to justice in a broad range of ways. VLA support this role being included in progression of discussion on the options for reform, particularly Option 2. We see potential for greater integration of the ACEO program with the legal practice to increase access to culturally safe and trauma-informed services. ACEOs' work may involve supporting First Peoples clients when they are seeking legal advice, including about potential litigation, so greater certainty of application to their involvement in lawyer-client consultations would be helpful.

Privilege considerations across jurisdictions

FASS operates in the Commonwealth jurisdiction, as did our previous CSLS partnership. If a new legal privilege is introduced, we could seek for it to apply in federal courts sitting in Victoria through



section 79 of the *Judiciary Act 1903* (Cth), such as the FCFCoA, though we note this will be a matter for the federal courts to determine and is a risk in the introduction of any new social service privilege. VLA does not consider the implications of having different privilege requirements operating in different state jurisdictions as a particular issue for operating in a cross-border location.

Appendix A: VLA's non-legal services

Independent Mental Health Advocacy (IMHA)

For the purposes of the integrated legal assistance models defined in the consultation paper, IMHA would be considered a *cooperative model*. IMHA prefers to describe their model as **working collaboratively with legal services**. IMHA provides non-legal representational mental health advocacy and works in close partnership with legal services including the Mental Health Legal Rights Service – a legal service partnership between Victorian Aboriginal Legal Service, VLA and the Mental Health Legal Centre – while maintaining distinct professional roles. This separation preserves IMHA's independence as a non-legal mental health advocacy service, enabling specialist legal assistance where and when it is required. IMHA is part of VLA but operates under its own branding and website and has its own data management portal.

IMHA's primary purpose is to support people who are subject to or are at risk of receiving a compulsory mental health order and treatment. Under the Victorian *Mental Health and Wellbeing Act 2022* (Vic), IMHA operates an opt-out statewide model whereby it is notified when a person is placed on a compulsory treatment order. The consumer may 'opt-out' if they do not wish to receive the advocacy service. The opt-out model was introduced following Recommendation 56 of the Royal Commission into Victoria's Mental Health System and the evidence of the positive impacts to consumers, to improve access to independent mental health advocacy, embed consumer-decision making and leadership, and ultimately improve their mental health treatment and recovery journey.

IMHA advocates support consumers to understand and exercise their rights so they can have as much say as possible about their assessment, treatment and recovery. This can include system navigation, emotional support, advocacy, coaching for self-advocacy and referrals. It also involves assistance to engage with supported decision-making by making an Advance Statement of Preferences, appointing a nominated support person, seeking a second psychiatric opinion, to obtain legal advice and/or apply to the Mental Health Tribunal.

Legal privilege is maintained through clear distinction of professional roles. When a consumer wants assistance with a legal issue, advocates facilitate referral to legal services. Information sharing between IMHA advocates and lawyers is consumer-directed with consent. Advocates seek the consumer's consent before sharing information with legal services.

Independent Family Advocacy and Support (IFAS)

IFAS is a non-legal advocacy service supporting client groups over-represented in the Child Protection system and linking them to legal advice where needed. IFAS helps clients understand Child Protection processes and is independent from VLA's Child Protection legal practice with information barriers in place. There is an overlapping entry point through our Legal Help phone line (among other entry points), which aligns it with a *cooperative model*.

IFAS uses a representational advocacy model, presenting the client's views and preferences and enabling them to speak up for themselves, stand up for their rights and express themselves in a way that supports better communication with Child Protection. An important exception to the client-led representation model is when an IFAS advocate identifies a concern that a client will harm themselves or others. In these circumstance, IFAS policy allows for appropriate sharing of information and response in consultation with VLA management.

The separation from the legal service has been a central element to IFAS since it commenced; it was designed to fill an identified gap in assistance for families in the pre-court Child Protection space, where grants of aid are not available for legal assistance.

VLA adopted a non-legal advocacy model in designing IFAS as it enables more flexibility and responsiveness in working with clients and the Department of Families, Fairness and Housing (DFFH) than legal services (i.e. it is not restricted to grants aligned to court hearings). This model helps advocates maintain a productive working relationship with DFFH practitioners, rather than adversarial, with DFFH unlikely to engage directly with lawyers without having representation themselves.²⁶

The flexible style of working helps advocates build rapport with clients with a dedicated focus on advocacy and support in system navigation. This promotes trust between an advocate and client and acknowledges that parents are the experts about their family.

IFAS is generally involved at a pre-commencement stage of any legal proceedings. Separation of the services is aided by Child Protection legal staff sitting away from IFAS staff in offices, and the maintenance of separate client data portals to maintain information barriers. On the rare occasions IFAS has stayed involved with a client once legal proceedings have started, advocates only ever share client information with the lawyer with the client's explicit consent.

Family Advocacy and Support Service (FASS)

FASS provides duty lawyer services and social supports for people impacted by family violence who have matters in the family law courts, including by linking clients with accommodation, financial counselling and drug and alcohol support services. FASS meets the consultation paper's definition of a *loosely integrated* service. FASS does not provide an ongoing legal service, with the duty lawyer helping on a one-off basis.

The information privacy statement attached to our FASS intake form describes the wider circumstances in which non-legal social support services may be legally obligated to share information, as opposed to the more restricted circumstances in which lawyers may pass on confidential information. FASS social support workers have on occasion had to make reports to police or other authorities in response to disclosures from clients.

When a lawyer does occasionally see a client with a social support professional, they explain the privacy and potential privilege implications as part of the discussion in a way that the client can understand. They also ensure the support worker understands that specific notes should not be taken regarding the legal advice provided as it could be subpoenaed. Usually, the support workers indicate they will only take very high-level notes about next steps to assist the client. Legal privilege is likely maintained in this service context because the dominant purpose is provision of legal advice in the context of court proceedings, and the communications are made confidentially.

FASS lawyers report that often if they do have a social support worker present, it is because the client is highly distressed and, in these circumstances, they generally do not provide substantive legal advice but rather give legal information and focus on the procedural aspects of court hearings.

²⁶ An independent evaluation of IFAS found that most child protection practitioners and other key stakeholders found IFAS helped parents and child protection communicate better and helped parents to understand child protection's concerns, and vice versa. Maylea, C, Bashfield, L, Thomas, S, et al Final Evaluation of the Independent Family and Support (IFAS) Pilot, September 2021 [Final Evaluation of Independent Family Advocacy and Support \(IFAS\) pilot](#)

Remand Support service (RSS)

The RSS is a two-year pilot program funded until June 2027 that offers non-legal support for people held in custody at the Melbourne Custody Centre and who have a matter in the Bail and Remand Court (BaRC).

The RSS follows a *loosely integrated model*. Clients are referred into the service because their legal matter is at BaRC. The duty lawyer and the RSS are separated through information barriers, with information shared only with client consent. To maintain this practice, duty lawyers usually see the client in custody first and then obtain consent to make a referral to the RSS. The RSS will see the client separately to address their non-legal needs. This has resulted in a degree of separation between the RSS and duty lawyers in terms of service delivery, although collaboration with client consent is utilised.

The purpose of this service design was primarily to protect a client's legal privilege. It was also considered beneficial to ensure that RSPs can work in a way that genuinely centres clients' non-legal needs, rather than them being ancillary to the duty lawyers' focus on addressing clients' legal issues. Additionally, VLA wanted to ensure other lawyers and organisations, such as the Victorian Aboriginal Legal Service and Wilson Security, who manage the custody centre, could refer people to the RSS, so a separated structure was more suitable in this context.

With the RSP working independently from the lawyer they can deliver more tailored and flexible support based on a representational advocacy model led by the client, not the lawyer. This model upholds professional legitimacy and integrity for the RSP, allowing them to provide individualised support robustly and confidently.

The service design also considered the role of duty lawyers at BaRC who have limited capacity to spend time with clients due to the demands of their role and the court. RSPs can remain physically present with clients for longer periods of time, which clients have told us can be extremely helpful when they have felt distressed.

Aboriginal Community Engagement Officer (ACEO) program

The ACEO program supports VLA's commitment to improving culturally safe and responsive services for First Peoples, informed by the Royal Commission into Aboriginal Deaths in Custody, Closing the Gap Priority Reforms, National Legal Assistance Partnership (NLAP) review, and the Coronial Inquest into the passing of Veronica Nelson and the Yoorrook Justice Commission. These inquiries and reforms highlight the importance of mainstream services responding to First Peoples' overrepresentation in the justice system and ensuring community has access to culturally safe services and choice in preferred legal provider.

Initially piloted as part of VLA's first Reconciliation Action Plan 2015-18; ACEO's are specialist non-legal roles that bring cultural expertise and community knowledge to VLA's service delivery. They support First Peoples to access legal and non-legal assistance in a culturally safe and responsive way, build trust with First Peoples communities and stakeholders, facilitate warm referrals, and build local knowledge and awareness of legal problems and assistance available through the provision of community legal education.

The ACEO program largely fits within a *loosely integrated service model*. ACEOs may attend a first appointment with a client and lawyer to facilitate trust and provide cultural support at court hearings, but they do not record legal advice, become involved in legal proceedings or undertake case management. ACEOs may share information with the client's lawyer with consent. Although ACEO



communications with clients may be subject to subpoenas and requests for disclosure, there have been no requests made to date.

The ACEO program is designed to support the distinct role and cultural expertise of ACEOs, with information sharing arrangements and escalation pathways that recognise their position as both VLA staff and members of their local communities. Operating independently from legal practice enables ACEOs to provide culturally responsive and holistic support. However, this separation can lead to a client having to re-tell their story, and creates gaps in information between services, limiting opportunities for referrals and holistic support. For First Peoples, these barriers may affect culturally safe service delivery and can exacerbate historical impacts and the trauma experienced by First Peoples engaging with the justice system.

Child Support Legal Service and Good Shepherd financial counselling partnership (no longer operational)

VLA's Child Support Legal Service (CSLS) provides legal assistance in relation to child and spousal support and property law where family violence is an influencing factor. A significant number of their clients experience financial abuse.

In February 2020, CSLS and Good Shepherd (GS) commenced a partnership that involved provision of financial counselling services by a GS financial counsellor co-located at VLA's Melbourne office for one day per week. However, due to funding cuts, this service ceased in October 2025. The insights gained however remain of value to this consultation.

The partnership operated as a *cooperative model*, with a common entry point and clients warmly referred from the CSLS to the GS financial counselling service. Clients in economic hardship and who had debts or were at imminent risk of not being able to pay their bills could be referred.

To mitigate the risks identified with co-locating a financial counsellor on the same floor as our practice teams and to protect client confidentiality, a Memorandum of Understanding was signed between VLA and GS, and guidelines for the co-location were agreed and adhered to. Clients were given a consent form that explained when information might be shared between the lawyer and financial counsellor, for example, to enable the agencies to provide wrap-around support via case conferences and joint consultations. Information was only shared with the client's express consent or as required by law, and client files were secured separately by each service.

Although a formal evaluation was not undertaken, staff working within the service related that the challenges in delivering the CSLS model included: limited scope to discuss and develop case strategy or debrief about current or emerging issues in other matters where consent was limited; clients having to retell their stories to both services; and barriers to working together in a more client-focused way, to support clients to deal with intertwined legal and financial problems.

Appendix B: About Victoria Legal Aid

Who are we?

Victoria Legal Aid (VLA) is a statutory authority established under the *Legal Aid Act 1978* (Vic). We are responsible for providing information, advice, and assistance in response to a broad range of legal problems. We provide statewide assistance to people every day and night in courts and tribunals in Victoria across both federal and state jurisdictions. VLA is funded by both state and federal governments. As a statutory agency, we are part of government.

What do we do?

We assist people with legal problems in a range of areas including criminal law, family breakdown, child protection, family violence, mental health, discrimination, disability, tenancy, fines, social security, immigration, guardianship and administration, debt, and assistance for victims of crime. We do this through our specialist legal teams and allied professionals, working with our legal assistance sector partners in the private profession, community legal centres, and Aboriginal community-controlled organisations.

In 2024–25, we assisted over 300,000 people across Victoria with a range of services.

Why do we do it?

In line with our values – fairness, care, courage and inclusion – VLA provides services and coordinates the provision of legal information to improve access to justice, support people to develop stronger legal capability and have a voice in the legal problems they face. We also pursue systemic change to address injustices by advocating to reform laws and systems to improve equality for clients and the community. The *Legal Aid Act* requires us to pursue innovative means of providing legal aid to reduce the need for individual legal services.

How do we do it?

We provide information and advice, prevention, early intervention, dispute resolution, and ongoing assistance and representation. The range of services we offer include:

- Legal Help phone and webchat service for information and advice
- Community legal education and information
- Family dispute resolution mediation service
- Help before court for criminal charges
- Early resolution service for family violence matters
- Help at courts and tribunals through duty lawyer services and grants of legal assistance
- Family advocacy and support services
- Independent mental health advocacy and family advocacy support services
- Legal representation in a range of civil, family and criminal law matters.

We also use our practice and evidence base to address systemic injustices and inequality for clients and communities through strategic litigation and advocacy as well as policy and law reform. We aim to promote the voices of clients and address the impacts of discrimination by advocating for fairer laws and systems.

Our clients

Service snapshot

Over **490,000¹** services delivered to people across Victoria

our clients

81,874² unique clients of legal services (-1%)



Legal aid grants

40,854³ grants of legal assistance (+1%)



Help at court

109,288⁴ duty lawyer services (-2%)



Pre-court services

7244 Help Before Court services for criminal matters (+15%), leading to fewer unnecessary adjournments and 8% of clients getting diversion

19,306 referrals accepted for family violence pre-court engagement (+22%)

Legal Help phone line and webchat

120,982 information sessions (-1%)

16,933 advice sessions (+21%)

Family dispute resolution

885 dispute resolution conferences (+8%)

Settlement rates:

83% (early intervention with children's issues)

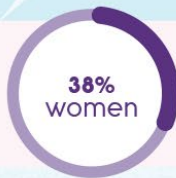
74% (litigation intervention with children's issues)

75% (property disputes)

Percentage increases and decreases are in comparison to 2023-24 data.

- 1 This includes all services listed in this snapshot, plus other face-to-face information and advice services, legal aid grant extensions and court-ordered legal aid funding requests. It does not include visits to legal information content on our website or publications distributed.
- 2 A unique client is a person who accessed one or more of our legal services. This does not include: people for whom a client-lawyer relationship was not formed; people who received information via telephone, website, court or public counter; participants in community legal education sessions; clients from community legal centres; and clients of our independent non-legal advocacy services.
- 3 Includes grants provided to community legal centres (which are included in our Department Performance Statement reporting on page 10) and family violence services.
- 4 Includes services provided by community legal centres (which are not included in our Department Performance Statement reporting on page 10) and family violence services.

Who our clients are



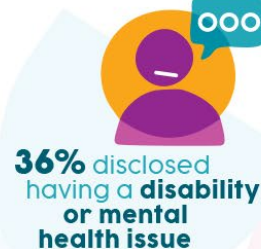
Under 1% gender self-described
Under 1% gender diverse



9% identify as First Nations people



13% under 19 years of age



25% with no income¹

6% required the assistance of an interpreter

27% living in regional Victoria

9% at risk of homelessness



55% receiving some form of government benefit



14% from culturally and linguistically diverse backgrounds²

These figures do not include clients seen by a private practitioner or who accessed information-only services.

¹ Examples include children and young people, people experiencing homelessness, people in custody and immigration detention, and psychiatric patients.

² Based on the Australian Bureau of Statistics definition of people from culturally and linguistically diverse backgrounds. Includes people who speak a language other than English at home and people who were born in a non-English speaking country.