



THE UNIVERSITY OF
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FACULTY OF EDUCATION AND SOCIAL WORK



They should have this
in every court.

Evaluation of the NSW Women's Refuge Movement

Women's Family Law Support Service

Dr Lesley Laing

2011



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“They should have this in every court.”

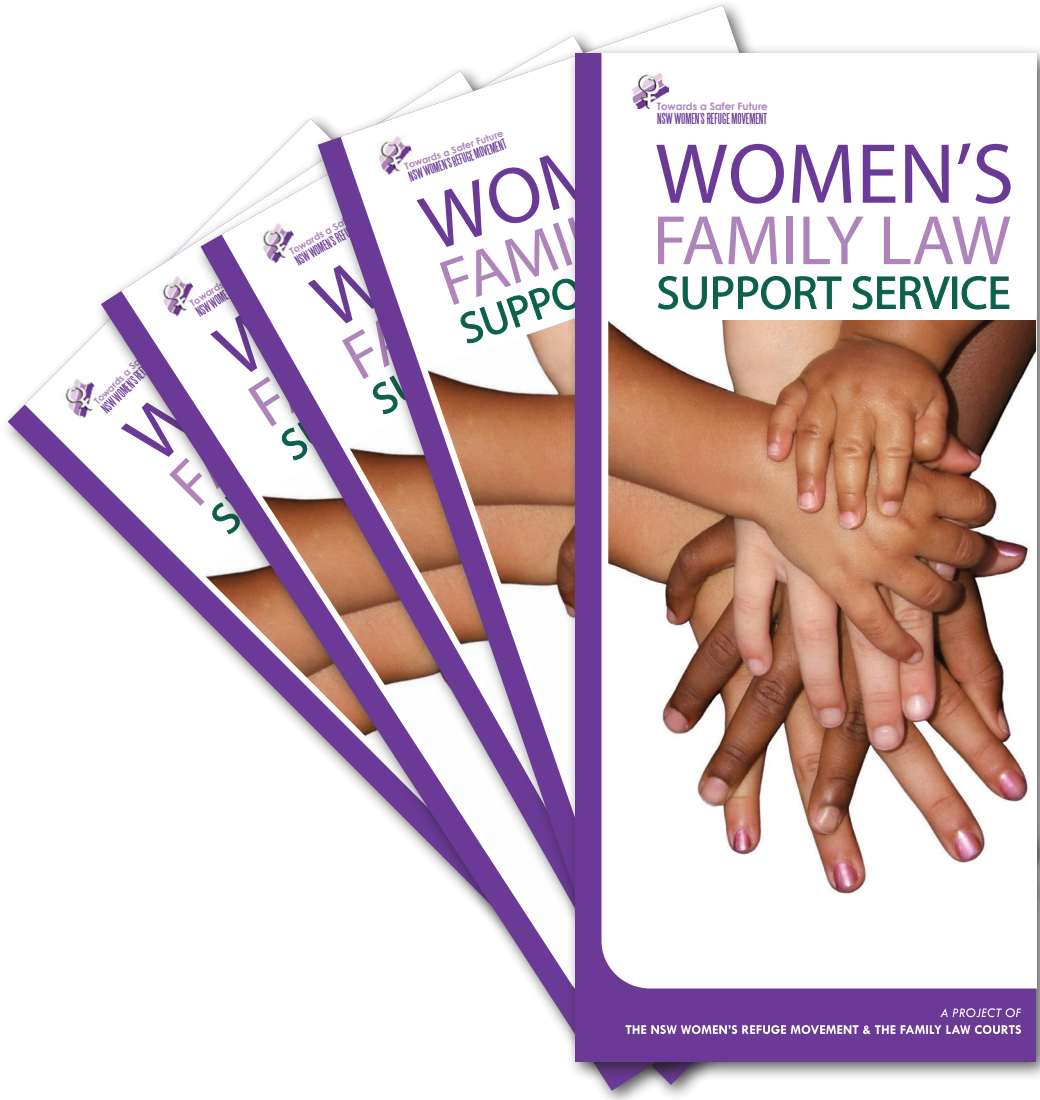
Evaluation of the NSW Women’s Refuge Movement
Women’s Family Law Support Service (WFLSS)

Dr Lesley Laing 2011

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Introduction

The Women's Family Law Support Service

The Women's Family Law Support Service (WFLSS), a joint project of the NSW Women's Refuge Movement (WRM) and the Sydney Family Law Registry, commenced operation at the Sydney Family Law Registry in March 2007.

The aim of the service is to provide non-legal support, information and referrals for women attending the Sydney Family Law Registry in relation to separation, with a particular (but not exclusive) focus on women and children who are separating from a partner who is violent or abusive.

Currently the WFLSS operates 3 days each week and is staffed by a Coordinator and seconded workers from refuges within the NSW Women's Refuge Movement.

Workers at the WFLSS provide women with free and confidential support which can include the provision of information about court processes and the role of court staff, referrals to other agencies, accompaniment to court appointments, assistance with arranging legal representation and assistance in arranging appropriate court security measures.

About the NSW Women's Refuge Movement

The WRM is the statewide representative body of women's refuges and associated specialist domestic and family violence services within NSW, with a specific focus on the provision of support and advocacy for women and children who have experienced domestic and family violence.

The WRM provides a representative and advocacy function for women's refuges and associated specialist domestic violence services and the women and children they support, and also remains committed to facilitating and supporting ongoing improvement and good practices within women's refuges.

The WRM also directly manages 11 women and children's refuges and the Women's Family Law Support Service.

Funding of the WFLSS

Initially the service was unfunded and operated one day a week, then two half days per week to maximise the number of women who could be assisted. It was staffed by workers and two supervisors seconded from WRM member refuges and a Coordinator seconded from the NSW WRM Resource Centre (now the Office of the NSW WRM).

In June 2008, funding was received from the NSW Premier's Department, Office for Women's Policy Domestic and Family Violence Grants Program, which enabled the employment of a part-time coordinator.

Funds from Grants Program were expended in 2011. The WRM remains committed to the delivery of the WFLSS and is actively seeking ongoing funds. The operation of the WFLSS would not have been possible without the ongoing support of WRM members and the Sydney Family Law Registry.

This Evaluation

From its commencement, the WFLSS has collected comprehensive data about the numbers of women served, their ages, nationalities, referral sources, types of support provided, entitlement to Legal Aid and the domestic and child protection issues identified. In essence, this quantitative data provides the 'big picture' of the work of the WFLSS.

In late 2007, Dr Lesley Laing from the University of Sydney was invited to undertake an independent evaluation of the service. Following receipt of ethical approval for the study from the University of Sydney Human Ethics Research Committee, the initial interviews with women were conducted from mid 2008 through 2009. An interim report was provided in December 2009. Interviews with court personnel were conducted in late 2009 and further interviews with women in 2010.

This evaluation aims to complement the quantitative data collected by the service by giving voice to the experience of the women who have used the service.

The qualitative data collected from interviews with women provides an in-depth understanding of how the service is experienced by women, and the impacts that they report in their lives and the lives of their children. This data from women who use the service is supplemented by data collected in interviews with Court staff.

History of the WFLSS

In recognition of the increasing number of women without representation attending the FLC with refuge support workers, in 2005 the NSW Women's Refuge Movement (WRM) put forward that the FLC hold an information session for domestic violence workers on FLC processes. Initially 30 places were made available but those places filled within a few days and the FLC ended up running 3 sessions attended by close to 90 domestic violence workers.

With evidence of a significant number of workers providing court support the Family Law Reference Group began to discuss formalising a court support service for women who have experienced domestic violence and are going through FLC processes.

Neither the FLC nor the WRM had any funds to support the development of such a service, yet there was overwhelming evidence of the need.

The WRM sent out a request for expressions of interest to WRM refuge workers to be seconded to work in the service and received a supportive response. Comprehensive training sessions were held at the FLC at the end of November 2005, with over 30 refuge workers completing the training. An office for the WFLSS was made available in the Family Law Registry.

Methodology

The research methodology was shaped by the recognition that the potential participants were a vulnerable population: women who use the WFLSS are coping with a complex and often overwhelming legal system, are rebuilding lives after separation, and in many cases are dealing with the ongoing impacts of living with violence and abuse on themselves and their children. It was imperative to ensure that consent was informed and voluntary and that participating in the study did not add to the burdens that women were carrying or further traumatise them.

For this reason, a brief, semi-structured questionnaire was developed that focussed on the women's experience of using the WFLSS. While women were invited to provide some contextual information about the circumstances that brought them to the Family Court, it was left to the women to decide how much detail they discussed about their situation. Women who wished to comment more broadly of the Family Law system were able to do so where this did not add to their level of distress. Women who had agreed to participate by providing written consent were not pursued if they were difficult to contact or indicated that they were not in a position to participate when contacted. For this reason recruitment to the evaluation has been slow and data has been collected over the period of two years.

The researcher conducted brief, semi-structured interviews with women that explored their experience of contact with the WFLSS, including both aspects that were helpful and aspects that could have gone better. Telephone interviews have proved the most accessible option to enable women to participate. Most were tape-recorded and transcribed apart from 3 interviews where permission to record was not given. In these cases comprehensive notes were taken and written up as soon as possible

after the interview to ensure an accurate recording of the interview. The interviews were coded and thematic analysis undertaken using the software program N*Vivo.

In addition to the interviews with women, 9 interviews were conducted with Court staff during December 2009. These interviews were conducted with the aim of finding out about the ways in which the WFLSS was understood and utilised by staff of the Court, the impact (if any) that they observed on women and on the way in which they conducted their work. In this report, the findings from interviews with Court staff and women are integrated because the analysis revealed consistency in the responses of the two participant groups.

The sample

This report presents the findings from 16 interviews conducted with clients of the WFLSS between July 2008 and June 2010 and nine Court staff conducted in November 2009. Fourteen of the women interviewed were involved in Family Court matters and two were extended family members of the women attending the court as supporters. Length of the women's interviews ranged from 5 minutes to an hour, with most around 30 minutes.

In describing this sample it is important to remember that this is a self-selected, rather than a representative sample. This information is provided to give a context to the data from the interviews – the quantitative data collected by the WFLSS provides better overview of the types of situations that the service deals with.

Twelve of the women were involved in children's matters and three with property matters. Two of the women first came into contact with the WFLSS at their first appearance at the Family Court. The remainder had been involved with the court for periods of between one and 11 years, the majority for more than three years. Two women had been brought back to the court recently on children's matters several years after the original case because of the actions of their ex-partners: one seeking more contact and the other having failed to return children from contact. Three women were representing themselves in appeals against decisions that had been devastating; each of these women had been involved with the Court for more than four years.

There were 25 dependent children involved in these matters. All but one of the women disclosed having been subjected to domestic violence as had one of the extended family members. The forms of violence experienced included physical, sexual and emotional abuse,

social isolation, using children (e.g. abduction, using shared parental responsibility to control), controlling behaviours and financial abuse. For many of the women, extended litigation was experienced as a form of ongoing financial and emotional abuse and controlling behaviours.

Court staff interviewees were in the following roles:

- 3 client services staff
- 5 members of the judicial services team (case coordinators)
- 1 Family Consultant

All of the Court staff except one had a good understanding about the role of the WFLSS, spoke positively about it and felt supported in using the services by their managers. The staff group with the most contact with the service were those in contact with women when they first approach the Family Court – client services staff. Others had less contact. However, most of the case coordinators interviewed had previously worked in client services so they had experience of using the service in that role.

Awareness of the service and its role was high due to the initial involvement of key managers in the planning of the service and reference group. This allowed them to pass on information about the service to other staff. Regular referrers were aware of the days and times of the service though some others were a little confused as this has changed over time.

“What was helpful for women about contact with the WFLSS?”

Accessibility and proactive outreach

In half of the cases, the WFLSS proactively made contact with the women at court. As will be seen in the following discussion, this encounter was frequently a crucial turning point for the women in their experience of the Family Court, and in the outcome of their matters.

Actually they approached me on the day that I was at Family Court by myself and asked if I had legal representation on that day, which I didn't. And I was very grateful for getting somebody to come into Court with me.

(Woman 8)

I didn't know how much I needed someone till she appeared ... She was wonderful. If only every female could know about it. If she hadn't come looking ...

(Woman 3)

Well I had a court date up there at the courthouse and me and mum were sort of just sitting there talking and one of the ladies just came up to see if we were OK and just started talking to us ... And she just saw that I was unrepresented and just asked if I would like some advice or help or anything along those lines ... it was the first time [at court] ... you know they made it even easier for me and I was grateful to them because it helped me feel more comfortable there

(Woman 10)

The importance of this proactive approach is demonstrated by the following case because the woman had assumed that she would not be eligible for the support of the WFLSS:

Yeah well as I say I had seen the pamphlet in the courthouse but I didn't think I would be eligible if I wasn't eligible for Legal Aid, why would they help me as well ... and when she started talking to me it was like THANKYOU!

(Woman 10)

For one woman, the initial approach from the WFLSS worker was greeted with scepticism:

I was at the Federal Magistrate's Court by myself and [Support Worker] came up and introduced herself, whatever she said and I said: 'I don't need a social worker love, I need a lawyer! I thought Jesus Christ I don't need a social worker, I need bloody help, some real help! She was very nice, but I was desperate. I was there unrepresented and alone in the world, terrified that I was gonna', you know ... he's kinda fighting me and he's got money and I've got nothing!

(Woman 1)

However, the advocacy and long-term support that was provided after this shaky start became essential in this woman's estimation:

'I think the woman deserves a very high estimate. If it were not for I think her I would have shot myself, honestly.'

Four women were referred by other women's services outside of the Court context, such as resource centres and the Domestic Violence Court Assistance Program. Four were referred from within the court, for example:

The people downstairs in the Family Court actually referred me upstairs to the Support Service. It was because they weren't able to get my Court case heard urgently and I was in fear of my partner, my ex partner I should say. So she said that I should go up and speak to the lady upstairs ... The lady actually took me up – the lady, the Client Support Officer she took me up.

Another woman referred herself to the service, having seen the office which is located near the women's toilets.

Well I've had a 10 day hearing in the Family Law Court. And I would often walk past on my way to the lady's toilet and I would see that door and think 'I wonder what is behind that door' and one day I found it open and I walked in there and said "Can you help me please?" And I found it to be extremely beneficial.

(Woman 15)

Woman 16 appreciated the accessibility of the service:

The fact that they were right there at Family Court was really helpful. Like you didn't have to go to another building or you didn't have to, you know – it was really – it was handy.

A similar theme of the accessibility of “on the spot” help for women emerged from the interviews with Court Staff. For example:

[Before we had the service] we didn't have many options for them and we could refer them to the domestic violence hotline and places like that but I always think that a lot of women won't do that because they actually need someone to help them to do that, often they're too embarrassed to do it or it's all too difficult. They're so overwhelmed with stuff that actually then going and doing that, even though it might be helpful, is too far – there's just too much for them. So having the service here, knowing they can go and see them on the day, or if they come in on a day when they're there, they can go up – I've actually taken some women, myself, up to make sure that they get up there.

(Court staff)

Just having her there and knowing that I can just go “[Coordinator], can you come down?” or “I'm sending someone up”.

(Court staff)

Court staff also were aware of the importance of the WFLSS' proactive outreach to women:

I think they're good sort of finding women on the Court days. I know they do a bit of a wander and they're very good at approaching people in the right way. And offer assistance and I believe they pick up a lot of people that way, and that works well ... and it's less confronting

I think from what I've heard is that it's good for them to be here on a busy duty list days and they're sort of doing a walk around and picking up people who seem to be in states of distress, which I think is probably the most useful way for them to do it ...



Support

All the women interviewed talked about the quality of the support provided by the service, and this took a number of forms. The support provided in accompanying women in court was highly valued:

I was over the moon to have someone who knows the system standing beside me.

(Woman 3)

Because I had suffered domestic violence, facing him and being alone would have been even harder. She sat beside me the whole time.

(Woman 4)

Now I'm back in Court again this month and [Coordinator] is going to be there with me the whole way.

(Woman 11)

The availability of this support was extremely important to one of the women who had to give testimony about abuse and whose family support was in a distant state:

I had to come up here for Family Court proceedings where I had no family in Sydney and I was then told about the service ... I had made reports of domestic violence. I'd made reports of his drug use. And also sexual allegations – I'd made reports of the sexual abuse ... So it was very traumatic each time I went in because we were dealing with such terrible things that were happening. So to have that support when I didn't have my family there was just incredible, you know. They went into Court with me. You know, a lot of the time it was just having someone sit next to you while you, you know – and handing you tissues.

(Woman 16)

In addition to supporting women by accompanying them to court, women reported that the WFLSS workers also **accompanied them to other meetings** or to **other aspects of the court process** where they required support.

When I had my children were taken off me by the Federal police, [the coordinator] was very good in helping me out in the Court... And she did come along with me down into the filing room to get the files that I needed. And she did come with me to the Federal police...

(Woman 15)

The support worker accompanied one woman to a meeting with a new lawyer. This woman had previously had problematic encounters with lawyers:

[The Coordinator] came with me ... She made that extra mile and came with me and I felt that was an incredible support. She made that extra mile and came with me. I didn't know whether she [lawyer] would take advantage of me. She supported me there. And I can't tell you how invaluable that was to me. I felt safe ... she came with me and she made the effort and I thought, "wow, that is so fantastic, who else would do that?" So I went, "this is incredible!"

(Woman 7)



The service is crucial – it can make a massive difference whether someone like me is able to sustain the appeal process, both practically and emotionally.

For another woman, the support provided by the WFLSS worker **by phone** during a mediation session, was a life-support:

They send you to this mediation and [Support Worker] was on the phone – thank god!! – I was there in person and so was the Independent Children's Lawyer and the other end was my ex and his solicitor. And the mediator was so aggressive ... [Without the WFLSS Support Worker on the phone] I just would have just fallen to bits. When you've got them, plus the Independent Children's Lawyer plus the mediator plus the judge, everyone against you

(Woman 1)

For one woman with multiple court appearances, it was important that the WFLSS worker was available each time, and the **flexibility** in ensuring the support was valued:

She rearranged her whole afternoon. I said "Are you sure?" She says "absolutely". She went out of her way to help me. How often do you find people like that?

(Woman 7)

The fact that the support is **ongoing** rather than one-off was also appreciated:

If [my daughter] has any problems then she'll ring [the Coordinator] ... If she can't get onto her then she'll leave [the Coordinator] a message and she'll get back to her. Yes she's kept in contact all the time.

(Woman 12)

Where extended family members were at court to support women, they appreciated the fact they also received support for themselves, in what was an extremely stressful situation: "It was very supportive being able to talk. Not left 'like a shag on a rock', like in the past."

(Woman 5)

For most of the women, the **emotional support** provided was central to their satisfaction with the service:

... certainly when I met [Support Worker], I felt that it was great. She was definitely one of the people that I felt was empathetic, and didn't make me feel stupid. There was patience because in many ways I have felt like I've not been as coherent as I could be or should be and I wasn't able to separate the emotional aspect of my situation with the practical ones that I needed with them.

(Woman 8)

She was there just to listen as well. Sometimes when I had a slight freak-out she'd be able to help.

(Woman 2)

The service is crucial – it can make a massive difference whether someone like me is able to sustain the appeal process, both practically and emotionally.

(Woman 14)

I think I hit the brick wall a few too many times, with the [Court] results that came through. She would call me the next day. She'd call me the day after just to touch in, just check in on me. It was quite – it was lovely. It was awesome. Like having my mum really.

(Woman 16)

An important aspect of the emotional support was the **validation** that women who had experienced violence received because the WFLSS worker was knowledgeable about the dynamics of domestic violence. For example:

And because of the orientation that [the Coordinator] has in that office, in terms of having worked with women who are abused, she knew exactly what I was talking about. I have been abused for years and that's why my situation has gone as it has, because certainly the legal arena does not like to deal with this situation that has abuse in it, particularly if it is only emotional abuse. And because that was the frame of reference that [the Coordinator] was coming from, I didn't have to justify anything.

(Woman 6)

The ability of the service coordinator to understand the distress that the women were experiencing enabled them to trust her and then be better able to focus on managing the court process more successfully:

She's worked with lots of women and she's able to see – get a clear picture of what's going on. Whereas you're very emotional and, you know, it's a very difficult time. She can see through the bullshit and she's able to sort of say: 'OK, we need to do this. We need to look at that.' She can pinpoint areas where we can sort of work on.

(Woman 15)

Several Court staff commented on their observations about the effectiveness of this support:

I've seen some women come down after speaking to women's support services and they seem a little bit more at ease and I have had people come down and thank us for referring them up there. It just makes things a little bit simpler for them.

Well, I haven't had a lot of exposure to see what impact it has had, but the couple of people who came back to go again seemed to be quite reassured and it had quite a calming influence on them so they were, you know, happy to have someone that they could go to that wasn't necessarily part of the Court, either they could sit down and, you know, talk things through with and actually have there as a support person.

Making referrals

A key intervention by the WFLSS involved making referrals, primarily for **legal assistance**. Of the 14 women interviewed with matters before the court, only one had legal representation on the day at which contact was made with the WFLSS. In this case, the woman was being pressured by her legal representative into agreeing to contact arrangements that she did not believe were safe for her children. The WFLSS worker initiated contact and assisted the woman to obtain alternate legal assistance. The other women were unrepresented for a range of reasons including ineligibility for Legal Aid, not having had time to organize representation before the court date and having run out of money after protracted legal proceedings.

For three of the women, the service obtained representation on the day of their hearing, an intervention that, from their perspective, changed the course of their matters.

For example, one woman was at court because her ex-partner wanted more contact with their child. Prior to this there were draft orders that were working reasonably well. Although not well paid, her employment precluded eligibility for Legal Aid. The WFLSS worker rang around and managed to arrange for her to be legally represented that day. The lawyer was able to have the matter set down for a later hearing.

But it was only because I had the solicitor there that she was able to say that this should actually be set down in an affidavit and so forth put in that she was actually able to stand it over so that I could get a chance to represent my case properly ... If I didn't have my solicitor my son would have to be going down there right now in danger ... That's why at the end of the day I was just thankful for her being able to make that one call to stop things from going out of control because I wouldn't have been able to do that in the court by myself.

(Woman 10)

The second woman was at court seeking recovery of her children whom her ex-partner was refusing to return. She was afraid of him because of his violence and was referred to the WFLSS by the court's Client Support Officer:

On the day that we went to Court for the recovery order, [the Coordinator] actually searched the Court to find a solicitor to support me. Legal Aid has refused help because of conflict of interest. So she actually went upstairs and found a barrister that she knew... He had to return the kids to me the next day.

(Woman 11)



[the Coordinator] actually searched the Court to find a solicitor to support me... He had to return the kids to me the next day.

Apart from assistance with the crisis of having the children returned, this woman now is much happier with her legal representation. The new solicitor that she obtained through this contact is willing to raise issues of domestic violence and physical abuse of the children which the lawyer at the original hearing about the children did not raise. She hopes that the outcome will be safer for the children: 'But now this solicitor that I've got, she's going to be basically – she wants to base this whole Court case on abuse. She wants - we both want - to have him being as supervised contact. But I don't know how that's going to go.'

The third woman had only short notice of a hearing where her ex-partner was seeking increased contact and had no time to organize legal representation. Although the service was only available until 1pm on the day and the matter was to be heard at 2.30, the WFLSS worker located a lawyer at the court who explained what would happen at a mention hearing and was able to give the woman initial advice about how to manage the hearing, resulting in her being better equipped and more confident in the hearing.

For some other women, the service made referrals for legal assistance, including to Legal Aid. The service also referred women to other services such as Police Domestic Violence Liaison Officers and the NSW Domestic Violence Court Assistance Program. In the case of one woman who was ordered by the Court to relocate from interstate to NSW with a number of very young children, the referrals for practical support were invaluable:

When the relocated us last year ... I had nothing in Sydney as far as – no furniture, no place to live or anything like that. And she got me in touch with the Women's Refuge Centre who helped me with nappies, with sheets ... to get a little home together for my children and I and even with toiletries and – Christmas time they gave us – even at the Family Court with [coordinator], she gave us little Christmas presents for the children ... I'm so grateful and appreciative of it because I wasn't able to have any of those sorts of things for my children at those times.

(Woman 16)

Ensuring Safety at Court

Many of the women appreciated the ways in which the WFLSS worked to ensure their safety at court.

She even walked us down because she saw that at the end of the court case he was still sort of lurking around ... so she walked out of the building with me and mum and was there until he took off. It was that extra comfort there to make sure that he wouldn't come up and speak to you because he saw that there was somebody else there.

(Woman 10)

She'd also arranged security like at the Family Court – so that I could just come in through downstairs and not have to see my ex partner.

[Interviewer: Did you know that was possible before?] I did but I still had to come – I did it once before but I had to actually still come through the front door.

But [the Coordinator] got to see what he was like and she explained that this is what I need and yeah, I felt a lot safer.

And then after that Court, [the Coordinator] actually arranged for security to make sure that my ex partner was gone from the Court and then she escorted me and my mother to the station, so that we got there safe without my ex husband. It's been very emotional.

(Woman 11)

She sort of organised protection for us you know like the security guards and everything and stayed with us in locked rooms and sat with us while we were in court. You know and we sort of had somebody to you know like to back us up and that and sort of keep us safe. He is a very violent person. And every time we go back to court she's always had security waiting for us. And you know she makes sure there's a locked room ready for us and everything.

(Woman 12)

She had checked with the solicitor about where my ex was – this gave me the confidence to go and wait.

(Woman 3)

One of the Court staff commented particularly on the issue of the service's role of enhancing women's sense of safety within the Court:

There are a lot of women out there who are intimidated by their ex -partners, even though there's no actual threat of danger. And to have someone with them that could allay their fears, if you like, is a big thing.

“And to have someone there that could allay their fears ... is a big thing.

The importance of the WFLSS room: a “sanctuary” for women

For many of the women interviewed, the existence of the WFLSS room was an important element of their enhanced feelings of physical and emotional safety.

Having a room right out of the way was important – with the other conference rooms, my ex would walk past and look in. A private place. A sanctuary. It made me more relaxed going in to see the judge ... I just relaxed in that building for the first time ... It's good that the room is out of the way, down past the women's toilet – only a violent man would wander down there – there would be no excuse.

(Woman 3)

... and being able to go into the little room there as well and not even have to look at him walking up and down the corridor to see what you were doing.

(Woman 10)

I use it [the room], I utilise it ... the mere fact that you can go there and say “so, what do you think?”

So you can have a bit of a rest and get your documents in and go upstairs and sort that out.

And then you can come back down and feel the support ... Even there are days where I go, “oh my god, what am I doing?” and I go down to the resource centre.

I go to court knowing now I can go to the resource centre, I can at least sit down, take a breather. Or there is a little room for me where I don't feel lost. Or I'm not in that man's world. And the men just hover. Their whole demeanour is negative.

The whole space but you can go there and at least feel safe for a moment. And if you are not together, you can have a good cry and get it together.

(Woman 7)

Providing information about the court and court processes

While the WFLSS does not provide legal advice, many of the women appreciated the WFLSS worker's knowledge about the court and the legal process. Clear information was very important when they were feeling overwhelmed in the stressful environment of the court.

They met me at court. Told me where to stand, how the proceedings would go. They were really helpful.

(Woman 4)

She doesn't give me legal advice, but advice, such as how to address the judge, court protocol.

(Woman 3)

We got to sit down and talk about the upcoming court stuff, what we were going to do I found all that helpful because you're seeing through the eyes of someone that's been in there.

So you get all the information in the pamphlets from the Women's Help Room, which is great, to read through.

(Woman 13)

I'm writing my own affidavits – I email them to her and she proof reads, tells me where it doesn't make sense. This keeps it away from friends.

(Woman 3)

For some women, this meant translating 'legalese' into plain English. For example:

Often she'd be in the room when I was talking to the solicitor and I found that some of the stuff when I didn't get what the solicitor was saying to me and I didn't get the point of the questions that they were asking, she'd often go: "I think this is what he was meaning." And when I would ask him afterwards it was like, "Yes, that was what I was meaning."... without doing any legal stuff at all, she was able to "this is why they're asking you this question, sort of thing. She was I suppose trying to help interpret between the legal and the layman, person, because she's heard it a number of times before.

(Woman 2)

It also involved giving women an appreciation of the culture of the court:

The stuff you think is huge, big and major – she goes, don't worry about that. I could have stood up on the stand and talked about how it's all affecting me, but she suggested I talk from the kids point of view which didn't fully occur to me because I see myself as an extension of kids when I talk about me I'm talking about them but not specifying it.

(Woman 2)

“
If I refer someone up there then I know they're going to be looked after and they're knowledgeable ... really experienced and committed.

One of the women described how the service had organised a legal information session for a group of women:

She [coordinator] also organised some legal advice, just for one day, when a whole heap of us mums came in and were able to ask some questions of lawyers who actually knew the legal part of it all.

(Woman 16)

Feedback from Court staff acknowledged the quality of the information provided to women:

If I refer someone up there then I know they're going to be looked after and they're knowledgeable. The women that provides the service are all really experienced and committed.

(Staff member)

Advocacy

Several women talked about the importance of the advocacy provided by the WFLSS, both with other systems with which they were struggling and with other players in the Family Law system.

One woman, for example, had been unsuccessful in her efforts to obtain an Apprehended Domestic Violence Order. The WFLSS worker liaised with the police and with the Domestic Violence Court Assistance Program to help her to negotiate this process successfully.

In another instance, a woman who was being treated disrespectfully because of previous drug use, was offered advocacy.

Well, some of the, for example, the Independent Children's Lawyer ... well he thinks I'm a scumbag essentially and not really worthy of his time. Like for 6 months I was supposed to be getting urines and everything to get the kids back. He didn't bother. He couldn't be frigging bothered with me and I'd ring his office: 'Please, urine me I need to have...' and he was never bothered!.. So because of her [WFLSS Worker], she was able to get onto him and make him kind of make things happen a bit because people are more respectful of her because I'm considered the 'drug addict mother', you know.

(Woman 1)

Outcomes of the WFLSS service from the women's perspectives

The support, information, advocacy and attention to safety of the WFLSS were seen by the women interviewed to have played a key role in increasing their confidence in dealing with the court and in reducing their fear. For example:

The way things are at the moment the way [the Coordinator] has organised it all down there you couldn't ask for a better service you know because we were protected and I think that's the main thing for the people to be protected from abusers.

(Woman 12)

But it was significantly different. It helped to reduce my fear because my ex is quite a formidable person. He's a large man, he's very well read. He's powerful. And he lies very well. Very convincing. So to stand up to him is a pretty big challenge.

(Woman 6)


It was that extra comfort there to make sure that he wouldn't come up and speak to you because he saw that there was somebody else there ... Yeah. Before we were, we were petrified.

(Woman 10)

It would have to be probably the first time that I've actually felt safe going to face my ex partner. So every other time I've gone there, really nervous – I'm like 'I've got to see him'. But no, I didn't have to.

(Woman 11)

As noted above, the ability of the WFLSS to organize good legal representation was credited by a number of the women with better outcomes for the safety and well being of themselves and their children.



It helped to reduce my fear because my ex is quite a formidable person. He's a large man, he's very well read. He's powerful. And he lies very well. Very convincing. So to stand up to him is a pretty big challenge.

Perhaps one of the most striking outcomes was the way in which the WFLSS worker was able to assist women to manage their emotional reactions to what was happening, and hence to be better witnesses in court.

Well I can see the issues, for example, not knowing the system I was very emotional, as women are. And I didn't have enough, you know, I had a sick baby also... If I hadn't known what she'd told me, if I hadn't sorted that out in my own head because I'd heard other things besides her. So I kind of put it all together. So it really for me was a saving grace. And it kind of won the day; it absolutely did win the day. My approach was much better ... I was different in that I probably would've gone a bit more like a bull at a gate. So what I did was pull myself up. And um quietened myself down ...

(Woman 7)

One woman gave striking testimony to the importance of the WFLSS worker understanding the dynamics of domestic violence, so that she felt understood and validated and was then able to focus on the advice she was given in a way that had not been possible before in litigation that had lasted many years and cost many thousands of dollars.

She knew exactly what I was talking about, where I was coming from, and said ok, now where are we? And where do we go from here?... So that really was emotionally supportive and because of that it helped me to clarify my thought processes ... And with that acceptance clicked, but clicked in a positive way so that it helped me disengage from the anger and engage into saving my son - which is a huge shift.

(Woman 6)

The woman went on to represent herself and described the difference in her approach:

Well because I was very focused and I knew what I was saying was right. So there wasn't any emotion at all and because I had been focused and I was prepared – I had all the documents to support the fact that my ex was not acting in the best interest of our son.



Areas for Improvement

The women were overwhelmingly positive about the service. Finding the service so valuable, a common suggestion from both women and Court staff was that it be better advertised.

It was just really good. I wish I had of known that they were there ... Because I only seen – I seen a little pamphlet that was sort of at the reception desk – that was about all I'd seen. It's be good to have like maybe posters sort of thing – it would be a lot easier.


(Woman 11)

As I said before I reckon it should be in every court this service and it should be up on the wall that people can see it that there is a service for them, not by sort of word of mouth. I mean we wouldn't have known anything about it if we hadn't gone to the front desk to ask for security. And it depends on the person there ...actually referring you. This lady that we spoke to at the front desk knew [the Coordinator] that's why she put us onto her.

(Woman 12)

Unless you know that that room is there and unless you know that you can see her, it's difficult. A lot of people don't know. Like I did, I walked past that room for about 5 months not knowing what it really was ... And I think there should be more promotion of it. And maybe more people to go out there and, you know, say 'look I'm here to help you'. Because women are just in such a vulnerable position that it is difficult to see, you know, the wood from the trees sort of thing.

(Woman 15)



Have more people! Duplicate her! I didn't know about it. However, if it's well publicised, it would be flooded.

One woman suggested that this advertising should occur through the local court Domestic Violence Court Assistance Program, as many women are involved with both the local and family courts:

We've even given brochures to give to the local court –they were unaware of it and lot AVOs end up family court so the links there need to be cemented a bit more.

(Woman 2)

Another woman had located the WFLSS service but its part-time operation was a barrier to her finding out that she was eligible for the service. She assumed (in common with another women interviewed) that her ineligibility for Legal Aid would make her similarly ineligible for the WFLSS. Without the proactive outreach of the service, this would have been a barrier to accessing the service:

Yep. And I find that [it's part-time] really hard. The Centre and whilst it's sign posted you don't actually realise that it's an open door type of set up, which would help. You know, with the hours clearly marked and it's not something I picked up at the foyer, which would have helped me – with my initial contact with Court ... I didn't know how to use it very well because – and in fact, from that day the fact that I had somebody come up to me helped me to realise that I could actually get some advice. Other times that I have gone up – I think I went up there prior and it wasn't open to me because there's things like Legal Aid – I'm haven't been eligible for Legal Aid ...

(Woman 8)

Whilst I've tried to make sure that I've got Court stuff on those days where I know that [coordinator] will be there, and she'd be able to come in and be Court support for me. If the hours were extended a little bit, that surely must help other people as well.

(Woman 16)

She only does 3 days so it's difficult to sort of catch her. And I know she's busy and there's a lot of women that go in there. And I've certainly been pushing women to go there.

(Woman 15)

At the same time, however, there was acknowledgement that more advertising of the service could lead to it being unable to cope with the demand with the current resources.

Have more people! Duplicate her! I didn't know about it. However, if it's well publicised, it would be flooded.

(Woman 3)

Several of the Court staff felt strongly that the service needed to be available every day:

... it's not [open every day ... which sometimes could be difficult because some clients come and say: "Look we've heard this – some kind of service" and then you have to tell them: "Oh I'm sorry, not today. Come back tomorrow". Yeah. I would be so helpful if it's everyday and continues.

(Staff member)

And we always forget. I think that, you know, it would be good if it was everyday only so that staff don't get confused that they're sending people up there and there's no-one there because it's on a day that they're not there. So I mean, if it could be everyday, then that would be fantastic obviously but that's not always possible.

(Staff member)

There was awareness by women of the limited resources that the service had:

I think I was one of the few lucky ones that managed to score the service – that was through the fact that I was almost having a full-on melt-down at the time ... I see how well it works in the local system [the DVCAS] and it's a pity we'd gone there 3 or 4 times at least at that point without actually knowing about the system in the federal court and as she says she has to pick and choose her cases because there's not enough of them around.

(Woman 2)

Yes. Well she's in Court usually in the morning so that leaves the afternoon which is a very small period of time. She's in an appointment. Yeah, it's very difficult. And I'm also at work too that – I mean, in terms of the numbers of women that actually should be accessing her – she would be way overworked.

(Woman 6)

Woman 14 raised the need for more physical space in the office as she had been there at times with three or four women in crisis. Representing herself in Court, she also identified the need for more equipment such as fax, phone, copiers, computers and scanners for women to use in preparing their matters and looking up judgements.

Woman 7 made the point that women were busy caring for children at home and that having resources to make use of while at court would assist women to juggle their many commitments:

So I would recommend they could have a facility, a computer for women who want to go through their notes ... I'm a mother, with a child who is very demanding. I would've loved it if I could've gone to the resource centre and gone: "Do you know this document, can I look this up?". If it's not at your fingertips you have to rely on going downstairs, talking to the front desk, usually there's a pile of people there.

If you could clinch it a little bit earlier ... like go to the resource centre, you go "Can I look this file up on the family law court [site]?" And print it off... That would be something that would be an absolute piece of magic.

There are many a time that it gets to nine o'clock and I've got to be in bed and I'm going "I've got to stay up, I've got to do that letter, I've got to do that document". Whereas when I have been in the family court, when I have been in the resource centre I'm sitting there ...



... it's for the safety of the people who go there and it gives them support for when they are there... so that then they not frightened of going.

One woman pointed out that the limited resources precluded consistent staffing, especially in a matter such as hers which was extremely complex:

Which actually brings me to a point ... that whenever I've gone back, there's been a different person there and I have in fact needed the same person who builds up history of what my case is about to help me. And it would be quite frustrating to have to go through the whole story of a convoluted situation

(Woman 8)

Their positive experience of the WFLSS led to many recommendations by the women that the service be better resourced and expanded:

So if they were able to be there the whole day that people are coming and going, that would be the biggest help for people. For women, I should say.

(Woman 13)

It's really, really helpful. I hope it can be expanded. It's a great support for women who don't know about how to go to court.

(Woman 4)

I reckon they should have this in every court. You know it's for the safety of the people who go there and it gives them support for when they are there and everything. So that then they not frightened of going.

(Woman 12)

One staff member thought that there should be a service for both men and women:

... I think probably the only thing that could help it work better is in fact if it was broader – the fact that it's purely a women's group is a bit of a problem in this Court. You know, it's excluding 50% of our clients.

In contrast, two other staff mentioned in passing that this may be an issue for some, but that they personally did not have any concerns on this front.



Assisting women also assists the operation of the Family Court

In addition to information about the ways in which the WFLSS assists women and ideas for enhancing the service, the findings from interviews with both Court staff and women clients revealed that in assisting women, the WFLSS also contributes to the operation of the Court. For example, Court staff described how the availability of the WFLSS assisted them to manage busy workloads more effectively.

I think that it makes the Counter area flow better because while our role is to help clients with procedural advice, we do have a certain standard – a waiting standard that we have to adhere to and if we get – like say, if we get stuck with a client because they’re going quite in-depth into what their issues are, it’s difficult to separate that role that we have to what else they’re asking us to do. So it’s a good way of getting the flow of clients so that it continues and we keep our service standard and then they can go through to someone that is more suited to the inquiries that they’re asking and will be able to help them further than what we can.

When asked what it would be like to not have the service, staff who refer regularly, answered:

We would be here for a long time with each client, yeah. And that gets difficult because that puts extra stress on some other client service officers in doing their work because they’ve got to get through the flow of people. Especially at peak time.

I don’t know what I would do – where I would refer them. You need someone to refer these clients to ...No, it’s too scary [the thought of no service]. Because they’re [women] just left their own – they’ve got to have someone to talk to.

Court staff also described the ways in which the availability of this services relieves the stress of supporting highly distressed clients, for which they are not trained:

It relieves the burden a little bit because you feel so awful and you think "look at this person, they're so unhappy. What can I do?" And if there's nothing you can do, then you feel uncomfortable. But with some of the women who are really distressed, knowing that you can refer them on to someone who knows what they're doing, and if you're in a position where they might be able to help them, I think makes people feel really good.

Because I get very busy... the ladies come in, you see that they're stressed. They're scared. So they're [WFLSS] usually my first point of call because I can't deal with them ... And also they need someone to talk to and so I often call [coordinator] or whoever - And ask her to come down or I'll take them, or I'll get security to take them up, just so that they can just, you know, have some quiet time with her.

Several of women made the point that, had the WFLSS service been available when they began what became protracted court proceedings over many years, the cost both to themselves in terms of health and finances and to the court system, would have been greatly reduced. For example:

So as a novice ... going in there originally you really are aghast, forking out loads of money, which I've done. But really since then, oh look, I would say try and get that type of resource in every court in Australia, or every major city to start with would be something that I would be very proactive on. You know because when I first started I was so nervous and I spent a lot of money. If I'd known there were other resources or if that had been there I probably would've saved myself well firstly just the emotional support ... If it had been there years ago I don't think I would've been as messy.

(Woman 7)

And if I had been in contact with her [WFLSS worker] in the beginning, I'd be \$40,000 better off. I would have my health and I would have my son. If you're looking at, you know, from a funding stand point, if I'd had access to somebody like [the Coordinator], I could have saved hours of Court time. That's from the political stand point. It would have saved hours of Court time.

(Woman 6)




Conclusion

These women's words succinctly sum up the value of the WFLSS. This service makes the Family Law system more accessible to a vulnerable group of women through the provision of proactive support, safety, advocacy, information and referrals.

For women who have experienced abuse and violence, the cost of the reduction in distress as they negotiate multiple, complex systems to rebuild their lives, is incalculable.

In addition, the WFLSS also provides a valuable resource to Court staff and benefits the Family Court in potentially reducing the length of proceedings and the number of distressed litigants.



"They should have this in every court."

Evaluation of the NSW Women's Refuge Movement
Women's Family Law Support Service
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