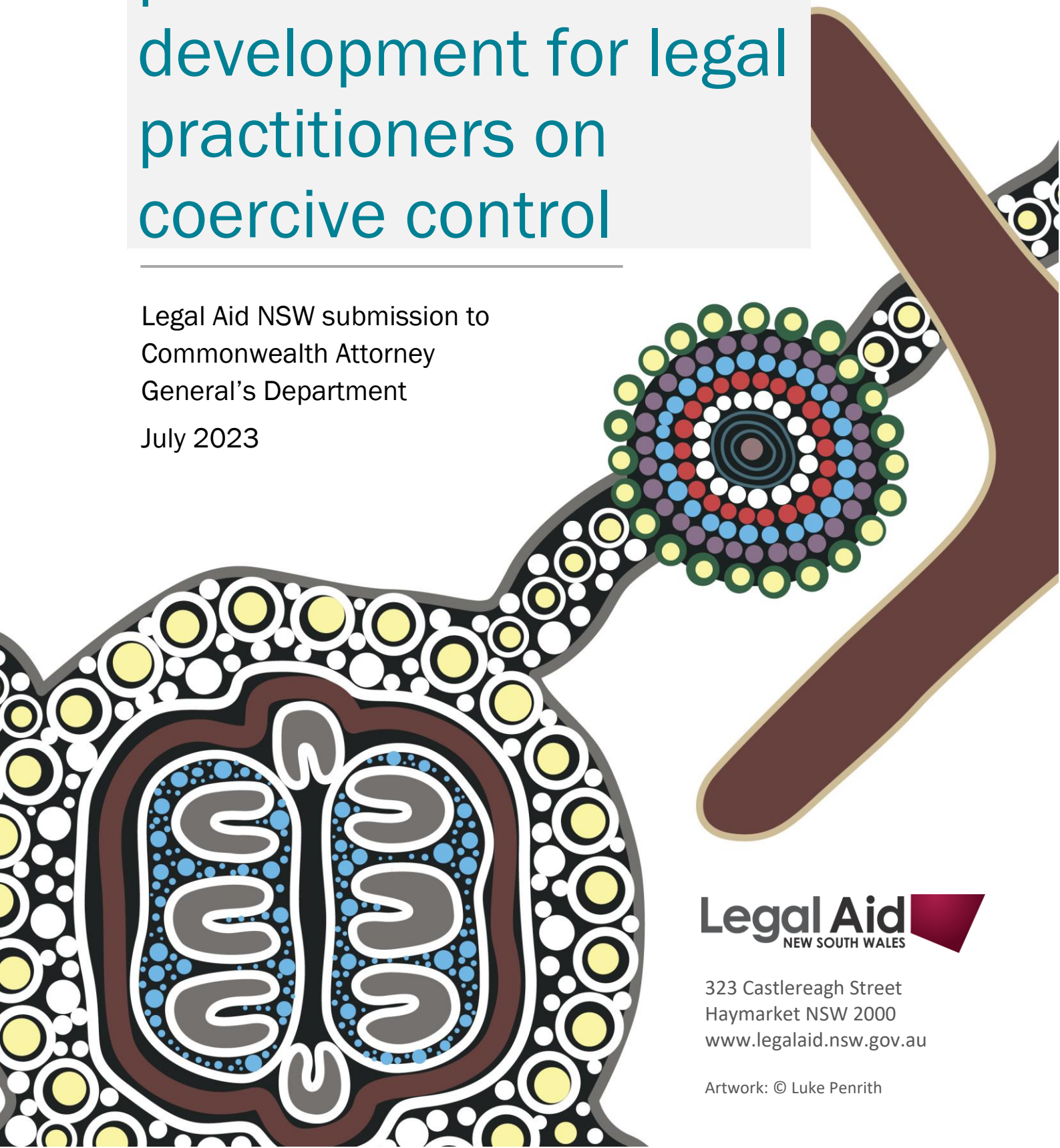


Continuing professional development for legal practitioners on coercive control

Legal Aid NSW submission to
Commonwealth Attorney
General's Department
July 2023



Legal Aid
NEW SOUTH WALES

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Acknowledgement

We acknowledge the traditional owners of the land we live and work on within New South Wales. We recognise continuing connection to land, water and community.

We pay our respects to Elders both past and present and extend that respect to all Aboriginal and Torres Strait Islander people.

Legal Aid NSW is committed to working in partnership with community and providing culturally competent services to Aboriginal and Torres Strait Islander people.

1. About Legal Aid NSW

The Legal Aid Commission of New South Wales (**Legal Aid NSW**) is an independent statutory body established under the *Legal Aid Commission Act 1979* (NSW). We provide legal services across New South Wales through a state-wide network of 25 offices and 243 regular outreach locations, with a particular focus on the needs of people who are socially and economically disadvantaged. We offer telephone advice through our free legal helpline LawAccess NSW.

We assist with legal problems through a comprehensive suite of services across criminal, family and civil law. Our services range from legal information, education, advice, minor assistance, dispute resolution and duty services, through to an extensive litigation practice. We work in partnership with private lawyers who receive funding from Legal Aid NSW to represent legally aided clients.

We also work in close partnership with community legal centres, the Aboriginal Legal Service (NSW/ACT) Limited and pro bono legal services. Our community partnerships include 27 Women's Domestic Violence Court Advocacy Services, and health services with a range of Health Justice Partnerships.

The Legal Aid NSW Family Law Division provides services in Commonwealth family law and state child protection law.

Specialist services focus on the provision of family dispute resolution services, family violence services, services to Aboriginal families and the early triaging of clients with legal problems through the Family Law Early Intervention Unit.

Legal Aid NSW provides duty services at all Family and Federal Circuit Court registries and circuit locations through the Family Advocacy and Support Service, all six specialist Children's Courts and in some Local Courts alongside the Apprehended Domestic Violence Order lists. Legal Aid NSW also provides specialist representation for children in both the family law and care and protection jurisdictions.

The Civil Law Division provides advice, minor assistance, duty and casework services from the Central Sydney office and 20 regional offices. It focuses on legal problems that impact on the everyday lives of disadvantaged clients and communities in areas such as housing, social security, financial hardship, consumer protection, employment, immigration, mental health, discrimination and fines. The Civil Law practice includes dedicated services for Aboriginal communities, children, refugees, prisoners and older people experiencing elder abuse.

The Criminal Law Division assists people charged with criminal offences appearing before the Local Court, Children’s Court, District Court, Supreme Court, Court of Criminal Appeal and the High Court. The Criminal Law Division also provides advice and representation in specialist jurisdictions including the State Parole Authority and Drug Court.

Should you require any further information, please contact

[Redacted contact information]

2. Executive summary

Legal Aid NSW welcomes the opportunity to provide feedback in relation to the development and delivery of continuing professional development (**CPD**) training for legal practitioners on coercive control.

Our responses to the questions in the discussion paper are informed by our experience assisting victims of family and domestic violence, defendants of apprehended domestic violence order (**ADVO**) applications, and those charged with family and domestic violence offences.

2.1 Key issues

As the training is designed to be national in scope and targeted at lawyers who practice in a range of areas of law,¹ we submit that the purpose of the training is much broader than the relevant legal frameworks and should not be focused on substantive legal issues.

Instead, it should be designed to inform legal practitioners about:

- what coercive control is, and how it can be identified
- how best to support a client who is experiencing coercive control, including appropriate referral pathways
- how to work collaboratively in a multi-disciplinary environment to best support victim-survivors of family and domestic violence
- how to communicate and deliver full and frank advice to perpetrators of family and domestic violence in relation to how their behaviours are likely to be perceived by experts and decision makers
- appropriate referral pathways for perpetrators of family and domestic violence, and
- the best approach for collecting and tendering evidence to substantiate pattern-based abuse.

Ideally, the training package should:

- contain both in-person and online modules
- contain introductory foundational and specialist intensive training modules
- be tailored to incorporate the legal framework and referral pathways in each state/territory
- include the latest research and literature on coercive control
- incorporate through consultation the perspectives of legal and non-legal professionals who work in family and domestic violence, and

¹ Family law, child protection, criminal law, immigration, housing and tenancy, consumer credit disputes, partnership disputes, wills and estate planning, and elder law.

- incorporate through consultation or co-design the perspectives of persons with lived experience, and other individuals and groups – in particular, Aboriginal and Torres Strait Islander people, culturally and linguistically diverse (**CALD**) communities, and people with disability.

2.2 Funding envelope

We submit that the current funding envelope for this training package should be substantially increased to be targeted at all legal practitioners, and to facilitate a proper consultation and co-design process, a hybrid delivery model, and the development of both foundational and specialist training modules (as outlined above). This would enable the training package to achieve its intended objective to improve education for legal sector professionals so that they can identify and respond to coercive control and better support people impacted by family and domestic violence, as recommended by recent inquiries and reports.²

² Attorney-General's Department, *Continuing Professional Development for Legal Practitioners on Coercive Control* (Discussion Paper, 2023) 1.

3. Legal Aid NSW's work on family and domestic violence

3.1 Work with victim-survivors and perpetrators

Legal Aid NSW provides legal assistance and support to victim-survivors³ and perpetrators of family and domestic violence across our Criminal, Family and Civil Law Divisions:

- We provide specialist services to victim-survivors of domestic and family violence, including through our Domestic Violence Unit (**DVU**), a trauma informed multidisciplinary service made up of lawyers, social workers and financial counsellors who work together to assist victims escaping domestic and family violence to address their legal and non-legal needs.
- Our family law practice represents victim-survivors of domestic and family violence, those accused of perpetrating domestic and family violence, and children in matters in the family law and care and protection systems.
- Our Women's Domestic Violence Court Advocacy Program (**WDVCAP**) administers NSW Government funding to 27 non-government organisations to provide Women's Domestic Violence Court Advocacy Services (**WDVCAS**), the main frontline, specialist support service for female victims of domestic and family violence in NSW.
- Our specialist Elder Abuse Service supports older people at risk of or experiencing elder abuse.
- Our criminal defence practice represents people charged with domestic and family violence offences, and in some instances, defends applications for ADVOs.

3.2 NSW Government Coercive Implementation and Evaluation Taskforce

Legal Aid NSW is part of the NSW Government Coercive Implementation and Evaluation Taskforce (**Taskforce**), which was established by the NSW Attorney General as required by the *Crimes Legislation Amendment (Coercive Control) Act 2022* (NSW).⁴ The Taskforce is comprised of representatives from across various NSW government departments and agencies, and includes sector specific reference groups, with the legal sector reference group being chaired by the Director of our Criminal Law Division.⁵ One

³ Victim-survivor is used in this letter to denote a person who is the victim or complainant or alleged victim of domestic and family violence or sexual violence. Some people who experience violence prefer the term 'victim' and others prefer the term 'survivor'. We acknowledge every person's experience is unique and individual to their circumstances.

⁴ The *Crimes Legislation Amendment (Coercive Control) Act 2022* (NSW) inserted s 54I into the *Crimes Act 1900* (NSW).

⁵ Department of Communities and Justice NSW, 'Coercive Control Implementation and Evaluation Taskforce', *Department of Communities and Justice NSW* (Web Page, 23 June 2023) < <https://dcj.nsw.gov.au/children-and-families/family-domestic->

of the statutory purposes of the Taskforce is to “provide advice about, and monitor, training, education and resourcing in relation to the coercive control offence”.⁶

3.3 Training for legal practitioners

In connection with the passing of the *Crimes Legislation Amendment (Coercive Control) Act 2022* (NSW) and our position on the Taskforce, we have also established an internal Legal Aid NSW working group, which is tasked with considering the training requirements of our staff around coercive control.

We have received funding to develop and deliver such training for Legal Aid NSW staff, our panel practitioners, the Aboriginal Legal Service (NSW/ACT) and NSW-based community legal centres. We are currently in the process of recruiting a project officer to coordinate the training, with the aim of rolling it out before the end of the year.

3.4 Community legal education

Legal Aid NSW develops and delivers community legal education (**CLE**) for community workers who work with victims of domestic and family violence about how to engage with lawyers and support their clients to engage with lawyers and the legal system, to ensure that victims experiencing domestic and family violence receive the support they need. Legal Aid NSW also develops CLE materials, such as fact sheets, for individuals, which cover a range of issues regarding domestic and family violence.

[and-sexual-violence/police--legal-help-and-the-law/criminalising-coercive-control-in-nsw/coercive-control-implementation-and-evaluation-taskforce.html](#)>.

⁶ *Crimes Act 1900* (NSW) s 54I(3)(b).

4. Contributing to the National Plan

Legal Aid NSW supports the National Plan to End Violence against Women and Children 2022-2032 (**National Plan**), and of particular relevance to this consultation, the plan to “[i]ncrease specialist and targeted training for... the legal profession on family, domestic and sexual violence”.⁷ We note that such training is especially important to domains 2 and 3 of the National Plan, which relate to early intervention and responding to family and domestic violence.

We consider that a nationally coordinated approach to education and training on family and domestic violence for the justice sector is a critical part of the National Plan.

With the National Plan in mind, we have considered what content should be included in a training package for legal practitioners regarding coercive control. We provide responses to some of the matters for consideration below.

4.1 Understanding the nature and dynamics of coercive control, including gendered and intersectional drivers

As a preliminary point, we believe there is a need to adopt a clear definition of what coercive control is. In our experience in facilitating family and domestic violence education, the term “coercive control” is being increasingly used when discussing family and domestic violence, without a shared meaning of what the term means.

For example, it is vital that the training package emphasise that physical violence does not need to be present for coercive control to be occurring. Despite an increasing understanding of the non-physical nature of family and domestic violence, our clients report the persistence of this misconception in their interaction with professionals.

4.2 Increased understanding of the impacts on, and experiences of, different groups and individuals

In our view, applying an intersectional lens to coercive control is necessary across all areas of the training package and not just in understanding the impacts of coercive control. For example, it is important to understand the impacts of coercive control on children, but also how children can be used in an attempt to exercise coercive control.

We believe it is essential the training incorporate the experiences of Aboriginal and Torres Strait Islander people and other groups, such as culturally and linguistically diverse (**CALD**) communities and people with disability.

⁷ *National Plan to End Violence against Women and Children 2022-2032* (Report, 2022) 5.

We note that the Taskforce has a number of reference groups, whose role is to “consider and provide advice and recommendations to the Taskforce” in relation to the functions of the Taskforce, which include the provision of training.⁸ There are reference groups for First Nations communities, CALD communities and people with lived experience of coercive control, amongst others.⁹

We consider that the coordination of the training package must have such voices central to its design to ensure that practitioners gain an understanding of how coercive control can occur in, and impact on, various groups differently.

4.3 Coercive control risk identification, assessment and management

We submit that legal practitioners would benefit from guidance in relation to how coercive control risk identification interacts with other risk assessment tools, such as the Domestic Violence Safety Assessment Tool (**DVSAT**) in NSW and the Notice of Child Abuse, Family Violence or Risk in the Federal Circuit and Family Court of Australia.¹⁰ The training should include the latest research from experts on risk assessment tools regarding coercive control and the benefits and limitations of relying on such tools.

We also suggest this section of the training include guidance to practitioners on how to manage coercive control when it is identified in the family law jurisdiction, given there may not have been a report to police, and there may be significant implications for any future assessments of the victim, which may subsequently influence the Court’s findings and orders. This could include training on how to gather and present evidence on coercive control, noting that the pattern-based nature of coercive control does make the process of substantiating such abuse more complex and onerous for the impacted party.

4.4 Working with victim-survivors and adopting trauma informed and family and domestic violence informed practice

We note that National Legal Aid (**NLA**) is currently developing the *With You* training package following receipt of Commonwealth funding. The package provides training in relation to delivering legal services in a trauma informed manner to people experiencing distress, poor mental health or suicidality. Therefore, any aspect of the coercive control training that focuses on trauma informed lawyering should be aimed at complementing, and not duplicating, the *With You* training package.

⁸ *Crimes Act 1900* (NSW) s 54I(5).

⁹ Department of Communities and Justice NSW, ‘Coercive Control Reference Groups’, *Department of Communities and Justice NSW* (Web Page, 23 June 2023) <<https://dcj.nsw.gov.au/children-and-families/family-domestic-and-sexual-violence/police--legal-help-and-the-law/criminalising-coercive-control-in-nsw/coercive-control-reference-groups.html>>.

¹⁰ We note that the DVSAT is currently under review.

4.5 Understanding perpetrator behaviour and referring to appropriate specialist services

Many legal services, including Legal Aid NSW, provide assistance to both perpetrators of family and domestic violence, as well as victim-survivors. It is important, especially in relation to early intervention and responding to family and domestic violence,¹¹ that legal practitioners have an understanding of perpetrator behaviour and are able to make referrals, where appropriate, to specialist programs such as men's behaviour change programs.¹²

Understanding perpetrator behaviour may also assist legal practitioners in being tactful in delivering full and frank advice to their clients in relation to how their conduct is likely to be perceived by experts and decision makers. This is particularly important in relation to coercive control, given the pattern-based nature of the abuse and given there may not be the presence of physical violence.

4.6 Knowledge of relevant legal frameworks on coercive control

As the proposed training is national, there are challenges with having the training incorporate all relevant legal frameworks on coercive control. This is because criminal laws in relation to family and domestic violence are state/territory based, as are family and domestic violence order regimes.

One option would be for any module of the course that discusses black-letter law to be adapted for each state/territory. Another option would be for the training to provide only a general overview of the legal frameworks in each jurisdiction – for example, identify the relevant legislation, whether the jurisdiction has created a standalone offence for coercive control, and what the legal test is for the making of a family and domestic violence protection order. Providing training in relation to coercive control in the context of family law proceedings will be easier as family law, with the exception of Western Australia, is nationally consistent.

In our view, the purpose of the training is much broader than the relevant legal frameworks, and should primarily focus on:

- what coercive control is, and how it can be identified
- how best to support a client who is experiencing coercive control, including appropriate referral pathways
- how to work collaboratively in a multi-disciplinary environment to best support victim-survivors of family and domestic violence

¹¹ Domains 2 and 3 in the National Plan.

¹² It is critical that such services receive adequate funding and investment to allow such referrals to occur.

- how to communicate and deliver full and frank advice to perpetrators of family and domestic violence in relation to how their behaviours are likely to be perceived by experts and decision makers
- appropriate referral pathways for perpetrators of family and domestic violence, and
- providing guidance on the best approach for collecting and tendering evidence to substantiate pattern-based abuse.

We note that in NSW, these skills would largely fall into the compulsory CPD fields of “professional skills” and “ethics and professional responsibility”, as opposed to “substantive law” which concerns training on black-letter law.

Lastly, as noted above, Legal Aid NSW will be designing and delivering training on coercive control, including recent relevant legislative changes in NSW. Therefore, this may be a preferable way of delivering training on the relevant legal frameworks in NSW concerning coercive control. Further consultation on this point should be undertaken by whomever obtains the tender for developing the training on behalf of the Commonwealth.

4.7 Understanding the relationship between coercive control and other issues, e.g. mental illness, drug and alcohol misuse

We accept that a discussion regarding the relationship between coercive and controlling behaviours and other social and health issues is important, particularly in understanding what coercive control is and what other factors may contribute to a heightened risk to the safety of victim-survivors. However, we suggest this section of training needs to be strongly evidence-based. This is because caution is needed when discussing the relationship between a perpetrator’s use of coercion and control and other external factors, as there is a real risk that a perpetrator’s choice to use coercion and control may be minimised or justified.

In relation to victims, it is important to note that other issues such as mental health or drug and alcohol use may be either an instrument of coercive control,¹³ or the result of, or worsened by, the coercive and controlling behaviours they are experiencing. It is therefore important that any training address how coercive control may affect the overall health and wellbeing of victim-survivors and influence their decision making and behaviours, with the aim of ensuring that legal practitioners place such behaviours in the broader context and do not in any way attribute responsibility for the perpetrator’s behaviour to the victim-survivor.

¹³ For example, withholding medication or pressuring someone to use drugs.

4.8 Understanding vicarious trauma and ways to self-care

We note that the *With You* training package will also address the issues of vicarious trauma and self-care. It is therefore important that any additional training in relation to these issues complements that training package.

4.9 Misidentification of victim-survivors as perpetrators

We strongly support the training addressing the issue of victim-survivors being misidentified as perpetrators. The misidentification of primary victims as perpetrators is an issue that has been observed by WDVCSs, who report that there has been an increase in the number of female defendants of ADVOs that they assist, which is likely due to incident-based policing. The Victorian Family Violence Reform Monitor also found that misidentification continues to occur and noted that rectifying this problem is very challenging.¹⁴

Concerns around the misidentification of a victim-survivor as the perpetrator is one of the reasons we submitted that there should be an extensive training package for frontline justice staff that addresses the complex nuances of coercive control and approaches to identifying the primary victim, before creating a standalone criminal offence.¹⁵

4.10 Understanding how perpetrators can manipulate legal systems (i.e. systems abuse)

This is an important point that should be addressed in any training, alongside how perpetrators can also manipulate other systems in the community, such as the immigration system in relation to victim-survivors who are on partner visas. This aspect of the training should also be targeted at assisting legal practitioners acting for perpetrators, in navigating the relationship between their professional obligations and potentially being seen to collude with their client in manipulating the legal system.

¹⁴ Family Violence Reform Implementation Monitor, *Monitoring Victoria's Family Violence Reforms: Accurate Identification of the Predominant Aggressor* (Report, December 2021) 5.

¹⁵ Legal Aid NSW, Submission to NSW Department of Communities and Justice, *Criminalising Coercive Control in NSW- Exposure Draft Bill* (August 2022) 5-6.

4.11 Understanding how increased engagement with the criminal justice system may increase disadvantage for certain cohorts of people, and create barriers to reporting

As referenced above, there is a risk that victim-survivors may be misidentified as perpetrators of coercive control. This may be a barrier to reporting family and domestic violence for individuals and groups who are aware of this risk.

The disclosure of family and domestic violence to the police and other government authorities may result in the involvement of the relevant child protection agency, which may also present a barrier to reporting. It is critical that such barriers are understood by legal practitioners working in family and domestic violence, to ensure that they can best support their clients in navigating these barriers while ensuring the safety of their client and obtaining the best possible legal outcome.

To ensure that the training captures the dynamics in relation to barriers to reporting family and domestic violence, it is critical that the voices of people with lived experience are reflected, and especially people from Aboriginal and Torres Strait Islander communities.

5. CPD for legal practitioners

5.1 What would be the most effective way to deliver training on coercive control to as many legal practitioners nationally within the funding envelope?

Preferably training should be delivered via both in-person and online modules. However, we query whether this is possible within the current funding envelope available to develop the training package.

In the training that we currently deliver on family and domestic violence, participants often provide feedback that they believe face-to-face training in family and domestic violence is invaluable, particularly when one or more learning outcomes relates to skills building. We therefore recommend that any online training is accompanied by in-person training that provides an opportunity for role play exercises, allows for greater opportunities for group discussion and for feedback to be provided by the trainer.

We acknowledge that online training is an effective method for reaching as many participants as possible, particularly in regional areas, as well as giving practitioners flexibility around when they undertake the training. Where online training is used, interactive training is in our view preferable as it ensures that participants stay engaged with the content. This can be achieved through using case studies followed by questions about the case study to provide participants an opportunity to put their learning into practice.

5.2 When thinking about the design, delivery and reach of the training program which of the following is preferable:

- Introductory foundational training on coercive control that targets as many legal practitioners as possible
- Specialist intensive training which specifically targets lawyers working in areas of law that frequently encounter FDV
- Combination of developing introductory foundational and specialist intensive training modules

We believe that both introductory foundational and specialist intensive training modules should form part of the training package. This is because practitioners are often pressed for time to complete their CPD training and they are more likely to participate in training that is directly relevant to their practice.

A staggered approach to the training could be used. Introductory foundational modules will be appropriate for practitioners who are new to working in family and domestic violence, as well as those who encounter family and domestic violence from time to time but do not deal with it in their primary areas of practice. Foundational training would

ensure a level of baseline knowledge, such as what coercive control is, how it can be identified, and appropriate referral pathways.

Specialised training modules could then be offered to legal representatives working directly in family and domestic violence practice, with the focus being more on how to support victim-survivors in a multi-disciplinary environment, ethical issues specific to family and domestic violence, and guidance on the collection and tendering of evidence to substantiate pattern-based abuse.

5.3 What training (CPD or otherwise) for legal practitioners on coercive control is currently available or proposed in your jurisdiction?

Coercive control is an issue that is frequently addressed in CPD sessions targeted at family law practitioners. For example, coercive control in family law proceedings is one of the topics at the Hunter Valley Family Law Practitioners Association Conference later this year.

As mentioned above, Legal Aid NSW is also in the process of recruiting a project officer to coordinate the development of training on coercive control for practitioners at Legal Aid NSW, Legal Aid NSW panel practitioners, Aboriginal Legal Service (NSW/ACT) and NSW-based community legal centres.

5.4 What expertise or accreditation is required to develop and deliver CPD training for legal practitioners in your jurisdiction?

In NSW, there are no “accredited” CPD providers. However, there is a requirement that a CPD activity be “conducted by persons who are qualified by practical or academic experience in the subject covered”.¹⁶

5.5 How can the training be designed to attract interest and participation from legal practitioners?

We believe the following matters will assist in maximising participation:

- The training should be free.
- It should be designed to satisfy the CPD regulatory requirements in each state/territory.
- Presenters should come from both legal and non-legal backgrounds
- The perspectives of police and prosecution should be incorporated.
- The training should be delivered by a combination of online and in-person sessions to maximise flexibility.

¹⁶ *Legal Profession Uniform Continuing Professional Development (Solicitors) Rules 2015* (NSW) r 7.1.2.

- The training should be broken up into modules to ensure that participants can attend those that are most relevant to their practice and level of experience.

6. Grant opportunity guidelines

6.1 Which types of organisations would be best placed to develop and deliver this training program?

Organisations in the legal assistance sector that have experience working directly in family and domestic violence would be well placed to develop and deliver the training. However, no organisation is likely to have all of the expertise internally.

It will be necessary to conduct extensive consultations to ensure that the training:

- includes the latest research and literature in relation to coercive control
- includes the perspectives of, and is relevant to, lawyers who practice in criminal, civil and family law
- includes the perspective of other professions that provide support to persons who experience family and domestic violence, such as psychologists, social workers and financial counsellors
- includes the perspective of persons with lived experience, including those who have accessed legal services, and
- includes the perspective of persons from different communities, such as Aboriginal and Torres Strait Islander people, CALD communities, people with disability, and LGBTIQ+ people.

6.2 How could the training be tailored to address reforms on coercive control specific to the state or territory in which the training is being delivered?

See our response in section 3.6 above.

6.3 What challenges might be encountered in delivering this program and how could these be addressed?

In addition to the challenge of incorporating the relevant legal frameworks for each state/territory, there is the challenge of providing non-legal referral pathways that are tailored to each jurisdiction.

A major challenge in the delivery of the program is the limited budget. We query whether a CPD training package for legal practitioners on coercive control can be delivered within the proposed training budget that:

- contains both in-person and online modules
- contains introductory foundational and specialist intensive training modules
- is tailored to incorporate the legal framework and referral pathways in each state/territory
- includes the latest research and literature on coercive control
- incorporates through consultation the perspectives of legal and non-legal professionals who work in family and domestic violence, and

- incorporates through consultation or co-design the perspectives of persons with lived experience, and other individuals and groups.

We submit that the current funding envelope for this training package should be substantially increased to be targeted at all legal practitioners, and to facilitate a proper consultation and co-design process, a hybrid delivery model, and the development of both foundational and specialist training modules (as outlined above). This would enable the training package to achieve its intended objective to improve education for legal sector professionals so that they can identify and respond to coercive control and better support people impacted by family and domestic violence, as recommended by recent inquiries and reports.¹⁷

¹⁷ Attorney-General's Department, *Continuing Professional Development for Legal Practitioners on Coercive Control* (Discussion Paper, 2023) 1.

7. Data and evaluation requirements

7.1 What training evaluation models could assist in determining participant engagement and learning?

For online training, one option would be for participants to only be able to receive their certificate of completion once they have completed the survey.

7.2 What evaluation criteria could be used to determine whether the training was effective in:

- meeting the objectives underpinning the National Plan 2022-2032
- embedding the National Principles as a common national foundation for legal practitioners
- upskilling legal practitioners in this important aspect of legal competency
- reaching and being accessible to legal practitioners that would most benefit from the training?

For online modules, short quizzes could be used with the requirement that a satisfactory response rate be met before permitting the practitioner to move further into the module.

Evaluation of a participant's understanding of the content could be undertaken during trainer led sessions, similar to the model of training for prospective independent children's lawyers.



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