

**Report**  
**Evaluation of the Cooperative Legal**  
**Services Delivery Program**

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August 2012

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## Executive Summary

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This report outlines the findings of an evaluation of the Cooperative Legal Services Delivery Program (CLSD), an initiative of Legal Aid NSW that aims to address the legal and justice needs of disadvantaged people living in regional areas in NSW by:

- bringing together legal and non-legal services to work cooperatively to identify legal needs and gaps, and to develop plans and projects that can help to improve disadvantaged people's access to legal assistance
- using the information gained at the regional level to identify and address systemic issues across the state.

The Program was piloted in two regions in 2004, Following the evaluation of the pilot it was gradually expanded, and in 2012 will cover 11 regional areas. Nine CLSD regions were part of the evaluation.

The evaluation, which was undertaken by the consultants Penny Ryan and Kitty Ray over three months, sought to assess the effectiveness of the CLSD model and to make recommendations as to how the program could best continue to develop. The evaluation did not seek to assess the direct impact of the program on disadvantaged people's access to the law, but focused on assessing the engagement of regional partners, program management and perceptions of the benefits of the CLSD Program's activities.

The evaluation questions outlined in the tender brief were:

- Has the CLSD Program contributed to an improvement in the range, scope and breadth of legal services being offered?
- Has there been an improvement in the ability and capacity of participating agencies to provide services to disadvantaged clients?
- To what extent is service delivery planning and delivery within regional partnerships being approached in a more cooperative and collaborative manner?
- Does CLSD provide a regionally coordinated framework that pays close attention to legal need and equity for culturally diverse and disadvantaged communities?
- Do regional CLSD partners perceive there to be benefits in participating in CLSD? What are those benefits?
- What improvement could be made to the CLSD Program with regard to the above questions?
- What potential exists to further partnering opportunities both within and outside Legal Aid NSW?
- What potential exists to leverage better justice system outcomes through the CLSD Program Unit's reporting and systemic work? Are there other ways the CLSD Program could operate to facilitate better justice system outcomes?

The evaluation methodology included interviews with 50 regional partner agencies, consultant attendance at five regional CLSD meetings, meetings and interviews with CLSD Regional Coordinators, review of program documentation, interviews and meetings with central agency stakeholders.

## **The CLSD Program at the regional level**

Membership of the CLSD Program is made up of legal services and non-legal services. The former include Legal Aid NSW, Community Legal Services, Aboriginal Legal Services, Courts and private solicitors. The latter include two broad categories of agencies: those dealing with issues that often give rise to legal needs, such as family relationship services, financial counselling services, tenancy advice services, domestic violence services; and those providing services for groups of people who are often disadvantaged and marginalised, such as young people, people with disabilities, people from CALD backgrounds and Aboriginal people.

The evaluation found that in 2011 CLSD had attendance from 171 service types across the state.

CLSD meetings occur quarterly. Participants discuss data from Law Access and elsewhere, legal needs and issues arising through their own work, new initiatives being undertaken and projects that might be developed to address needs that have been identified. The CLSD Central Program Unit and Law Access NSW attend most meetings and provide information on what is happening across the state. Each region develops a plan to help guide activities. Project proposals are usually developed by individual agencies and brought to the CLSD group for comment and approval before being submitted to Legal Aid NSW for funding. Project funding is pooled at a central level and approved centrally following scrutiny, but notionally \$20,000 of project funding is available to each region.

The evaluation found that in 2010–2011, some 69 projects were developed and implemented by CLSD regions. The largest category of projects (21) dealt with community legal education (CLE) and mainly targeted community workers. A further 16 projects were advice clinics provided directly to the public on specific issues (such as fines and wills) and generally targeted population groups such as Aboriginal people, people with disabilities or young people. A small number of projects are on-going clinics, funded by Legal Aid NSW but provided through CLSD partners on a cooperative basis.

The program is staffed by a Regional Coordinator working one day per week in each region, generally located in a CLC or other partner agency. Regional Coordinators provide administrative support to the CLSD network (organising meetings, distributing minutes) and also help to foster information exchange via e-bulletins.

In relation to the evaluation questions framing this evaluation, there is evidence that the CLSD at the regional level has:

- a high level of support from participating partners, who confirm its value as a model to improve access to legal services for disadvantaged people
- delivered improved referrals between agencies, increased partners' access to information and increased contact between partner agencies
- increased knowledge among legal and non-legal agencies about the impact of laws on disadvantaged populations
- assisted in identifying gaps in legal and related services for disadvantaged people in regional areas through cooperative processes
- delivered collaborative projects that have given some disadvantaged people increased legal assistance on specific issues.

The CLSD Program is viewed as a highly effective program within the constraints of its resource capacity and framework. The major suggestions for improvement relate to increasing the capacity of the program to actively assist coordination and collaboration, to better reach outlying areas and to engage disadvantaged communities.

### **CLSD Program management**

Management of the CLSD Program at the regional level rests with the sponsoring agencies, guided by a contract with Legal Aid NSW. The Program as a whole is administered by a small Central Program Unit. In the main this arrangement has worked well, although the limited role and capacity of the Regional Coordinators means there is currently limited direct management of the position by the sponsoring organisations.

At a central level the CLSD Program Unit:

- establishes new CLSD regions, monitors the funding contracts, assesses project funding applications, develops support materials for CLSD operations and oversees regional reporting arrangements
- attends most if not all of the Regional CLSD meetings in person or by telephone
- distributes an e-newsletter that provides information on what is happening across regions, relevant information on legal and other initiatives
- reports on legal issues and initiatives arising from each region to the CLSD Steering Committee and to the NSW Legal Assistance Forum (NLAF)
- liaises with and links the CLSD Program to other programs and developments within and beyond Legal Aid NSW.

The CLSD Program is viewed as a very successful program by central agency stakeholders interviewed for this evaluation. The CLSD regional network provides other central agency program areas with points of contact in regional NSW as well as providing on the ground information about needs and developments. The Central Program Unit is perceived as highly effective given the program's size, and as influential in raising and progressing systemic issues.

The main issues raised in relation to the central management of the program related to the capacity of the program unit to maintain its current level of contact with regional CLSDs, suggestions for improvement in analysis and reporting and program expansion.

### **Evaluation conclusions**

Some evaluation findings were consistent across the regions:

- Networking, information sharing and referral pathways between services have increased as a result of CLSD activity in all regions, indicating an improvement in the ability and capacity of participating agencies to assist disadvantaged clients in their legal needs.
- The key benefits identified at the regional level were information sharing between partners, improved referral pathways, networking, increased legal knowledge of community service providers, increased access to legal services by disadvantaged people and an identification of legal needs and gaps. At the central level additional benefits were identified by stakeholders. Central agencies valued the anecdotal local knowledge gained from CLSD

regions and also valued having access to a regional network to enhance their own initiatives.

- The delivery of a regional CLSD Program does ensure a focus on identifying and addressing legal needs of disadvantaged populations. The framework of identifying and addressing legal needs faced by disadvantaged populations is seen as a *raison d'être* for the CLSD partnership.
- The CLSD Program is strongly supported at the regional and central levels and by a diverse range of stakeholders. Even where difficulties in the functioning of some regional programs were raised, support for the program was strong and more benefits than weaknesses were identified.

Findings were more mixed in relation to other evaluation questions:

- whether the CLSD Program contributed to an improvement in the range, scope and breadth of legal services being offered
- the extent that service delivery planning and delivery within regional partnerships being approached in a more cooperative and collaborative manner.

A range of improvements was suggested to increase the effectiveness of the core activities of regional CLSDs (although many of those interviewed perceived the program to be operating well and did not suggest specific improvements). Some suggestions were made for improvements within current resourcing levels (for instance, suggestions for improving the effectiveness of meetings). However, the main suggestions involved expanding the program's capacity to:

- reach outlying areas
- improve coordination and build stronger relationships between legal and non-legal services
- increase the number and frequency of projects
- research and analyse gaps and legal needs
- collect data and report on outcomes of CLSD initiatives.

Those suggesting these improvements thought, first, that the role and capacity of the Regional Coordinator needed to be expanded to allow a greater focus on *developing* the CLSD partnerships and activities rather than on *administering* them, and second that the Program extend its reach to parts of the state not currently serviced by the CLSD regional network.

The main suggestions for further leveraging the work of CLSD involved analysis and reporting. Currently the information fed to central agencies and forums from regional CLSDs is listed in dot point form under each region. This provides a rich narrative of information that can help to expand understanding of statistical data as well as highlight issues not yet captured within data collections. There is, however, potential to provide greater analysis of this information in relation to the statistical data. There is also the potential to use the CLSD network as a research mechanism to gain more information about the impact of a specific issue on clients of partner agencies.

To achieve increased research, analysis, and reporting potential of CLSD, the operation of the CLSD at central and regional levels would need to change:

- the number of regions would need to expand to include state wide coverage
- the role and capacity of Regional Coordinators would need to be expanded to allow a greater focus on research and analysis
- the Central Program Unit would need to place increased emphasis on analysis and reporting and use more efficient methods for maintaining relationships with and supporting regional CLSDs.

## Recommendations

**R1 That, should funding be available, Legal Aid NSW continue to expand the CLSD program over time, basing the expansion on analysis of need in regional areas in NSW.**

This evaluation confirms that the CLSD program is viewed as an effective model for creating a regional network of legal and non-legal services that can help to improve access to legal services for disadvantaged people living in regional and rural NSW. There is a clear argument for expanding the program to further areas of high need across the state. The current criteria for determining new areas appear to have worked well and should continue to be used for any future expansion. When deciding on the placement of new programs, the option of splitting some existing regions should also be considered.

**R2 That, should funding be available, Legal Aid NSW undertake a two-year trial in four regions to assess the additional value for money achieved by the CLSD program when the role of the Regional Coordinator is changed to a developmental one and hours are increased to reflect the changed role.**

Many stakeholders argued for increasing the value of the CLSD program by significantly expanding the role and capacity of the Regional Coordinators. In their view, the Coordinators' primary focus should shift from administrative to developmental work, which would make the program more effective, and also reduce the turnover of staff in the positions. In the revised role, Regional Coordinators would be expected to build relationships with key legal and non-legal services, assist in coordinating collaborative projects, and assist in collecting and analysing data.

Such a change of role would allow additional projects to be undertaken more frequently and potentially reach greater numbers of people currently without access to justice services. A trial would allow testing of whether the program's increased reach and activity warrants the expansion of the role.

**R3 That any CLSD program expansion include a workload assessment of CLSD Central Program Unit to estimate staffing levels necessary for continued effective central management of the program.**

If Recommendations 1 and/or 2 are implemented, current CLSD Central Program Unit staffing levels may not be sufficient to meet the increased need for support. A workload assessment of the unit should be undertaken at the point that expansion occurs.

**R4 That the CLSD Central Program Unit work with the Regional Coordinators to explore additional approaches to communication between the regions and central agencies.**

Regardless of whether Recommendations 1 and/or 2 are implemented, the current approach to supporting regional CLSDs is likely to become more difficult over time. The perceived success of the CLSD is due in part to close and frequent contact between the Central Program Unit and the regions, primarily in the form of unit staff attendance at most regional meetings. This degree of contact will be increasingly hard to maintain at current staffing levels.

Suggestions arising from the evaluation include a more differentiated approach to meeting attendance, with more frequent attendance in (for instance) recently established regions, regions which have recently changed Regional Coordinators, and regions that have difficult issues they wish to address centrally. All regions would still have central agency attendance at some meetings each year.

Other suggestions for communication and support between regions and central agencies include telephone linkups and an electronic drop box.

As the Central Program Unit explores approaches to support and communication with the Regional Coordinators themselves, it should emphasise those that build connections among Regional Coordinators to increase shared peer learning and support.

**R5 That the CLSD Funding Agreement be reviewed by the Central Program Unit with the view to clarifying expectations concerning the skills required of Regional Coordinators, management and support provided to Regional Coordinators by the local auspice bodies, and recruitment processes.**

There is considerable variation among regions in the skills and backgrounds of Regional Coordinators, and in the way Regional Coordinators are supported and managed at the local level. In some regions legal students or administrative officers have filled the position. Some Regional Coordinators are employed one day a week specifically for this position, while others fill this role as one part of their work for the auspice body.

Support and management provided to the position is in most instances understandably very limited, and can lead to difficulties when a Regional Coordinator is under-performing.

While variation and flexibility can enable a program to adapt to local conditions, it would be useful for the Central Program Unit to review the current Funding Agreement with a view to clarifying criteria, duties and expectations of Regional Coordinators and auspice organisations' management of the position, and ensuring that the Central Program Unit has a role in the recruitment process.

**R6 That CLSD Regional networks be encouraged to undertake localised cultural awareness training that focuses on increasing understanding of the local history of Aboriginal people, the range of Aboriginal organisations in the**

**area and their role in their communities, and barriers to engagement in justice issues and the CLSD specifically.**

While most CLSD Regions have identified Aboriginal people as a priority and have attempted to engage the Aboriginal Legal Service and other Aboriginal organisations as CLSD members, only a few have managed to gain active involvement of Aboriginal people. One region stood out in this regard, achieving a high level of partnership with Aboriginal communities and organisations. This region placed a high priority on cultural awareness training delivered by local Aboriginal justice/legal stakeholders rather than more generic cultural training. This allowed a specific focus on cultural issues in relation to the local area within the context of legal/justice matters.

The Central Program Unit should work with Regional Coordinators to ensure that cultural awareness training and improving engagement with Aboriginal organisations becomes part of the planning process over the next year. Project funds may be needed for this to occur across the state.

**R7 That the CLSD Central Program Unit be encouraged to have formal and systematic access to the data/research capacity of the Law and Justice Foundation**

The CLSD regions appreciate the regional data to which they have access. Data has been the backbone of the program, with data from multiple sources helping to identify the locations for regional networks, the state and local issues that need to be addressed, and unmet needs at all levels.

Legal Aid NSW has a current MOU with the Law and Justice Foundation on research assistance. It would be useful if the CLSD Central Program Unit could also avail itself of greater assistance in the production of graphs and data that it then provides to the regions. This would also increase the Central Program Unit's workload capacity.

**R8 That CLSD Central Program Unit work with Regional Coordinators to introduce simple measurement tools that can provide an overview of the reach and scope of CLSD activities and provide feedback on legal education activities and regional partnerships.**

Given the current resources of the CLSD program, its reporting and documentation processes have understandably been minimal. However, it is possible and desirable to document regional-level activities and the reach of those activities. This could be done by each region annually using a simple template.

It would also be useful to conduct a regular partnership survey to gauge the strength of partnerships, satisfaction levels with meetings and projects, collaboration activities outside meetings and similar matters. Existing tools for gauging levels of collaboration across networks could be adapted for this purpose.

Finally, a simple tool could be used to evaluate community legal education projects.

# 1 Background

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## 1.1 About the Program

The Cooperative Legal Services Delivery Program (CLSD) is a regionally-based program that aims to improve access to legal services for disadvantaged people living in regional areas of NSW. It does this by building cooperative and strategic networks of key legal services and community organisations. It was piloted by Legal Aid NSW in 2004 in two regions – Central West and Northern Rivers. As recommended in the evaluation of the pilot, the Program expanded to Albury/Wagga Wagga and the Hunter in 2006, the Central Tablelands (Katoomba/Orange) and the Central Coast in 2007, the South Coast and the Far West in 2008. Albury/Wagga Wagga divided into two regions in 2010. In early 2012 expansion to the Mid North Coast was approved. The program is now established in nine regions of NSW but will be operating in 11 regions by the end of 2012.

The CLSD Program builds networks of public sector and pro bono private sector legal services, and government and community service providers. CLSD partners collaborate on projects that respond to locally identified, emerging and unmet legal needs. Initiatives include training, community legal education, workshops and outreach clinics. The work is informed by strategic planning workshops which use local empirical evidence of disadvantage and legal needs to develop Action Plans that lay out service priorities.

The Program's objectives and goals are to ensure that:

- economically and socially disadvantaged people are able to efficiently and effectively access legal services to assist them to understand, protect and enforce their legal rights and interests
- consideration is given to legal need and equity in the provision of legal services and resources
- legal services in a region are planned and delivered in a coordinated and cooperative manner
- the use of resources in CLSD regions is maximised
- a region's capacity is extended to meet demand through cooperative arrangements
- access to pro bono legal assistance in regional and rural areas is improved.

An underlying goal is to contribute to the social inclusion of disadvantaged people. The Program's activities draw on evidence that systemic issues relating to disadvantage are most likely to be successfully addressed by locally based and multi-agency interventions. CLSD documentation includes a quote from Dr Ian Byron, from the Commonwealth Social Inclusion Board:

Recent research indicates that disadvantage is becoming increasingly concentrated in some locations, reinforcing spatial inequality ... Arguably, one of the strongest justifications supporting place-based approaches is that they enable the targeting of people experiencing multiple and inter-related forms of disadvantage and provide a platform for the delivery of a more integrated and holistic suite of services and supports.

While the Program operates at a regional level, supported by a Regional Coordinator working one day per week, it is administered and resourced by a central CLSD Program Unit. In addition to supporting the regional networks, the Unit participates in a range of central policy committees and bodies concerned with ensuring equitable access to legal justice for people living in NSW.

In 2011–2012 the program budget was \$650,000. This is expected to rise to \$700,000 in 2012–2013 when the two new regions are included.

## **1.2 Evaluation of the CLSD**

Following a tendering process, Legal Aid NSW contracted Penny Ryan and Kitty Ray to undertake an evaluation of the program in November 2011. The evaluation questions outlined in the tender brief were:

- Has the CLSD Program contributed to an improvement in the range, scope and breadth of legal services being offered?
- Has there been an improvement in the ability and capacity of participating agencies to provide services to disadvantaged clients?
- To what extent is service delivery planning and delivery within regional partnerships being approached in a more cooperative and collaborative manner?
- Does CLSD provide a regionally coordinated framework that pays close attention to legal need and equity for culturally diverse and disadvantaged communities?
- Do regional CLSD partners perceive there to be benefits in participating in CLSD? What are those benefits?
- What improvement could be made to the CLSD Program with regard to the above questions?
- What potential exists to further partnering opportunities both within and outside Legal Aid NSW?
- What potential exists to leverage better justice system outcomes through the CLSD Program Unit's reporting and systemic work? Are there other ways the CLSD Program could operate to facilitate better justice system outcomes?

The evaluation brief recognised that it was not within the scope of this evaluation to directly measure the extent to which access to legal justice had improved for disadvantaged people living in the CLSD regions. Due to the size of the program and its voluntary nature, there is no process for collecting data on the Program's impact on disadvantaged people.

### **1.2.1 Evaluation Methodology**

The evaluation methodology included a range of face-to-face and phone interviews of regional partners and regional coordinators, visits to five regions, meetings and phone interviews with central agency stakeholders, meetings with the CLSD Program Unit and review of documentation associated with the program. In addition, a written submission was provided by the Hunter CLSD and some central agency stakeholders provided email comments.

#### **Gathering views of Regional Partners**

Phone interviews were held with representatives of six regional partner agencies in each of the nine established regions. Each Regional Coordinator supplied the contact details of six partner agencies, including both legal and non-legal agencies. The consultants wrote to the

suggested partners requesting an interview, emphasising that the evaluation was focused on the program as a whole and that individual feedback would not be identifiable. In all, 50 interviews<sup>1</sup> were undertaken, lasting on average 35 minutes. **Error! Reference source not found.** provides a profile of agency types interviewed. This broadly reflects the profile of CLSD membership across the state (see Table 2 in 2.1.1: Membership of CLSD regions).

**Table 1: Regional Partner Agencies Interviewed**

Agency Type	Number
Legal Aid	6
CLC	6
Aboriginal Legal Services	4
Court Registrars	3
Private solicitors	3
Corrections, Probation and Parole	1
Law Society	1
Family relationships services	5
Domestic/Family violence services	4
Financial counselling services	4
Housing/tenancy services	1
Disability services	4
Aboriginal services	1
Youth services	1
General information/advice/neighbourhood services	2
Other network/interagency services	2
Fair trading/consumer advice	1
Other government departments	1
Total	50

Interviews with regional partners explored their own and their agencies' involvement in the CLSD, the type of involvement (simply attending meetings and/or involvement in projects), perceptions of the partnership processes used in the CLSD, the benefits to the agency and to its clients of involvement with the CLSD, overall benefits of the CLSD and any perceived weaknesses in the program and ways it could be strengthened.

The consultants attended regional meetings in five of the regions: Far West, Central Coast, Hunter, South Coast and Albury. They were able to hear the views of those attending the meetings and to see the partnership process in action.

### **Gathering views of Regional Coordinators and the CLSD Program Unit**

Longer interviews were held with each of the Regional Coordinators. Where site visits occurred these interviews were face-to-face, otherwise they were done by phone. These interviews explored similar areas to the interviews with regional partners, but also

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<sup>1</sup> It was anticipated that 54 interviews would be conducted. However, one region had eight partners interviewed due to request; two partners in different regions declined to be interviewed; four partners were unable to be interviewed due to illness or leave arrangements.

addressed issues related to the operation of the CLSD. Interviews averaged one hour and 20 minutes.

Penny Ryan also attended a 90 minute session of the Regional Coordinators' two-day meeting held in Sydney, where she was able to explore with the group aspects of the program's operation, barriers to delivery and possible ways to strengthen the program.

Meetings were also held with Jenny Lovric, CLSD Program Manager, to gain an understanding of how the program operated, barriers to and strengths of the program and possible future directions.

### **Gathering the views of central agency stakeholders**

Phone, email contact or face-to-face meetings were held with the following central agency stakeholders:

- Mia Zahra, Community and Relationships Manager, Law Access NSW
- John Mackenzie, Chief Legal Officer, Aboriginal Legal Service NSW/ACT
- Jane Kenny, Grants and Legal Information Manager, Law and Justice Foundation of NSW
- Judith Levitan, Project Manager, NSW Legal Assistance Forum (NLAFF)
- Alistair McEwin, Director, Community Legal Centres NSW
- Anne Cregan, National Pro Bono Partner, Blake Dawson
- Katrina Ironside, Coordinator, Public Interest Law Clearing House
- Jane Cipants, Acting Manager, Legal Service Development, Legal Aid NSW
- Michelle Jones, Manager, Women's Domestic Violence Court Assistance Program, Legal Aid NSW
- Matthew Greenaway, Regional Program Coordinator, Criminal Law, Legal Aid NSW
- Andrew Taylor, Solicitor, Civil Law, Legal Aid NSW
- Meredith Osborne, Project Officer, Civil Law, Legal Aid NSW
- Scott Hawkins, Director, Aboriginal Services, Legal Aid NSW
- Richard Funston, Executive Director, Grants and Community Partnerships, Legal Aid NSW

These interviews explored the impact of the CLSD at the state level and its interaction with other programs concerned with issues of legal justice equity. Some of these stakeholders are also members of the CLSD Program Steering Committee, so were also able to comment on the governance of the CLSD. Stakeholders also had the opportunity to discuss the future of the program and what approaches might strengthen its impact.

### **Review of documentation**

At the regional level, the consultants reviewed strategic plans, minutes of meetings, newsletters and project reports. This documentation provided a picture of the breadth of the program as well as levels of engagement and outcomes of regional partnership activity.

At state level, documentation examined was primarily the reports CLSD had made to NSW Legal Assistance Forum (NLAFF) and NLAFF's responses. The consultants also examined CLSD email newsletters; regional program contracts and guidelines; descriptions of the program; the 2005 evaluation report on the pilot program; CLSD regional profiles.

## 1.3 This report

The remainder of this report is in three sections:

- Section 2, The CLSD Program at the regional level, which describes the operation of the program in the regions, drawing on the feedback from regional partners and regional coordinators, and on documentation and consultant visits to five regional meetings.
- Section 3, CLSD Program management, which outlines the work of the CLSD Program Unit and the way the Program links to other central agencies and programs.
- Section 4, Evaluation conclusions and recommendations.

## 2 The CLSD Program at the regional level

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### 2.1 Overview of CLSD

While each region has its own approach to the CLSD, a degree of consistency in program delivery across the state is ensured by guidelines, templates for documentation, reporting requirements, meetings of coordinators and attendance of the Central Program Unit at most if not all regional meetings.

Regional CLSDs have the following in common:

- A **Regional Coordinator** employed for the equivalent of one day per week at one of the partner agencies. Some Regional Coordinators work a full day each week; others spread it across the week as part of another role. Of the nine agencies sponsoring the CLSD, there are six Community Legal Centres (CLCs), one local court, one regional Legal Aid organisation and one disability advocacy organisation. Regional Coordinators are responsible for keeping partners informed, organising meetings, distributing minutes and reporting on projects.
- A mix of agencies as **partner members**. While the membership of the CLSD varies among regions, the mix typically includes as core members, solicitors from Legal Aid NSW (primarily family law or civil law) and CLCs, and then one or more from a range of other legal providers (such as court registrars, Aboriginal Legal Services, private solicitors), Family Relationship Centres, Family Law Pathways Networks Coordinators, financial counsellors, tenancy services, disability services, generalist welfare providers and specific focus agencies (such as Aboriginal Justice Groups, youth agencies, domestic violence services). Agencies may send a number of people covering different aspects of legal issues (typically Legal Aid and CLC send more than one person). A more detailed profile is provided in 2.1.1.
- A **meeting of partner members** four times a year for around two hours. The agenda typically provides an opportunity to look at and discuss data from Law Access NSW and other sources; share information about each agency's relevant activities; gain information about developments in legal justice issues across the state; provide information back to the CLSD Program Unit on unmet needs and legal issues identified by partner agencies; discuss possible projects and the progress of projects already under way. Regional meetings are often attended by representatives from central agencies such as Law AccessNSW, the Law and Justice Foundation and the CLSD Program Unit.
- **Strategic/action plans** developed every few years to help prioritise and guide the work of the CLSD. Planning is supported by the CLSD Program Unit and often by an external facilitator. The planning process includes consideration of data trends relating to unmet need and identifies localities and population groups with high levels of disadvantage. Plans are dynamic documents, referred to at each quarterly meeting to help guide further action.
- **Projects** to address legal justice access issues identified through the CLSD meetings. The frequency and number of projects vary across regions depending on the willingness of partner agencies to take them on. Projects can be ongoing (such as a regular legal advice clinic in a location that doesn't have a CLC or Legal Aid office) but more commonly are one off (for instance, an education workshop for non-lawyers on some aspect of law, or a

legal advice workshop for the public). Projects often involve a number of partner agencies, and projects may receive small funding grants to cover costs. Notionally around \$20,000 per annum is available for each region, although since 2008 project funding has been administered from a central funding pool.

### **2.1.1 Membership of CLSD regions**

Membership of CLSD varies across regions, but generally includes:

- core legal services in the region (Legal Aid, CLC, ALS, Court Registrars, private solicitors)
- non-legal services that assist clients with specific legal issues (tenancy services, financial counselling services, family relationship services, domestic violence services)
- non-legal services that assist vulnerable client groups that frequently have legal issues (disability services, youth services, Aboriginal services, refugee services)
- general information and advice services (neighbourhood centres, libraries).

In addition, Law Access NSW and the CLSD Program Unit attend regional meetings, as do, less regularly, other central agencies such as the Law and Justice Foundation.

Other agencies may opt in for membership because of specific issues or client groups they are serving. For instance, Police and Corrections Services are members in some regions where they have staff working on prevention and early intervention projects. Generalist welfare agencies that provide a range of services to disadvantaged people tend not to be members, although they might participate in some projects. A snapshot of CLSD membership is provided in Table 2, which lists:

- 171 services that attended CLSD meetings in 2011 (excluding central agencies)
- the number of agencies attending in each category
- the total number of regions with each category of members.

Where separate services types attended from the same agency they were counted separately: for instance, Legal Aid homeless outreach solicitor was counted as a separate service, and an agency that had a financial counselling service and a housing service was counted as two separate services. However, when an agency sent more than one person from a single service they were not counted separately.

Table 2 shows general consistency of representation from legal services, but considerable variation in other services. Two regions had no court participation, while in another multiple courts attended. Similarly, more than one private solicitor attended CLSD meetings in a few regions, while none attended in three regions. Not all regions had attendance by Aboriginal Legal Service (in one region there is no ALS).

The most represented type of non-legal service was family relationship services. This may be because of the close interaction between legal and non-legal aspects of these services, and it is worth noting that there are a number of these services in some regions, indicating that CLSD has engaged the range of services that are available.

Other services are less consistently found in all regions. This is particularly true of services that target a population group (such as young people or people with disabilities) rather than

a specific issue (such as financial counselling). The varying representation of non-legal services is, therefore, partly due to the varying mix of services in the regions. However, it is also likely that some of the unrepresented services do exist but have not yet become engaged in the CLSD. This is discussed further in 2.1.2.

**Table 2: 2011 CLSD regional meeting service attendances**

Service Type	No of services in each category attending in 2011	Regions	Total No of regions with members in this service category
<b>Legal services</b>			
Legal Aid	11	CT <sup>2</sup> , NR, CW, H, SC, A, W, CC	8
CLC	9	CT, NR, CW, H, SC, A, FW, CC	8
Courts	10	CT, NR, CW, SC, A, CC, FW	7
Private Solicitors	10	CT, CW, H, SC, W, FW	6
Aboriginal Legal Services	8	CT, NR, CW, H, SC, CC, FW	7
Corrections, Probation and Parole	2	CT, CW	2
Police	4	CT, CW, SC, FW	4
Law Society	3	NR, SC, CC	3
ACJG, Circle/Forum sentencing	2	NR, H, SC	3
Community Justice Centre	2	H, A	2
<b>Specific issue services</b>			
Family relationships services	15	CT, NR, CW, H, SC, A, W, CC, FW	9
Financial counselling/ gambling counselling	12	CT, H, SC, W, CC, FW	6
Housing/tenancy services	9	CT, H, SC, A, CC, FW	6
Domestic/family violence services	8	CT, NR, CW, W, CC, FW	6
Health/mental health services	12	SC, A, SC, CC, FW	5
Child Support Agency	2	A, W	2
<b>Services for a specific group</b>			
Youth services	6	H, A, W, CC, FW	5
Disability services	4	H, A, CC, FW	4
Aboriginal services	4	CT, CC, FW	3
Multicultural services	2	A, CC	2
<b>Generalist services</b>			
Generalist welfare services	12	CT, CW, SC, CC, FW	5
General information/advice services	7	CT, CW, H, SC, A, CC	6
Centrelink	5	CT, H, A, W, CC	5
Other network/interagency services	3	CT, H, CC	3
Local council	2	SC, W	2
TAFE/education	1	CC	1
Other	6	NR, H, SC, FW	4

<sup>2</sup> Regions are A (Albury), CC (Central Coast), CT (Central Tablelands), CW (Central West), H (Hunter), NR (Northern Rivers), SC (South Coast), W (Wagga).

## **2.1.2 Differences between regions in membership and in engaging partners**

The issue of how broadly membership should be extended and how much effort should be taken to reach out to potential members is grappled with in most CLSD regions. Having the right balance of legal and non-legal actively-engaged members is critical to the effectiveness of the Program. The mix of agencies at the table will determine which issues are identified and acted on, and this in turn impacts on the extent to which access to legal justice is improved for disadvantaged groups.

The evaluation found considerable variation among regions in the level of activity, range and engagement of regional partners.

In highly active regions, a wider range of both legal and non-legal agencies attends meetings regularly. In these regions the partnership is perceived as more evenly balanced between legal and non-legal services and is regarded as inclusive, mutually beneficial and respectful. Projects reflect this engagement and tend to be shared across agencies. The Regional Coordinator is also more active, taking on a network development role and actively coordinating projects. Projects are more frequent and more ambitious in scope, while minutes of meetings indicate a greater diversity of issues and better follow through.

In less active regions, the partnership tends to be dominated by legal services and there is a greater turnover in people and agencies attending. Agencies that represent population groups incurring legal disadvantage (such as Aboriginal people or people with disabilities) and those that work with clients who have legal issues around a specific area (such as financial counsellors or tenancy services) are often not partners or are only nominally partners. Projects are less frequent, take longer to implement and are driven by one or two agencies only. Regional coordinators have a narrow role, largely focused on administration.

While cycles of activity levels are typical in networks, there are other factors that hinder or help their level of dynamism. These factors are outlined next.

### **Range of agencies available for membership in a regional area**

Regional NSW varies considerably in what agencies operate in each town and across which surrounding areas. While an agency might have notional coverage of a region, it will tend to participate mainly in networks operating in the town where it is based. In relation to a CLSD, a few key agencies in the region may be based in a different town from most partners, and the additional travel deters them from attending the CLSD meetings. In regions where agencies are spread over a number of towns it may be feasible to rotate meeting locations so that the travel is shared.<sup>3</sup> Regional partners interviewed for the evaluation commented that greater consideration<sup>4</sup> was needed to the location of CLSDs, so geography becomes an important factor in the process of CLSD establishment.

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<sup>3</sup> Three regions – Northern Rivers, Central Coast and the South Coast – rotate locations for meetings.

<sup>4</sup> This tended to be from agencies in older regions. The two regions being established in 2012 were originally conceived as a single region, but consultations within the area led to two separate regions being developed.

## **History of cooperation in the region**

Where a region has an existing culture of cooperation, wide CLSD membership can be unproblematic and legal issues that impact on disadvantaged groups can be freely and comprehensively discussed.

Where there is a history of tension between agencies, however, it is apparent that some key agencies are difficult to engage. Such histories can also impact on agencies' ability to cooperate when they are formally CLSD members. An imbalance in the CLSD can result, with key legal issues or groups not being adequately represented. In a few regions there seemed to be a history of tension between the core agencies – Legal Aid and CLCs – which has made it especially difficult to establish an atmosphere of openness and inclusion at CLSD meetings.

In the evaluation interviews examples were given of agencies withdrawing from active participation in CLSD because of issues around competitive tendering or because of personality clashes. Some commented that an important part of the Regional Coordinator's role was to attempt to overcome past issues and to create a culture of ongoing cooperation.

### **Skill and focus of the Regional CLSD Coordinator**

Regional Coordinators vary in experience and skill levels. A few Regional Coordinators have limited experience in working in legal areas, being law students, recent graduates or from an administrative background. Some Coordinators have had experience primarily as solicitors in private practice or in a CLC or Legal Aid. A minority have had experience in community development, legal education or coordination.

Where Regional Coordinators bring broader experience and have a focus on building relationships with partner agencies/potential partners, the CLSD has a more balanced and active membership. Regional partners see active development of the CLSD as desirable, but difficult to achieve given the way the role is currently perceived and resourced. Where Coordinators play a broader role in the agency they are often able to reach out to 'missing' partners – agencies that could add to and gain value from CLSD membership.

## **2.2 CLSD core activities**

The two primary activities of regional CLSDs are the quarterly meetings and any projects undertaken. Meetings and projects need to be effective at building cooperation between partners, identifying and prioritising issues for action and following through on projects that increase access to legal services for disadvantaged populations. A key focus for the evaluation was to seek from the range of regional partners their perceptions of what was working and what needed improvement in these core CLSD activities.

### **2.2.1 CLSD Meetings**

As already mentioned, meetings follow a fairly consistent format across the regions:

- service updates, where each agency provides a verbal update on anything new since the last meeting, or issues that they want to raise
- emerging and unmet legal needs (including consideration of data supplied by Law Access and other sources)
- projects, including proposals for projects and any business associated with implementation

- a guest speaker (though not necessarily at every meeting).

The minutes of CLSD meetings provide a rich and detailed insight into information exchanged, issues dealt with and informal networking occurring as a result of the meetings. Meetings that are well attended by both legal and non-legal services indicate that the networking on legal issues extends beyond the agencies that participate directly .

For example, a generalist welfare agency, not a CLSD partner, might have raised the issue of elderly people needing assistance with wills in conversation with a CLSD partner. The partner raises the issue at a CLSD meeting and CLSD legal services offer to organise some solicitors to do a ‘will day’ advice clinic. As a result, some older people end up with wills, but the process has also linked the generalist welfare service with the broader CLSD network. While many generalist services do not come regularly to CLSD meetings, awareness of how to gain assistance around clients’ legal issues can increase in this way.

### **Regional Partner Feedback: What works in relation to meetings**

Feedback on meetings from regional partner interviews indicated that the majority of partners in most regions found the meetings to be very useful, informative and of a high priority to attend.

Where meetings were chaired well and were focused, regional partners saw them adding value despite the time out from service delivery required for attendance. Many mentioned the opportunity to develop relationships over lunch as being important in building further collaboration and understanding. A number of partners expressed a preference for meetings to take place over the lunch period as it makes it easier for those with court work to attend. Those who have to travel long distances prefer lunch as a starting or ending point for the meeting.

Meetings that include a focus on action were seen as particularly useful. These tended to be meetings that used the Strategic/Action Plan as a dynamic document, following up what had been done and discussing how to overcome barriers to action. CLSD becomes more than information sharing, or just another interagency, when meetings allow discussion of underlying issues that contribute to a lack of access to legal services and, importantly, action that can be taken as a group to address the gaps.

### **Regional Partner Feedback: What’s not working**

In a few regions, some regional partner feedback about meetings was less positive. While still seeing the CLSD as useful, these partners criticised the meetings for the following reasons:

- poor chairing allowed domination by some partners (generally these complaints were by non-legal services who perceived meetings to be dominated by Legal Aid)
- a lack of balance between legal and non-legal services led to a sense of irrelevance for some participants
- too much discussion without action – a ‘talkfest’ and an unwillingness for partner agencies to take leadership in coordinating action
- too great a focus on each agency listing what they were doing, with less focus on cooperation
- too much control of the agenda by the Central Program Unit.

The key message to emerge from this feedback was the importance of good chairing, the importance of inclusive approaches to ensure that all those attending actually participated, and the need for a ‘driver’ to push partners to action.

### Regional coordinators feedback

Some Regional Coordinators discussed difficulties they had in helping meetings to go well. Some found it difficult to find a good chairperson and were reluctant to take on the role themselves as they saw their role as taking minutes rather than ‘leading’ the meetings.

Regional Coordinators who did not have difficulty with meetings tended to be those with more experience in network development and those who had more frequent contact with individual partner agencies. These Coordinators had been able to develop relationships and encourage involvement from the full spectrum of agencies, helping to prevent the sense of domination by a few.

At the Regional Coordinators meetings a number of strategies for effective meetings were discussed, including:

- surveying/contacting partners prior to the meeting to see what issues they wanted to raise
- discussing with partners what might improve meetings, including the role of the chair
- decreasing a focus on service updates being given verbally at the meetings, with more information sharing via email bulletins prior to the meetings
- having guest speakers on specific themes so that a broader mix of agencies might attend in relation to that issue without having to commit to ongoing membership
- rotating the chair between members or the coordinator chairing the meeting.

### 2.2.2 CLSD Projects

In total, 69 funded projects have been undertaken by the CLSD Program (or are currently being undertaken) between 2010 and 2012. A breakdown of types of projects by region is provided in Table 1Table 3.

**Table 3: Projects undertaken by CLSD regions**

Project Type	Region	Number
Advice clinic	AW <sup>5</sup> CC, CT, CW, NR, SC, A, H, W, FW	16
Service promotion	AW, CT, H, A, W	7
Community legal education for providers	CC, CT, CW, H, NR, SC, A, FW, W	21
Regular outreach clinic	CT, H	2
Publication/resource	H, SC	2
CLSD planning/research	CT	2

<sup>5</sup> AW refers to Albury Wagga Region which was split into two regions, Albury and Wagga Wagga in 2011. These are then listed separately as regions A (Albury) and W (Wagga); CC (Central Coast), CT (Central Tablelands), CW (Central West), NR (Northern Rivers), SC (South Coast) H (Hunter).

In addition to these projects initiated at the regional level, there were also projects sponsored by the CLSD Central Program Unit:

2010	Learn about the Law for Aboriginal workers around older people's issues Aboriginal Cultural Awareness Training DVD production to promote Aboriginal Custody Notification Line
2011	Law for Community Workers Discrimination Tool Kits Older Person's Diary
2012	Traffic Offences Advice Clinics Discrimination Toolkit Workshops Domestic Violence & Spouse Visa brochure Get Court Smart – children's crime brochure The Children's Court, FACS, My Child and Me brochure.

### **2.2.3 Development of CLSD Projects**

Projects undertaken by CLSD include:

- projects that are initiated by CLSD partners to address specific needs and for which funding is sought from central funds
- projects that are rolled out from Legal Aid centrally to address issues identified by regional CLSDs.

#### **Locally initiated projects**

In many regions the process for initiating a project is as follows: an agency conceives a project relevant to their particular client group or issue; they gain support for the project from other agencies (not always CLSD members); they write an application for funding and taking it to a CLSD meeting for discussion. In other cases the initiative comes from the Regional Coordinator who approaches an agency to see if it is interested in coordinating a project addressing a specific issue.

Less commonly, projects result directly from a group process or plan, or from discussion at a CLSD meeting. More often an issue is identified at a CLSD meeting and at a later time an agency or the Regional Coordinator proposes a project.

#### **Centrally initiated projects**

Increasingly, projects are being initiated centrally and then provided to a number of regions. These tend to be workshops on specific legal issues. For instance, the Discrimination Toolkit workshops were provided to regions with large populations of Aboriginal people. Similarly, a range of law workshops for non-lawyers are provided by Legal Aid state-wide. In some cases, centrally initiated projects have built on successful regional CLSD projects, taking them to other regions. These centrally initiated projects nonetheless are viewed by regional CLSDs as local in that partner agencies and the Regional Coordinator assist in the organising them and promoting them locally.

#### **Scope of projects**

Most projects are short term, either directly for disadvantaged people or for service providers. Table 4 provides examples of projects.

**Table 4: Examples of CLSD projects**

<b>Project type</b>	<b>Examples of projects</b>
Community Legal Education	<ul style="list-style-type: none"> <li>• Changes to the Residential Tenancy Act</li> <li>• Employment rights</li> <li>• Mental health legal issues</li> <li>• Supporting dual diagnosis clients facing criminal charges</li> <li>• Family Law Act's family violence provisions</li> <li>• Training of volunteers to support people with an intellectual disability through the court system</li> <li>• Community credit and debt seminars</li> </ul>
Advice clinics	<ul style="list-style-type: none"> <li>• Fines days (assisting people with fines to look at pathways to resolve the legal issues, in some cases resolving the issues on the day), often held in more remote towns</li> <li>• Wills and other issues (such as Power of Attorney, guardianship), assisting different groups of people to get legal documents drawn up</li> <li>• Birth certificates for Aboriginal people</li> <li>• Workshops on consumer contracts – mobile phones, rental agreements</li> <li>• Advice clinics for deaf people</li> </ul>
Service promotion	<ul style="list-style-type: none"> <li>• Henty Field Day Agricultural Show – joint stall</li> <li>• Promotion of a cooperative service aimed at supporting tenants with legal issues</li> <li>• Promotion of a women's domestic violence service</li> <li>• Promotion of a legal services directory</li> </ul>
Publication/resource Production	<ul style="list-style-type: none"> <li>• Hunter Legal Services Directory</li> <li>• Youth Law Diary</li> </ul>
Planning/research	<ul style="list-style-type: none"> <li>• Facilitation of a planning day</li> <li>• Research using LFJ data</li> </ul>

In addition to short-term projects, some longer-term projects have been developed with funding assistance from Legal Aid NSW, such as:

- Regular outreach clinics to towns that are not serviced by Legal Aid or a CLC and where there are significant legal needs. These clinics generally involve a regular day where people can book in to see a civil or family lawyer, the lawyers being provided from a roster of private solicitors paid by Legal Aid, Legal Aid staff and CLC solicitors. This model has been very successful in places such as Bathurst and less successful in places such as Kelso.
- Provision of legal advice at court to unrepresented defendants of violence orders. These projects typically link support agencies (such as a men's shed or a disability service) with Legal Aid and/or CLC solicitors as well as courts to explain the orders and the person's options.

- Financial counsellors and solicitors jointly attending a corrections facility on a regular basis to address financial and legal issues.
- A legal needs analysis of an area to identify the level of unmet need and explore options for addressing it.

### **Project outcomes**

Outcomes of projects are difficult to quantify as little data has been kept, few Regional Coordinators or partners even recording the number of participants in a project. Reviewing the minutes, reports and interviews with Regional Coordinators and partners does indicate that projects are directly and indirectly providing relevant legal education to disadvantaged people and providing direct legal assistance and/or advice to some. Regional partners were very positive about the projects they had been involved with, although some were seen as less successful than others in reaching the target audience.

### **Issues related to projects**

The main issues related to projects raised in the interviews concerned the time taken to implement projects, getting partner agencies to lead the projects and the role of the Regional Coordinator in project support.

These three issues are interwoven. Many partner agencies mentioned disappointment that projects seemed to drift unless one agency took on the role driving it and coordinating others. This sometimes made agencies reluctant to take on projects that were not part of their core business, already part of someone's role, or of direct benefit to their own clients or staff.

Most interviewees believed that the Regional Coordinator needs to coordinate projects – not doing all the work, but ensuring that the various partners meet and complete the tasks they have agreed to, and keeping people informed. A minority thought that Regional Coordinators should do more organisational work for projects, such as booking venues, organising travel, organising speakers and doing the promotion, with partners simply turning up at the appointed time.

While there was general agreement that projects would happen more frequently if Regional Coordinators provided more support, it was also generally recognised that this would require that the Regional Coordinator's role change and expand.

A number of interviewees pointed out that many issues discussed at CLSD meetings are systemic in nature and solutions would require structural change and increased resources. A few regional partners also saw these issues as calling for a more collaborative and strategic approach to addressing unmet legal need. Discussions among partner agencies might lead particular agencies to consider ways changing their own approaches to service delivery. If CLSD were to engage with such strategic approaches, people attending CLSD meetings would need to be in decision making position in their own organisations, or at least have access to key decision makers.

## 2.3 Regional Partners' views on the benefits of participation in the CLSD

Regional partners were asked to identify the key benefits they saw arising from the CLSD Program at the regional level.

**Table 5: Benefits mentioned by Regional Partners**

<b>Benefit</b>	<b>Number</b>
Information sharing	37
Networking	35
Improved referrals	34
Improved legal knowledge for community workers	16
Identifying and focusing on unmet legal needs	16
Improved legal services for the community	16
Central coordination and support	11
Access to pro bono partners	7
Improved relationship with Aboriginal community	5
Engagement with the local community	4
Improved coordination between services	4

As can be seen from Table 5, the top three benefits were information sharing, networking and improved referrals. While these three are interrelated, partners differentiated among them:

- Information sharing involved reciprocal sharing among local partners as well as between regional partners on one hand and Law Access and the central CLSD Program Unit on the other. A number of people specifically mentioned the newsletters produced by the CLSD Program Unit and the regional e-bulletins put out by Regional Coordinators. For people in regional areas it was important to have access to current state-wide information, while a number of people stressed how useful it was to have access to information about regional legal and non-legal services that they might otherwise be unaware of.
- Networking included aspects of information sharing and having an improved capacity for making referrals, but went beyond these include the informal interactions that allowed individuals to form links beyond the meetings. Networking was seen as particularly useful to legal services, as it gave them contacts beyond the confines of the legal profession.
- Improved referrals were related to both the capacity to make appropriate referrals (ie, to the right agency) and to make *warm* referrals (ie, to a person that was known to be able to assist, rather than to an agency).

### **Non-legal services**

Non-legal regional partners were often appreciative of the CLSD increasing their understanding of appropriate referral pathways and legal issues, so that they were less likely to make inappropriate referrals, and able to make more referrals around specific issues. Non-legal partners also commented that their understanding of how legal issues could be dealt with had increased, so that they were able to give clients better guidance. Typical comments include:

*Welfare agencies make better and more appropriate referrals. Having people from Indigenous organisations come along is great too. Another example is that I have already received two referrals to the better parenting program since I talked about it at the meeting [three days ago]. Referrals absolutely work better now. (Family relationships service provider)*

*Community education for our clients is great too. Most could not afford to see a solicitor so getting that information out there is great. The free legal workshops have been great, the training and the legal clinics – it's great for the community and the service providers. The other good thing is that just about all the training is free which is great for the community and also for the NGOs which don't have the resources to pay for training. (Community worker)*

*The CLSD Program has been really wonderful in terms of improving our working relationship with other service providers, learning more about what is out there and also what the gaps are in services. It's really wonderful the information that you get – that expert information around policy changes for example. (Aboriginal service provider)*

## **Legal Services**

Legal services most often mentioned the benefit of information about developments at a state wide level that made possible by attendance of central office staff. There were some mixed responses to the benefits of improved referral pathways, as some legal services pointed to an increase in expectations resulting from CLSD meetings. However, the majority of legal service partners interviewed thought that improved referral pathways were a key benefit of the program. Typical comments include:

*We pick up a lot about the services they (welfare organisations) provide and vice versa. At the recent meeting there was the person from a community centre who talked about the NILS program she was administering and what kinds of goods people could apply to it for – people knew that it was for essential household items but she was able to clarify how broadly this extends – eg to televisions, in fact most household items that were not bills or utilities. We also heard that it had recently been extended to include car maintenance and repair. That's really helpful to know about for clients we are seeing. (Family Law solicitor)*

*The best thing it does is to bring people together four times a year. Even if that were all that it did it would still be worthwhile. But it does do more and the projects are a good result of what emerges from meetings. (Private solicitor)*

*I try to get a cross-section of the staff to attend planning meetings to increase their awareness of local community organisations and the services that are out there. I try to plug the office in to the community more. I do think there's a lot more awareness of how and where to refer people and generally more engagement with other services. (Legal Aid solicitor)*

## 2.4 Regional partners' suggestions for improvements to CLSD

Many of those interviewed had only limited suggestions for how the CLSD could be improved – in one region there were no suggestions at all for change. Suggestions were primarily related to clarifying and increasing the CLSD Regional Coordinator's role or improving meetings. The table below lists the suggested improvements made in the interviews.

**Table 6: Suggestions for improvement**

Suggested improvement	Number
Clarify the role of the Regional Coordinator and the skill base required	15
More time for the Regional Coordinator role	13
Tighten agenda and chairing	11
More action on projects	9
Better engagement with Aboriginal organisations	7
Better collaboration and cooperation between community partners	7
Clearer guidelines for use of CLSD funding	6
Increased engagement of local private solicitors	5
More communication between regions	5
Less micromanagement from the central office	5
Increase CLSD capacity to do more outreach to surrounding areas	4
More communication between meetings	4
Expand CLSD membership and attendance to ensure balance between legal/non-legal services	4

### Role of the Regional Coordinator

The overwhelming majority of partners interviewed were appreciative of the work of the Regional Coordinators in assisting the CLSD Program to function as well as it does. However they also made clear that this work was in the context of constrained resources – the program is useful and beneficial but has limited capacity.

When asked to clarify what value would be added if the Regional Coordinator position was extended beyond one day a week, the following types of suggestions were made:

- Coordinators could have a stronger focus on assisting coordination and collaboration, building relationships between meetings. Regional Coordinators could attend other inter-agencies, go to meetings with Aboriginal organisations to build better relationships and identify possible projects in the process.

- Coordinators could have a more proactive role in reaching out to outlying communities to promote access to legal services, undertake better analysis to identify priorities and organise regular community legal education.
- Coordinators could take a more active coordination role in projects by assisting partners to meet, follow-up on actions, assisting with planning etc.
- CLSD coordination could also include opportunities for speakers and social networking times outside the quarterly meetings.

The main outcomes of these increased activities were seen as being:

- more frequent and more effective projects
- greater outreach to marginalised people and outlying townships, extending the scope of the program
- more effective collaboration between partners beyond meetings that could lead to greater cooperation and addressing gaps.

The suggestion to ‘clarify the role of the Regional Coordinator’ raised the question of what can be expected from coordinators in one day a week. Those making this suggestion wanted more than basic coordination of meetings, e-bulletins and distribution of minutes. Some Regional Coordinators already manage their role along these lines, following up and contacting partner agencies between meetings.

Those making this suggestion also argued that it would improve retention rates for Regional Coordinators because the job would offer more in terms of hours and satisfaction. They also generally agreed on the skills required for the expanded role: relationship building, planning, network development and organisational capacity. These skills were not seen as needing a legal background.

### **Better engagement with Aboriginal organisations**

The need to improve engagement with Aboriginal organisations was also discussed with Regional Coordinators in interviews and in the Sydney meeting. It is apparent that some regions have close, active involvement with Aboriginal organisations, while others have nominal involvement. This range was reflected in the interviews with partners from Aboriginal organisations.

A number of ALS partners noted the difficulty of attending CLSD meetings created by the heavy court workload of ALS defending in criminal matters. As the ALS has no civil or family law capacity, it was difficult to free up staff to attend CLSD, even though it is seen as potentially beneficial to the Aboriginal community. It was suggested that other Aboriginal organisations that provide services to most of the community might be engaged with as CLSD partners – Aboriginal health services were frequently mentioned.

However, to engage with these organisations would require Regional Coordinators and/or regional partners to build relationships with them outside the CLSD meetings. This would require a different role expectation of Coordinators, as well as time and skill.

One Aboriginal partner mentioned a meeting at which another CLSD participant talked about proof of Aboriginality in terms of amounts of Aboriginal 'blood'. This level of ignorance was discouraging to the ongoing active involvement of that agency or other Aboriginal agencies. While it was cited as a single incident, it highlights the issue of how important improved cultural understanding is amongst CLSD members.

One region, the South Coast, seems to have done particularly well in engaging Aboriginal organisations and reaching out to the Aboriginal community. This appears to be due in part to the skills and experience of the Regional Coordinator, who had established trusting relationships before being appointed to the position, in part to the high level of activity around justice issues by Aboriginal people in the area, and in part to the success of cultural awareness training undertaken as a CLSD project. The cultural awareness training focused on improving understanding among legal and non-legal mainstream services of local issues and communication issues when working with Aboriginal clients. It was devised by CLSD Aboriginal partner members, so was tailored to ensure local relevance. All other partners interviewed from that region mentioned what had been gained from this training. The CLSD plans follow-up training in 2012.

### **Other suggested improvements**

Suggestions concerning chairing of meetings and more action on projects have been discussed in previous sections. Three suggestions warrant more explanation:

- clearer guidelines on project funding and greater exchange of information
- central coordination (micro management)
- increased engagement of private solicitors.

Partners from three regions raised the issue of the guidelines on project funding. In their view, the change to pooled state-wide funding had taken the power to make decisions about local projects out of the hands of regional CLSDs. While the project funding guidelines and application form appear to be clear and transparent, a few partners mentioned frustration that projects that had been seen as a priority in the region were not approved. Some Regional Coordinators suggested that systems be put in place to allow for a greater exchange of information between regions in relation to projects (for instance a shared online drop box would allow documentation of projects to be shared).

Central coordination (micro management) was raised as an issue by partners in four regions. While the vast majority of partners identified the strong support provided by the Central Program Unit as a strength of the Program, a few partners felt that some aspects of the support were too controlling or 'micro managing'. These partners acknowledged the usefulness of centrally provided information, consistency of approach state-wide and minimum reporting requirements. However, they felt that attendance of members of the Central Program Unit at every regional meeting detracted from partners' sense of 'owning' the CLSD. They suggested less frequent attendance by the Central Program Unit, with a telephone link-up between the unit and the Regional Coordinator before each CLSD meeting.

A few partners named the need to engage more private solicitors in response to questions about room for improvement. A larger number raised the same issue when discussing the breadth of membership of CLSD. However, few of those interviewed felt that they could

persuade private solicitors to participate as they would have to give up billable hours to attend. In some more remote areas there is also the difficulty that there are too few private solicitors, so that they are already overworked and have little incentive to participate. On the other hand, the few private solicitors interviewed in this evaluation suggested that there were clear incentives for participation in some instances:

- In some country areas income is down for solicitors and so linking with Legal Aid can be a financial incentive
- The CLSD provides networking opportunities and could potentially also fulfil legal professional development requirements when CLSD projects provide education on aspects of law
- Many solicitors, like others working professionally in country areas, have a strong desire to ‘give back’ and connect to their communities.

Suggested strategies were to make personal contact with solicitors, to make overtures via the local Law Society, and to provide legal speakers and/or training via CLSD. An example of the third strategy is a proposal in the Central Coast region to hold training for family law solicitors and mediators on identifying and addressing domestic violence issues.

## **2.5 Evaluation conclusions concerning the CLSD at the regional level**

In relation to the questions framing this evaluation, there is evidence that the CLSD at the regional level has:

- a high level of support from participating partners, who confirm its value as a model to improve access to legal services for disadvantaged people
- delivered improved referrals between agencies, increased partners’ access to information and increased contact between partner agencies
- increased knowledge among legal and non-legal agencies about the impact of laws on disadvantaged populations
- assisted in identifying gaps in legal and related services for disadvantaged people in regional areas through cooperative processes
- delivered collaborative projects that have given some disadvantaged people increased legal assistance on specific issues.

The CLSD Program is viewed as a highly effective program within the constraints of its resource capacity and framework. The major suggestions for improvement relate to increasing the capacity of the program to actively assist coordination and collaboration, to better reach outlying areas and to engage disadvantaged communities.

## 3 CLSD Program management

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### 3.1 Regional CLSD management arrangements

#### 3.1.1 Funding arrangements

Regional agencies are contracted to auspice the CLSD Program. Community Legal Centres have auspiced the majority of the regional CLSDs. In three regions where this was not possible, the role was taken on by a regional office of Legal Aid, a court and a disability advocacy service respectively (the disability service also auspicces a CLC in another area).

Legal Aid signs a three-year funding agreement with the auspicing agency for around \$19,000 per year (plus GST) and provides a \$3,000 establishment grant. The agreement outlines the support to be provided to Regional Coordinators from the Central Program Unit and the obligations of the auspice agency. The agreement does not specify the skills and qualifications of the Regional Coordinator, but simply requires them to be appropriate and that the person have an understanding of the issues the program is addressing.

The agreement lists the responsibilities of the Coordinator as:

- convening four meetings per year
- establishing formal and informal mechanisms to promote the exchange of information between partners
- assisting the CLSD regional partnership to achieve its objectives through developing a Strategic/Action Plan and facilitating and monitoring progress in implementing the plan
- assisting the regional partners to develop improved referral processes
- assisting the CLSD network to access pro bono casework and services
- providing information and reports to the CLSD Program Unit arising from the work of the CLSD.

Auspice agencies are required to manage the work performance of the Regional Coordinators and to facilitate their attendance at Regional Coordinators' meetings. They are also required to provide office space and equipment, accommodation and travel costs associated with the work, internal policies and procedures.

In addition to the funding agreement, the CLSD Central Program Unit has developed an operating manual that outlines:

- the program framework, principles, objectives and strategies
- governance of the program at the central level
- operation of the program at the regional level (gives examples of how to support the regional partnership and basic requirements for coordinating the CLSD)
- guidelines for projects and project funding
- a series of templates for use by the regional CLSDs (including referral protocols, meeting agenda and minute templates, project application templates, project reporting templates).

Reporting requirements are proportional to the level of funding and relate to the main activities of the program:

- twice yearly financial statement from auspice agencies
- copies of CLSD minutes, progress reports and project reports.

### **3.1.2 Auspice arrangement issues**

Overall, auspice agencies and Regional Coordinators reported a high level of satisfaction with the management arrangements at the regional level. One auspice agency questioned the need for twice-yearly financial statements given the small amount of money and that one of the reports appears in the audit of the organisation each year.

The main issues that arose in relation to auspice arrangements were:

#### **Active management of the Regional Coordinator's position**

Most auspice agencies appear not to have taken on active management of Regional Coordinators' performance. This was in part because the position was for so few hours, in part because some auspice managers perceived the role of the Regional Coordinator as largely administrative and if that part of the role was functioning effectively, saw little need for more active management, and in part because the Regional Coordinator role is often absorbed into the workload of an existing position (in one case the Regional Coordinator is also the manager of the auspice agency) so management of the CLSD work is not seen as a separate issue.

Regional partners were generally appreciative of the Regional Coordinators' work, while recognising that the role was limited in hours and scope. Some Regional Coordinators felt that they had insufficient feedback on their performance in the role or needed more management assistance to think beyond administrative tasks to the more developmental aspects of the job. Support for Regional Coordinators dealing with a lack of engagement by regional partners or struggling to have meetings chaired effectively was therefore often more likely to come from the CLSD Central Program Unit than from the auspice agency.

Should the role of the Regional Coordinator be expanded, this lack of active management may have significant impact on the program's effectiveness.

#### **Location of the program in courts and regional offices of Legal Aid**

A small number of regional partners questioned the appropriateness of courts or regional Legal Aid being sponsors for the CLSD. They argued that these auspices tended to limit the flexibility of the Regional Coordinator and to lead to a perception that they were part of a more dominant structure. This in turn was perceived to make it more difficult for regional partners to 'own' the CLSD.

## **3.2 Operation of the CLSD Program Unit**

### **3.2.1 CLSD Governance**

The CLSD Central Program Unit sits in the Grants and Community Partnerships section of Legal Aid NSW. This provides the CLSD with relatively easy linkages with related

programs: for instance, the Regional Outreach Clinic Program is managed by the CLSD Program Manager.

The CLSD Program Manager reports to the Director of Grants and Community Partnerships. In addition, a CLSD Program Steering Committee comprising representatives of a range of legal and non-legal services<sup>6</sup> provides guidance and direction to the CLSD. The Steering Committee meets quarterly and is convened and chaired by Legal Aid NSW.

### **3.2.2 CLSD role and responsibilities**

The CLSD operating manual outline the role and responsibilities of the Central Program Unit as:

- managing funding and funding agreements, and monitoring agreements
- monitoring, evaluation and reporting on the program
- development of the strategic direction of CLSD
- promotion and development of CLSD model
- utilising CLSD regional information to address legal policy reform and service delivery issues.

The funding agreement outlines specific detailed obligations of the unit which include:

- providing training, support and guidance to Regional Coordinators (including an annual meeting)
- facilitation of the collection of data on legal needs in the region
- developing and implementing standardised planning and reporting processes
- approval of all material produced regionally.

The CLSD has a full time Program Manager (although she also manages the Regional Outreach Clinic Program) a fulltime coordinator and a three-day per week temporary position until December 2012. Staffing for the program had not increased as the program expanded from four regions to nine, but the additional three day temporary position was introduced in recognition of the expansion of the program to a further two regions in 2012.

### **3.2.3 Central Program Unit's work in supporting and monitoring the regional CLSDs**

The CLSD Central Program Unit has regular contact with the regional CLSDs, through attendance at most of the regional meetings (either in person or via video/phone links), through phone contact with the Regional Coordinators and through reading project proposals, minutes and reports.

#### **Information clearinghouse role**

The Central Program Unit supports the work of regional CLSDs primarily by keeping regions informed of policy and service delivery developments throughout NSW. This information is gathered by unit staff sitting on a number of committees with key

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<sup>6</sup> The CLSD Program Steering Committee includes representatives of: CLSD Program Unit, Aboriginal Legal Services NSW/ACT, a pro bono representative (Blake Dawson), Community Legal Centres NSW, Community Legal Centres Rural, Remote and Regional Sub-committee, Courts NSW, Financial Counselling Association of NSW, Legal Information Access Centre, Law Access NSW, Law and Justice Foundation of NSW, Law Society of NSW, NSW Legal Assistance Forum, Public Interest Law Clearinghouse NSW, The Tenants Union of NSW.

organisations that identify and address systemic issues related to improving access to justice and legal services for disadvantaged populations.

The unit also helps to coordinate regional access to data on unmet need, levels of disadvantage and trends in legal matters. Regional meetings examine this data to assist in identifying priority areas for projects and to explore underlying issues. The Central Program Unit has prepared regional profiles that display available data on localities within regions and information gained from previous CLSD meetings to assist in preparing CLSD plans and to provide a picture of CLSD regional issues to other stakeholders.

The unit brings out a regular newsletter for the regions in the form of an e-update that lists news about the program, including any projects; news about Legal Aid NSW programs and initiatives; information about potential changes to legislation, policy or inquiries; potential funding, new resources and initiatives that may be useful.

Members of the unit also provide information in person at regional CLSD meetings. Meetings provide a forum for exchange of information between the central and regional levels: Central Program Unit staff update regional partners on current developments, and the partners provide unit staff with information on regional issues.

Regional partners and other stakeholders interviewed for the evaluation view this information clearinghouse role as central to the success of regional CLSD work. Partners commented that their understanding and knowledge of issues were increased both by the e-updates and by the attendance at meetings by the Central Program Unit staff. They also commented unit staff's responsiveness in following up to issues raised at meetings.

Stakeholders from central agencies also saw the Central Program Unit's links to the regional CLSD network as useful, saying that issues identified at regional meetings deepened the general understanding of issues that were coming to light through other data.

### **Monitoring of the work of regional CLSD's**

The Central Program Unit monitors the work of regional CLSDs through the same mechanisms that it supports them – attendance at meetings, and reading of minutes, submissions for project funding, plans and reports. Because of the level of contact between the Central Program Unit and the regional CLSDs, more formal monitoring has not been seen as necessary. According to the funding agreement, the work performance of a Regional Coordinator is the responsibility of the auspice agency and if this is unsatisfactory in terms of contracted CLSD tasks, the unit can raise the issue with the auspice agency.

As mentioned in 3.1.2, this has not been a major issue to this point because the Regional Coordinator's role is limited. A more formal mechanism for assessing outcomes of the CLSD may become necessary if the role of the Regional Coordinator is expanded.

### **3.2.4 Central Program Unit's linkage with related bodies**

The CLSD Program Manager has active linkages and contacts with other parts of Legal Aid NSW, with individual key agencies and through membership of forums and committees. The CLSD Program Manager is a key member of the NSW Legal Assistance

Forum (NLAF) and its various working groups, preparing reports to the NLAF on issues identified at the regional meetings of the CLSD.

The Central Program Unit has close working relationships with Law Access NSW and the Law and Justice Foundation, which assist in providing data and research for use by regional CLSDs. The unit also works across government departments, helping to build linkages with regional initiatives at the Commonwealth and state level. Such departments include Department of Premier and Cabinet, Attorney General's Department, Commonwealth Department of Families Housing, Community Services and Indigenous Affairs.

In addition to these ongoing linkages, CLSD at the central level has developed joint projects or helped to develop new service models with other parts of Legal Aid. These include the development of community legal education programs, establishment of new services, and work with the Aboriginal Services section to develop a series of workshops on cultural awareness.

Feedback from stakeholders interviewed for this evaluation indicates that the CLSD is highly visible at the central level and is perceived as making a significant contribution to the improvement of access to legal services in regional areas. It has also been very useful in assisting other agencies or parts of Legal Aid NSW to undertake projects in regional and remote areas, helping to link them with appropriate agencies and local communities.

The linkages made by CLSD Central Program Unit were seen to be due to:

- its placement within the Grants and Community Partnerships section, which allows close contact with relevant programs such as CLCs, Aboriginal Services and WDVCS
- its membership of a range of statewide legal service committees, particularly the NLAF and its working parties
- its having something concrete to offer central agencies and programs through access to an active regional network and local area knowledge that can assist when other agencies are implementing initiatives in regional areas
- the capacity and energy of the CLSD Program Manager.

### **3.3 Issues arising**

#### **Balancing contact with regions and workload centrally**

The main issues that arose concerning management of the CLSD Program related to the need for change as the program expands and develops.

To date the close contact between the Central Program Unit and the CLSD regions has been very beneficial in establishing a consistent approach across the state, providing a conduit for information flow between the centre and the regions, and increasing the centre's understanding of the issues faced in service delivery in the regions that goes beyond quantifiable data.

Nonetheless, many of those interviewed at the regional and central level believed the current level of contact was unsustainable without an increase in the Central Program

Unit's staffing and/or a change in approach. By June 2012 there will be 11 regions, each meeting quarterly. This will mean unit staff will have to 44 regional meetings per year if the system remains the same. Stakeholders believed that the benefits resulting from close contact between the regions and the Central Program Unit need to be retained, but fear that the unit work of systemic advocacy and service development may be undermined without changes to workloads.

Suggestions for alternative approaches to this issue included:

- monthly telephone linkups of Regional Coordinators to discuss issues coming up and to foster exchange and mutual support among regions
- a telephone linkup with between Regional Coordinator and the Central Program Unit immediately before and after quarterly meetings to exchange relevant information
- selective attendance by Central Program Unit at regional CLSD meetings – for instance the unit might attend all planning meetings, meetings which are to discuss that could contribute to central policy or service development, meetings in regions that are being established or which have had a change in personnel.

### **Analysis and reporting**

Time management was also central to the other main issue raised by stakeholders at the central level: the need for greater capacity for analysis of issues identified at the regional level in CLSD reports. Those raising this issue would like reporting to the Steering Committee and to the NLAf to be more analytical and timely (that is, well in advance of the relevant meetings).

In this context, the possible expansion of the Regional Coordinators' role is desirable. While the anecdotal information gained from regional meetings is appreciated, stakeholders believed that it could be backed up by greater local research and evidence if the Coordinators' role was expanded. This in turn might lead to more comprehensive projects and greater capacity to measure the outcomes of CLSD Program initiatives.

Finally, some Regional Coordinators questioned the reliability of the Law Access data in giving an accurate picture of legal need in regions. They felt that the data could be distorted by a one off event (such as the opening of a correctional facility or a Law Access community event). They suggested, for instance, that additional statistics on referrals would be useful.

### **Program expansion**

The issue of expansion of the program drew mixed responses from central agency stakeholders:

- A majority thought the Regional Coordinator positions should be expanded beyond the current level of one day per week. This would allow an expansion in the role: increasing CLSD outreach to outlying areas; identifying more opportunities for projects and assisting in the coordination of projects; development of stronger relationships between partners and with agencies not currently engaged in CLSD; providing a greater evidence base for the work of CLSD.
- A minority thought the program should be established in more regions so that the whole state was covered before considering expanding of the Regional Coordinator position.

These stakeholders thought the current program capacity was working well despite its limitations and were not convinced that expanding the role would bring as much value as extending the program to other areas.

- One stakeholder raised the issue of the long-term future of the model, saying that a long-term exit plan was needed for a time when collaborative capacity is fully established. Others suggested that coordination will always be needed, a view also held by regional partners.

A few stakeholders also raised the need for a similar program in highly disadvantaged metropolitan areas such as Mt Druitt, Liverpool, Fairfield or Campbelltown. They argued that although there is greater physical access to legal services in these areas, the same barriers apply for disadvantaged populations, and greater networking between legal and non-legal services could significantly improve access. They pointed to the attempt to establish a South West Sydney Justice Interagency that had faltered for a range of reasons including too broad and diverse a geographical area and a lack of designated coordinator. Legal Aid NSW is now piloting a new partnership arrangement between Macarthur CLC and Campbelltown Legal Aid that will undertake some joint community legal sessions, initially to build the relationship and to reach out to other agencies over time. The pilot will have a project officer one day per week and focus on locally based projects that will build engagement. A similar approach may also be trialled in the Liverpool area.

The feedback from central agency stakeholders about program expansion echoes the views of regional partners:

- The CLSD Program is perceived as being a high value for money program and a successful model for increasing networking between legal and non-legal agencies, sharing information, improving referral paths, increasing knowledge of non-legal services about legal issues and in providing additional legal services to address gaps for disadvantaged populations.
- The program works best when the geographic areas covered mirror existing service patterns and relationships rather than having more artificial boundaries that extend over a number of regional towns. This has been recognised within CLSD to some extent through the splitting of the Albury–Wagga region and in the new expansion of the program to Kempsey and Taree.
- The program is needed in more parts of the state. Some of the existing CLSD regions do not have the capacity to service some areas nominally in their regions. For instance Central Tablelands draws membership mainly from the Blue Mountains to Bathurst, yet is meant to include Orange, Parkes and Forbes.
- There is strong support for expansion of the program’s capacity, particularly by increasing the role and capacity of the Regional Coordinators.

## 4 Evaluation conclusions and recommendations

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### 4.1 Conclusions

#### 4.1.1 CLSD objectives and evaluation questions

The CLSD Program aims to improve cooperation between key legal service providers to increase the range of, and access to, legal services delivered to regional and rural areas for economically and socially disadvantaged people. Its three main objectives are to ensure:

- that economically and socially disadvantaged people are able to efficiently and effectively access legal services, which can help them to understand, protect and enforce their legal rights and interests
- that consideration is given to legal need and equity in the provision of legal services and resources
- that planning and delivery of legal services is approached in a coordinated and cooperative manner between service providers.

The evaluation brief identified some key questions that could assist in assessing the extent to which the program is meeting its objectives:

- has the CLSD Program contributed to an improvement in the range, scope and breadth of legal services being offered?
- has there been an improvement in the ability and capacity of participating agencies to provide services to disadvantaged clients?
- to what extent is service delivery planning and delivery within regional partnerships being approached in a more cooperative and collaborative manner?
- does CLSD provide a regionally coordinated framework that pays close attention to legal need and equity for culturally diverse and disadvantaged communities?
- do regional CLSD partners perceive there to be benefits in participating in CLSD?
- what improvement could be made to the CLSD Program with regard to the above questions?
- what potential exists to further partnering opportunities both within and outside Legal Aid NSW?
- what potential exists to leverage better justice system outcomes through the CLSD Program Unit's reporting and systemic work? Are there other ways the CLSD Program could operate to facilitate better justice system outcomes?

As outlined in the introduction and elsewhere in this report, the evaluation did not seek to assess the extent to which disadvantaged people's access to legal services has improved as a result the CLSD. The evaluation has had to draw primarily on documentation and interviews with those participating in CLSD to reach overall conclusions, which has limitations in answering some to the evaluation questions outlined in the brief (such as questions implying measurement of improvement). Nonetheless the interviews and supporting documentation do provide a consistent view of the value of the CLSD Program.

## 4.1.2 CLSD evaluation outcomes

### Outcomes identified across CLSD

- Networking, information sharing and referral pathways between services have increased as a result of CLSD activity in all regions, indicating an improvement in the ability and capacity of participating agencies to assist disadvantaged clients in their legal needs. Many examples of individual clients assisted as a direct result of CLSD were given in interviews. However, the lack of a means to collect data on referrals or other indicators means it is not possible to measure the extent of CLSD's impact on agencies' capacity to assist clients.
- The key benefits identified at the regional level were information sharing between partners, improved referral pathways, networking, increased legal knowledge in community service providers, increased access to legal services by disadvantaged people and an identification of legal needs and gaps. Regional meetings are viewed as an efficient and effective mechanism for achieving these benefits (although these can be more effective in some regions); projects are also viewed as a key opportunity for delivering these benefits, but the limited capacity of CLSD members limits outcomes. Central agency stakeholders commenting on perceptions of the program at a regional level listed similar benefits, plus the additional benefits of anecdotal local knowledge gained from CLSD regions and access to a regional network to enhance their own initiatives.
- The delivery of the CLSD Program in a region ensures that systematic attention is paid to identifying and addressing legal needs of disadvantaged populations. Regional partner interviews and consultant attendance at regional meetings confirmed that discussion of issues is framed in this way, that planning is focused on addressing gaps and that the regional data supplied by Law Access and other sources is used for discussing issues facing the regions. The framework of identifying and addressing legal needs faced by disadvantaged populations is seen as a *raison d'être* for the CLSD partnership.
- The CLSD program is strongly supported at the regional and central levels and by a diverse range of stakeholders. Even where difficulties in the functioning of some regional programs were raised, support for the program was strong and more benefits than weaknesses were identified.

### Mixed CLSD outcomes

Two of the brief's evaluation questions gave rise to more mixed responses:

- has the CLSD Program contributed to an improvement in the range, scope and breadth of legal services being offered?
- to what extent is service delivery planning and delivery within regional partnerships being approached in a more cooperative and collaborative manner?

Both questions elicited examples of improvements in some regions and not others

All regions had undertaken at least one project involving provision of legal services via advice clinics in the previous two years. Projects involving advice clinics also generally operated in outlying areas and provided advice on issues not covered sufficiently (or at all) by regular services. In two regions regular additional services had also been provided on an ongoing basis, clearly 'improving the range, scope and breadth of legal services' being offered. While advice clinics do obviously expand legal services in a region and assist

those who have accessed them, most partners also expressed some frustration that the same legal gaps kept being identified and longer-term solutions to the provision of legal services remained outside the scope of what CLSD could achieve.

It was also difficult for the evaluation to assess the extent of increased cooperation and collaboration. Overall feedback from most regions portrayed the relationships between partners as cooperative and said this was reflected in the meetings. However, many interviewees highlighted the potential for greater cooperation and collaboration on CLSD projects and outside CLSD meetings. Many projects are 'led' by one agency, with a few others attending or undertaking specific tasks. This was viewed as generally cooperative, but not actually working together. In a few regions non-legal partner agencies were more critical of the level of cooperation because of the perceived domination by individual legal service partners.

### **Suggested improvements to the CLSD**

A range of improvements was suggested to increase the effectiveness of the core activities of regional CLSD (although many of those interviewed perceived the program to be operating well and did not suggest improvements). Some suggestions were for improving the program within current resourcing levels (for instance suggestions for improving the effectiveness of meetings). However the main improvements suggested related to expanding the program's capacity to:

- reach outlying areas
- improve coordination and build stronger relationships between legal and non-legal services
- increase the number and frequency of projects
- research and analyse gaps and legal needs
- collect data and report on outcomes of CLSD initiatives.

Those suggesting these improvements thought that the role and capacity of the Regional Coordinator needed to be expanded to allow a greater focus on *developing* the CLSD partnerships and activities rather than on *administering* CLSDs. Some argued that the Regional Coordinator position should be similar in capacity to the Family Law Pathways Network coordinators (approximately a .8 EFT position), although most believed that an additional one or two days would greatly increase the effectiveness of CLSD.

The second suggestion for increasing program capacity was to extend its reach to other parts of the state. A few saw expansion to other regions as the first priority; others thought that significant expansion of the Regional Coordinator's role in some regions could allow a network of smaller CLSDs to operate across a larger region (though this would require additional days and travel expenses).

### **Opportunities for CLSD to facilitate other partnering opportunities and system outcomes**

As discussed in 3.2.4, central agency stakeholders commented on the strong linkages that have been made by the CLSD Central Program Unit with other sections of Legal Aid NSW and with other key stakeholders in government departments and non-government agencies. There was a perception that CLSD Program Manager is highly effective at recognising potential partnerships and helping to build these relationships. This was also the case in relation to the role of the Central Program Unit in its work with regional CLSDs, where

many commented on the manager's ability to identify and suggest potential linkages across the state.

The main suggestions for further leveraging the work of CLSD were in terms of analysis and reporting. Currently the information fed to central agencies and forums from regional CLSDs is listed in dot point form under each region. This provides a rich narrative of information that can help to expand understanding of statistical data as well as highlight issues not yet captured in data collections. However, there is potential to provide greater analysis of this information in relation to the statistical data. There is also the potential to use the CLSD network as a research mechanism to gain more information about the impact of a specific issue on clients of partner agencies.

To achieve increased research, analysis, and reporting potential of CLSD, the operation of the CLSD at central and regional levels would need to change:

- the number of regions would need to expand to cover the whole state
- the role and capacity of Regional Coordinators would need to be expanded to allow a greater focus on research and analysis
- the Central Program Unit would need to place increased emphasis on analysis and reporting and use more efficient methods for maintaining relationships with and supporting regional CLSDs.

The other suggested approach for increasing the CLSD's ability to improve justice outcomes is to increase the capacity of regional non-legal service providers for early intervention in issues that have a legal dimension. This would need increased collaboration between legal and non-legal services, the development of protocols and tools and further training programs. The CLSD would need to go beyond cooperative networking to a greater level of collaboration, which would in turn require changes to the role of Regional Coordinators and research support by the Central Program Unit in relation to models for collaborative early intervention programs.

## 4.2 Recommendations

### 4.2.1 Regional expansion

**R1 That, should funding be available, Legal Aid NSW continue to expand the CLSD program over time, basing the expansion on analysis of need in regional areas in NSW.**

This evaluation confirms that the CLSD program is viewed as an effective model for creating a regional network of legal and non-legal services that can help to improve access to legal services for disadvantaged people living in regional and rural NSW. The program has provided a vehicle to improve referral pathways (so that individuals are more likely to get timely assistance), increase providers' knowledge, and organise direct assistance to disadvantaged people.

There is a clear argument for expanding the program to further areas of high need across the state. The current criteria for determining new areas appear to have worked well and should continue to be used for any future expansion. When deciding on the placement of

new programs, the option of splitting some existing regions should also be considered. The rate of expansion to date has been slow, and this should be maintained, as it has allowed the Central Program Unit to provide more intensive support than would be possible with more rapid expansion.

Legal Aid NSW currently funds the program at a level of \$700,000 per annum. Expansion should only be undertaken if additional funds are available.

#### **4.2.2 Expansion of the role and capacity of the Regional Coordinators**

**R2 That, should funding be available, Legal Aid NSW undertake a two-year trial in four regions to assess the additional value for money achieved by the CLSD program when the role of the Regional Coordinator is changed to a developmental one and hours are increased to reflect the changed role.**

Many stakeholders argued for increasing the value of the CLSD program by significantly expanding the role and capacity of the Regional Coordinators. In their view, the Coordinators' primary focus should shift from administration of the CLSD network to developmental work, which would make the program more effective, and also reduce the turnover of staff in the positions. In the revised role, Regional Coordinators would be expected to:

- build relationships with key legal and non-legal services to identify and encourage collaboration between agencies to achieve CLSD objectives
- assist in the coordination of collaborative projects that address CLSD regional priorities
- assist in the collection and analysis of data to identify local legal need and measure the impact of CLSD projects and activities.

Advocates of this change in the role expect it to result in:

- greater engagement and activity by Regional Partners
- an increase in the number and scope of projects within regions
- an increase in access to legal services by disadvantaged people in more isolated areas and/or who are more marginalised.

In the consultants' view, implementation of this proposal would require the Coordinator's position to expand to three days a week, and it is by no means certain that it would achieve the improvements in the scope, range and impact of CLSD membership and activities predicted by its supporters. That is to say, it is not clear that the change would justify the additional resources it would require.

It is recommended that the Regional Coordinator role be changed on a trial basis in four regions over a two-year period. Of the regions selected for the trial, two should already have high levels and two have lower levels of CLSD engagement. The trial would require clear objectives and measures to test impact, and may also require additional training for the coordinators involved.

The outcomes of the trial would inform a decision whether to change the role across the whole program, to change the role only in some areas (or for a limited period), or to

maintain the status quo. This trial, including the necessary evaluation, would cost approximately \$200,000.

While any trial carries the risk of raising expectations – in this case that the Regional Coordinator role will expand – only to disappoint them, some stakeholders will continue to argue for expansion of the role whether or not there is a trial. A trial allows the proposition to be tested.

#### **4.2.3 CLSD Program Unit capacity**

**R3 That any CLSD program expansion include a workload assessment of CLSD Central Program Unit to estimate staffing levels necessary for continued effective central management of the program.**

Should the program expand to other regions and/or significantly change the Regional Coordinator role, current CLSD Central Program Unit staffing levels may not be sufficient to meet the increased need for support. A workload assessment of the unit should be undertaken.

#### **4.2.4 Support to CLSD regions by the Central Program Unit**

**R4 That the CLSD Central Program Unit work with the Regional Coordinators to explore additional approaches to communication between the regions and central agencies.**

Whether or not the recommendations to expand the program are implemented, the current approach to supporting regional CLSDs is likely to become more difficult over time. The evaluation found that the perceived success of the CLSD is due in part to close and frequent contact between the Central Program Unit and CLSD regions, primarily in the form of unit staff attendance at most if not all regional meetings. This degree of contact will be increasingly hard to maintain at current staffing levels, given the role of the Central Program Unit in creating linkages at a systems level. Some partners believed that while regular communication and close contact between central and regional levels is important, it need not involve attendance at all meetings, which was seen in some instances as preventing regional partners from taking ownership of the CLSD.

This report includes suggestions arising from the evaluation that may help to deal with time management issues for the Central Program Unit while maintaining close contact with the regions. These include a more differentiated approach to meeting attendance, with more frequent attendance at meetings (for instance) held in recently established regions, regions which have recently changed Regional Coordinators, regions that have difficult issues they wish to address centrally. All regions would still have central agency attendance at some meetings each year.

Other suggestions for communication and support between regions and central agencies include:

- Regular, frequent telephone linkups with the Regional Coordinators to enable exchange of information and support among regions and between the Central Program Unit and the regions
- use of an electronic drop box to share project plans and other information, to increase communication among regional coordinators and reduce duplication of effort.

As the Central Program Unit continues to explore approaches to support and communication, it should emphasise approaches that build cross fertilisation of ideas and peer support among Regional Coordinators.

#### **4.2.5 Clarifying expectations of CLSD auspice organisations**

**R5 That the CLSD Funding Agreement be reviewed by the Central Program Unit with the view to clarifying expectations concerning the skills required of Regional Coordinators, management and support provided to Regional Coordinators by the local auspice bodies, and recruitment processes.**

The evaluation found considerable variation among regions in the skills and backgrounds of Regional Coordinators, and in the way Regional Coordinators are supported and managed at the local level. In some regions legal students are recruited to the position, which results in frequent turnover. In the past, some local auspices, viewing the position as purely administrative, assigned an administrative officer to the role. In some regions the Regional Coordinator role fits into a staff member's more substantive role. In others the position is taken by someone external to the organisation who attends one day per week.

Support and management provided to the position is in most instances very limited. This is understandable given the limited hours of the role. However, it leads to difficulties when a Regional Coordinator is under-performing – the Central Program Unit does not have the imprimatur to 'manage' the work of the individual to help improve performance.

While variation and flexibility can enable a program to adapt to local conditions, it would be useful for the Central Program Unit to review the current Funding Agreement with a view to:

- clarifying criteria, duties and expectations of Regional Coordinators and auspice organisations' management of the position
- ensuring that the Central Program Unit has a role in recruiting processes for Regional Coordinator positions.

#### **4.2.6 Improving engagement of Aboriginal communities and organisations with CLSD at the regional level**

**R6 That CLSD Regional networks be encouraged to undertake localised cultural awareness training that focuses on increasing understanding of the local history of Aboriginal people, the range of Aboriginal organisations in the area and their role in their communities, and barriers to engagement in justice issues and the CLSD specifically.**

While most CLSD Regions have identified Aboriginal people as a priority for improvement of access to legal services and have attempted to engage the Aboriginal

Legal Service and other organisations as CLSD members, only a few have managed to gain active involvement of Aboriginal people. One region stood out in this regard, achieving a high level of partnership with Aboriginal communities and organisations. This region placed a high priority on implementing cultural awareness training delivered by local Aboriginal justice/legal stakeholders. This allowed a specific focus on cultural issues in relation to the local area and to legal/justice matters, where more generic cultural awareness training is often not useful to specific sector service deliverers.

The Central Program Unit should work with Regional Coordinators to ensure that cultural awareness training and improving engagement with Aboriginal organisations becomes part of the planning process over the next year. Project funds may be needed for this to occur across the state.

#### **4.2.7 Use of data to support the program and its outcomes**

##### **R7 That the CLSD Central Program Unit be encouraged to have formal and systematic access to the data/research capacity of the Law and Justice Foundation**

As noted in this report, the CLSD regions appreciate the regional data to which they have access. Data has been the backbone of the CLSD program, with data from multiple sources helping to identify the locations for regional CLSD networks, the state and local issues that need to be addressed, and unmet needs at all levels.

Legal Aid NSW has a current MOU with the Law and Justice Foundation on research assistance. It would be useful if the CLSD Central Program Unit could also avail itself of greater assistance in the production of graphs and data that it then provides to the regions. This would also increase the Central Program Unit's workload capacity.

##### **R8 That CLSD Central Program Unit work with Regional Coordinators to introduce simple measurement tools that can provide an overview of the reach and scope of CLSD activities and provide feedback on legal education activities and regional partnerships.**

Given the current resources of the CLSD program, its reporting and documentation processes have understandably been minimal. However, it is possible and desirable to document regional-level activities and the reach of those activities. This could be done by each region annually, using a simple template that records:

- each project completed by project category (CLE, advice clinic, etc), number and range of partners involved, and the number and characteristics of participants (for example, 15 young people)
- the number, category and frequency of regional partners attending meetings in the proceeding year.

Although such information can currently be found in separate minutes or project reports, the program's capacity to report on key aspects of its potential impact would be greatly increased if it was recorded in a condensed format.

Given that partnerships are the basis of the program, it would also be useful to conduct a regular<sup>7</sup> on-line partnership survey to gauge the strength of partnerships, satisfaction levels with meetings and projects, collaboration activities outside meetings and similar matters. A number of partnership measurement tools exist that aim to gauge levels of collaboration across networks – these could be adapted for use in a free online survey tool. A survey would help to identify trends, where the program was working well and where additional assistance might be needed.

Finally, a simple evaluation tool could be used in CLE projects to record participants' views on what was useful and any issues that might be addressed in future workshops.

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<sup>7</sup> This could be done annually, perhaps as a lead up to a planning meeting