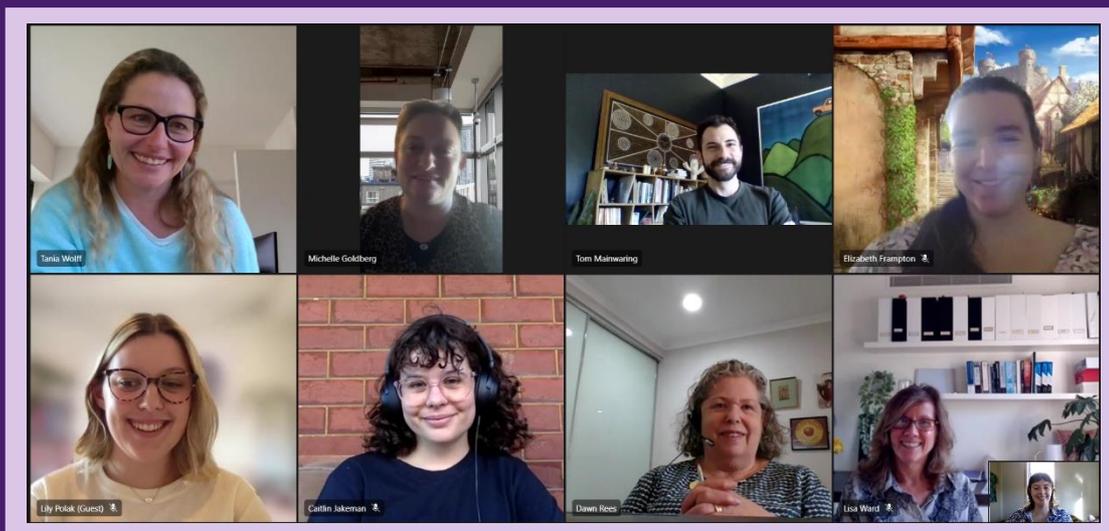


# FIRST ..... STEP LEGAL

**ANNUAL UPDATE  
2020-2021**



A compassionate and innovative approach to legal services  
within a health-justice partnership

Located at First Step, a medical, mental health + addiction services hub in the heart of St Kilda

## OUR APPROACH

Since 2008, **First Step Legal** has provided pro bono legal services to clients actively engaged in treatment at First Step, a multidisciplinary medical, mental health and addiction services clinic. Assisting some of the most disadvantaged and disenfranchised members of our community, **our objective is to ensure that the stress of dealing with a legal matter does not derail our clients' rehabilitative efforts.**

Ours is a unique model. As one of the earliest health justice partnerships in Australia, we embed a legal practice within a clinical framework where the legal team forms part of an integrated therapeutic team. Working with our clients' doctor, therapist, or mental health nurse means that our legal staff become part of a triangular therapeutic model of care, facilitating a strong sense of trust with clients.

The **First Step Legal** team works closely with the client and allied health professionals, towards an outcome that promotes client wellbeing, which often involves several court adjournments to allow clients to progress in their rehabilitation and recovery prior to their final hearing.

Whilst previously focused almost exclusively on criminal law, **First Step Legal** has expanded its assistance to clients with family violence and family law matters, infringements, tenancy issues, and VOCAT applications. In 2020-2021, with the help of our supporters, our service has grown to help clients not only of First Step and Windana Therapeutic Community but also commence new partnerships with the Star Health Family Violence Program and The St Kilda Road Clinic of Alfred Health. Current legal aid structures provide limited funding for our practice method, and we therefore rely on private, corporate and philanthropic funding.

With **client wellbeing** sitting at the heart of our service provision, **First Step Legal** also aims to identify key opportunities to contribute to **law reform and system improvements.**

## OVERVIEW OF OPERATIONS

2020-2021 was another successful twelve months for **First Step Legal**. Over the year, we:



Assisted 177 Clients



Managed 241 matters



Provided 173 offers of legal advice and information



Operated 5 days per week



Received new funding to grow our services



Most criminal law clients allowed to recover in the community



Provided evidence to the Disability Royal Commission



Trained 19 new volunteers

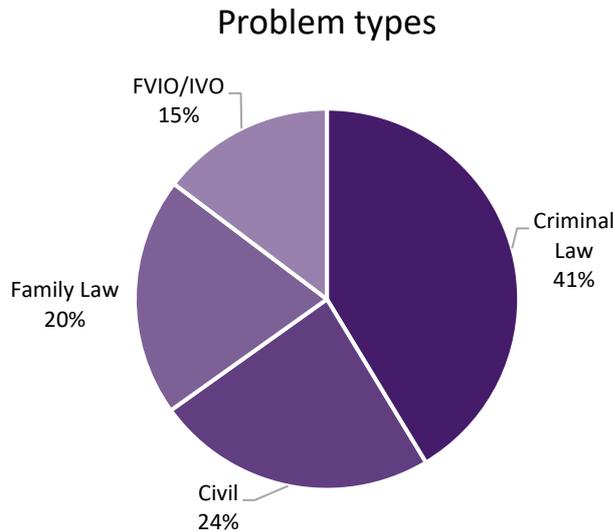


Provided ongoing training to clinicians

Most importantly, **First Step Legal** has continued to provide **high quality, wellbeing-focused legal assistance to clients with complex needs.**

# OUR IMPACT

Despite the challenges of the pandemic, in 2020-2021, **First Step Legal** assisted **177 clients** with **241 legal matters**, including 68 casework files and 173 offers of legal advice and information. While most of our matters remain criminal law, we've experienced considerable growth in family law and family violence matters.



Coinciding with the shift in our matter types in 2020-2021 over 55% of our clients were female compared to only one-third of our clients in the previous year. 54% of all clients in 2020-2021 were aged 35-49 years.

This year, the bulk of our clients' matters concerned **criminal law** and, as in the past, a significant proportion of our clients have sought assistance regarding **driving offences**.

Following the appointment of a family lawyer, this practice has rapidly grown to make up 20% of our matters in 2020-2021.

As in previous years, we had several clients successfully referred to the Assessment and Referral Court (ARC) List at the Magistrates' Court. This specialised list **facilitates intensive case management** designed to prevent recidivism and appropriately manage clients' complex needs.

## CASE STUDY #1

**Elijah\*** came to First Step Legal via a **residential rehabilitation setting** (Windana Therapeutic Community) where he was addressing his substance use issues. He struggled with complex PTSD, having experienced physical and sexual assaults perpetrated against him as a child. He had criminal charges and was subject to a family violence intervention issue in relation to an incident involving his mother.

Elijah requested assistance with the Family Violence Intervention Order (FVIO) proceedings and criminal charges.

A prerequisite to assistance by FSL is that the client engages in treatment and therapeutic supports to address issues underlying their engagement in the justice system. While FSL were able to successfully resolve the criminal charges and FVIO to be withdrawn, FSL also facilitated Elijah's engagement with a specialist family violence clinical practitioner to enable Elijah to explore and reflect upon his family dynamics and the impacts of his behaviour on himself and his mother.

With the continued support of FSL, Elijah has continued on a long journey towards building insight and coming to terms with his own trauma and its impact on those around him. FSL has helped Elijah to achieve a legal outcome supportive of his ongoing efforts. It also maximised the opportunity to facilitate targeted education and support beyond the obligation imposed by these legal proceedings, in hopes of improving Elijah's quality of life in the long term, and preventing further interactions with the legal system in the future.

*\*Names in all case studies have been changed.*

## CASE STUDY #2

**Lauren\*** was dealing with ongoing mental health issues while experiencing elevated Family Violence from her partner. She self-referred to First Step Legal (FSL) for assistance, having had a long-standing (but intermittent) relationship with First Step clinic staff. We encouraged her to re-engage with the FS Mental Health nurse she had previously seen to ensure ongoing clinical support.

Lauren's primary concerns were safety and housing, with the underlying considerations being the legal implications of the Family Violence Intervention Order and educating Lauren about her rights and options.

Lauren was assisted by FSL to engage with Safe Steps and to obtain crisis accommodation and food vouchers. FSL then provided information and education to Lauren regarding her rights and options and the process involved in obtaining Family Violence Intervention Orders. With this information, Lauren was able to make decisions about what she wanted to do and at a pace appropriate to her. The team was available for regular check-ins throughout the engagement. All communication between Lauren and FSL was respectful of her choices, aimed at reducing risk and sought to provide all relevant legal and non-legal information about Lauren's options.

FSL supported Lauren in securing a limited Family Violence Intervention Order Lauren which allowed Lauren to return to live at home in accordance with her wishes. FSL encouraged ongoing engagement with clinical supports to facilitate increased agency and insight. FSL provided Lauren with advice regarding her tenancy options in the long-term. Lauren was reminded about the availability of FSL for support in the future. Lauren's situation and mental health presentation were both complex. The client-centred, pragmatic outcomes achieved in this instance required a thoughtful, time-intensive approach based on trust and advocacy directed at supported decision making.

*\*Names in all case studies have been changed.*

## Expanded holistic legal practice

It is our experience that the most vulnerable clients often experience multiple legal problems simultaneously. In the past year, recruitment of lawyers with additional skill sets have enabled us to broaden our service offerings and address a wider range of legal needs. In addition to assisting clients with their primary legal matter, in 2020-21 we helped 64% of clients with other legal issues such as infringements, debt, tenancy and VOCAT matters. In the previous year, we could only extend this more holistic legal service to 33% of clients.

Often these matters are directly related to and exacerbated by a client's mental health or addiction issues. Like criminal or family violence matters, dealing with these legal issues can create significant stress and derail recovery efforts. When we have capacity and the requisite expertise, we endeavour to provide holistic legal support to our clients with the aim of reducing clients' risk factors.

## Family law and family violence

Aside from criminal law matters, the most commonly faced legal issues by our clients are family law and family violence.

**First Step Legal** supports applicants in an empowerment and agency-based approach and work collaboratively with clinicians to identify their fundamental wishes to maintain their safety and welfare. Applicants with complex mental health and addiction issues often struggle with the intimidating court system, so we assist them in navigating the process and having their voice and perspective heard by the court.

An equally important part of this work is helping respondents develop insight into their relationships and behaviours to prevent further family violence. We assist respondents to family violence intervention orders and defendants charged with family violence offending to hold themselves personally accountable for their conduct, and engage in therapeutic relationships that foster increased awareness and identification of factors that contributed to their offending and commission of family violence conduct. In doing so, we aim to improve the safety and welfare of our clients and their partners, as well as children of the relationship.

## Sentencing outcomes

In line with our principles of achieving non-custodial outcomes and supporting our clients to continue their recovery in the community, **First Step Legal** successfully achieved this in relation to all of our clients.

Importantly, for more serious offending, we were able to support our clients to achieve community corrections orders with therapeutic conditions. Our early intervention strategies ensured that clients with chronic mental health and addiction issues received the appropriate support to address these underlying challenges and reduce the likelihood of reoffending.

## Driving our impact with new premises and systems

In November 2020, First Step Legal moved from our small office and home of twelve years at 42 Carlisle Street, St Kilda to join the First Step Program Reset team around the corner at 39 Greeves St. This move allowed us to rapidly grow our staffing numbers. Adding two new lawyers and inducting 19 new volunteers to support our new health justice partnerships at Star Health and the St Kilda Road Clinic of Alfred Health, and increasing both the breadth and depth of service provision to clients.

To support **First Step Legal's** rapid growth, we have introduced ActionStep as our new case management system. Allowing us to not only work remotely, but also supporting enhanced reporting and impact evaluation. Over the coming years, this system will allow us to better track the impact of our work for our clients. Driving better decision making in our service delivery and contributing to the sector's knowledge of what works in health justice partnerships.

### **CASE STUDY #3**

**Lee\*** came to FSL through our new partnership with the Star Health family violence program. She was receiving support for ongoing family violence perpetrated by her ex-husband. Her family blamed her for the breakdown of this relationship and refused to support her through the protracted family law proceedings that followed. Her daughter also began acting out, blaming her mother for the situation. It was around this time that Victoria was placed into lockdown isolating Lee in the midst of home schooling. The combined stresses saw Lee withdraw from her TAFE course due to an inability to cope.

Lee was charged with shop theft. Two months later, Lee was pulled over and arrested due to erratic driving. While being interviewed, she had a panic attack at the police station. It was this that caused Lee to realise she needed help and she connected with Star Health – with whom she had had previous contact. She also reached out to a previous psychologist and to a worker at Relationships Australia. With this support, Lee was able to gain insight into the issues that precipitated her mental health decline and offending. Lee worked hard to attain a level of both financial and emotional independence which she has never had before. She was accepted into a program supporting new businesses and has begun mending the relationships with her family.

FSL assisted Lee in her court matter which resolved with an adjourned undertaking without conviction. Despite the stress of pending court matters, Lee felt supported in the process by her legal and therapeutic team: she felt that her efforts and struggles were validated when sympathetically articulated to the court. She continues to do well.

*\*Names in all case studies have been changed.*

## Our ongoing response to the COVID-19 pandemic

Our clients continue to face new and increasing challenges as a result of the economic, social, and medical implications of the COVID-19 pandemic. We have managed to support clients with increased distress over this period through increased contact over the phone and video, and by facilitating contact with support services and engaging with family and other sources of support. Having had to move rapidly to a paperless system, this allowed us to manage frequent lockdowns and service changes while minimising the impact on our client services. Our ability to manage remote working, and the 'new normal', will be further enhanced by our ActionStep case management system which became operational 1 July 2021.

## SUPPORTING OUR CLIENTS INTO THE FUTURE

As part of our ongoing commitment to clients, we keep in regular contact once their matter has resolved by obtaining feedback at the close of their matter and 3, 6, 12 and 24 months afterwards. Our questions focus on clients' wellbeing, access to appropriate services, and new or ongoing legal needs. This allows us to promptly address any legal issues that arise and ensure our clients are connected to the relevant practitioners at First Step, or elsewhere, if they are struggling with underlying issues. Throughout 2021 we have worked with Melbourne University to improve our outcomes measurement for future years and design a new evaluation framework across our health justice partnerships. **Of clients surveyed in 2020-2021:**

**88%**

had not  
been charged with  
any  
further offences  
within 12 months

**100%**

felt more hopeful  
and positive than  
before working with  
us

## WHAT OUR CLIENTS SAY

*"Everything just felt so comfortable. I felt secure even though things around me were not stable. I was able to sort my legal, mental health and whole life all in one place. They lead me on a new path which I would not have been able to take otherwise. Would have been totally stuffed without FSL, but instead I gained the skills I needed to get a job, got my friends back etc. Everything in my life is coming together." (Sally\*)*

*"The whole premise of me getting mental health support, addiction support and legal support all under the same umbrella is incredibly beneficial and it's changed my life... In the past... I fell within the cracks. There was no actual team working for me... Everything has come together since I've been at First Step.*

*I feel like I was really heard and I was given a chance to get on with my life, to be the best version of myself that I can be. Michelle's care and consideration of my emotional state at the time was - I'd never experienced that before. She's amazing. She actually gave me a little bit of hope...*

*I'm really so grateful for my experience with First Step Legal." (Bec\*)*

# ADVOCATING FOR OUR COMMUNITY

**First Step Legal** has been invited throughout the year to speak on panels and at conferences on the topics of health justice partnerships, therapeutic jurisprudence, and the intersection between criminal law and mental health.

In 2021, our Director of Legal Services, Tania Wolff provided evidence to the Royal Commission into Violence, Abuse, Neglect, and Exploitation of People with Disability, highlighting the need to better fund services that support those, who, like our clients, routinely and repeatedly get entangled in the criminal justice system.

Our Principal Lawyer and Co-Practice Manager, Michelle Goldberg, provided insights into a La Trobe University study about the relationship between women’s unmet civil legal and social needs and their criminalisation. Contributing to understanding about ways in which civil legal and social issues are impacting upon women’s likelihood of coming into contact with the criminal justice system.

We also continue to engage in law reform and submissions to government in relation to issues relevant to our clients, their welfare, and their treatment under the law through our membership of the Law Institute of Victoria Criminal Law Executive Section.



*First Step Legal Director, Tania Wolff, giving evidence to the Royal Commission*

## ONGOING EDUCATION

Over the course of 2021 we delivered numerous training sessions to both our health justice partners and to our own staff and volunteers.

Training for our partners has included: understanding legal professional obligations in a health justice setting and the impact of COVID-19 on therapeutic interventions provided by the Magistrates’ Court.

We also organised sessions for staff and volunteers with speakers from Reset Life, Windana Therapeutic Community, and Star Health, as well as on how to look after yourself in a legal practice.

With the continued disruption to our daily lives caused by the COVID-19 pandemic, we have also provided regular updates and training on changes to court processes and the administration of justice.

# OUR PEOPLE

**'We are what we repeatedly do, therefore excellence is not an act but a habit.'** —Aristotle

It's almost trite to say that the most important asset of any organisation is its people, but in our case, it is completely true. The outcomes we have achieved this year, while navigating yoyo lockdowns, particularly challenged clients and the pressures of our own work and personal lives converging, would be impossible without our incredible staff and volunteers.

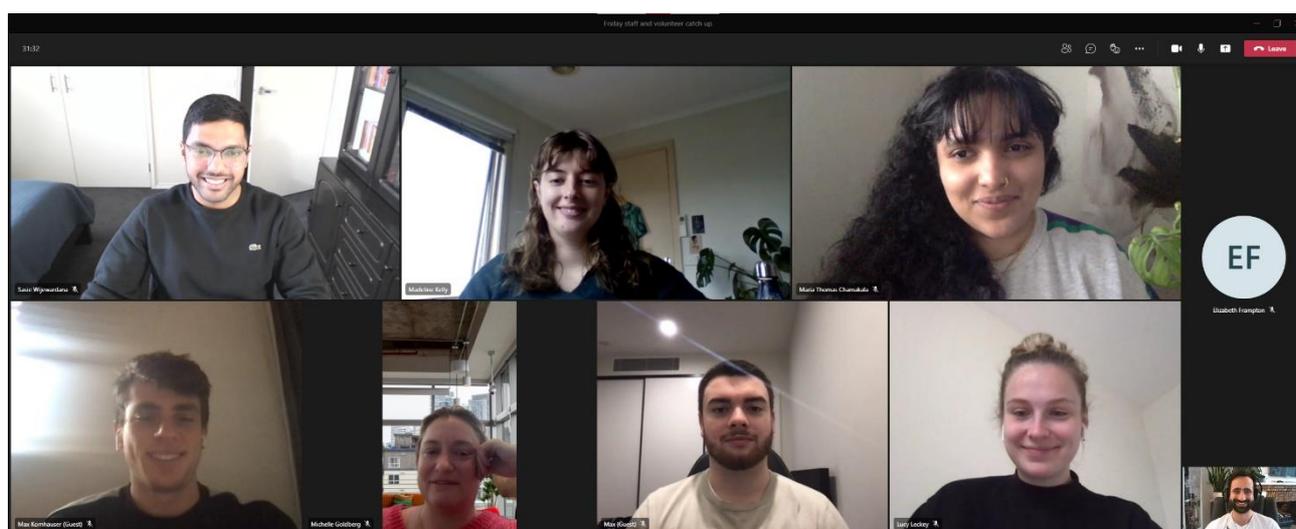
In the midst of such a difficult year, we have moved into new premises, inducted 5 new staff and 19 new volunteers, launched two new pilot health justice partnerships with the Star Health Family Violence Program and St Kilda Road Clinic, transitioned to a new data and case management system, working from home and the office as well as online court hearings, and continued to support our clients with complex challenges at First Step and Windana.

First and foremost, I wish to acknowledge the dedication, commitment and compassion of our Principal Lawyer and Co-Practice Manager, Michelle Goldberg, who is fundamental to what we do at **First Step Legal**, and we are grateful for her leadership.

In 2020-2021 we welcomed two new lawyers, Elizabeth Frampton and Tom Mainwaring, who have provided expert, compassionate and dedicated legal advice to our clients. We are incredibly lucky to have Lisa Ward on our team, whose significant experience across justice, human services, policy and program design, has been critical in leading, driving and steering the execution of two new innovative HJP projects. We also welcomed Brendan Lacota and are so grateful for his skilled project management of a new database system and general practice management support. Our work has been critically supported by Dawn Rees, assisting us, among other things, in recruitment and project acquittals. Laini Liberman, our long-time generous supporter and friend, has continued to generously give of her time as she has over many years, advising and representing clients through our Windana project.

Our Legal Case Manager, Madeline Kelly, is critical in ensuring ongoing communication with clients, healthcare professionals, police and the Courts, as well as providing administrative and management support. We are also excited to be welcoming a new social worker to our team.

We also thank our **team of talented student volunteers** for their time and enthusiasm.



# THANK YOU

We wish to thank and acknowledge Jane Tewson and Igniting Change for continuing to support us over so many years as we grow and try to reach more people in need. We once again thank Virgin Unite, Susan Ball and the VLSB+C, Emma Harrison and the Gourlay Charitable Trust, Wendy Lewis at the Collier Charitable Fund and Paula Thomson and the Portland House Foundation for their generous support and championing of us and our work.

We are also incredibly grateful for the continued support of our very generous friends: Laini Liberman and Jagen Nominees, Suzi Carp and Modara Pines; Talya Masel and the Humanity Foundation, Nicky Carp and the UHG Foundation and Dahlia Sable at Spotlight Foundation. Particularly during this very challenging time, supporting clients with real challenges and managing staff and morale through a second COVID-19 year, we were overwhelmed by the generosity and concern of so many generous individuals who wanted to assist and support.

We wish to particularly acknowledge Baker McKenzie and Kate Gillingham who heads up the firm's Pro Bono practice for all her efforts to facilitate essential legal support for us.

Our ongoing success would not be possible without the unique dedication of all our clinical partners, at First Step, Windana, Star Health and St Kilda Road Clinic.

Finally - and most importantly - we would like to thank our clients and acknowledge the extraordinary effort by each and every one of you to improve your lives.

Tania Wolff  
Legal Director  
LIV Accredited Criminal Law Specialist

# SUPPORTING US

First Step has Deductible Gift Recipient status with the Australian Taxation Office; all donations are fully tax deductible. Please contact the clinic if you would like to learn more about First Step or are interested in supporting the valuable work we do.

**We gratefully acknowledge the generous assistance of all our supporters, including:**



The humanity foundation



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