

National consultations

About With You

With You is a training package for trauma-informed, rights-based legal services to people experiencing distress, poor mental health or suicidality. *With You* is designing training and a Trauma Informed Organisational Toolkit, in partnership with people receiving and delivering legal assistance services. It is the first national co-design project in the legal assistance sector.

With You provides training and a Trauma Informed Organisational Toolkit to Aboriginal and Torres Strait Islander Legal Services, Community Legal Centres, Family Violence Prevention Legal Services, and Legal Aid Commissions across Australia. The project is funded by the Commonwealth Attorney-General's Department and led by Legal Aid NSW, on behalf of National Legal Aid.

National Consultations

With You draws on the perspectives of people who use legal assistance services and those who provide them including:

- People who have used legal services and experienced distress, poor mental health or suicidality;
- Carers, family, supporters or kin of legal service users; and
- Lawyers and other professionals working in the legal assistance sector.

In 2023, the *With You* Project consulted directly with



463 people and received



71 survey responses.

Interviews and focus groups included



98 clients;



34 carers, supporters, family and kin;



195 family, civil and crime lawyers; and



136 other professionals.

Members of the judiciary or tribunals shared their perspectives, as well as people with lived experience of the criminal justice system and compulsory treatment.

With You is proud to be directly informed by people from a range of backgrounds, unique life experiences and identities. The project draws on co-design as those most affected by services should have the biggest say in what they look like.

Consultations spanned all states and territories, including both metropolitan and regional areas. The perspectives of Aboriginal and Torres Strait Islander, Culturally and Linguistically Diverse, LGBTIQ+ and young people were reflected. The *With You* consulted with lawyers, support professionals and allied professionals in crime, civil and family jurisdictions.

First Nations specialist content

First Nations people and communities have specific needs and unique histories, requiring tailored responses to intergenerational trauma and engagement with government and justice systems.

Consistent with Closing the Gap reforms, specialist training content for First Nations communities has been developed in partnership with First Nations Co.

Recommendations

1. All staff in the legal assistance sector should develop trauma-informed, rights-based practice. Training should be co-designed with people with lived experience of poor mental health.
2. Legal assistance organisations should be offered choice when it comes to how training is delivered, and training should be tailored to ensure content is embedded in practice.
3. Trauma-informed, rights-based practice needs to be embedded across the legal system, including in the judiciary, policing and corrections.
4. Carer, family, supporter and kin advocacy organisations should advocate for more resourcing and support to help carers, families, supporters, and kin better navigate the legal system. Lawyers and legal assistance organisations should support and work in partnership with them.
5. The legal assistance sector should develop and distribute resources to help guide carers, family members, supporters and kin through the legal system.
6. *With You* should undertake further First Nations community-controlled co-design work to develop First Nations specialist content over a more appropriate timeframe.



What we heard from *With You* stakeholders

Clients said:

- Seeking out and accessing legal services can be disempowering and retraumatizing, but a compassionate and trauma-informed lawyer makes a big difference with lawyers as allies protecting clients' rights.
- Clients need better access to lawyers and linked trauma-informed, rights-based service provision to better legal outcomes.
- Clients want to be listened to, believed and treated with respect by lawyers, particularly when it comes to their mental health.
- They want to be supported to make their own decisions, a better understanding of processes and have more time with lawyers who have respect their instructions.
- Clients want lawyers to consider and take seriously the long-term implications of their advice, and of the impact legal, health and welfare systems can have on clients.
- They want their carers, families, supporters and kin involved when they consent to this.
- Legal services and training should be co-designed with people with lived experience.

Client quote

'Lawyers are really powerful. They can either become your best advocate or they could destroy your chance at getting justice, because they know something that you don't, because they have the resources, they've studied it. So I guess the question for lawyers to reflect on ultimately is *how do you help us more with all that you know?* I think that's a really difficult thing when they're making judgements about your chances based on very little information about your situation.'

'Having that trauma informed training, hopefully will give them some insight and you know, having that exposure to what is actually happening I think is really important for them to see the bigger picture - which is what consumers like us want. Getting justice is equal parts about the outcome and how we get there.'

Carers, family, supporters and kin said:

- They were often excluded from the legal process, and unable to provide valuable assistance and support to their loved ones.
- Exclusion caused harm to the person they care for or support, and impacted legal outcomes.
- Having their role, perspective and feelings acknowledged was important and often lacking by legal services.
- That very few supports and resources specifically for carers, family, supporters and kin exist.

Lawyers said:

- Lawyers want to better understand and respond to mental health and trauma, and guidance on how to meaningfully apply this in practice.
- Training needs to be specific to legal practice and ethics, and to the practice area and context.
- Large workloads and time pressures are an obstacle to implementing trauma-informed practice.

Other professionals said:

- Many professionals in the legal assistance sector had extensive experience and training in mental health, but wanted more support to apply this to legal settings.
- There is a need for support for specific interactions, such as short or phone conversations, and guidance for communicating with people who are distressed.

In person interviews

