
Court Support 4 Kids

Evaluation Report

Centre for Innovative Justice

A project for McAuley
Community Services for
Women by the Centre for
Innovative Justice

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Executive Summary

This report presents findings from a qualitative evaluation of the *Court Support 4 Kids* program (CS4K), a court support service for women involved in family violence intervention order matters (FVIOs) that currently operates at Sunshine, Geelong and Ringwood Magistrates' Courts.

The aim of this project was to collect evidence about the extent to which the CS4K program is effective in meeting the needs of women who are attending court for FVIOs while accompanied by children. These needs were identified in a separate Needs Assessment report that the CIJ prepared to provide further foundation to the overall project. This Evaluation Report, the project's second component, focused on two key evaluation questions:

- To what extent did CS4K meet key needs of women attending for FVIOs while accompanied by children at court, as well as the needs of children themselves?
- To what extent did CS4K assist in the FVIO process for court staff, legal practitioners or support services, and for the legal system more broadly?

Some issues emerging from the data were unrelated to these questions, but are briefly considered in this report.

Method

A qualitative approach was adopted to gather in-depth information from key participants through interviews and focus groups. Some background analysis of quantitative data was conducted in relation to information obtained from program participants via on-the-spot surveys carried out by CS4K staff, as well as data from the program's operation concerning numbers of clients seen and services delivered.

Summary of findings

- CS4K is very responsive to children's needs and fills a clear gap in court services, by providing child friendly, child focused support for women and children and by meeting some basic needs of women and children while at court.
- CS4K is accessible for clients, due to workers ensuring that they keep initial interactions friendly, informal and approachable. However, minor differences in delivery of the service and in physical layout of the courts have some impact on other court stakeholders' awareness of the program, particularly among service providers.
- In locations where it has high visibility, the CS4K program is perceived by legal practitioners, court staff and court support services as very effective in assisting with the FVIO process and in reducing the effects of the process on children. There is also some evidence of workers helping to promote women's needs with court staff and service providers, although this is not consistent across all courts.
- CS4K needs to be visible and well marketed to legal practitioners, support services and court staff, so that the service can be widely used by women and children who need it.



Recommendations

1. Promote the CS4K program more widely amongst court staff and other practitioners servicing the court in relation to FVIO matters. Brochures for other practitioners; linking in with court morning meetings; ensuring that the worker is consistent and easily identifiable; and linking in with legal and social services to promote the service are potential ways to raise awareness and therefore improve accessibility.
2. Develop a consistent position description for children's workers delivering the CS4K program which identifies the extent and function of the program; the background of the staff engaged; and the extent of information kept by the program. Further clarity around the role could also be established between program providers and communicated to court staff and service providers.
3. Consider resourcing the CS4K program to be delivered on non-Family Violence sitting days so that Affected Family Members (AFMs) attending court to seek advice about their case can be supported.
4. Work with court stakeholders to develop an agreed protocol for prioritising matters where women are accompanied by their children, as far as is possible.
5. Seek resourcing so that the CS4K program can be equipped to provide additional supports such as toys; art and craft equipment; nappies and limited food supplies.
6. Work with relevant court stakeholders to identify and provide appropriate child-friendly spaces, which are to include storage for these supplies.
7. Develop consistent data gathering and retention mechanisms to be applied across all sites.
8. Develop a more detailed overarching program logic for delivery of the CS4K program by all providers, and against which further process and impact evaluations may be conducted.
9. Seek stakeholder support to operate the CS4K program at all Victorian headquarter courts in accordance with the rollout of the expanded Specialist Family Violence Court Division.
10. Seek funding to ensure that this expansion of a consistent and strongly articulated CS4K program is achievable and sustainable.

Part One: Background

This report presents the findings of a qualitative evaluation of the *Court Support 4 Kids* program (CS4K), a service that operates at Sunshine, Geelong and Ringwood Magistrates' Courts providing support for children whose mothers are attending court in relation to family violence intervention order matters (FVIOs). The CS4K service was first established by McAuley Community Services for Women (McAuley) in recognition of a need that McAuley saw in women presenting to its refuges.

The CS4K service aims to support women who are attending court in relation to FVIOs and who are accompanied by children. It does so by providing a worker to engage with children on site while their mother is at court. This is so that the mother is better able to focus on the court process and so that her children are not further traumatised by the experience of being at court. The program was first established by McAuley at Sunshine Magistrates' Court, after which McAuley facilitated its delivery at multiple sites through other specialist family violence women's services. The program is currently resourced separately by philanthropic funders, as well as in-kind support by the participating services, and is now operated separately in each relevant location by:

- McAuley Community Services for Women (McAuley) at Sunshine;
- Bethany Community Support (Bethany) at Geelong; and
- Eastern Domestic Violence Service (EDVOS) at Ringwood respectively.

Given the dearth of available research on the subject – as well as limitations on the information that could be contributed by community providers who are resourced to deliver services rather than gather data – a Needs Assessment was also conducted as part of the overall project. This was to identify the needs of women and children when women are attending court for FVIOs accompanied by their children – in other words, to understand the need that CS4K is trying to meet.

The findings of the Needs Assessment are presented in a separate report, *Children at court: every interaction counts. The CS4K Needs Assessment Report* (October 2018), and were applied to this Evaluation in order to determine the extent to which the CS4K program is responsive to these identified needs. McAuley engaged the Centre for Innovative Justice ('the CIJ') at RMIT University to undertake both the Needs Assessment and Evaluation in the first half of 2018.



The issue

The issue at the heart of both the Needs Assessment and the Evaluation was the simple reality that – for a variety of reasons – many women who attend court as the (AFM) in an FVIO application bring their children with them. The reasons as to why women bring their children with them – and the impact this has on women, their children and the court process – are discussed in detail in the CS4K Needs Assessment Report. These reasons sit in tension with the fact that courts are widely acknowledged as ill equipped to accommodate children; as well as the fact that the very legislation designed to offer victims of family violence protection actually provides a restriction, with certain exceptions,¹ on the presence of children² during FVIO proceedings.

This restriction is intended to protect children from further exposure to the details of the violence to which their parent (and they) may have been exposed; as well as to prevent them from becoming embroiled in the adversarial dynamic which is inevitable at court.

These are obviously commendable objectives. As a system, however, little has been done to facilitate or support ways in which these objectives can be met. Rather, and as the Royal Commission into Family Violence (RCFV) has acknowledged, children have largely remained ‘silent’ victims of family violence, with court procedures and facilities premised on the assumption that decisions which can have significant and enduring impacts on children will be made in their absence, despite the fact that many children are actually present at court when these decisions are made.

Recognising this to an extent, the RCFV recommended that Magistrates’ Court of Victoria headquarter courts ‘provide adequate facilities for children and ensure that courts are ‘child-friendly.’³ The implementation of this recommendation – something which will take significant time and resources – will go some way to addressing safety and trauma issues for women and children who live close to and can attend ‘headquarter courts’ but will not address these problems for parents and children who do not. What’s more, they may make little difference to the capacity of AFMs to focus entirely on their legal needs while there.

While many women need to bring their children with them to court when attending for FVIOs, it is often logistically difficult for a mother to complete the FVIO process when accompanied by children. Without finalising a FVIO, a woman and her children are formally unprotected by the mechanisms which the legal system has to offer and are at increased risk of continued violence. Further, where Magistrates do not tolerate children in court, including babies, the distress of already traumatised children being separated from their mother while she goes into the courtroom places extra stress on both the child and mother. Children can be further exposed to the effects of violence through hearing details in police interviews and seeing the perpetrator (who is often their father) in the waiting area at court, potentially creating further trauma and conflicting and confusing emotions.

Summary of needs

The CS4K Needs Assessment found that, when read together, clear and consistent themes emerge from the literature and stakeholder perspectives in relation to the factors contributing to, and issues arising from, women attending court for FVIOs with their children. While the findings establish that children and young people being at court during FVIO proceedings is not a desirable situation, the combined data indicate that many women do not have a viable option other than to bring them. Accordingly, a pressing need arises to find ways to address this issue: to support and meet the needs of these women and their children who come to court.

¹ Exceptions apply if the child is the respondent or if the court orders otherwise, having first taken into account the ‘desirability of protecting children from unnecessary exposure to the court system’ and the ‘harm that could occur to the child and family relationships if the child is present while the court is conducting the proceeding’: s 150(3). *Family Violence Protection Act* (2008).

² A ‘child’ is defined by this Act as someone under the age of 18.

³ Victoria, Royal Commission into Family Violence, (2016) Report and Recommendations, Summary, 65.

Both the literature and perspectives from stakeholders in the Needs Assessment highlighted some key needs of women and children when attending court for FVIOs. These include:

- the need for children’s experiences to be acknowledged;
- the need for children to be distracted and entertained, to reduce trauma for children and to reduce stress for mothers;
- the need for dedicated children’s spaces;
- the need for safe, quiet spaces where women can receive legal advice and other support away from their children;
- the need for safe spaces to meet basic needs of children and women who are fearing for their safety, such as ensuring there are change tables, toilets, basic food and water available at all times;
- the need for court stakeholders and Magistrates to understand the reasons behind why women bring their children to court; to demonstrate this understanding to distressed AFMs; and to facilitate flexible arrangements to accommodate children in the court process where possible.

Outside of the CS4K program, Sunshine, Geelong and Ringwood Magistrates’ Courts have all made some attempts to address the challenges presented by having children at court with women applying for FVIOs. Each court has created a safe space for women attending court for family violence matters. However, these are of varying sizes, with insufficient space for children, and do not cater for the many basic practical and safety needs of children and women – such as the need for change tables or changing spaces, and having some basic food and clean water available – so that women are not forced to leave these allocated spaces.

Further, none of the courts have dedicated children’s play spaces, a need that was highlighted by all interviewed as the singular most urgent priority for dealing with the challenges women face when attending court accompanied by their children in this context.

The Needs Assessment also identified that – despite the many stories that lawyers, court staff and Court Network volunteers relayed of having to step in to look after or distract children in the course of their duties – court staff and Court Network volunteers are specifically prohibited from looking after children.

Further, legal practitioners remarked that staff and service providers at court were usually too focused on and busy with their own matters to notice or to help look after children.

The Needs Assessment data therefore establishes that there is a genuine need for services of some description which address the experiences of women who bring their children to court as the AFM in FVIO applications as well as services which address the experiences of children themselves. It is also clear that CS4K is the *only* service currently operating which is specifically dedicated to looking after the needs of women attending court for FVIOs while accompanied by children, and dedicated to looking after the needs of the children themselves. This Evaluation examines the extent to which CS4K meets these needs.

About this report

The remainder of this report is set out in four further distinct parts. Part Two provides background to the development of the program; description of program activities; and a summary of program data collected to date by service providers. Part Three explains the Evaluation purpose and methodology; with Part Four detailing the findings from interviews and focus groups about the CS4K program. Part Five provides a brief summary of findings, recommendations and the conclusions of the Evaluation. The Evaluation Rubric and Interview Tools are featured at the end of this report.

Part Two: Program Summary

The CS4K Program was designed by McAuley in response to the inadequate facilities in courts for children as well as the absence of any support services for women attending court for FVIOs while accompanied by their children. The first – and initially the only – program of its kind in Victoria (and Australia as far as the CIJ is aware), the CS4K program aimed to enable more women to attend, participate in and complete FVIO proceedings by providing women and children with support from a floating children's worker at the court on FVIO application days. CS4K was designed to help women focus on FVIO proceedings while knowing that their children are cared for and engaged in safe, creative play in the court building.

CS4K program development

With financial support from the Barr Family Foundation in 2014, McAuley conducted a CS4K pilot at the Sunshine Magistrates' Court, commencing with the support of a children's worker at the court two days per week from August 2014 to July 2015. CS4K consisted of the children's worker providing age appropriate toys and activities aimed at distracting children from the trauma of court; and assisting unaccompanied mothers to attend their court proceedings either with or without the children (supervised by the CS4K worker). The program was found to serve a very useful role at court, as noted by the Family Violence Registrar of the Sunshine Magistrates' Court in her submission to the Royal Commission into Family Violence in 2016.⁴ As a result of the success of the program, CS4K was subsequently adopted by Bethany in 2016, and by EDVOS in 2017.

Due primarily to staff shortages, the program at Sunshine Magistrates' Court was rested for most of 2016, while a reference group of key industry people formed to assist with a review of the program. The result of this was a formalised program aim structure; activities; and outcomes; with associated in-built evaluation strategies. CS4K recommenced at the Sunshine Magistrates' Court in March 2017 following the appointment of new staff. The reintroduction of the program at Sunshine Court coincided with the introduction of a quality assurance process that included a revised daily data collection process, and the collection of first hand feedback from the clients supported by the program via a short voluntary survey which was developed with the CIJ's support. These processes have since been incorporated at all three locations as part of ongoing efforts by the three services to evaluate the effectiveness of CS4K and to improve its operation.

The CS4K program is currently funded by various philanthropic grants, as well as in-kind support from the service providers as part of their commitment to specialist family violence support for women and their children. The program has not received government support and does not currently have ongoing or secure funding.

⁴ Victoria, Royal Commission into Family Violence, (2015). Witness Statement, Specialist Family Violence Service Registrar, Sunshine Magistrates' Court. Transcript of Proceedings, 4 August 2015.

Program description

The aim of CS4K is to:

provide children accompanying women who are at court for family violence related matters with diversionary, creative play opportunities to protect them from further family violence related trauma, while empowering women to successfully complete family violence related matters.

Essentially, the role of the C4K children's worker is to engage with, support and distract the children of women at court in order to enable the women to participate fully in the FVIO process. It should be noted that the CS4K program supports any children attending court with a parent through the provision of safe, age appropriate toys if requested by the parent. The support provided by the worker for families attending for family violence matters, extends to a wide range of supports, including but not necessarily limited to:

- direct interaction in play with the children;
- direct supervision of the children while the mother attends meetings with court services;
- direct supervision of the children outside the court room while the mother attends the court room;
- direct supervision of the children inside the court room while the mother attends the court room;
- direct supervision of the children in a secure waiting area while the mother provides remote video evidence to the court room;
- informal referrals to service providers in court; and
- advocacy on behalf of the family to court staff and services.

The children's worker undertakes the role in a risk management framework, and program material indicates that the worker uses the following best practice approaches to working with women and children who are affected by family violence, being: Child Aware Approach; Attachment Theory; Strengths Based Approach; Trauma Informed Theory; Understanding of Family Violence; and Age Appropriate Play. In addition to the formal qualifications of the current children's workers (in relevant fields of social work and education), CS4K workers are required to undertake a half-day CS4K training program before commencing in the role. It is also recommended that workers complete existing Common Risk Assessment Framework training.

While the aims of the program are essentially the same for each location, there are some differences in terms of how the program is delivered at each court, primarily due to the need for the children's workers to adapt the program to the local context and physical court infrastructure. The way in which the program is delivered largely depends on each court's physical space, available facilities and safe spaces, court operations, and the perceived demand for the program at each court in terms of the numbers of women attending court. To a lesser extent it also depends on the specific requirements of the relevant funders.



Sunshine: McAuley

As noted, in Sunshine, the program has been operating in its current form since early 2017 (prior to that it was run by McAuley case managers). It is currently operated by one children's worker, three days a week, on family violence support days (Mondays, Tuesdays and Wednesdays). Usually the worker starts at 9am and stays all day until between 4pm and 4.30pm. A volunteer helps on police application days (Mondays) due to the increased need for the service on those days.

Geelong: Bethany

In Geelong, the program is operated by one worker three days a week on Tuesdays, Thursdays and Fridays (on two police initiated application days and one self-application day), from 9am until 1pm, when the court breaks for lunch. The program has been operating in its current form since June 2016 (having commenced with 2 days per week in April 2016). It has a regular specialist children's worker and currently has two volunteers. One volunteer helps the worker a day per fortnight on a scheduled day.

Ringwood: EDVOS

CS4K has been operating for just over one year in Ringwood, having commenced in April 2017. The EDVOS children's worker is generally at court two days a week though may attend on other days at the request of the Applicant Support worker, who is also an EDVOS employee. If there are no children, the worker will leave by midday. If there are a number of children, the worker will stay until the children leave.

Program features

As noted above, each Magistrates' Court is different, with different waiting spaces, available facilities, ways of prioritising and communicating about FV matters, and with varying levels of demand. To this end, each program has by necessity adapted the role of the children's worker to the needs and peculiarities of the particular court.⁵ In the interviews with CS4K staff for this evaluation, children's workers revealed that, while the program differs in terms of how it is delivered in each location, all staff perceive the program as having complementary priorities. Despite differences in how the program works in each location, core similarities in program delivery emerge, as described below.

Workers approach families, introduce themselves and offer their services at court

As discussed in the Needs Assessment Report, the nature of family violence matters and attending court for an FVIO means that often women are at court in response to a very recent incident – potentially as recent as the night before – and there has been little or no time to investigate childcare arrangements at court. Alternatively, the dynamics of family violence can mean that childcare options simply do not exist or are not appropriate for families experiencing acute separation anxiety or trauma.

According to CS4K staff, this immediacy means that very few women who attend court for FVIOs for the first time are aware of the CS4K program services. Occasionally, women may have been in contact with the relevant specialist family violence women's service prior to attending court and may be aware that the children's worker will be there, or may have been at court before. For the most part, however, the children's worker approaches women with children when they arrive at court without previous introduction.

⁵ For example, Ringwood has a larger protected person space, which means that the children's worker works in close liaison with the family applicant practitioner in the protected person space. In Sunshine, the safe room has limited space and the worker spends most time working with children and families in the corridors. According to legal practitioners and court services in Sunshine, the court itself is overall larger, newer and more suitable to this kind of approach. However in Geelong, the court structure and facilities mean that the worker drifts between the safe space and outside the courts, but this is less than ideal given the stairs, limited court space and limited space inside the safe space.

In Sunshine, this generally involves an initial informal and friendly introductory chat:

☐☐ *I make contact with each family and their children and tell them about myself, my role. Some say no, but most people are very willing. ... To the kids, we chat about their interests, with mum, I'll ask how are you? Their name, whether it's a family violence matter ... [children's worker]*

Due to the size of the protected person space in Ringwood, the children's worker works closely with the family violence applicant worker, and usually in liaison with the court staff from that area. Court staff and the children's worker in this court noted that, as the safe waiting area is a reasonable size, the children's worker tends to focus her efforts on supporting women and children inside that space more than in other courts, where workers reported that they need to work more regularly in the corridors and outside courtrooms, due to insufficient space in the safe waiting areas. Nonetheless, the Ringwood worker will still look for women and children in other areas:

☐☐ *Usually the women are not limited to that space, so I'll come out to other women elsewhere and set kids and families up outside if needed. I float between rooms, set up one family, then go out and see an 18 month old outside, so I'll swap toys, books, so they don't get bored ... I don't ask what they're here for, but if it comes up I will flag it with an EDVOS worker or the Registrar to see how long they have to wait, what's going on. ... In the general space: I'll say 'I'm [X], the children's worker, would you like me to give them something to do?' I tell them what I can do, I don't generally say I'm from EDVOS. [children's worker]*

In Geelong, the children's worker also takes the opportunity to introduce the service to women at court with children and explains her role. She emphasises that the service is not a babysitting service but that she is there to help the woman with her child or children while she tries to obtain an FVIO:

☐☐ *So I'll tell mums I've got a pram, and that I will play with your child when you're in court, but you need to pop your child in the pram, containment and safety is very important. I make it very clear it is not a babysitting service, I'm very clear what my role is – your child is with you unless talking to police or in court, and even then I might not look after your child, but I have headphones and can come in with you and your child into court if the child can be distracted. [children's worker]*

All workers noted that they often work with multiple families at once, surveying the court waiting areas near the family violence courts as well as the court safe spaces in order to find families with children.


Workers sit with children and distract/entertain them while their mother has interviews with police, legal practitioners or court staff

All workers will offer to support mothers with children by helping to entertain and distract their children while women have interviews with police, legal practitioners or court staff.

☐☐ *I sit with them for the entire process, for example while they talk with police, with support services; I sit outside the meeting room with the kids playing, waiting in the waiting area and waiting outside. [children's worker]*

While the workers from Sunshine and Geelong reported providing in-court support for women with children when required, the EDVOS approach focuses more on supporting women in the protected persons space and enabling them to have private conversations with police, lawyers and support services.

☐☐ *The protected person space is quite big compared with other courts, so usually the services, police and lawyers can come in and go to the women themselves, and use the little side rooms for conversations, so I play with the kids in the corner of the room or elsewhere away from where mum is speaking. [children's worker]*



As already described, each service operates slightly differently in each location, due to the peculiarities of the particular court as well as how the service approaches the role. In addition to differences in the days that the children's workers attend court in each location, there are differences in how long the workers tend to stay at court. For example, the EDVOS worker attends court two mornings a week, and usually leaves by lunch time if there are no women with children there. The Sunshine worker attends court three days a week and tends to stay all day. The Geelong worker also attends court three days a week. While there were reports from court stakeholders suggesting that the Geelong worker will stay to the end of the day in order to stay with women who have children with them, the Geelong worker stated that she usually works until the Court breaks for lunch at 1pm.

Workers prefer to sit with children in court, if allowed, to avoid further trauma

All children's workers stated that they also distract or entertain children while their mother has to go into court for a hearing in relation to her FVIO. When women are required to – or sometimes choose to – go into the courtroom for their family violence proceedings, all children's workers reported a preference for sitting with and distracting the children in the courtroom while their mothers attend the proceedings, if deemed suitable for the child.

All workers acknowledged the trauma that children in family violence situations have already experienced, and shared the view that their priority is to ensure that they do not further traumatise children by exposing them to discussions at court about family violence. Nonetheless, where the child is able to be distracted in court and can be protected from being exposed to further trauma, the shared preference for CS4K staff is to keep the child near or in sight of their mother, so as not to upset the child or make the child anxious through unwanted separation from the mother.

The children's worker in Ringwood reported only having to go into court occasionally, and will either sit with the children in court or stand just outside the courtroom door to be near to the mother. Children's workers in Geelong and Sunshine described providing in-court support more regularly, sometimes sitting in court and using headphones and an iPad to distract very young children in order to minimise trauma for the children, as well as to minimise disruption of the court process.

Program summary data

As part of the services' ongoing attempts to quantify and evaluate the impact of the program, CS4K children's workers in each site maintain a daily activity record to calculate the numbers of women and children accessing the service. A summary of the numbers of women and children who have accessed the service at each court in the financial year from July 2017 to June 2018 is provided in Table 1 below.

In the past 12 months the CS4K program has supported a total of **615 women** and **837 children** at all three courts during family violence proceedings, over a total of 271 court sessions attended by the children's workers in the past 12 months. On average, the McAuley children's worker at Sunshine Court has supported three women and just over four children per session attended. The Bethany and EDVOS children's workers have supported almost two women on average at each session attended, and an average of just over two children per session. Of course, the actual numbers of women and children needing support vary from session to session, with children's workers stating that on occasionally quiet days there are very few families requiring assistance, with busier days requiring the children's workers to juggle the priorities of numerous women and children at once.

The variance in the number of sessions attended by each service over the last 12 months largely reflects the relative number of FVIO court sessions held by that particular court over the 2017-18 financial year, but also corresponds with the amount of time dedicated to the program at that location by each service. The amount of time dedicated to the program relates to program demand at each court, but is also limited by each service's available resources for the program.

Table 1: Numbers of women and children supported by CS4K 2017-18

	Sunshine Magistrates Court: McAuley	Geelong Magistrates Court: Bethany	Ringwood Magistrates Court: EDVOS	Total across 3 courts
Number of court sessions attended*	127	104	40	271
Number of FV women supported	378 (approx 3 per session)	168 (almost 2 per session)	69 (almost 2 per session)	615
Number of FV children supported	526 (approx 4 per session)	220 (approx 2 per session)	91 (2+ per session)	837
Total number of women supported**	707	351	71	1129
Total number of children supported**	962	448	97	1507


* Variance in sessions attended relates to the different volume of FVIO applications at each court as well as the fact that each service has different levels of resources available for and dedicated to the program.

** While FVIO applicants take priority, CS4K workers also assist women who are attending court for other matters while accompanied by their children.

In addition to daily activity summaries, voluntary surveys completed by women after accessing the service have proven a useful tool for each service to assess clients' satisfaction with the service. McAuley survey data from March 2017 to December 2017 indicates that women participants who access the service at Sunshine Court are overwhelmingly positive about the program. Over the eleven months of data, 146 women opted to complete the surveys whilst at court, which is a significant number given the other pressures that women will have been experiencing at the time. In the survey, they are asked to choose a 'Yes', 'No' or 'A little' in response to the three statements, and to provide additional comments. Table 2 below sets out the selected responses to the three statements.

Table 2: Client survey responses, Feb-Dec 2017

	Yes	A little	No	N/A	Total
1. CS4K support improved the court experience for your child/children	146	1	0	0	147
2. CS4K support improved your court experience	145	2	0	0	147
3. CS4K support helped to successfully complete your Family Violence court proceedings	141	3	0	3	147



These responses reveal a very high satisfaction with the service provided to the women survey respondents and their children while at Sunshine Court. Of the 101 survey respondents who added comments, almost all comments were very positive about the service, with the remainder either expressing gratitude or – in two cases – suggesting improvements. There were no negative comments provided in the responses. Where comments went beyond expressing thanks or gratitude for the help, many stated that the children’s worker’s assistance made the experience much easier for both mother and child.

Frequent terms in the comments used to describe the children’s worker were ‘fun’, ‘helpful’, ‘caring’, ‘friendly’, ‘kind’, ‘loving’, ‘patient’, ‘professional’ and ‘supportive’. Key terms used to describe the experience for their children was ‘happy’, ‘safe’, ‘comfortable’, ‘fun’, ‘entertained’ and ‘distracted’. When describing their own experience, survey respondents stated that the help was invaluable; that they felt supported and reassured; that the support helped them to focus on the legal process; and – most commonly – that the CS4K worker helped to reduce stress in an otherwise stressful environment.

Some survey respondents also made the comment that it would be very difficult to proceed without the help of CS4K.

As one survey respondent noted:

■ ■ *It would be difficult to go through the court today without [childrens worker]’s help and support. She was amazing and kindly stayed with my son until I finished all my court matters. I am very thankful for her help and support. My son was happy and entertained.*

The two comments that included suggestions for improvement related to the court space itself. Both suggested that a separate room for workers and children with a play area and facilities for children would improve the experience.

Overall, the program summary data collected by McAuley, Bethany and EDVOS indicate that the program has helped support hundreds of women and children while at each court for FVIO applications in the past 12 months, and that this support has been welcomed by both the women and the children themselves. Using this data as a starting point, this Evaluation sought to gather in-depth, contextualised information about the effectiveness of the program and the extent to which it is meeting women and children’s needs. The next section discusses the purpose and methodology of the Evaluation.

Part Three: Purpose and Methodology

In 2016, the CIJ was approached by McAuley Community Services for Women (McAuley) concerning the possibility of evaluating its CS4K program. At that point the program had been in operation at Sunshine Magistrates' Court since 2015 and had recently commenced operation at Geelong Magistrates' Court, delivered through Bethany. McAuley sought an evaluation of the program to determine whether it was meeting a genuine need in the court environment or whether its resources might be better directed in another way.

At that time, program data was relatively scarce, given the incidental and casual nature of the contact that children's workers had with clients and the de-identified way in which the service worked. Other challenges to gathering data included the fact that, at that point, different workers attended the court on different days, as well as workers' concerns that asking women directly about their experiences of the CS4K program would potentially be further traumatising in the context of an already stressful situation.

The CIJ discussed these challenges with McAuley and with Bethany over a period of time and investigated programs with equivalent practices to determine appropriate ways in which to gather data. These investigations revealed survey instruments administered by equivalent services to clients at court after they had completed their matter, which they could complete while waiting for their court paperwork. The CIJ provided this information to McAuley and Bethany, who developed their own survey instrument to administer.


Given discrepancies between services as to how the information was collected, the survey and other quantitative data were, at that point, unlikely to provide a basis for a rigorous evaluation. The different time periods in which the program had been operating in different locations, as well as the ethical considerations involved in obtaining data about victims of family violence, suggested that a qualitative approach was more appropriate and would glean more useful findings for the CS4K program. Accordingly, while the quantitative data has been incorporated to provide some descriptive information about CS4K, a qualitative approach was ultimately adopted first to examine the needs that the program was attempting to meet, and then to identify the extent to which the program was meeting those needs.

The aims of this overall project therefore became:

- i) to conduct a Needs Assessment in relation to the issues affecting women attending court for FVIOs while accompanied by their children; and
- ii) to collect evidence about, and to evaluate the effectiveness of, the CS4K program in meeting these needs.

The Needs Assessment focused on three overarching research questions:

- What are the needs of women attending court for FVIOs while accompanied by children?
- What are the needs of children who accompany their mothers at court while attending for FVIOs?
- What impact does the presence of children have on the legal process when children are accompanying their mothers at court?



The findings in relation to these research questions are discussed separately in the CS4K Needs Assessment Report and form the basis for the evaluative criteria developed for this Evaluation. Having examined the findings that emerged from the Needs Assessment, the Evaluation then sought to answer the following Key Evaluation Questions (KEQs):

1. To what extent did CS4K meet some of those needs for women and children when attending court for FVIOs?
2. To what extent did CS4K assist in the process for court staff, legal practitioners or support services, and for the legal system more broadly?

The Evaluation Report discusses the findings in relation to KEQs 1 and 2, and provides an overall assessment of the CS4K program against each evaluative criteria in the next section.

Data Collection

Literature review

To provide a foundation for the project, a review of the relevant literature was conducted to provide contextual information and to identify key needs for women and children at court when they are an AFM in an FVIO application. The review also sought to answer questions about why some women bring their children with them to court; as well as to consider the implications of children and young people being present during FVIO proceedings – for women who have been victims; for the children and young people themselves; and for the legal system. The issue of children and young people appearing in court as respondents to FVIO applications presents a distinct range of issues, and was not examined here. It should be noted, however, that the CIJ is conducting another project on this topic and its knowledge of the evidence base on that subject informed this work as well. The findings of the literature review are discussed in detail in the CS4K Needs Assessment Report and summarised in Part One above.

Interviews with CS4K staff

Given its limited reach at present, each provider delivering the CS4K program employed one worker to provide the service, in addition to two currently being supported by volunteers. Four face-to-face semi-structured interviews were conducted separately with the CS4K program children's workers (3) from each service, and a CS4K volunteer (1). The interviews focused on staff perspectives as to women's and children's needs when attending court for FVIOs; the priorities for the program; and their observations as to the benefits and challenges of the program for women, children and for the court process overall. (See Appendix 1: Interview Guidelines).

Interviews with court stakeholders: court staff, legal practitioners and support services

Based on their regular involvement with family violence matters at each of the courts – as identified by CIJ in collaboration with McAuley – focus groups were conducted at all three locations with:

- court staff (3);
- legal practitioners and social workers from Victoria Legal Aid and Community Legal Centres providing duty lawyer services to the three relevant courts (17); and
- Court Network⁶ volunteers (4).

A total of 24 court staff, legal or community service practitioners were interviewed as part of the Evaluation, focusing on stakeholder perspectives as to why women bring children to court; women's and children's needs when attending court for FVIOs; and their observations as to how effective the CS4K program has been in helping women, children and the process overall. (See Appendix 1: Interview Guidelines)

⁶ Court Network is a court support program serviced by volunteers that operates in some Victorian courts to provide support, information and referral to people attending court and to advocate for the needs of court users. For the past two years, Court Network has been building a dedicated program to develop its capability to respond to family violence. The program's development is guided by Court Network's family violence vision to: provide effective support to people affected by family violence and complement the integrated service response available to maximise women's and children's safety, and connect victims and perpetrators with appropriate referral pathways. While Court Network helps women attending court for family violence matters, it does not look after children.

Interviews with clients

One-to-one interviews were sought with women who were current clients of McAuley, Bethany and EDVOS. The focus of the interviews was to identify some of the reasons why women bring children to court with them when attending for an FVIO; to discuss their experience when attending court for an FVIO; to highlight their needs and those of their children while at court; and to provide their observations of the CS4K program, if they had accessed it. The only eligibility criterion for participants was that the client had attended court with children in relation to an FVIO but there was no requirement for the woman to have accessed the CS4K service.

For the purposes of recruitment, case managers from each service raised the project in the course of their ongoing work with clients who they knew had attended court for an FVIO, explained the project's purpose and assessed their client's interest in an interview. Ten women (10) expressed interest, with eight interviews eventually taking place. Two of these women were clients who had children and who did not take them to court, but who nonetheless expressed interest in participating in an interview. Given the objective of the Needs Assessment, these interviews were subsequently deemed relevant to the broader purpose of the project and proceeded. (See Appendix 1: Interview Guidelines)

A total of eight women were interviewed as part of the project, six of whom had attended court in relation to a FVIO matter while accompanied by their children. Due to the sensitive nature of family violence, and the need to consider the women and children's safety, minimal identifying data was obtained. Nonetheless, of the eight participants, one identified as Indigenous; and all had English as a first language. Of the six women who were accompanied by their children at court, most (5) had either one or two children with them, while one woman had three children with her at court. Further, of the six women interviewed who attended court with their children, almost all (5) had attended court with their children more than once. Of the six women interviewed who attended court with their children, all had accessed the CS4K service.

In total, the eight women who participated in the interviews had 14 children in need of childcare between them at the time that they attended court for FVIOs. Ten of these children attended court with their mothers for at least one court visit (four children were looked after by family elsewhere). The children's ages at the time of their first visit to court when accompanying their mothers ranged from three months old to 14 years old. While most children were aged 5 and under at the time of their first visit to court (6), Table 3 below shows that older school age children also accompanied their mothers to court (4).

Table 3: Children accompanying mothers to court when attending for family violence orders

Client	Number of children in need of care	Ages of children at commencement of proceedings	Children attended court with mother	Attended with children more than once
1	1	3 months	Yes	Yes
2	2	5 yrs and 7 yrs	No	n/a
3	1	2 ¾ yrs	Yes	Unknown
4	1	3 months	Yes	Yes
5	2	7 yrs and 9 yrs	Yes	Yes
6	3	3, 11 and 14 yrs	Yes	Yes
7	2	4 yrs and 5 yrs	No	n/a
8	2	1 yr and 5 yrs	Yes	No



Survey and program data

As discussed in Part Two above, as part of its ongoing program development McAuley has introduced internal evaluation processes throughout the cycle of the program in order to refine the program and ensure that it is meeting the needs of women and children. CS4K program workers distribute brief surveys to women using the service at each court. Surveys are voluntary and in some cases workers determine not to suggest the survey to a woman where it is observed that she may be feeling particularly vulnerable, or it is otherwise inappropriate to ask her.

McAuley survey results for the Sunshine Court for 2017 were provided to the CIJ in aggregate form so as to remain de-identified. A brief analysis of this data was conducted to establish whether this data supported the findings from data obtained through the qualitative interviews and focus groups.

Rather than merging findings as in a mixed methods approach, this data was used to provide some context for the findings from the qualitative evaluation. This data is summarised in Part One above and echoed the findings of the broader research to an almost identical and therefore striking extent, with survey results overwhelmingly positive.

Data Analysis

At the completion of interviews and focus groups, an initial analysis of all data from interviews and focus groups was carried out by a process of inductive coding, whereby a 'rigorous reading and coding of the transcripts allowed major themes to emerge',⁷ and similarities and differences between and within groups could be compared. The emerging themes were then compared with the findings of the literature review, seeking to identify key needs of women and children in this context. While no framework or criteria were uncovered in the literature that establish best practice for programs like CS4K, it was possible to glean some key themes that could inform an evaluation framework for court support programs seeking to support women attending court for FVIOs with their children. Deductive coding was then used to organise data in relation to the Key Evaluation Questions and in relation to the key themes identified in the literature, in order to deliver evaluative conclusions about the extent to which the CS4K program is meeting some of these needs.

Limitations

Like all projects, this project came with certain limitations. These included the fact that the CS4K program is delivered by three different service providers; in three different court locations; with different commencement points; and with different levels of staffing and resourcing. For this reason it was not appropriate or viable to compare 'apples with oranges' in relation to whether each program site was delivering the program as intended (Process Evaluation); or whether one service was delivering the program more effectively than another, as solid conclusions in this regard were not possible on the program data available. Rather, a measure of the extent to which the broad concept of the program was meeting a genuine identified need was considered more appropriate in the circumstances.

Similarly, given the ethical considerations involved in recruiting victims of family violence appropriately, as well as the other demands with which women living with or surviving family violence are struggling, the number of women willing or able to participate in an interview for the project was fairly limited, as is frequently the case in research with victims of interpersonal violence. What's more, while the method of recruiting women through an agency which could then provide them with subsequent support is an ethically appropriate one, by default this can increase the likelihood that only women who are favourable to the program responded to the invitation. Given that the overall survey results were so unequivocally positive, however, the CIJ considers this a relatively minor concern.

A final limitation on the work – but a reflection, conversely, of its value – was the severe lack of literature revealed regarding the numbers of children who attend court with their mothers; the reasons why they do; the impact of doing so or their needs while they are there. This gap in the literature suggested to the CIJ that this is an issue worthy of much more in-depth examination in the future.

⁷ Elliott, S. J., & Gillie, J. (1998). Moving experiences: a qualitative analysis of health and migration. *Health & Place*, 4(4), 327-339.

Ethical considerations

As noted above, significant ethical considerations are involved in any research with victims of interpersonal violence. These ethical considerations are partly why the CS4K programs gather and retain such limited data on the clients that they service. After all, victims who feel vulnerable and at risk at the time of attending court should not be required to provide identifying information to, or answer questions from, more agencies or authorities than is already the case.

When recruiting victims of interpersonal violence for qualitative research, therefore, the CIJ is always certain to ensure that participants are already connected with a support service. This is so that the service can determine whether these women are at risk, or otherwise too vulnerable to participate in the research. It is also so that participants can be provided with appropriate support and de-briefing immediately following an interview by a case manager or other practitioner with whom they have an existing relationship.

These ethical considerations also mean that women must not be contacted in ways which may alert their partner/former partner to their participation in the research or their connection with the service. This automatically limits the number of women who are able to be contacted. Women should also be interviewed at a site which is convenient to them, so as to minimise the impact of the interview on their time. For this reason, the CIJ researcher attended the respective service provider locations, or conducted interviews over the phone, to ensure that women were not further inconvenienced.

Ethical considerations in relation to practitioner participants related primarily to the imposition on already busy schedules and the fact that, by virtue of being recruited through their places of employment, their employers would be aware of their participation in the research. All employers were highly supportive of the research, however, and there were no discernable negative consequences for practitioners' participation.

The next section describes the evaluative criteria and discusses the findings from the Evaluation.

Part Four: Program Summary

This section provides information about the CS4K program and its activities, based on perspectives of CS4K staff, participant feedback and court stakeholder interviews. Drawing on the evidence in the CS4K Needs Assessment, which identifies key needs of women and children when attending court for FVIOs, key evaluative criteria were developed to determine the extent to which the CS4K program aligns with those needs. Findings are presented about the extent to which CS4K is responsive to these needs, in accordance with the relevant criteria.

Evaluative criteria

Drawing on the findings of the CS4K Needs Assessment, key criteria and corresponding definitions were developed to describe core elements of a quality program seeking to support women who are at court in relation to FVIO matters, while accompanied by children. Two of the three criteria – ‘Responsive’ and ‘Effective’ – were developed based on the key needs identified in the CS4K Needs Assessment. In addition, a data typology was developed identifying emerging themes. These themes were used to develop a third criterion to analyse data relating to ‘Accessibility’. Data was then analysed against each criterion to produce findings, which are presented under relevant headings in the following sub-sections. An Evaluation Rubric indicating CS4K performance against each criterion is provided at Appendix 2.

Table 4: Criteria and Definitions

KEQ	Criteria	Definition
Program implementation To what extent did CS4K meet some of the needs for women and children?	Responsive	The extent to which the CS4K program is responsive to the following key needs: <ul style="list-style-type: none">– Child Friendly– Child Focused– Meets basic needs
	Accessible	The extent to which the program is visible to potential users and service providers; and the extent to which all stakeholders are aware of and understand what the program offers.
Program impact To what extent did CS4K assist in the FVIO process for court staff, legal practitioners or support services, and for the legal system more broadly?	Effective	The extent to which the CS4K program was effective in: <ul style="list-style-type: none">– Reducing trauma for children and women– Assisting the legal process– Promoting the needs of women with children at court.

Findings

Responsive	The extent to which the CS4K program is child friendly, child focused and meets some basic needs.
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Child Friendly: entertaining and distracting children to help women get FVIOs

Participants were extremely positive about the responsiveness of CS4K to children's and women's needs, with all women participants and all stakeholders who had observed the program providing positive feedback about the extent to which CS4K children's workers positively engage, play with and distract children.

All children's workers noted that the entertainment and distraction of children is a key priority of the program stating that, while at court, children need to feel safe, to be kept occupied, entertained, and engaged in an activity 'so they don't get bored'. To this end, children's workers explained that they engage in a variety of age appropriate activities in order to entertain and distract children while at court with their mothers. This includes walking babies in prams so that they are distracted; helping babies and toddlers get to sleep; playing with young children; offering toys; colouring activities and craft; and engaging children in games. The following discussion between Court Network volunteers and legal practitioners reveals their observations of the program in one court:

FF *in the waiting room, she has them in there [court support]*

toys and puzzles, and... [court support]

I think it's also, I've heard her explaining to a mum, like 'this is the situation, and these are the options, I'll find out if the Magistrate will let you bring the child in to the court, we've got a pram, we've got these supports', and really engaging this child and you know, helping the child to relax and help the child to focus on some play, which was really helpful [legal practitioner]

Mmm, she's excellent. [court support]


A legal practitioner in another court made similar observations of it describing the program as 'part of the furniture' in that court.

FF *So actually for us it's kind of part of the furniture now ... so often at a normal day at [court] you're kind of walking up and down a lot, I'll turn to the right and I'll see ... [the children's worker] on the floor doing puzzles with the kids, or games or drawing, or I went into court the other day and she had keys and was dangling it in front of the baby while the mum was giving, making an interim application ... they remind me of like a childcare worker. [legal practitioner]*

Further, all women participants who accessed the program spoke of the efforts of the particular children's worker in helping to distract and engage their children, explaining how the workers helped to make the day less stressful and, even in some cases, fun for the children.

FF *It's stressful too because of [my child's] stress, so it was so good [the children's worker] was there ... because she's there, I can say, you know, 'we just need to go to this building', and they're just going to play, and it's just another four walls, it's just another day. [client]*

I occasionally see women coming back for different matters and lots seek me out: 'my child wants to play with that play lady' and 'she's here today!' [children's worker]



All women participants who had accessed the program were extremely appreciative of the support from the children's workers that they had received while at court, for some on more than one occasion. Two women were particularly impressed with the worker's ability to look after their children. Participants expressed amazement at the ability of the children's worker to settle their toddler, or engage quickly and effectively with their high needs child.

FF *My [child] was 18 months ... I took her along, and [the children's worker] and her associate waited outside with her while I went into court, she got her to sleep, I came out and said, 'How'd you do that?!' (Laughing) [client]*

I didn't know [about the program] the first time, I was sceptical when she offered to help because my son doesn't go with anyone, but she was amazing with him, he went straight to her, and they played UNO together, and the next time he took card games and taught her a few new ones ... [The children's worker] was amazing; my son doesn't talk to anyone, he has ADHD, but [this children's worker] he LOVES! [client]

All court stakeholders who were aware of and familiar with the program, as well as all six participants who had accessed the program, were very positive about the children's workers and their ability to engage, play with and distract children. As already discussed in Part Two, all stakeholders (including those who were not aware of, or were less familiar with, the program) and children's workers agreed that the safe waiting areas are still not ideal for children. Certainly, women participants in some courts were relieved to be able to access the safe space and found it very helpful:

FF *The space was pretty busy but there were a couple of other kids there mucking around as well so they could play together, which made it a lot easier. [client]*

That room helped, there were toys, and bub recognises it now. It was really helpful, and the legal aid offices are in there as well, then you can chat with them there as well. [client]

Equally, in courts like Ringwood, where the space is a more reasonable size, court staff and the children's worker stated that they were grateful for the space, as it made it easier for them to protect and assist women attending for FVIOs. The EDVOS children's worker noted that, due to the larger size of the protected person space at Ringwood, she is better able to distract and entertain children while remaining within that space. Nonetheless, as the Ringwood court staff and service providers observed, the waiting area can get very busy and noisy, especially when it fills up with women and multiple children:

FF *There could've been a bit more room, you've got prams in there and other people – but considering the circumstances and what I was expecting it wasn't too bad. I mean court's not a place I want to go anytime, but I couldn't complain. [client]*

By contrast, the Sunshine safe space has just enough room to fit one family, which means that the Sunshine worker spends most of her time working in the corridors of the court, playing with children outside courts and on the floor, or wherever space is available.

FF *...there's no one spot. They kind of go with where the child is so... I used to see [the children's worker] on the floor, in a bunch of places. It's quite heartening, like, it's quite lovely to see that... [legal practitioner]*

In Geelong, while court support workers and service providers expressed the unanimous view that the safe space is unsatisfactory for women with children, women participants found the room helpful:

FF *The safety room just has females and children. It's really good, there's a TV there. [client]*

Nonetheless, women still need to leave the room to be able to hear announcements over the PA, or to change a child's nappy:

☐☐ *The space was really helpful; it's at the front so I automatically go there. But it's harder if you have to go upstairs ... and when I went to the [upstairs] court they didn't put it over the PA, so when I was in the main area, I could hear it, but in the protected room I couldn't hear it. [The children's worker] grabbed a couple of toys and came up with me, and she still put her to sleep. [client]*

As discussed in the Needs Assessment report, a court support volunteer also reported having to help a woman get out of the change room because she was cornered in there by her former partner, who was stalking the space outside.

Of course, CS4K program staff do not have the capacity or the responsibility to build dedicated child friendly spaces at court, as re-purposing court spaces to suit needs of court users is the court's responsibility. Nonetheless, the availability of comfortable, safe spaces for women attending court for FVIOs while accompanied by their children affects the court experience for these court users. Further, whether or not a court has appropriate spaces for women with children impacts on the ability of children's workers to do their job successfully.

Some service providers working out of Ringwood Magistrates' Court were unaware of the CS4K program. On hearing about the concept, they thought that such a program would be very helpful in responding to some of the needs of clients. However, they all remarked that an even greater priority would be to introduce a designated space for children in court, as evidenced by the following discussion:

☐☐ *I think a program like that would be good ... if it did have a designated space, and it was almost like a childcare [legal practitioner]*

Because the other thing is that one person has to spread themselves pretty thin with different kids rather than in the one space [legal practitioner]

Yeah and if it was a good little space, so that you could take them to have a play, and you could take quite a few kids to do it, so that also means then that the mothers ... don't have the child there with them which would be great and then the police can walk in and out, and they're not exposed to us talking about... or their mum being upset ... [legal practitioner]

yeah and mum can be clear headed when she's talking to you or you're trying to explain what's happening they're just not distracted, well in an ideal world... [legal practitioner]

A legal practitioner who was less familiar with the CS4K program expressed a similar view, stating that creating a dedicated children's area at court would be the ideal response to meet the needs of women and children attending for FVIOs. A program like the CS4K program would then be 'the next best thing':

☐☐ *You'll never ever get a stage where you get a court that has a dedicated creche area because of liability, and also because of parents thinking 'oh that's ok, I won't get mum to look after the kids because there's a creche at court;' ... so the next best thing is having a separate area, and the next best thing after that is having this sort of [CS4K] service. [legal practitioner]*

Even court stakeholders who were aware and extremely supportive of the CS4K program, based on their experience with it, recognised the need for dedicated children's spaces in court. This was particularly in relation to family violence matters:

☐☐ *I was going to say that if it is a more positive experience for children, then it may avoid some trauma for them of attending court, and it's impossible but it would be really good if there was some more space, for kids, rather than just having to blend in. [legal practitioner]*



Child focused: recognising children's experience as distinct from their parents

A key feature of the program highlighted by participants and stakeholders was that CS4K plays a unique role at court, as the only service dedicated to children and to meeting children's needs while accompanying their mothers at court. It was also the only service that acknowledged children's experience at court as distinct from that of their parents.

All children's workers noted that a key part of their role is to reduce the impact of court on children by reducing their exposure to the court process and to their mother's anxiety or distress, and to reduce trauma for them. In particular, all staff highlighted the importance of acknowledging the children and their experience as being *separate* and *apart* from their mother's experience. In their own way, each children's worker emphasised the need for children to be seen and heard in the court process.

☐☐ *Sometimes the child is just the accompanied object, they're a bit invisible. Which just adds to the child's trauma. ... So we need to make it as positive experience as possible within the circumstances. To make them feel they really matter. I see lots of children more than once, so I try really hard to remember their names or ask about things I remember from last time. Kids need to know they're not forgotten, that their own experience is separate from their parents. [children's worker]*

I'm glad for the ones that are there, I'm glad someone can acknowledge their presence as individuals separate to their mums; give them options about what THEY want to do. [children's worker]

[At court] no one asks the kids how they are, so it's good to have someone caring for them. We offer a safe space to play, they can get some attention, with someone focused just on them – as opposed to speaking to mum. We are someone there just for the kids, where they can ask questions, talk about their experience, play with someone. I try to make it an enjoyable time, so they feel like someone is there for them, to support them. [children's worker]

The efforts of CS4K program staff to focus on the children they are with are reflected in the experiences of the women participants. As one participant remarked:

☐☐ *[The child worker] plays with him, talks to him; it's amazing to see her with him, he only talks to [her]. Even when I was in there with them, she kept coming in and out of court and checking on us and them. [client]*

Court Network volunteers expressed how difficult it could be at times for them given that, while they support women applicants in family violence matters, they are unable to offer assistance in caring for children. In the absence of any other support services for children at court, this has left them feeling conflicted at times.

However, according to all four Court Network volunteers interviewed, the children's workers have helped to relieve that pressure.

☐☐ *... our service was often approached to look after children, because there was no other service there, so in terms of that ... we ... [now] very very rarely get approached ... but I just think it's really helpful because none of the volunteers want to see the kids going into court, so it's a relief for them when the [children's] worker can work with the kids and they can support mum or dad in the court, whoever it may be, so yeah it's been helpful for our service. [court support]*

All volunteers stated that children's workers are a great support not only for the women and children, but also for the Court Network volunteers, who remarked that they were pleased to know that court support was now available for children. In particular, they are pleased to know that someone is there to focus specifically on the children and their experience.

☐☐ *... why I think the [CS4K] program's been so good is the kids need someone who is there for them, because the intervention process is really focused on the parents, ... so having someone that's focused on them and their needs for the day and what they actually need and want to be safe on the day ... and leave everyone else to do what they need to do, and are required to do, on that day. [children's worker]*

Some legal practitioners also remarked on the importance of having someone there to focus on children's needs – as separate to their parents – at court, as a result of observing the program in action.

“... both the workers that I've seen really ... have a lot of joy – they're really kind of perpetuating that, and that's why having [someone like] that childcare worker or that primary school teacher, that lovely kind of bouncy happy space; ... I think they do the best with what space they're given ... and ... it is really helpful having someone there for the children. [legal practitioner]

Meeting basic needs

Limited resources and the practicalities of trying to look after children in a court space mean that, while the program does provide for some basic needs of children such as toys, some food and other equipment, the program is currently limited as to the extent to which it can provide for the basic needs of women and children while they are attending court for FVIO applications.

Just as creating child friendly spaces is outside the capacity of the CS4K program, meeting children's basic needs by ensuring the provision of clean and adequate facilities, such as change rooms or toilets within a safe space, is also beyond its remit. Nonetheless, inadequate facilities; poor signage for women and children trying to find food, water and change rooms; or a lack of basic provisions available for women and children at court can make their experience even more difficult. For example, court support workers and women participants commented on the lack of a change table or room in the safe spaces, and how this made it difficult for mothers:

“There's no change table or anything in there though, so that was awkward – I had to change him on the floor. They do have a change room but it is on the other level, right near the court room, I would need to take the lift, and I don't want to bump into anyone I know. [client]


And the court needs to build a change room in the toilet. She was still in nappies. [client]

Another mother of a three month old baby noted that having cleaner facilities would have improved her experience. At the same court she attended, court stakeholders expressed their disgust at the unhygienic state of the toilets; the fact that water is often not available; and that the food machine is regularly empty – all of which makes it harder for women and children to stay safe (if they are unprepared for a long day, they have to leave the building in order to find food and drinks) and for them to have their basic needs met while at court.

The CS4K Needs Assessment revealed that women often arrive at court unprepared, because they are unaware that the process could take a long time. In addition, some women are unable to afford basic provisions such as food or nappies due to their experience of family violence. To varying degrees, CS4K workers have all responded to this by attempting to provide some basic equipment and supplies to help improve the experience for children and women applying for FVIOs.

For example, Bethany in Geelong provides a variety of supplies to help mothers with their children, such as snacks, formula sachets, bottles, dummies, nappies, and wipes: ‘things that even most prepared mums might pack but they just don't think they'll be there that long’.⁸ Bethany has also acquired a pram to use at court, kept in the Applicant Practitioner's office, because the children's worker found that mothers sometimes do not come with a pram, not realising how long the process could take. The worker also keeps art, craft, Lego, and games in a filing cabinet near the general enquiries area, as well as looking after the toy supply in the female-only safe space with the help of donations.

8 Geelong children's worker



In Sunshine, the worker provides 'practical needs for mothers and children, including ... snacks, nappies, bottles, water and juice'⁹, as well as toys, games and activities. There is a small safe room at Sunshine Court ('large enough for one family'¹⁰), where the children's worker has set up a toy area and uses the cupboards to store the snacks, activity books, craft, nappies, and bottles. As a lawyer from Sunshine observed:

FF *The kids are having fun with them ... for sure ... the toys are really good. Like they're not like your, I dunno, crappy box at the op shop or something, like you know, they're really fun stuff that you'd give your own kids, which is excellent.*

The protected person space at Ringwood is large enough to enable the EDVOS worker to focus primarily on supporting children in that area, as well as resourcing the space with colouring books and games. Tea, coffee, milk and water are available in the protected person space (provided by the court), but EDVOS does not supply additional items such as nappies, bottles or food for young children. The EDVOS worker and a woman participant noted that a lack of change table or change space in the safe room was difficult. Another participant noted that things to entertain older children would be helpful:

FF *You want your kids with you but you want a friendly, bubbly face that your kids will connect with...a place to go while you're in court, and with things to distract them. But when you have to go to court, and there's just pencils and books, they get sick of that pretty quickly. Especially when they're mid-teenagers and stressed. [client]*

Nonetheless, court staff commented that the additional supplies brought in by the children's worker make a huge difference.

FF *... it's all the extra stuff [the children's worker] brings down as well. You know at one stage ... I was bringing down colouring-in books and pencils just to add something here, ... but now [the children's worker] will bring pencil cases with pencils, sharpeners and stuff, there's been a few extra additional board games that have ... appeared, so it's good that they too can supply stuff. [court staff]*

Court staff also mentioned the benefit of having the children's worker there to monitor supplies and to be in control of games or toys so that things are more likely to last.

FF *...so if we've run out of colouring-in pictures, she'll photocopy a whole heap and bring them down so it saves me having to do it. At one stage I'd just sit there and photocopy so it takes that additional pressure off. [court staff]*

In Geelong service providers and court volunteers agreed that the water points and toilets are too far away from the safe waiting area. They also discussed the inadequacy of food and water supplies at court, with machines and bubblers often empty.

While the CS4K program does not provide food or drinks for adults, the Geelong program nonetheless ensures that some useful provisions are stored in various filing cabinets around the court to help meet some basic needs of women and children while at court.

⁹ Sunshine children's worker

¹⁰ Sunshine children's worker

Accessible

The extent to which CS4K is visible to potential users and service providers; stakeholders are aware of the program and understand what the program offers.

Program is visible to potential users, court staff and service providers

Whilst CS4K is visible to most participants and service providers at the courts, there were some gaps identified at different courts in terms of the levels of visibility of the children's worker and the extent to which the children's worker is clearly identifiable to participants while at court. The level of visibility was extremely high at one court among all stakeholders, and lower at the other two courts among some stakeholders.

The program is well known and well regarded amongst many service providers and all Court Network volunteers interviewed for the project. All three court staff interviewed from different courts were also very familiar with the program and well aware of its presence in their courts, with court staff in one site liaising closely with the children's worker:

“... only one occasion so far, we've just let her know [that we had a few children there], I think it was a Thursday and she said she...may not be in and we were like can you please?? (Laughs) So yeah it's just occasions like that it is just a good relief to have someone looking after the kids to give me that extra bit of time with someone to go through the interview and ... conduct safety planning, conduct the risk assessment and stuff so and I think all the services would appreciate just that extra bit of time. [court staff]

In one court in particular, CS4K has a very strong presence and all legal practitioners and social workers interviewed in relation to CS4K in this court were very familiar with the program and the children's worker. While this worker spoke of her efforts to build connections with service providers and court staff to promote awareness of the program, she also commented that she makes a special effort to be visible and identifiable as 'the children's worker' at the court.


“We tend to have a consistent pool of staff and it helps that I'm consistent too, so I'll email if I'm away and tell them who the children's worker is that day; so whoever is covering will get asked: 'Are you X [the children's worker] today?'. They even get that from security because I give them my laptop cover – which I have deliberately made very identifiable – and so people can see who is filling in for me. [children's worker]

In the other two courts, however, there were some notable differences between feedback from Court Network volunteers and court staff (who were very familiar with the program in these courts) when compared with that of legal practitioners and social workers in these courts. While court staff were grateful for the program and liaised regularly with the children's worker, at one court location none of the legal practitioners or social workers interviewed had yet heard of or observed the program operating.

“I don't think we've been introduced to her certainly as Court Support 4 Kids. I think that might be the sort of main issue, maybe? (mmm, yeah) I mean she might be there, but I might not know that she's [the children's worker]. [legal practitioner]

The service providers here agreed that it would be helpful if the program could dedicate some resources to building awareness of the program, and in helping legal and social services to understand what service the program offers and how to refer clients.

“...chances are we have met [her], but we may not remember. ... there should also be some funding invested into, like marketing... you know we're very close with [the women's service] in terms of their direct service provision ...cos we might've been told [X] works for Court Support 4 Kids, but even what that means in terms of how we can refer... would be obviously of benefit to our mutual clients. [legal practitioner]



In another court, two legal practitioners who regularly attended that court were aware of and positive about the program, while another legal practitioner who spent less time at that court was unfamiliar with the program. This lawyer had sought feedback from a colleague who did know about the program, and the feedback provided emphasised the need for the children's worker and the program to be more visible in the court space:

FF *...I did get some feedback from another staff member before coming in who said that her experience was that they are very positive, and it makes it much easier to interact with the parent, because you know, it de-escalates the stress level to a certain extent ... so yeah really only positive things to say about that. The only thing was that it would probably be easier if they were more clearly identifiable...[legal practitioner]*

Of the two lawyers more familiar with the program at this court, one pointed out that it has been helpful having a consistent worker so that service providers know who the regular children's worker is. This observation corresponds with the comments made by the children's worker above who appeared to be more visible among service providers working at that court.

FF *... one of the evolutions which has been really positive I think – has been having one consistent worker across the 3 days because when it first started I think there was one worker, but then it went to a different system of having a different worker each day, which I think is quite challenging. [legal practitioner]*

A Court Network volunteer explained that all support services at that particular court attend a daily morning meeting on family violence application days, which helps in terms of linking the CS4K program with other services and raises awareness of the program.

FF *... we meet with the worker each morning along with all the support services on [family violence application days] just so we know who's who, and ... cos our service does not mind children, we'll support the woman in court and then we'll get the children's worker ... to support the kids ... and we work quite closely together. [court support]*

Comments from all stakeholders reveal that visibility of the program (and of the children's worker) among service providers, as well as court staff, is important to ensure that women with children can be referred to and assisted by the program. If the program does not have visibility among stakeholders who can provide referrals to the service, it will be less likely to meet the needs of women attending for FVIOs while accompanied by children – and less able to help meet the needs of the children themselves. While no women participants mentioned visibility of the worker as an issue for them at court, being able to clearly identify the children's worker – as seems to be the case in the court where the children's worker is well known by all stakeholders – is nonetheless likely to be helpful to women attending court with their children, as well as to the children themselves.

Stakeholders are aware of and understand what the program offers

While most stakeholders working at the courts were very aware of program, there was some lack of awareness of the program and what it offers amongst a few. Although participants were usually not aware of the program before they attended the court, once in contact with the program they clearly understood the program and what it was able to offer.

Most women participants interviewed were not aware of the program before going to court. In most cases, women discovered the availability of the service when they arrived at court for the first time.

FF *On the day of the hearing, I wasn't aware that [the children's worker] would be there. ... But it was a lovely surprise to have [her] there. I went into the back room; it's a protected room for mums and children, no men. ... [The children's worker] approached me pretty quickly, she went through what the program was, she said we'll bring [baby] in and if she plays up, I can take her out. She said we try and keep 'em with you – but she was very polite, making sure I was OK to get her bottle out. I said go for your life, do what you gotta do. [client]*

In a minority of cases, the women were already in contact with the relevant specialist family violence women's service and had been told about the program by that service prior to coming to court. Only one participant was told about or referred to CS4K by another kind of support service. The question of raising awareness of the program among women before coming to court posed some interesting issues for some court stakeholders. They observed that, while on the one hand, it is good for women to know about the program if they have no options for childcare, on the other, they were concerned that women would then actively bring their children to court to be cared for by the children's worker, rather than find alternatives.

All stakeholders agreed that not bringing children to court remains the preferred outcome, and that it is difficult to assess the extent to which the program should be promoted to clients before coming to court. In terms of promoting it, however, it is important to note that women participants were also negative in their comments about court and the impact of court on their children. While they appreciated the support from the program, they would still prefer not to bring their children to court at all if they could help it. Some said that next time they attend court, they will arrange childcare.

☐☐ *I mean next time I don't want to take the kids with me, and I'm planning on having them looked after, but if I had to have [the children's worker] again I would. [client]*

While there does not appear to be a consistent or formalised strategy between services in terms of how best to promote the service to women outside of court, these issues have been considered by some children's workers. Two of these noted that, when they do speak to women about the service, they emphasise that the ideal situation is for children not to be at court at all and explain that the program is not a babysitting service or a creche:

☐☐ *I make it very clear it is not a babysitting service, very clear what my role is – your child is with you unless you are talking to police or in court, even then I might not look after your child, but I have headphones and can come in with you and your child. [children's worker]*

For court stakeholders in the court where the program has high visibility, legal practitioners and social workers appear to be well aware of the program and understand what it offers.

In the other two courts where visibility of the program appears to be lower or at least inconsistent among legal practitioners, stakeholders made some suggestions as to how to improve the accessibility of the program. Specifically, it was suggested that there needs to be clearer articulation to court staff, as well as the other agencies offering services at court, as to what support the CS4K program does and does not provide. A Court Network volunteer thought that a brochure or something that clearly outlines what the program offers would be helpful, to avoid confusion for clients:


☐☐ *... I haven't noticed them giving out like a brochure to women that they're working with to explain the service cos I know it can be really confusing at [our court] ... there's like 5 different support services and there's lawyers and police ... the worker tends to approach people in the waiting area, I'm not sure what explanation of the service is given, and I know that's what we do as well, so I could imagine it getting really confusing. [court support]*

This view was supported by another legal practitioner, who proposed that additional information on the service itself would also be helpful:

☐☐ *... and also what the service does, like I actually don't know what they don't do, like how far, you know ... [legal practitioner]*

A Court Network volunteer suggested that improvements could be made around clarifying eligibility criteria for the service – for example, whether the service works specifically with certain age groups, or whether it works in different capacities with all age groups – and articulating what the service offers as distinct from other services.

☐☐ *I think that clear articulation of the service offer and also the eligibility criteria for the service would be really good cos even I find it a bit difficult – I think I know what they do and I've had lots of conversations with the different team leaders that they've had, but it does change a little bit, so I hope I am explaining what they do properly to the other Networkers. ...It would be helpful for the court too, because they'd automatically you know, would know that if they had a kid of a certain age, then they would know that that service is relevant and appropriate. [court support]*



These suggestions were echoed by another stakeholder, who also would like to have a clearer understanding about the program:

“... [I] know straight away what Court Network will do... and kind of what they provide, and what they don't do, ... but with [the CS4K service] ... it might be that they actually kind of say 'we work with children from you know zero to 3, and we will assist them through this period of time' ... Like are they social workers? Are they reporters to child protection? ... I think that would be ... good to know, and maybe good for the parents to know as well. Are they opening up a file? Is there a file for the kid? ... Do they support both – like the child, do they follow the child if the child is running up to dad? Or do they know if there's an intervention order in place, like, that kind of stuff might be important for the workers to know. Do the workers have any family violence kind of training? Do they have mandated kind of stuff? Yeah that would be all good. [legal practitioner]

These comments seem to fit with the observations by children's workers that at times they have to explain to women that they are not babysitters:

“... some women might think that they can just pop to the shops!” [children's worker].

Children's workers also indicated that their role is sometimes mistaken by other service providers or the women themselves as a longer term case worker:

“... we don't do follow up or ongoing support, but I've seen one woman multiple times, she has numerous services but no ongoing support, and I got asked to attend meetings, because I am working with her but not them. [children's worker]

Similarly, children's workers reported that other court staff display some confusion about their role:

“There is a bit of confusion about our role from non-family violence courts; they ask whether we can [look] after kids when it is not our role, so we weigh it up – we balance people's needs. [children's worker]

The fact that the CS4K services seem to have adopted a reasonably informal and flexible approach to who the program supports, and how the service is introduced to potential users, is evidenced in the description below.

“...when I first arrived I was very nervous ... and went in with the pram and with my baby, and then basically the girls came over to me straight away and asked if I needed a hand and yeah they offered to take her for a walk around with the pram to give me a break and put her asleep and then while they were doing that they offered more assistance again to basically either come into court with me, into the court room with me, and just look after her or they could take her for a walk around the court and if she started crying they could take her out. [client]

The children's workers also note that they try to be relaxed and informal when approaching women, due to the sensitive nature of family violence, as well as the need to tread carefully when trying to engage with children who are from family violence situations.

Effective

The extent to which CS4K reduces trauma for women and children at court, assists women to attend to their FVIO, and raises awareness of the needs of women at court for FVIOs when accompanied by children.

Supporting women and protecting children from further trauma

All participants who had accessed the program were very positive about CS4K's role in helping to reduce the trauma for their children and for the women themselves while at court. Stakeholders who had observed the program were also very positive about its role in helping to reduce trauma for women and children.

All women participants who accessed the service described the relief that they felt when they realised they had the support of the children's worker at court.

☐☐ *She's helped all day, when I found out she was doing it, I cried. People don't go outta their way to help me and to help my daughter [client]*

She was so helpful, it was such a relief to have someone there. [client]

... took me a lot to even start the process basically so yeah all up really good, with the assistance you get when you put in the IVO so I didn't feel alone anymore there, I felt it was the right thing to do, reassured me it was good for [my daughter]. [client]

I felt like I was going to be looked after with [my child] there, and ... felt ... more comfortable going back the 2nd time knowing that they'd be there. [client]

A children's worker described the benefits of the program that she has observed, including reducing stress levels for women; helping them to feel supported; and empowering them to understand more about the process. This worker observed that, for some children, the experience of being distracted and cared for by children's workers can actually be quite an enjoyable one.

☐☐ *For women, there are huge benefits: they feel supported, they're given more knowledge about the process, they're SEEN and it helps reduce stress levels. You might be the first person they've actually told [their] story to, which is huge. ... And then for the children, it is a less scary place. They have to overcome initial strangeness with us, but they are having their needs met and it can actually be quite enjoyable, they suss out the toy cabinet for next time, and it can make it a better place for them. [children's worker]*


Just as participants remarked on their relief to be supported and to have their children distracted from the traumatic process, they also noticed the absence of the program on subsequent court days when they attended and the children's worker was not there:

☐☐ *... there was one occasion when I thought they'd be there and they weren't, so we sort of winged it. But it was hard without her, you can't take [your child] into [the] court room, the court ladies are there, but [the children's worker] wasn't there because I hadn't pre-arranged it, so we just had to manage that day, another lady got her to sleep. [client]*

[The children's worker] had to leave yesterday and so my son had to come in for part of it. The judge was NOT impressed, he did not like having him there at all – 'I don't want children in here'. Really snappy, not happy I had a child there at all, it made the whole process a lot harder and more stressful. [client]

Another participant was initially reluctant to use the service, but found it so difficult trying to protect her son from private conversations with lawyers and service providers, that she was ultimately relieved to use the service:

☐☐ *It affected their behaviour. None of us could sleep the night before. The older ones especially, they couldn't sleep, worried dad might be there. Next time, next day, we're all tired and grumpy, mainly my son, he wouldn't let me talk to lawyers, standing in the doorway right there, I had to cut each conversation short ... it affected what I could say and what the lawyer could say. Then the service got involved: they distracted bubby, and tried to help with the [older two]. I didn't really like it at first, we're used to doing this on our own. But I left them with her. [client]*



In all instances where the women had to return to court on subsequent occasions while accompanied by children, they accessed the service again and felt far more relaxed and capable attending court as a result.

FF *Knowing that I rang [the service], and if [the children's worker] or someone else would be there, and she popped me straight through to [the children's worker] so I had direct contact with her, she remembered who I was and my case from the first time, our contact prior. It was very handy, I wasn't expecting that. She knew I'd be there ... such a big thing having that support there. [client]*

Court staff made similar observations as to the relief that women feel by virtue of having that support, and by virtue of not having to expose their children to further trauma by overhearing all the conversations with police, lawyers and other service providers:

FF *... for those who do have kids, if they do have to bring kids to court for any reason, I think there's just relief in so many different areas, one: someone is keeping the child distracted while you're trying to focus on what you need to do; then giving you the time and space to think about it. [court staff]*

... giving them just that 15 minutes of time to speak to police so that they don't have to expose their kids to that. [court staff]

Court Network staff also observed the difference that the children's worker makes in ensuring that children are not exposed to further trauma:

FF *oh yes, definitely ... to hear little ones crying in the court and parents already stressed and not really dealing with it ... the appointment of the children's worker, that has limited that. I know she only works with family violence people, so she doesn't cover for everyone who comes to court with their children, but the fact that they can be looked after while the mum's in court or maybe being interviewed, I think it's made an enormous difference [court support]*

Assisting the legal process

All participants who accessed the program were extremely positive about CS4K's role in helping them to pursue their FVIOs. Stakeholders who have observed the program were equally positive about CS4K's ability to help make the legal process run more smoothly for women court users, legal practitioners, police and the courts, by virtue of the women being better able to focus on the process.

Children's workers from two different courts reported that their primary aim is to help make the children:

FF *...as comfortable and engaged as possible, so that women can take as much of the load as possible to get their order completed [children's worker].*

Our aim is to allow the women to get an intervention order – we can make it easier for them, to remain at court and meet those needs while there ... what they need to help them stay [children's worker].

The same workers highlighted their secondary aim as providing women with information about court processes and what to expect, particularly in terms of how the day might progress and how this might impact on their children.

FF *Uncertainty can be stressful so even just knowing the timeline, next step, keeping them informed, asking questions and finding someone to come and talk to you, someone to help a bit more. [children's worker]*

In addition to helping make the process easier for women, all CS4K staff appear to see their role as liaising with court staff, police and court services in order to advocate for women with children.

FF *The secondary aim is helping with the process, liaising with professionals and advocating; letting police know if a woman is there with children, sometimes they can make the process faster if women are stressed or a child is going a bit crazy or they can tell me it'll be a while. [children's worker]*

Certainly, women participants remarked that having the children's worker's support meant that they could focus on the process.

☐☐ *She went through the process with me, she was able to help me with [court] people. [client]*

She'll watch her while I go into the court room, so my mind's on the court process. It's hard to focus on what you're there for, you did get people glaring at you because you got your kid there. [client]

I was a little bit nervous at the start, like worried if (partner) was there, but she was pretty good at helping us and [the service] said you do what you want to do and we'll back you up. [The children's worker] just made it a little bit easier, looked after the kids so I could talk to the prosecutor and so on, I mean it just all gets a bit too much. Like I'd probably have said don't worry about it, it's just all too much with the kids, and I probably wouldn't have done it. [client]

If [the children's worker] wasn't there, I would have completely lost ... They don't care, the judge just reads stuff out in front of the other party. [client]

Legal practitioners also felt more able to speak freely with their clients when children were being distracted by the children's worker, and expressed feeling supported in their advisory role by the program:

☐☐ *... I feel more comfortable, to speak to the client and to be able to take the client outside or to take the client down the hallway and to know that she's not going to be stressing about what's happening with her kids and it sounds simple but it makes such a huge difference ... it just means you can have conversations and you can explain things that are pretty complicated, how it's going to impact on her life, going forward ... I think it's really important for people to have a solid understanding of how the order is going to affect their life, and I feel more at ease doing that. [legal practitioner]*

I think it's invaluable. I think that it's really useful because even if we had clients with young children we can refer them and we know they're going to get support and help, and they're really practical with assistance, and I think that's really made our job a bit more supported. [legal practitioner]

The view of all three court staff, as well as many legal practitioners and social workers, was that the program is very worthwhile in assisting to facilitate the legal process. Some made the observation that its success is more obvious in the absence of the children's worker, rather than when she is actually there:

☐☐ *... it's good basically you don't even realise [the children's worker's] here half the time cos ... when she comes in she's just basically straight into where the kids are, and she's basically focusing on that; you know quite often she'll come up and let us know if she's going to go, always gives us that option [to ask her back]. ... I think I've had a couple of those moments where I've gone, thank god they're actually here doing that because I know how difficult it would be if it wasn't! [court staff]*

It's one of those things that we don't really know how things are going with it, you know things seem to be going fine, but you take that service away, that's when you would notice it. [court staff]

I think the difference you see is not when it is available, but when it is NOT ... it's just like chalk and cheese, you ... realise it's invaluable. [legal practitioner]

Overall, all women participants made references to the fact that the support from the children's worker helped the process go more smoothly.

☐☐ *I thought it was going to be a lot worse, but I think with the worker and then the separate room, yeah, it just made it all a bit easier. [client]*

In the words of one women interviewee, without the program, she probably would not have continued, leaving her exposed:

☐☐ *Probably not [continued], I reckon without [the children's worker] I would have given up; it's like a game for him, and he would have won. [client]*



Promoting women and children's needs at court

There is some evidence that CS4K also helps to *promote* the needs of women with children at court, with children's workers trying to connect with police and court staff to advocate for women who have children at court. An indirect effect of the children's worker's presence at court also seems to be that some court staff and police are more aware of the women attending for FVIOs who have children with them. However, the role of the children's worker in advocating for the needs of women with children to be prioritised is limited to some extent by external factors outside of the worker's control; and is also limited by the extent to which each service views advocacy as a key feature of the CS4K role.

An important facet of the CS4K role uncovered in the interviews was its ability to bring court stakeholders' attention to women with children who need priority, or to their other needs more generally. Rather than just focusing on distracting children at court, therefore, one children's worker described their role in fairly broad terms. While minimising trauma was considered a key part of the role, as well as keeping children and women safe by virtue of helping them to achieve an FVIO, this worker also saw the role as an opportunity to 'meet the needs of a number of families at once'. This worker described the role as:

FF *... triage and risk assessment, balancing risk in terms of families, and making sure if there are gaps where a child could be receiving a service to meet those needs ... So how do I justify what is or isn't my role? Am I meeting the needs of a child? That's my role. I'd refer a mum, for example, to D&A but if I can help a child and on the day, primarily how do I meet that child's needs? Or the needs of mum if it links back to the child? [children's worker]*

This approach appears to be a broader view of the role than that expressed by the workers in other locations. While the children's workers in the other two courts do refer children and mums to other services where it comes up, they noted there were limits as to how much they can do.

FF *For kids, I just try to be empathetic and compassionate. I often talk to court services at court to establish a referral if necessary. But it is a short time with the kids so it's not really possible ... I don't know about the details of the case at all, so it's really on the spot conversations. I might suggest something but a lot of time they are already working with those services. [children's worker]*

Because I'm not an intake case manager, my role is just to be a kids' advocate, so I would only do that within the scope of the role. I will though direct them where to ask for help or I can go and bring info back, but first and foremost the role is child focused and driven. [children's worker]

Another aspect of the role highlighted by almost all children's workers was their ability, where possible, to try to help lawyers, support services, police or court staff prioritise women who were under pressure by virtue of having their children with them. As one children's worker explained:

FF *I'm someone to advocate for them. If it's a police order, I'll let police know this mum has difficult kids, can we push this one through further? Or I'll let them know, a kid vomited, had an accident, or mum needs to do school pick up or pick up her kids – I will advocate very strongly for mum to meet their needs.*

The following story relayed by a participant who accessed the service, provides clear evidence of how a worker advocating on behalf of women with children can be a great relief and support for the client:

FF *She has a rapport with court staff and they recognise her, she was prepared to [draw court attention to my case], and she reminded me that she'll let them know, make sure it's going to be heard. That's handy. She told them, if we don't get this done, 'Mum will have no one to help'. She was really good because she understood court processes, how it would be, what may happen, not legal advice, but she was just able to run through processes and give really good support: not judgmental. Very much a social worker, easy to talk to, such a relief, knowing someone is there, a massive thing to have someone to talk to. [client]*

As one legal practitioner noted, 'surely it contributes to her following through, because if the experience is absolutely appalling, they are not coming back'. Another lawyer agreed, observing that having the children's worker there to distract and entertain children for mothers:

☐☐ *...just contributes to their understanding of the process; with a small child to contain there's so much to think about and there's the stress and anxiety added...it reduces the anxiety and helps them to retain that information. [Legal practitioner]*

While all workers mentioned referring women to other services and, to varying degrees, advocating for the women's matters, there seems to be some inconsistency across different services as to the extent to which the children's worker views the role as promoting women's understanding of the legal process or advocating for their matters to be prioritised. Nonetheless, these are all core elements of what helps to make the CS4K program relevant to women participants, as demonstrated by the story in the following box:

☐☐ *... as soon as I walked in, [the worker] recognised me straight away, so she said 'I gave the Court Registrar the heads up that we've got a little one here', and it was such a relief.*

The difference that it makes that you've got someone there to assist, who's so caring, and getting them to sleep in the pram ... For the first time, I got the IVO on the day – it was relatively quick, about two hours. By the time I went in, I must've picked a good day, it was relatively quiet; [children's worker] was there, she got it pushed through for me because they're only there til 1pm – so I guess I was there 9.30 to 1pm.

Next time, that was the first hearing for an extension, then I had to file further, so that day was a full day, til after lunch til 3:30, and that was the time that [children's worker] was not there. It was a lot harder that time ... I didn't have anyone with me, [my child] stayed in the back room, [child] was allowed to come but I didn't have [children's worker] so it felt like a real rush ... It was very hard to focus, I was worried about bub as well as the process. It was lucky in that separate room, other women could help and keep an eye on her when I was gone; she had a nap late in the morning but I think I went into court sort of blind. [client]

Part Five: Summary of Findings, Recommendations & Conclusion

Program implementation

- CS4K is very responsive to children's needs and fills a gap in court services, by providing child friendly, child focused support for women and children and by meeting some basic needs of women and children while at court.
- Limited resources and the practicalities of trying to look after children in a court mean that the program is currently limited as to the extent to which it can provide for the more pragmatic needs of families attending court for FVIO applications.
- CS4K is accessible for clients, with participants noting that workers are approachable and that they keep initial interactions friendly, informal and informative. While CS4K is visible to participants and service providers in some courts, there were some gaps identified at other courts in terms of the levels of visibility of the children's worker and the extent to which the children's worker is clearly identifiable to participants while at court.
- While most stakeholders working at the courts were very aware of the program, there was some lack of awareness of the program and what it offers among other stakeholders. Although participants were usually not aware of the program before they attended the court, once in contact with the program they clearly understood the program and what it was able to offer.

Program outcomes

- All participants who had accessed the program were very positive about CS4K's role in helping to reduce the trauma for children and women at court. Stakeholders who had observed the program were also very positive about its role in helping to reduce trauma for women and children.
- There is some evidence that CS4K also helps to promote the legal needs of women with children at court, with children's workers trying to connect with police and court staff to advocate for women who have children at court. An indirect effect of the children's workers' presence at court also seems to be that some court staff and police are more aware of the women who have children with them. However the role of the children's worker in advocating for the needs of women with children to be prioritised is limited to some extent by external factors outside of the worker's control; and also limited by the extent to which each service views advocacy as a key feature of the CS4K role.
- All participants who accessed the program were very positive about CS4K's role in helping them to pursue their FVIOs. Stakeholders who have observed the program were equally positive about CS4K's ability to assist in making the legal process run more smoothly for the women, legal practitioners, police and the courts, by virtue of the women being better able to focus on the process with less distraction.

Recommendations

The CIJ recommends that the providers currently delivering the CS4K program investigate options to:

1. Promote the CS4K program more widely amongst court staff and other practitioners servicing the court in relation to Family Violence matters. Brochures; linking in with court morning meetings; ensuring that the worker is consistent and easily identifiable; and linking in with legal and social services to promote the service are potential ways to raise awareness and therefore improve accessibility.
2. Develop a consistent position description for children's workers delivering the CS4K program which identifies the extent and function of the program; the background of the staff engaged; and the extent of information kept by the program. Further clarity around the role could also be established between program providers and communicated to court staff and service providers.
3. Consider resourcing the CS4K program to be delivered on non-Family Violence sitting days so that AFMs attending court to seek advice about their case can be supported.
4. Work with court stakeholders to develop an agreed protocol for prioritising matters where women are accompanied by their children, as far as is possible.
5. Seek resourcing so that the CS4K program can be equipped to provide additional supports such as toys; art and craft equipment; nappies and limited food supplies.
6. Work with relevant court stakeholders to identify and provide appropriate child-friendly spaces, which are to include storage for these supplies.
7. Develop consistent data gathering and retention mechanisms to be applied across all sites.
8. Develop an overarching program logic for delivery of the CS4K program by all providers, and against which further process and impact evaluations may be conducted.
9. Seek stakeholder support to operate the CS4K program at all Victorian headquarter courts in accordance with the rollout of the expanded Specialist Family Violence Court Division.
10. Seek funding to ensure that this expansion of a consistent and strongly articulated CS4K program is achievable and sustainable.



Conclusion

The findings of the CS4K Needs Assessment and Evaluation are that the CS4K program not only meets a very acute set of identified needs, but that it is currently the *only program attempting to meet these needs*. No program of this kind, of course, can completely mitigate the stress and trauma involved in attending court for AFMs and their children; with all women and professional participants indicating that their preference was that children did not come to court at all. However, the dynamics of family violence and court proceedings mean that this will continue to be an inevitable reality in Victorian Magistrates' Courts.

For this reason, the RCFV recommended safe waiting spaces and child-friendly spaces in all Victorian headquarter courts. This will not change the fact, however, that mothers with children will find the FVIO process stressful in a way which may prevent them from completing it effectively. This in turn may have impacts on court processes down the track, with an increase in variation or revocation applications, or in breaches of orders which are not appropriately specified.

A service of the kind first developed by McAuley and now forming such an essential part of daily activity at other courts should therefore be an important part of a suite of interventions provided at all Victorian headquarter courts, in addition to child-friendly spaces and safe waiting spaces for protected persons. To achieve this, the CS4K program should be supported by the development of a more detailed and consistent program logic across all sites; clear staff position descriptions and clear communication to stakeholders as to the children's worker's role; as well as rigorous data collection and retention practices as it seeks to expand its program delivery across Victorian headquarter court locations.

Appendix 1: Interview Guides

Court Support for Kids — Needs Assessment and Evaluation Project

Interview Guide – Group 1: Women who have been supported by specialist women’s family violence services

Indicative questions

1. I understand that you went to court for an intervention order. Can you please tell me about your experience of going to court?
2. What were you looking for from the court?
 - What were your aims and expectations?
3. To what extent did you achieve your aims?
 - I.e. did the court process deliver what you wanted?
4. I understand that you had your kids with you when you went to court. Why did you have your kids with you when you went?
 - How many kids?
 - What were their ages?
 - Were there any other options for the kids to be elsewhere?
 - If the kids are school age, why weren’t they at school?
5. How long were you at court with the kids?
6. Was there a place to wait or a quiet place to take them?
7. What effect (if any) did having your kids with you have on what happened for you at court?
 - Worried about them? Their safety – risk from the perpetrator?
 - Overhearing conversations about the violence
 - Were you distracted – less able to concentrate on the legal process?
8. Do you remember the kinds of services and people you interacted with while you were at court? How did these services respond to the kids being present?
9. What would have made the experience of going to court better/easier for you?



Interview Guide – Group 2: CS4K staff

Indicative questions

1. When women attend court for intervention order proceedings, what challenges arise when women have their children with them?
 - For the women?
 - For the children?
 - For court staff/the general operation of the legal process?
2. In your experience, why do women bring their children to court with them? What support mechanisms do they have?
3. In your experience, do women bring their children into the courtroom?
4. What are the ages of the children you see at court? If they are school aged, do you learn why they are not at school?
5. What are the needs of children presenting in this context?
6. What are your aims when working with women and their children at court?
7. What are the challenges of doing this work?
8. In your opinion, what are the benefits of the work you do with women and their children at court?
 - For the women?
 - For the children?
 - For court staff/ the general operation of the legal process?

Interview Guide – Group 3: Court staff and other professionals

Indicative questions

1. How often does your service work with women who have come to court for intervention order proceedings and brought their children with them?
2. In your experience, why do women bring their children to court with them?
3. When women attend court for intervention order proceedings, what challenges arise when women have their children with them?
 - For the women?
 - For the children?
 - For the court/the operation of the legal process?
4. In your experience, what are the needs of children presenting in this context?
5. What are your observations of the CS4K program?
6. How often do you see it operating? How is the service received?
7. Are there other services that address this need, including indirectly?
8. To what extent does the CS4K program improve the experience of attending court for intervention order proceedings?
 - For the women?
 - For the children?
 - For court staff/the general operation of the process?

¹¹ 'Basic practical needs' here refer to practical needs such as toys and activities for children, supplies such as nappies or other helpful items for mothers with very young children, and food or water, as identified in the Needs Assessment Report.

* Coloured area denotes assessed standard of performance for each criterion of merit for the program; colour indicates whether assessed standard relates to program outcome or implementation.

	Criteria of Merit	Standards*			
		No Evidence/ Evidence Gaps	Poor	Adequate	Good
Program Implementation	Responsive (EQ1) CS4K is responsive to key needs and is: <ul style="list-style-type: none"> – Child Friendly – Child Focused – Meets basic practical needs¹¹ 	Insufficient evidence in data as to responsiveness of CS4K to key needs.	Participants mostly negative about program.	Participants mostly positive about CS4K and its responsiveness to children's needs, with some minor gaps identified.	Participants very positive about CS4K and its responsiveness to children's needs.
			CS4K working to engage, distract and support children to a very limited extent or not at all.	Evidence that CS4K is mostly positively engaged with children and focused on children's needs.	Strong evidence that workers positively engage, play with and distract children, and are focused on children's needs.
			CS4K does not provide for any basic practical needs for women and children at court.	CS4K is able to provide for some key basic practical needs for children and women at court, but is limited in its provision of these needs.	CS4K is sufficiently able to provide for a wide variety of basic practical needs for children and women at court.
Program Implementation	Accessible (EQ1) Program is visible to potential users and service providers; stakeholders are aware of and understand what the program offers.	Insufficient evidence as to whether or not program is visible and stakeholders are aware of it and what it offers.	Participants find it difficult to or unable to access program due to significant barriers to access.	Participants mostly able to identify workers with minor barriers to access.	Participants easily able to identify workers with no barriers to access.
			CS4K visible to stakeholders to a very limited extent or not at all.	CS4K visible to most service providers, court staff and other stakeholders with some gaps identified.	CS4K is clearly visible at court to service providers, court staff and other stakeholders.
			Stakeholders only aware of program to a limited extent or not at all, with no awareness as to what program offers.	Stakeholders mostly aware of program, but with some lack of awareness of the program and what it offers.	All stakeholders very aware of the program and clearly understand what the program offers.
	Effective (EQ2) CS4K was effective in: <ul style="list-style-type: none"> – Reducing trauma for children and women – Assisting the legal process – Promoting needs of women with children at court 	Insufficient evidence as to whether CS4K is effective in these areas.	CS4K only helps to reduce trauma for women and children at court to a very minimal extent or not at all.	Participants mostly positive about CS4K's ability to help reduce trauma for children and women, with minor deficiencies of the program identified.	Participants very positive about CS4K's ability to help reduce trauma for children and women at court.
			CS4K takes minimal or no steps to promote women's needs at court.	Some evidence that CS4K helps to promote the needs of women with children at court with some minor gaps identified.	Strong evidence that CS4K helps to promote the needs of women with children at court.
			Participants mostly negative about CS4K's role in helping pursue FVIOs.	Participants mostly positive about CS4K's role in helping women pursue FVIOs, with some minor gaps identified.	Participants very positive about CS4K's role in helping women pursue FVIOs.



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