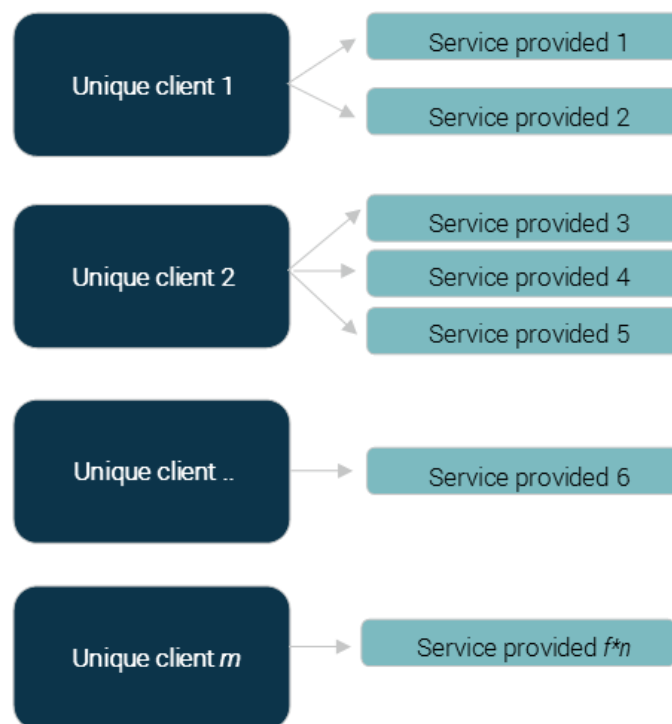


Explanatory notes – Victoria Legal Aid

Data source

Victoria Legal Aid (VLA) operates across the state and aims to assist Victorians by providing legal information, services and education. VLA data used in the Family Violence Database (FVDB) includes records of services involving legal advice, legal information, duty lawyer services, minor work and grants of legal assistance where the primary matter was family violence related. The data produced for the FVDB includes individuals accessing these services either for an application for a Family Violence Intervention Order (FVIO) or regarding a breach of a FVIO.

Most services record unique clients and the number of services provided to them. Over time a unique client can receive multiple services, and therefore there may be multiple records of one person in the VLA dataset. The diagram below provides an overview of the counting units for VLA services which capture unique clients, namely: legal advice, legal information, duty lawyer services, minor work and grants of legal assistance.



Reference period

The data received from VLA covers clients accessing legal advice, legal information, duty lawyer services, minor work and grants of legal assistance services between 1 July 2015 and 30 June 2020. The date for the reference period is derived either from the date of service provision (duty lawyer, legal information, legal advice and minor work) or the date when an approval on a grant of legal assistance application has been made.

Operational changes to the data

For information collected prior to August 2015, records do not indicate whether a client was an applicant/victim or a respondent/perpetrator. In August 2015, VLA created a matter type which identifies whether a client is an applicant or respondent. As the majority of records relevant to the current reference period were created prior to this date, outputs in the database will not contain information about applicant type. Future iterations of the database are expected to include this information.

Terminology and abbreviations

Information for the terminology below has been sourced from the VLA website.

FV

Family Violence

VLA

Victoria Legal Aid

Duty Lawyer

Duty lawyers help people who are at court for a hearing but do not have their own lawyer. They can give free legal advice and may be able to represent people in court.

Legal Advice

Advice incorporating the particular facts of a person's case and assessing how the law may apply to them. Advice may be provided along with legal information or procedural advice, and includes sessions over the telephone or face-to-face at Victoria Legal Aid offices or via outreach services.

Legal Information

Information of a general legal nature, which is not based on the person's particular circumstances. Legal information helps a person to understand the law relating to their query, and can include non-legal information, identifying relevant resources to help them resolve their legal problem, and referral options.

Minor Work

Minor work includes limited assistance and advice (including advocacy services) where there is a need for ongoing assistance and there is a tangible benefit for the client. (Source: Victoria Legal Aid Annual Report, 2013-14)

Grants of legal assistance

Grants of legal assistance are provided by VLA to people who are experiencing a legal problem and meet the agency's eligibility criteria.

Family Violence Intervention Order (FVIO)

A FVIO protects a person from a family member who is using family violence. Family violence is behaviour between family members that causes fear. It includes emotional and financial abuse, as well as physical violence and sexual abuse. FVIOs include conditions to stop a respondent from using family violence against the protected person. If a respondent breaks conditions of an intervention order, the police can charge them with a criminal offence. Both perpetrators and victims of family violence can access VLA services in the process of a FVIO application.

Affected family member/protected person

A person who needs protecting from family violence is called the affected family member (or the 'protected person' once an intervention order has been made).

Respondent/perpetrator

A person named as a perpetrator of family violence in an intervention order application is called the respondent.

Breach of a FVIO

A breach of a FVIO takes place when the perpetrator/respondent breaks the conditions of an intervention order. In this case, the police can charge them with a criminal offence. Persons charged can decide whether to plead guilty or not guilty and should see a lawyer to obtain legal advice prior to their criminal matter being dealt with. Both the protected person and the respondent can access VLA services after a FVIO has been breached.