

EVALUATION OF THE CO-LOCATION PILOT

ATTORNEY-GENERAL'S DEPARTMENT

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FINAL REPORT

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ABBREVIATIONS AND ACRONYMS

AFP	Australian Federal Police
AGD	Attorney-General's Department (Commonwealth)
Care Act	<i>Children and Young Persons (Care and Protection Act 1998 (NSW))</i>
CJS	Criminal Justice System
CPO	Child Protection Officials
CRP List	Child Related Proceedings
CSQ	Court Services Queensland
CYPS	Child Youth Protection Services (ACT)
DPFEM	Department of Police, Fire and Emergency Management (Tas)
DPP	Office of the Director of Public Prosecutions
FASS	Family Advocacy Support Service
FCFCOA (Division 1)	Family Court of Australia (now known as Federal Circuit and Family Court of Australia (Division 1))
FCFCOA (Division 2)	Federal Circuit Court of Australia (now known as Federal Circuit and Family Court of Australia (Division 2))
FDV	Family and domestic violence
FVO	Family Violence Order
FLA	<i>Family Law Act 1975 (Cth)</i>
FLC	Family Law Courts
FLCLO	Family Law Court Liaison Officers
FLCL Team	Family Law Court Liaison Team
FLISO	Family Law Information Sharing Officer
FLPN	Family Law Pathway Networks
FOI	Freedom of Information
ICL	Independent Children's Lawyer
National Framework	National Framework for Information Sharing Between the Family Law and Family Violence and Child Protection Systems
NSWPF	New South Wales Police Force
NSW DCJ	New South Wales Department of Communities and Justice
PCPP	Principal Child Protection Practitioner
QLD CYJMA	Queensland Department of Children, Youth Justice and Multicultural Affairs

QPS	Queensland Police Service
Recovery Order	Requests for Urgent Information
SACAT	Sexual Assault and Child Abuse Team (within ACT Police)
SA DCP	South Australia Department of Child Protection
SAPOL	South Australia Police
SFCU	Safe Families Coordination Unit
SPO	Senior Project Officer
s69ZW	Section 69ZW responses
VIC DFFH	Victoria Department of Families, Fairness and Housing

EXECUTIVE SUMMARY

THE CO-LOCATION PILOT

As part of the Fourth Action Plan of the National Plan to Reduce Violence against Women and their Children 2010–2022, the Australian Government is providing \$10.4 million over three years (2019–2022) to pilot co-located state and territory child protection and policing officials in family law courts across Australia.

Under a Project Agreement for Family Law Information Sharing, which was executed in early 2020, the Australian Government is supporting placement of 16 child protection and six policing officials at (or near) family law court registries until 30 June 2022.

The co-location pilot is intended to improve the timeliness and quality of information shared between the family law courts and state and territory agencies, and to facilitate more collaborative inter-jurisdictional working arrangements. By improving the exchange of relevant information, the placement of child protection and policing officials in the family law courts is intended to ensure that decision makers in the court have access to relevant information to support decision-making to improve child and family safety, and to enhance the identification and management of family safety risks by both the agencies and the family law courts.

THIS EVALUATION

The purpose of the evaluation was to deliver credible evidence to inform the future development of the co-location model. The evaluation used a systems lens¹ and a mixed method approach to answer the overarching strategic question:

To what extent did the co-location pilot improve information-sharing between child protection and policing officials and the family court across Australian states and territories in line with the principles of the National Framework for Information Sharing between the Family Law and Family Violence and Child Protection Systems?

This is the final report of the evaluation. It includes findings from the initial phase of data collection (February 2021 to June 2021) and the final phase of data collection (August 2021 to December 2021).

The phase of data collection for the interim report included:

- scoping interviews with key stakeholders (n=10)
- two scoping workshops with members of the National Co-location Reference Group

¹ Renger, R. (2015). System evaluation theory (SET): A practical framework for evaluators to meet the challenges of system evaluation. *Evaluation Journal of Australasia*, 15(4), 16-28.

- a document review of the Milestone One and Milestone Two reports provided by the five policing and seven child protection agencies participating in the pilot
- seven stakeholder workshops (one with each jurisdiction and n=76 people)
- an additional workshop with NSW Child Protection representatives (given the large number of NSW stakeholders), and follow up interviews with key stakeholders (n=2)
- an online partnership survey (n=40 responses, and a response rate of 31%) (June 2021).

The data collection for the final report included:

- a document review of the Milestone Three report provided by the five policing and seven child protection agencies participating in the pilot
- seven stakeholder workshops (one with each jurisdiction and n=75 people)
- an additional workshop with NSW Child Protection representatives (given the number of NSW stakeholders), and follow up interviews with key stakeholders (n=2)
- an online partnership survey (n=45 responses, and a response rate of 29%) (December 2021).

Whilst we have taken a mixed-methods approach, the absence of consistent administrative data and the small number of partnership survey responses means that we are unable to provide a robust and granular quantitative analysis.

KEY FINDINGS

Partnership survey respondents could clearly identify a need for the co-location pilot to solve the problem of lack of information sharing between the courts and agencies. As a solution to this problem, partnership survey respondents anticipate co-location to lead to improved information sharing. The most significant change resulting from co-location reported to date, includes the ease of information sharing (reported by 91% of partnership survey respondents) and better outcomes for children and families (reported by 29% of partnership survey respondents). This reflects a maturity of implementation relative to the interim report (where sharing information on a regular basis or as needed (reported by 79% of partnership survey respondents) and streamlining processes (reported by 21% of partnership survey respondents) were reported as the most significant changes.

Despite the challenges of COVID-19, the co-location model has largely been implemented as intended in 15 registries across the country. All 22 co-located officials were appointed and commenced their roles by June 2020. The co-located officials are a dedicated resource to facilitate information sharing with the family court, ensuring that decision makers have access to available and relevant information to safeguard those at risk of, or experiencing family violence. Stakeholders report that sharing information to identify and manage risks to child or family safety benefits the court, departmental agencies and families and children.

The appointed co-located officials have extensive relevant experience. The functions they perform are aligned with the intention of the pilot. However, clarity about the role continues to be sought by co-located officials in a number of registries.

As identified in the partnership survey, respondents were in clear agreement that the quality of information sharing (89% agreed in December 2021 partnership survey, 86% agreed in June 2021 partnership survey) and the timeliness of information sharing (86% in December 2021 partnership survey and 83% June 2021 partnership survey) had improved with co-location. Survey respondents were less likely to agree that the extent to which they can share information is clear (45% December 2021 partnership survey and 46% in June 2021 partnership survey) and that the efficiency of information sharing had improved (57% in both surveys).

Since co-located officials assumed their roles, stakeholders in most locations report improved interactions with the family law court registry. Information requests from the court largely relate to s69ZW requests and requests for urgent information where an urgent application has been made for a recovery order. Clarity about what information co-located officials can share with the court and other stakeholders continues to be sought by co-located officials in some registries. Stakeholders from all three collaborating agencies (child protection, policing and the family court) provided examples of specific cases where the co-location model led to faster information sharing and ensuring the safety of women and their children was maintained.

As highlighted by those responding to the partnership survey, the benefits of the co-location model are perceived by partnership survey respondents to outweigh the effort required to set it up (90% December 2021 partnership survey; 89% June 2021 partnership survey) and family safety outcomes are perceived to have improved since the co-location pilot commenced (74% December 2021 partnership survey and 82% June 2021 partnership survey). Most partnership survey respondents (78% December 2021 partnership survey and 72% June 2021 partnership survey) thought they had good working relationships with partner agency representatives.

Child protection co-located officials were perceived by partnership survey respondents to have a higher level of collaboration with partners, relative to those in other roles (68% December 2021 partnership survey; 58% June 2021 partnership survey). Collaboration by family law court officials (38% December 2021 partnership survey; 32% June 2021 partnership survey) and co-located police officials (29% December 2021 partnership survey; 31% June 2021 partnership survey) is perceived as present but to a lesser extent. Although the numbers within the partnership survey sample are small, the gap between the current and necessary levels of collaboration is highest for family law court officials and policing officials. This suggests that co-location partners would like the level of collaboration of family law court officials and policing officials to increase.

Co-locating an official at the court has assisted with the development of trust, mutual respect, and a shared understanding of practice: it provides the foundation of collaboration. In several instances, COVID-19 has provided a natural experiment, allowing some co-located officials to directly compare the benefits of a co-located model to a model without co-location. The additional investment of time, trust and sharing of resources that result from co-location moves the jurisdictional models of co-location along the collaboration continuum. Where there is strong and effective collaboration, information sharing is mutually beneficial for children and families, the court, and child protection and policing agencies.

Co-location is operating in an environment which stakeholders describe as increasingly complex. This includes cases and incidents coming before the family law courts involving parenting matters applications where there are allegations of family violence, child abuse, substance abuse and mental health issues. The co-location model is an important means to provide accurate, real-time information to support decision making in such cases.

Information sharing is very complex and the balance between procedural fairness and safety planning is delicately held. Sharing information may impact procedural fairness or result in potential harm to third parties and so it is important that safeguards are in place for information sharing. While some stakeholders are cautious about sharing information, others would prefer to share information more liberally. The way in which legislation is enacted and interpreted varies across states and registries and between decision makers, further impacting the extent of information sharing.

The two greatest opportunities to improve the co-location model include providing sufficient and flexible human resources to enable timely and quality information sharing by co-located officials and the provision of clarity about what information can be shared with which officials, when and how. Optimising roles descriptions and functions (incorporating a liaison/engagement function and an information sharing function), legislative amendments or the National Guidelines are suggested as possible pathways forward. These opportunities are further outlined within the recommendations.

RECOMMENDATIONS

RECOMMENDATION 1: CONTINUE TO FUND THE CO-LOCATION MODEL

- Court and co-located officials largely agree that the co-location model is meeting its intended goals of:
 - improving the timeliness and quality of information shared between the family law courts and state and territory agencies
 - more collaborative inter-jurisdictional working arrangements and
 - supporting decision-making to improve child and family safety.

We note that as part of the 2021-22 Budget, the Commonwealth has committed to extending the co-location pilot to 30 June 2025.

RECOMMENDATION 2: ENSURE SUFFICIENT AND FLEXIBLE HUMAN RESOURCES TO ALLOW FOR INCREASING WORKLOADS

- Consider increasing the number of co-located officials from policing or child safety agencies who can access information. This would assist with backfilling roles and managing the largely unpredictable peaks and troughs of the workload.

RECOMMENDATION 3: RESHAPE THE CO-LOCATED OFFICIALS ROLES TO REFLECT CHANGING FUNCTIONS

- Consider reshaping the role and functions of the co-located officials roles to include:
 - a more senior role that holds a liaison/ engagement function and has a higher level of family/ domestic violence and child safety content expertise
 - a more junior, or generic information sharing/ information release role/ function
 - greater clarity about the functions associated with each role and, if necessary, parity across the registries.

RECOMMENDATION 4: CONTINUE TO INCREASE THE KNOWLEDGE AND AWARENESS OF THE ROLE AND FUNCTIONS OF THE CO-LOCATED OFFICIALS

- Ensure the role and functions of the co-located official are known to the court at a local registry and national level. Consider including:
 - the contact details of the co-located officials within induction/ orientation activities for new court staff at both the registry level and the national level (inclusive of the national assessment team of registrars).
- Clarify the role of 'friend of the court' (so that it is clearly understood that the co-located official in this role is not cross examined or giving evidence).

RECOMMENDATION 5: CONTINUE TO DEVELOP COLLABORATION THROUGH COLOCATION

- Continue to embed collaboration through co-location to ensure enhanced outcomes for children, families and agencies. Whilst this would continue to be flexible, it would require the co-located officials with a liaison function to be physically located at the registry for some of the week (noting that there may be associated infrastructure or capital costs).

RECOMMENDATION 6: CREATE MORE CONSISTENT INFORMATION SHARING PRACTICES ACROSS JURISDICTIONS

- Continue to create more consistent information sharing practices across jurisdictions utilising instruments such as the National Framework, practices, guidelines and legislation amendments.
- This could include the national co-location principles guide, which is currently being prepared by the courts; or an information guide which informs practice between co-located practitioners and registry staff. This may include what happens when information is exchanged, identifying the key information which is required, and how this information needs to be exchanged. The inclusion of procedures could increase consistency within and between registries.

RECOMMENDATION 7: CLARIFY THE BOUNDARIES, EXPECTATIONS AND PROCESSES FOR CO-LOCATED OFFICIALS

- Clarify how and what information can be shared with and between Registrars, Police, Child Protection agencies, Court Child Experts and Independent Children’s Lawyers.

RECOMMENDATION 8: DEVELOP AGREED MEASURES OF SUCCESS

- Define an agreed set of key performance indicators that are reported on regularly by the court and co-located officials.

RECOMMENDATION 9: CONSIDER SHARED DATA PLATFORMS

- Consider the development of a shared data platform in which KPIs can be entered by co-located and court officials.
- Consider providing co-located officials with read only access to the court database to facilitate timely information sharing and reduce potential duplications of information requests and information sharing processes.

1. THE CO-LOCATION PILOT

1.1 POLICY CONTEXT

The prevalence of family violence is a critical issue in Australia.

Families and children experiencing or affected by family violence may come into contact with multiple systems, including the family law, law enforcement, criminal justice and child protection systems, as well as a range of non-government, frontline service providers. However, relevant information does not always flow quickly or easily between family law courts and state and territory bodies due to a range of legal and practical impediments.² The systems are fragmented, and processes and legislation vary across the states and territories. As a result, family law courts and investigative agencies may not have timely access to relevant and comprehensive information to guide their decision-making, which can compromise their ability to protect individuals from harm.

In Australia, statutory child protection is the responsibility of state and territory governments. Each responsible department assists vulnerable children who have been, or are at risk of being, abused, neglected or otherwise harmed, or whose parents are unable to provide adequate care and protection. However, the Federal *Family Law Act 1975* (Cth) (FLA) covers disputes that involve children in the context of relationship breakdown. Therefore, the two systems overlap and aim to address children's safety. However, "the way each system engages with families is different because the structure and purpose of the two frameworks are different."³

Research suggests that child protection concerns are relevant to many families who use the family law system⁴ and yet the family law system and the child protection system are separate and often described as siloed. This results in a fragmented approach to protecting children, as decisions can be made in the absence of all available, relevant information. Recent reforms to the FLA aim to improve identification of children in the family law system who are also affected by family violence and child protection concerns.

The role of police in family law matters is primarily to act on orders issued by a court. This may include Recovery Orders and Arrest Warrants. Almost all jurisdictions have police specialist investigators in child abuse or sexual assault, however, the scope of the specialist police child abuse units varies. All jurisdictions have some protocol or process in place for police and child protection agencies to collaborate on cases and share information. However, the extent to which an integrated cross-agency team is involved varies. Differences in the

² Australian Law Reform Commission 2019. *Family Law for the Future: An Inquiry into the Family Law System* (ALRC Report 135).

³ AIFS 2015, *Evaluation of the Co-Located Child Protection Practitioner Initiative* (Final Report), p 20.

⁴ AIFS 2015, *Evaluation of the Co-Located Child Protection Practitioner Initiative* (Final Report), p 18.

scope and stage of the cross-agency collaboration also vary. For most of the responses, police, child protection and health agencies are involved.⁵

THE FAMILY LAW SYSTEM

In February 2021, the Federal Government passed laws to bring the Family Court of Australia and the Federal Circuit Court of Australia together into a unified administrative structure to be called the Federal Circuit and Family Court of Australia (FCFCOA). The FCFCOA commenced on 1 September 2021. These reforms commenced part way through this evaluation.

The family law system is now referred to as the Federal Circuit and Family Court of Australia (Division 1) and the Federal Circuit and Family Court of Australia (Division 2). Division 2 does not exercise jurisdiction solely in family law. However, the majority of its casework is in family law. The FCFCOA Act states that judges who sit in family law must be persons who, by reasons of their knowledge, skills, experience and aptitude, are suitable to deal with family law matters, including matters involving family violence. This is the same requirement as Division 1.

The FCoA (as the Federal Circuit and Family Court of Australia (Division 1) was previously known) trialled a special case management system called the Magellan List, which is for cases in which there are serious allegations of sexual or physical child abuse. While this has been a successful way to manage high-intensity cases, it is resource intensive and therefore only operates in Division 1.⁶

If a child has been the subject of a notification or an investigation by state child protection agencies, the family law system can obtain information from the state authorities under the FLA by issuing a subpoena or making an order under s69ZW (this is often the preferred approach). Whilst not a legislative requirement, mechanisms for improving information exchange between child protection agencies and the family law system include notification provisions in the FLA (for example filing a Form 4 Notice of child abuse, family violence or risk where relevant). Child protection agencies within the majority of states have legislation which provides for information sharing between state agencies and the FCFCOA.

At the time of writing, the Australian Government is working with the states and territories and the family law courts to implement a national framework that will guide the two-way exchange of information between the family law courts on the one hand, and the state and territory courts, agencies and organisations responsible for managing and responding to family safety risks on the other.

The aim of the National Strategic Framework for Information Sharing between the Family Law and Family Violence and Child Protection Systems (the *National Framework*) is to ensure

⁵ CFCA 2017, *Paper No. 47_National comparison of cross-agency practice in investigating and responding to severe child abuse*

⁶ AIFS 2015, *Evaluation of the Co-Located Child Protection Practitioner Initiative* (Final Report), p 20.

that decision-makers in these institutions have access to all relevant information to identify and manage risk of family violence and/or child abuse and support their decision-making.

1.2 ABOUT THE CO-LOCATION PILOT

As part of the Fourth Action Plan of the *National Plan to Reduce Violence against Women and their Children 2010–2022*, the Australian Government provided \$10.4 million over three years (2019–2022) to pilot co-located state and territory child protection and policing officials in family law courts across Australia. Co-location models incorporating child protection officials have been in operation in Western Australia since the mid-2000s and within Victoria since 2012. The inclusion of policing officials within the model was largely untried prior to the commencement of the pilot.



Under a Project Agreement for Family Law Information Sharing, which was executed in early 2020, the Australian Government is supporting the placement of 16 child protection and six policing officials at (or near) family law court locations until 30 June 2022. All 22 of these co-located officials were appointed and commenced their role by June 2020.

The co-location pilot is intended to improve the timeliness and quality of information shared between the family law courts and state and territory agencies, and to facilitate more collaborative inter-agency and inter-jurisdictional working arrangements. By improving the exchange of relevant information, the placement of child protection and policing officials in the family law courts is intended to improve the identification and assessment of family safety risks. The co-located officials facilitate information sharing in a range of ways, to ensure that decision makers have access to all relevant information to enable them to safeguard people who experience family violence. Co-located officials will perform their roles in line with relevant legislation and any applicable agreements and memoranda between their agency and the family law courts. The agreed registry locations for co-located officials are listed in Table 1.

TABLE 1. AGREED REGISTRY LOCATIONS FOR CO-LOCATED OFFICIALS

Jurisdiction	Family Law Court locations	Co-located official	
		Child Protection	Police
Australian Capital Territory	Canberra	√	√
New South Wales	Sydney	√	√
	Parramatta	√	√
	Wollongong	√	
	Newcastle	√	
Queensland	Brisbane	√	√
	Cairns	√	
	Rockhampton	√	
	Townsville	√	
South Australia	Adelaide	√	√
Tasmania	Hobart	√	√
	Launceston	√	
Victoria	Melbourne	√	
	Dandenong	√	
Western Australia	Family Court of Western Australia, Perth	√	

1.2.1 THE ROLE OF THE CO-LOCATED OFFICIALS

Co-located Child Protection 	Co-located Police 
<p>Role</p> <ul style="list-style-type: none"> improve the flow of information between the family law courts and state child protection agencies promote more collaborative working relationships between family law professionals and child protection officials. 	<p>Role</p> <ul style="list-style-type: none"> improve the flow of information between the family law courts and state policing agencies, and promote more collaborative working relationships between family law professionals and policing officials.
<p>Functions</p> <ul style="list-style-type: none"> assisting in coordinating responses to notices of child abuse, family violence or risk from the family law courts assisting with urgent applications to be heard by the family law courts on an ex parte basis (principally applications for recovery orders) facilitating information sharing between child protection departments and the family law court, particularly in high-risk cases collaborating with family consultants and assisting independent children’s lawyers (ICLs) to gather family safety information supporting the seamless referral of matters by child protection departments to the family law courts enhancing collaborative interagency working relationships and cooperation and sharing information to inform independent child and parenting assessments in both the child protection and family law jurisdictions. 	<p>Functions</p> <ul style="list-style-type: none"> implementing improved information sharing practices between police and the family law courts assisting with urgent applications to be heard by the family law courts on an ex parte basis (principally applications for recovery orders) and indicating whether police hold relevant information assisting with the development and facilitation of information sharing processes between the family law courts and police firearms registries enhancing collaborative interagency working relationships and cooperation (in the management of high-risk cases before the family law courts).
<p>Co-located at/near family law court</p> <ul style="list-style-type: none"> Where the family law courts have office space to provide for the co-located official, they will be primarily based at that agreed family law court location. If there is no office space available at the court, the official will be primarily based at an office near to the agreed court location and be available to attend the court location in person, as required. 	<p>Co-located at/near family law court</p> <ul style="list-style-type: none"> Where the family law courts have office space to provide for the co-located policing official, they may be based at that agreed family law court location. Alternatively, the co-located policing official may be based at a police station or police headquarters near to the agreed court location and be available to attend the court location in person, as required.
<p>Existing mechanisms for information sharing</p> <ul style="list-style-type: none"> Section 67Z reports (allegations of child abuse and family violence, investigations and substantiations) Section 67ZA reports (personnel/ practitioner suspects child abuse) Section 91B orders (intervention by child welfare) Section 69ZW orders (evidence relating to child abuse or family violence). Magellan reports 	

1.2.2 GOVERNANCE

Governance of the co-location pilot includes:

- a National Co-location Reference Group
- state and territory steering committees in each jurisdiction
- a national Community of Practice.

A **National Co-location Reference Group** (the Reference Group), comprising of representatives of all agencies involved in the pilot, supports the implementation, refinement, monitoring and evaluation of the pilot at the national level. The Reference Group provides a forum for the Commonwealth Attorney-General's Department (AGD) and the family law courts to monitor implementation of the pilot nationally, to enable state and territory agencies to learn from practices in other jurisdictions, and to support the evaluation of the pilot.

State and territory steering committees oversee and support implementation of the co-location pilot in each jurisdiction. The steering committees:

- ensure co-located officials receive the support they need to perform their role and functions around *Family Law Information Sharing*
- identify and address implementation challenges, and work collaboratively to improve the timeliness, efficiency and/or effectiveness of information-sharing processes, and
- facilitate interagency cooperation in identifying and responding to child and family safety risks.

A **national community of practice** provides a network for co-located officials to learn from the practices and experiences of their counterparts in other jurisdictions. The community of practice group also incorporates an additional forum where states and territories hold bilateral meetings (two states/ territories meeting together) on a rotational basis. These meetings are designed to develop relationships and enable more focused discussion on practice, systems and shared learnings to occur.

Additionally, state and territory governments, through the **Meeting of Attorneys-General Family Violence Working Group**, are collaborating to improve information sharing between these systems.

1.2.3 REPORTING

States and the Australian Capital Territory have been requested to provide performance reports at four time periods throughout the pilot, as described below.

An establishment report (Milestone 1) which contains information about:

- the successful establishment of child protection officials/policing officials at, or around, all agreed family law court locations in the relevant state,

- the intended model for operation of the co-located child protection official (or officials)/policing officials, including any unresolved issues or challenges encountered during establishment.

Two operational reports (Milestone 2 and Milestone 3) which contain information about:

- the ongoing operation of the co-located child protection official/s or policing official/s at, or around, the agreed family law court locations,
- contextual information about how the role is operating, such as the functions being performed; issues encountered; and any areas for improvement,
- any other collaborative activities which the co-located child protection official/s or policing official/s have engaged in,
- a de-identified case study from the reporting period, demonstrating outcomes achieved with the assistance of the co-located child protection official/s or policing official/s.

A final performance report will be provided no later than 31 July 2022.

This report includes the themes identified in the establishment report and the first two operational reports (Milestone reports one to three).

2. THIS EVALUATION

2.1 THIS DOCUMENT

This document is the final report for our evaluation of the co-location pilot for the AGD. The final report includes data collection between July and December 2021. It builds on findings of the Interim Report (data collated to June 2021).

2.2 PURPOSE

The purpose of the evaluation was to deliver credible evidence to inform the future development of the co-location model. Specifically, to generate insights that the AGD may use to:

- support continuous improvement in service delivery over the course of the pilot
- inform decisions by the federal, state and territory governments about processes to facilitate information sharing under the *National Strategic Framework for Information Sharing Between the Family Law and Family Violence and Child Protection Systems (National Framework)*
- inform considerations about continuing or adapting the model and associated resourcing decisions.

2.3 SCOPE AND FOCUS

The evaluation applied a systems lens⁷ and a mixed method approach to answer the overarching strategic question:

To what extent did the co-location pilot improve information-sharing between child protection and policing officials and the Family Court across Australian states and territories in line with the principles of the National Framework?

Measuring the impact of the co-location pilot on families and children was beyond the scope of this evaluation. However, the report does include a qualitative assessment of the benefits of the co-location pilot on families and children through stakeholder consultations and the partnership survey. Rather recommendations about measures of success to be considered for the next co-location evaluation have been made.

⁷ Renger, R. (2015). System evaluation theory (SET): A practical framework for evaluators to meet the challenges of system evaluation. *Evaluation Journal of Australasia*, 15(4), 16-28.

2.4 KEY EVALUATION QUESTIONS

The evaluation sought to answer the following questions (Table 2).

TABLE 2. DRAFT KEY EVALUATION QUESTIONS

Question	Data source
<p>1 To what extent has the co-location pilot been implemented as intended? How, and to what extent, has each site been implemented in alignment with the draft principles for the pilot? Are the roles of the co-located officials clear? What are the barriers and enablers to implementation? What impact has COVID-19 had on implementation?</p>	<p>Program documentation Stakeholder interviews/ workshops</p>
<p>2 To what extent has the co-location pilot been effective? Do the family law courts and partner agencies (child protection and police) have information in a timely way, or of sufficient quality, to make decisions? What are the short- and long-term benefits of co-location for key partner agencies? What are the benefits for children and families? What are the unintended consequences? How (if at all) does the co-location pilot interact with the Lighthouse pilot? (Adelaide, Brisbane and Parramatta)</p>	<p>Program documentation Partnership survey Stakeholder interviews/ workshops</p>
<p>3 What levers can be used to improve the co-location pilot system? (e.g. leadership, training, culture, information technology, legislation) How well are the feedback and communication loops within the co-location pilot system functioning?</p>	<p>Stakeholder interviews/ workshops Performance reports</p>
<p>4 How can the co-location model be optimised moving forward? How critical is co-location to the model?</p>	<p>Partnership survey Stakeholder interviews/ workshops Performance reports</p>

2.5 METHODS

The methods involved in data collection for the project are described below. Whilst we have taken a mixed-methods approach, the absence of consistent administrative data and the small number of partnership survey responses means that we are unable to provide a robust and granular quantitative analysis.

2.5.1 SCOPING INTERVIEWS AND WORKSHOPS

A series of scoping interviews (n=10) were conducted with key stakeholders to gain insight into the co-location model. Scoping interviews were conducted with family law court officials, policing and child protection officials.

We conducted two 60-minute workshops with key representatives from interested members of the National Co-location Reference Group. These workshops provided an overview of our proposed evaluation approach and gathered feedback from key stakeholders.

These workshops included representatives from the:

- Attorney-General's Department
- Federal Circuit and Family Court of Australia (Division 1) (formerly the Family Court of Australia)
- Federal Circuit and Family Court of Australia (Division 2) (formerly the Federal Circuit Court of Australia)
- Family Court of Western Australia
- state and territory agencies responsible for justice, child protection and policing.

A brief presentation on the evaluation approach was also provided to the Community of Practice in April 2021.

2.5.2 DOCUMENT REVIEW

Administrative data from milestone reports one to three have been reviewed and analysed to contextualise the partnership survey and stakeholder workshop data. This included a thematic analysis of each of the reports provided by the five policing and seven child protection agencies participating in the pilot at three time points to June 2021. More recent developments and issues relevant to the implementation of co-location are discussed throughout Chapters 5-7 of this report. Appendix 2 illustrates the details of this analysis.

2.5.3 STAKEHOLDER WORKSHOPS

Stakeholder workshops were conducted with each of the seven jurisdictions involved in the co-location pilot to develop a detailed understanding of the current state of implementation of the co-location pilot. Each jurisdiction developed a stakeholder list. Stakeholders were then invited to attend the workshop. The workshops were conducted from:

- May-June 2021, and
- November-December 2021.

Each workshop was of 90 minutes duration and included officials from the family law court, child protection and policing agencies: in particular the co-located child protection and policing officials (where relevant). In some instances, other stakeholders such as those from Legal Aid or Court Child Experts (formerly Family Consultants) also attended the workshops. Table 3 illustrates the number of participants in each workshop.

Additionally, we approached stakeholders relevant to the pilot, but who did not attend the workshops, to participate in a 30-minute semi-structured interview. These stakeholders included Registrars/ Senior Registrars, Independent Children's Lawyers, Court Child Experts

(formerly Family Consultants), Family Advocacy Support Service (FASS), Legal Aid, Judges (where nominated) and Family Law Pathways Network members.

In:

- May-June we approached 34 stakeholders, of whom two participated in interviews
- November-December we approached 16 stakeholders, of whom two participated in interviews.

An additional small group discussion with NSW co-located officials was also conducted at each of the two time points given the large number of stakeholders within NSW.

TABLE 3. WORKSHOP PARTICIPANTS

Jurisdiction	Number of participants	
	June 2021	Dec 2021
Australian Capital Territory	7	6
New South Wales	19	16
Queensland	17	20
South Australia	7	6
Tasmania	7	9
Victoria	11	12
Western Australia	8	6

2.5.4 PARTNERSHIP SURVEY

An online partnership survey was distributed to the key stakeholders at two time points: June 2021 and December 2021. The purpose of the partnership survey is to provide objective data about the strength of the partnership between agencies at each location. A copy of the partnership survey is located in Appendix 3.

In June 2021 (round 1 June 2021 partnership survey), the partnership survey was distributed to 128 people. Forty people (31%) responded to the partnership survey. After the partnership survey had been distributed, Tasmania requested not to participate in the partnership survey (although two people did complete the partnership survey). No further reminders were sent to Tasmanian stakeholders. In December 2021, (round 2 of the partnership survey) the partnership survey was distributed to 153 people. Forty-five people responded to the partnership survey. This represents a response rate of 29%. Given the low number of partnership survey respondents, we are unable to provide detailed analysis on a number of variables without identifying participants.

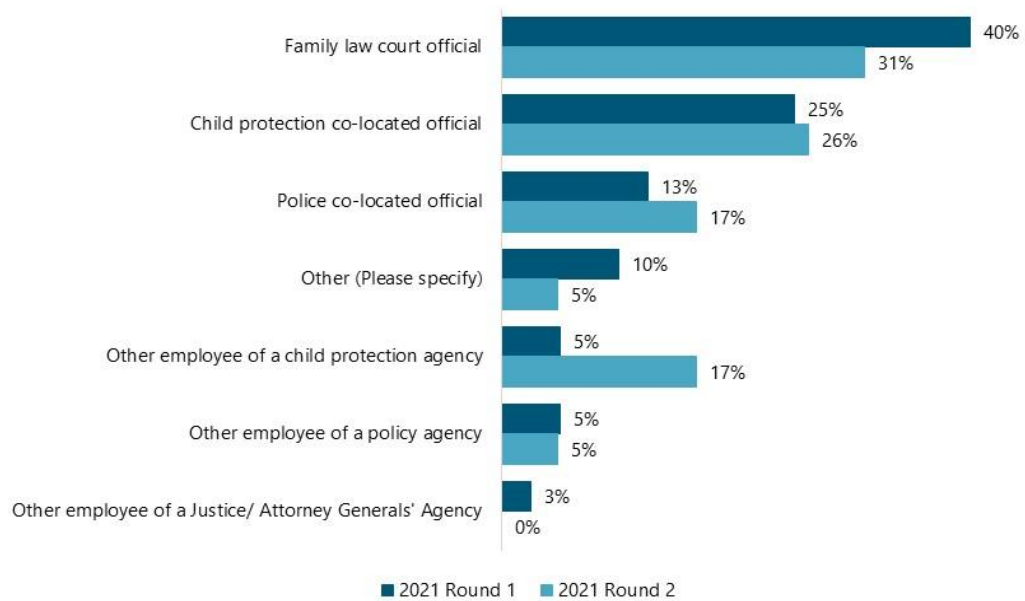
Table 4 illustrates the state or territory of partnership survey respondents. Most partnership survey respondents were from the larger states (who nominated more stakeholders) New South Wales, Queensland and Victoria. Figure 1 illustrated that partnership survey respondents were a mix of family law court officials, child protection co-located officials and police co-located officials. The proportions of these vary slightly between the two partnership survey rounds.

TABLE 4. STATE OR TERRITORY OF PARTNERSHIP SURVEY RESPONDENTS

	June 2021		Dec 2021	
	n	%	n	%
New South Wales	11	28%	9	21%
Queensland	10	26%	14	33%
Victoria	6	15%	7	17%
Western Australia	5	13%	2	5%
South Australia	3	8%	4	10%
Australian Capital Territory	2	5%	1	2%
Tasmania	2	5%	5	12%
Total	39	100%	42	100%
Missing (data not provided)	1		3	

Source. Co-location Pilot Partnership Survey 2021

FIGURE 1. PARTNERSHIP SURVEY RESPONDENTS' ROLES IN THE CO-LOCATION PILOT



Source. Co-location Pilot Partnership Surveys 2021.

The proportion of partnership survey respondents who were located at or near a registry are illustrated in Table 5.

TABLE 5. PARTNERSHIP SURVEY RESPONDENTS' FAMILY LAW COURT LOCATION

	June 2021		Dec 2021	
	n	%	n	%
Brisbane Family Law Courts	7	23%	8	26%
Sydney Family Law Courts	4	13%	2	6%
Adelaide Family Law Courts	3	10%	2	6%
Family Court of Western Australia, Perth	3	10%	2	6%
Canberra Family Law Courts	2	7%	0	0%
Dandenong Family Law Courts	2	7%	1	3%
Melbourne Family Law Courts	2	7%	4	13%
Newcastle Family Law Courts	2	7%	2	6%
Launceston Family Law Courts	1	3%	1	3%
Parramatta Family Law Courts	1	3%	2	6%
Rockhampton Family Law Courts	1	3%	1	3%
Townsville Family Law Courts	1	3%	1	3%
Wollongong Family Law Courts	1	3%	1	3%
Hobart Family Law Courts	0	0%	4	13%
Total	30	100%	31	100%
Missing (data not provided)	10		14	

Source. Co-location Pilot Partnership Surveys 2021

3. IMPLEMENTATION OF THE CO-LOCATION MODEL

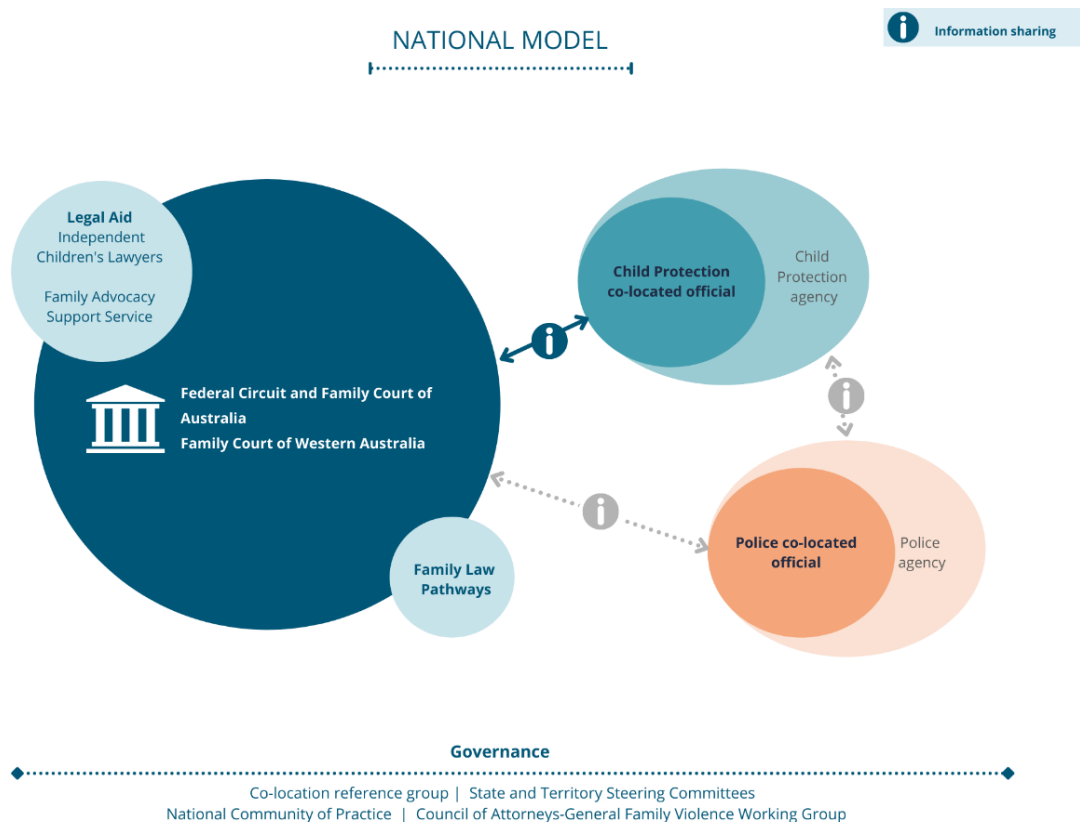
This chapter seeks to answer the questions about the extent to which the co-location pilot has been implemented as intended. It discusses the progress of implementation to date and any barriers associated with program implementation.

3.1 THE NATIONAL CO-LOCATION SYSTEM

Placement of co-located officials in the court has increased the information flow between the jurisdictions, assisted in building a mutual understanding and working towards a more collaborative approach. (Court official)

Figure 2 below illustrates the co-location model at a national level.

FIGURE 2. THE CO-LOCATION SYSTEM AT A NATIONAL LEVEL



State and territory system maps are outlined in Appendix 4. The system maps have been derived based on information about the local context developed through milestone reports and workshops.

3.2 THE NATIONAL FRAMEWORK FOR INFORMATION SHARING

At the time of writing, the Australian Government is working with the states and territories and the family law courts to implement the *National Strategic Framework for Information Sharing between the Family Law and Family Violence and Child Protection Systems* (National Framework).

The National Framework will support the appropriate and timely two-way information exchange between the Federal Circuit and Family Court of Australia and the Family Court of Western Australia (the family law courts) on the one hand, and state and territory courts, child protection, and police and firearms agencies, on the other.

The National Framework will be facilitated by legislative reform to the *Family Law Act (1975) Cth* (FLA), *Family Law Act (1997) WA*, respective court rules and regulations, and the accompanying Information Sharing Protocol (the Protocol), and is to be implemented with reference to these.

The objective of the National Framework is to promote the safety and wellbeing of adults and children affected by family violence and child abuse, and support informed and appropriate decision making in circumstances where there is, or may be, a risk of family violence or child abuse.

The role the National Framework could play in optimising co-location is discussed in Chapter 7.

3.3 THE CO-LOCATED OFFICIALS: DEDICATED RESOURCES

The right person in the role is important: where they are able to trust the judges, and also be embedded in the court, which allows them to be accessible by staff across the streams. This allows (the co-located official) to become part of the team. (Court official)

Within the context of the above system, and as described in Section 1.2.1 the co-located officials' role is to facilitate information sharing, ensuring that decision makers have access to all the available, relevant information to safeguard those at risk of, or experiencing, family violence and child abuse. The work of the co-located officials is performed within the context of relevant legislation and any agreements between their agency and the family law courts.

It is intended that by improving the exchange of relevant information between child protection, policing officials and the family law courts, that the identification and assessment of family safety risks (and consequent decision making) will be improved⁸.

⁸ Guiding Principles for the National Co-Location Pilot.

3.3.1 APPROPRIATE CO-LOCATED OFFICIALS HAVE BEEN APPOINTED

Several child protection and policing agencies initially reported issues recruiting an appropriate person for the role. All child protection co-located officials appointed to the role had extensive experience in child protection and/or legal services. The appointed child protection officials had held previous roles such as family law liaison officer, child protection case worker, court liaison officer, child and youth protection services team leader, senior team leader role within a court service, or child safety officer. A few had previously worked as legal practitioners or had a law degree.

The police co-located officials appointed to the role had previously held roles such as senior policy officer, information review officer, Triple 0 operator, roles within the Australian Federal Police, deputy associate to the Federal Circuit Court, law clerk/legal practitioner, and Family and Domestic Violence Project Officer.

3.3.2 IMPACT OF COVID-19

The impact of COVID-19 has been broad reaching across the country. So, it is unsurprising to note that COVID-19 restrictions were the most common barrier to the smooth establishment of the co-located officials. COVID-19 restrictions prevented many co-located officials from locating at the family court registry: the primary mechanism of the pilot through which information sharing would be enhanced. In some instances, engagement with the family law court registry was also impeded.

While some co-located officials worked remotely during establishment, others were based at their agency's regular offices. The officials in jurisdictions less impacted by COVID-19 (e.g. Canberra, South Australia and Queensland) observed a strengthening of relationships and collaboration as the result of co-location at the registry. Others noted that online communications enabled formal meetings to occur. More detail about the value of being located at the court is discussed in Chapter 7.

3.4 FUNCTIONS PERFORMED BY CO-LOCATED OFFICIALS ALIGN WITH THE INTENTION OF THE PILOT

Whilst there are a core number of functions for the role, there are variations across jurisdictions reflecting local practices and legislation. The most common activities performed by co-located officials included responding to a variety of requests for information, reports and/or enquiries from family law courts officials and connected agencies for specific section reports from the FLA (see Appendix 2 for a detailed list of functions performed by co-located officials).

What information can be shared with whom, varies between and within jurisdictions and is largely dependent on the legislation of the jurisdiction, the way in which the legislation is being interpreted within each jurisdiction, the relationships between the officials and the organisations, resourcing and any other agreements in place between the organisations.

In Queensland the legislation is applied really strictly by police and child protection agencies. With the S69ZW only the summary page will come forward, whereas in other jurisdictions it will be the whole file. (Court official)

The design of the co-location pilot is outcomes based, enabling the model to be developed organically within each state. This has enabled flexibility of the model across jurisdictions and resulted in variations in the roles of the co-located officials across the states and territories.

3.4.1 CHILD PROTECTION CO-LOCATED OFFICIALS

From (a child protection perspective) my role is clear, though it is an evolving role. I have a clear understanding of how I am assisting the court and (child protection). Navigating the family law court is a challenge. My role is clear, but I do see there is room for it to grow. (Child protection co-located official)

Generally, stakeholders suggested that the role of the co-located child protection official is more clearly defined relative to that of the policing co-located official. Child protection agencies have a longstanding relationship with the family law courts and are also able to draw on learnings from those states in which co-location has been implemented for some time (Western Australia and Victoria). Additionally, within many states the child protection legislation enables information sharing between a range of agencies.

3.4.2 POLICING CO-LOCATED OFFICIALS

Stakeholders from registries across Australia generally agreed that the role of the policing co-located officials is still emerging. This is changing to some extent as the implementation of the co-location pilot continues. There is reportedly a different uptake of the police co-located role by decision makers within the court and policing officials in different registries across the country. Information sharing with the family law courts has improved, however, further clarity about resources, roles and functions are sought by policing officials to assist navigating barriers.

Over the course of implementation to date, there is a sense from some policing co-located officials that there has been no model for them to follow other than the existing information release function. Agency officials report that as they were not provided with guidance on the classification level or a generic position description of the co-located policing officials at the outset of the co-location trial, this has inadvertently led to some discrepancies between state agencies' classifications and expectations. Two policing models are emerging:

- An information release role (NSW, Queensland)
- A more responsive and pro-active liaison role (SA, Tasmania, ACT).

Across the jurisdictions, NSW and Queensland policing officials provide a function similar to that of **information release**. Information is exchanged for mutual benefit and activities are co-ordinated. Legislation is interpreted in a relatively narrow way. The provision of

information is perceived as transactional and therefore co-location may not be necessary for this information exchange to occur.

For example, within NSW, the police co-located officials are located near the family law courts in Parramatta, at the NSW Police Headquarters. The co-located officials have never been located at the family law courts for various reasons such as access to technology and COVID-19 lockdowns. The co-located officials have been able to attend meetings at the court. NSW Police note that as they have been able to provide timely responses to information requests whilst working remotely, that they are unaware of additional benefits that would be gained from co-location.

Pre-information sharing (those actions which facilitate co-operation and collaboration) are not seen as possible or necessary. Resources and legislation are often cited by policing officials as the greatest barrier to information sharing from a police perspective. However, court officials would describe the interpretation of the legislation, rather than the legislation itself, is a barrier to information sharing.

From our perspective it is quite unclear...the informal communication side the pilot is trying to generate, particularly in the area of recovery orders or a need to prioritise urgent matters before judges. I guess, it depends on the registrar. It depends on the type of information being requested. (Police co-located official)

Other jurisdictions such as SA, Tasmania and ACT are more collaborative. Much like their child protection colleagues they are able to tap into operational units within their organisation and participate to some extent in pre-notice sharing and to some extent in proactive responses. This **liaison role** fits within the family and domestic violence (FDV) space.

Improved information sharing between the courts and police is vital given the number of family violence cases. (Police co-located official)

Pre-notice or voluntary information sharing differs somewhat amongst these states; however, it is generally designed to include information on contemporary risk factors that are not captured by traditional s69ZW or subpoena orders. Information included in voluntary information sharing extends to risk factors such as violence, drugs, alcohol, mental health, and other risk factors. Pre-notice or voluntary information sharing is intended to be delivered early, and to aid judicial officers and other court workers with risk management.

The early phases of implementation of the co-location model have been described as 'personality driven' in several pilot sites. The willingness of the co-located official to understand the needs of the court, or the willingness of the magistrate/judge to request or share information has been instrumental to co-location. These 'personalities' have to some extent made (or not) the initial success of the co-location model.

3.4.3 LIGHTHOUSE PROJECT

The Lighthouse Project is being piloted in the Adelaide, Brisbane and Parramatta FCFCOA registries. The objectives of co-location and the Lighthouse project are complementary – both focus on the identification of risk.

The Lighthouse Project is a pilot program that commenced in the Federal Circuit and Family Court (FCFC) registries in Adelaide in December 2020, followed by Brisbane and Parramatta in January 2021. It was developed in response to increasing concerns about family violence, and calls from numerous stakeholders for comprehensive risk screening in family law matters and specialised management of high-risk cases. The Lighthouse Project is a systematic approach that identifies, assesses, and triages risks of family violence early in family law proceedings, to ensure the appropriate safety-planning and service referrals occur in a timely manner, and to resolve high-risk matters safely, fairly and expeditiously.

A key element of the Lighthouse Project is the Evatt List which engages a highly qualified team of Judges, Senior Judicial Registrars, Evatt List Judicial Registrars, Court Child Experts and Court staff to help progress cases that are considered to be high risk for family violence. Information provided by the co-located officials has been a critical factor in enabling the court to safely resolve high-risk cases in the Evatt List quickly.

The Lighthouse Project is described as having a big impact on the co-location pilot and information sharing between agencies in the registries in which it operates.

While some stakeholders describe being well informed about the Lighthouse Project and the screening process, others suggest that initially, the interface between co-location and the Lighthouse Project was unclear and little information was provided to co-located officials.

Co-location meshed very well with the objectives of the Lighthouse Project. Particularly in the Evatt List space. It was one of the last pieces in the puzzle. (Court official)

I gave a presentation to the legal profession about the Lighthouse Project and Evatt List. I said the work I am doing would not be possible without the role of the co-located officers. (Court official)

Co-located officials report that the Lighthouse Project has contributed to increasing information requests from the courts. In addition, jurisdictions have reported that the resources required for co-located officials to support information requests from the Lighthouse Project are greater than originally anticipated. For example, the Brisbane co-located officials are responding daily to Evatt List requests. Some co-located officials suggest that a dedicated resource to respond to the Evatt List is necessary: to maintain currency of information, to tell parties where the case is up to, clarify and share information across agencies.

Commencement of the Lighthouse Project has been associated with increasing workloads at participating registries. Within South Australia, for example, co-located officials have been requested to prioritise Evatt List and Urgent Applications ahead of other requests. The majority of the co-located officials' resources are required for these information requests. The Evatt Registrar will make an urgent information request of both agencies. This

information is returned within a day and fundamental to the Registrar's determination of whether or not a matter is selected for the Evatt List.

The NSW co-located officials report an increase in orders being submitted since the implementation of Evatt List/ Lighthouse Project at Parramatta. The development of a template to be used by Registrars when requesting information from police has assisted in focused and targeted information requests that require a prompt response.

3.5 BARRIERS TO ESTABLISHMENT

3.5.1 LACK OF AWARENESS OF THE PILOT

In some registries in some jurisdictions there was a reported lack of awareness among court stakeholders of the pilot's existence and the co-located officials' role at the time of establishment.

Some stakeholders report that the AGD did not provide information about the co-location pilot to court officials. Rather each state/territory agency provided this information, initially creating some confusion and ambiguity. This was particularly the case for Tasmania in the early stages of program implementation.

Low awareness of co-located officials and their role is reportedly compounded in those jurisdictions where there has been a recent change in court staff or where the ability of the co-located official to visit the registry, or co-locate at the registry, to provide information about their role has been impacted by COVID-19. For example, NSW Police note limited opportunities for meetings or training during the recent lockdown within NSW.

3.5.2 LACK OF UNDERSTANDING OF THE CO-LOCATED OFFICIALS' ROLE

There was a reported lack of understanding by court stakeholders about the role of the co-located officials, and the scope of their functions. Co-located officials from several jurisdictions were expected to conduct activities or provide information that was outside the scope of their role or powers. For example, officials from the NSW Police Force have received information requests drafted in a way that exceeds the scope of s69ZW requests and are therefore beyond what the police co-located official can provide. In some jurisdictions, there is a need for clarity and expectation management for stakeholders about the information that co-located officials can provide.

This lack of understanding is compounded by the complexity introduced by each state and agency carrying out the co-location pilot in a different manner; each having different request requirements and information release products.

3.6 THE MOST SIGNIFICANT CHANGE

The co-location of child protection has significantly enhanced judicial officers' ability to access information quickly to assess risk in urgent matters and also has greatly enhanced mutual cooperation, understanding of roles and exchange of information. (Judge)

Those responding to the partnership survey were asked to reflect on what has been the most significant change resulting from the co-location pilot to date.

As at June 2021, the time of the interim report, partnership survey respondents could clearly identify a need for the co-location pilot to solve the problem of lack of information sharing between departments and that as a solution to this problem, co-location could lead to better information sharing to create better outcomes for children and families. This theme was also reflected in the December 2021 results.

Bringing everyone together to be on the same page to deliver a responsible outcome for the safety of children and families (Court official)

The most significant change resulting from co-location, as noticed by key partnership survey respondents as at June 2021, included sharing information on a regular basis/as needed (mentioned by 79% of partnership survey respondents) and streamlining processes (mentioned by 21% of partnership survey respondents). As at December 2021, the most significant change mentioned by partnership survey respondents was the ease of sharing information (mentioned by 91% of partnership survey respondents) and 29% of partnership survey respondents mentioned the most significant change of the pilot to be better outcomes for children.

The co-location of child protection has significantly enhanced judicial officers' ability to access information quickly to assess risk in urgent matters and also has greatly enhanced mutual cooperation, understanding of roles and exchange of information. (Judge)

As at June 2021, the reasons that partnership survey respondents considered that these changes were needed was that prior to co-location, the family law courts were unable to make informed decisions about child safety (mentioned by 69% of partnership survey respondents) in a timely way (mentioned by 38% of partnership survey respondents) and there was a need for greater collaboration between agencies (mentioned by 16% of partnership survey respondents). As at December 2021, the need for greater collaboration was the reason for change mentioned most frequently by partnership survey respondents (mentioned by 67% of partnership survey respondents), possibly reflecting the growing understanding of the value of co-location to partnership survey respondents.

Having co-located officials embedded in the family law registries has been very beneficial in creating positive and productive working relationships. Building the profile of the role within the child protection workforce has meant the role can be utilised as a resource to

assist the child protection workers negotiating the interface with the family law jurisdiction. (Child protection co-located official)

These themes are discussed in greater detail in the next chapter.

4. SYSTEMS LEVERS INFLUENCING THE CO-LOCATION MODEL

This chapter acknowledges that the co-location pilot has been implemented within a complex and continuously changing system; and that each state or territory has implemented a model relevant to the system in which it is placed. In applying a systems lens to implementation, this chapter seeks to identify the 'levers' that can be used to improve the co-location pilot. It draws on information from the document review and the workshops.

4.1 STRUCTURAL COURT REFORM

One of the reasons why (co-location) is so successful, is because you have that connection to people. You can go and chat to them. They're right there, sitting right next to you, they're available. I think that's a very significant benefit to making this work. The national system doesn't have that. We need to make sure we accommodate that somehow. (Registrar)

In February 2021, the Federal Government passed laws allowing for the merger of the Family Court of Australia and Federal Circuit Court of Australia. The courts are now collectively referred to as the Federal Circuit and Family Court of Australia (FCFCOA). The merger of the two family law courts commenced in September 2021.

This structural reform also included the creation of a national case management system.⁹ The national case management system provides a single point of entry for cases and aims to facilitate co-operation and consistency/standardisation of orders. It is anticipated that the national case management system will deliver a more efficient and effective family court system, aiming to resolve 90% of cases within 12 months of filing. Figure 3 provides an overview of the national case management system.

A National Assessment Team of Registrars assesses, and triages matters. This early assessment and front loading of resources is designed to alleviate the burden on judges. As illustrated in Figure 3, information requests from the National Assessment Team may be made at early stages throughout the matter. Extra attention to risk early in the matter, and triage of matters, may create alternate pathways for matters to progress through the system.

Requests for information may be made to the co-located officials associated with the registries within the pilot or, for those registries who do not have a co-located official, another nominated officer. As legislation varies across the country, as does the way in which states and territories provide information, the national case management registrars are learning what information the states and territories have and what can be provided.

⁹ <https://www.fcfcqa.gov.au/fl/pd/fam-cpd#cpd1>

At the time of consultation, stakeholders noted that new processes are being introduced with the structural changes to the court. As is the case with any significant organisational change, teething issues are still to be addressed:

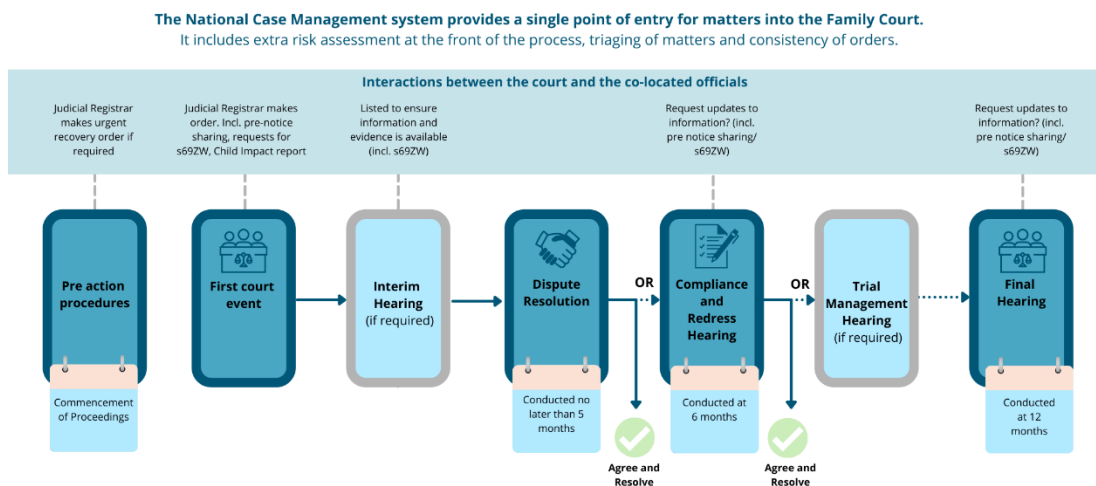
- Co-located officials stated that they had yet to receive much information about the newly introduced national case management system.
- Court officials noted that new roles are being identified, and registrars are unlearning and relearning roles.
- There was concern from co-located officials that the National Assessment Team may not be aware of the co-located officials and their roles.

(Registrars) are being encouraged to get as much information as they can early in the proceedings, so that they can make decisions based on that information.... before we use other resources in the court, like child experts and a judge for a final hearing. So, there is that emphasis on resolution up the front end of proceedings.... (Court child expert)

The Court merger has led to the implementation of new roles within the Tasmanian judicial system, and this has directly impacted on the workload of the co-located officials in a positive way. (Co-located official)

An increase in information requests since the implementation of the court reforms was noted by a range of co-located officials. Others noted that they had yet to receive information requests from the National Assessment Team. Local interaction between court officials and co-located officials continues on the ground.

FIGURE 3. A SNAPSHOT OF THE NATIONAL CASE MANAGEMENT SYSTEM



Reflecting on the national case management system, some co-located officials suggested that it could be valuable to consider key decision-making points when a registrar should access a co-located official for information and build this into the national case management system.

Access to current information is important. As decisions may be made 6 months after information was gathered, for example in the case of abridgements, it may be necessary to request information from co-located officials that has recently emerged. The assumption by decision makers may be that the information is still current, where risk and circumstances may have changed.

Co-located officials noted that seeking recent information requests was not common practice/not consistent among the decision makers within the registries in which they were associated.

4.2 EMBEDDING CHANGE THROUGH PROCESSES

Enhancements to practices and processes that have improved information sharing across states and sites varied. More easily obtaining information, documents and/or reports through the centralised team, more regular exchanges, and the development of specific information sharing guidelines were practices and processes reported by some. While improvements in information sharing with the family law courts were noted in some jurisdictions, others reported it was too early to assess practice changes. See Appendix 2 for more detail.

4.2.1 SHARED SYSTEMS AND PROCESSES SUPPORT INFORMATION SHARING ACROSS AGENCIES

Co-located officials from a range of jurisdictions have drafted specific documents or developed processes that have streamlined and fostered the sharing of information between key stakeholders.

- Within South Australia, the co-located official developed an instrument of authorisation to enable information sharing with the courts to occur earlier in the process than had previously occurred. This change was based on consultation with the SA Department for Child Protection's legal services, the court and the State Crown solicitors.
- Within Western Australia, all information requests by ICLs and Legal Aid is forwarded by the WA Department of Communities to the Counselling Services and placed on the family's court file. This ensures all parties are aware of the information provided by the Department and that information shared with legal representatives is also shared with the court.
- The Tasmanian Department of Communities has prepared, through consultation, Guidelines for Information Sharing for stakeholders, Practice Advice for CSS staff, and papers regarding how CSS obtain, use and store family law court documents.
- The Queensland CYJMA has, in collaboration with the Brisbane registry, established an 'information sharing request and response' document. This provides structure and actively facilitates the timely processing of voluntary information sharing requests and record keeping.
- The QPS has drafted an agreed administrative support document created to facilitate implementation of information sharing projects between the Service and the Court, including the trial of the 'Prenotice Information Sharing Project – Family Law Courts and the Queensland Police Service.'

The functions performed by the co-located officials continue to emerge within the jurisdictions as the model within each jurisdiction matures. For example, within Victoria, a more mature model of co-location, the child protection co-located officials will respond to information requests from Judges' Associates, Registrars, Registry Staff and Court Child Experts of the Court's Children's Service. Collaboration also occurs through information sharing that is defined more narrowly with, Independent Children's Lawyers and Duty Lawyer Services. Additionally, the co-located officials will have oversight of Magellan matters referred to the department and provide secondary consultations and training to child protection practitioners. The team have established a central point of reference (generic email account) for receipt of s69ZW and s91B orders. They have also developed and maintained a suite of tools (tip sheets and templates) designed to assist child protection practitioners when responding to Notices of Risk, s69ZW, s91B and Magellan Orders.

4.3 LEADERSHIP AND CULTURE

4.3.1 A SEAT AT THE TABLE

Registries that were more established and well-resourced before the pilot was implemented reported being able to better support officials, which enabled the establishment process. Registries where co-located officials were provided with fixed office space, accommodation, IT support and system access tended to report a more seamless process of establishment.

The availability of fixed-office spaces within registries impacted the ability of co-located officials to be located at the registry during establishment. Some child protection and police co-located officials report a lack of accommodation and office space once COVID-19 restrictions had eased. It must also be noted that it is not always clear in some establishment reports whether accommodation is not available because of COVID-19 restrictions, or because the office space has not yet been arranged. This was often out of the control of the co-located official, and assumedly dependent on the 'at the time' availability of space and resources within the court precinct.

As at September 2020, suitable accommodation had been identified and adequately established for many of the co-located officials who, at the time of the establishment report, did not have access to a fixed-office space within the registry (See Appendix 2).

Despite some co-located officials remaining unable to co-locate due to COVID-19 restrictions, some noted that allocated offices are ready to use when officials are permitted to return to the court. Others mentioned active planning was underway. For example, the co-located officials in the Brisbane registry have attended the registry and co-location discussions are ongoing. From their perspective, co-location at the registry will facilitate more meaningful engagement with the court, assisting the officials to undertake their roles.

4.3.2 A SUPPORTIVE AND LEARNING CULTURE

SUPPORT FROM THE FAMILY COURT/REGISTRY

Cooperative and collaborative working relationships between the family court and co-located officials supported establishment. Those co-located officials who reported strong and collaborative relationships with their family law court tended to report a more seamless establishment process.

SUPPORT FROM THE CO-LOCATED OFFICIAL'S ORGANISATION - INTERNAL SUPPORT

Managerial and department/headquarters support with internal reporting and feedback processes, generally supported establishment of the role and was experienced by some co-located officials. For example, the NSW Police co-located officials reported receiving ongoing training and support by the NSWPF Domestic and Family Violence Team and the Firearms Registry as required, as well as access to internal legal advice by the NSWPF Office of the General Counsel. Those co-located officials without a clear primary contact person, or clear pathways for communication to specific groups, reported greater difficulties during establishment.

As at September 2020, while the nature and extent of the monitoring and oversight arrangements in place at each registry location varies, all jurisdictions have reported some oversight arrangement for their co-located officials. The specific arrangements by registry locations are included in Appendix 2.

SHARED LEARNING WITH COLLEAGUES

One of the key learnings, particularly for child protection co-located officials, is about family law. Child protection co-located officials are able to share these learnings with the colleagues within their organisation. As outlined in section 4.4.3 this has ongoing benefits to staff, children and families and organisational efficiencies (which matters are heard in which court). Conversations between ICLs and child protection officials provide learning opportunities about the role of the ICLs which in turn change relationships and practice.

SHARED LEARNING WITHIN THE JURISDICTION

Shared learning and support from co-located officials within the same state jurisdictions assisted the establishment process for some. For example, the Melbourne registry, established in 2012, was able to supervise the Dandenong registry co-located child protection official during their establishment process. The co-located official within the Tasmanian Department of Police, Fire and Emergency Management travelled to Launceston and Devonport to network and engage with internal work units such as Criminal Investigations, Prosecutions, and the Family Violence Units to provide information about the pilot.

SHARED LEARNING ACROSS JURISDICTIONS

A unique challenge to the ACT is cross-jurisdictional issues. Bordering NSW, up to 50% of the work of the ACT Family Court is based on NSW applications. Therefore, unique to the ACT at the time of establishment, was the need to develop relationships and information sharing processes with the equivalent NSW official to support the intent of the agreement.

4.3.3 AGENCY LEADERSHIP

The co-location steering committee have proved a useful setting to build cooperative relationships and foster an increased understanding of Agency operational requirements. The establishment, operation and membership information for each of the state/territory steering committee is included in Appendix 1.

STATE AND TERRITORY STEERING COMMITTEES PROVIDE COLLABORATIVE FORUMS

The Commonwealth, state and territory steering committees acted as collaborative forums to provide additional support and learning opportunities for the co-located officials. Steering committees have been established in all states to better support the pilot and the co-located officials.

The steering committee meetings for many states/territories initially focused on establishing the new co-located roles, with a focus on their location at the registry and the work environment. Implementation issues discussed included:

- recruitment of co-located officials
- availability of office space and facilities at each of the pilot locations
- induction processes
- facilitation of tours and introductions at each of the pilot locations
- terms of reference
- establishing the roles and functions of the co-located officials and
- alternative offsite arrangements because of COVID-19.

For example, in the ACT a local steering committee has been established to provide oversight and support to co-located officials, and they meet regularly. Additionally, the members have been added to the national Community of Practice. All jurisdictions (other than WA) reported established steering committees. More information about the steering committees can be viewed in Appendix 1.

As the pilot progressed, the focus of discussion included:

- updates from the courts, Departments and Legal Aid (including new initiatives or legislative changes)
- activities of the co-located officials
- the relationship between family consultants, independent children's lawyers and the co-located officials
- attendance of the co-located officials at duty list days
- presentation of the quarterly data report and trends arising from the data

- best practice approaches
- requests by the courts for child protection/policing information
- matters arising from the national Community of Practice and National Reference Group
- providing information to the AGD in relation to the co-location pilot
- developing pathways for referral and information
- update from the child safety and police representatives.

COMMUNITY OF PRACTICE

A national Community of Practice provides a network for co-located officials to learn from the practices and experiences of their counterparts in other jurisdictions. Stakeholders note that participating in a Community of Practice with other states/territories has been useful to identify, canvas and resolve issues about information sharing across jurisdictions.

A range of information sharing forums exist as part of the co-location governance structure and within the range of community of practice activities. These include:

- interstate catch-ups
- police co-located officials catch-ups
- child protection co-located officials catch-ups
- co-located officials catch-ups.

INTERJURISDICTIONAL COOPERATION

As at September 2020, few co-located officials had received pre-notice inter-state requests for information. The exception being the ACT who receive a significant amount of work before the family law courts involving NSW residents, as the ACT Family Law Court is for both the ACT and surrounding NSW areas.

Key stakeholders noted that they were well equipped to facilitate assistance to other jurisdictions should this be required.

DIFFICULTY KNOWING WHAT INFORMATION CAN BE SHARED INTER-STATE

It is important to be clear about the boundaries of information sharing between stakeholders to avoid disappointment and unmet expectations. (Court official)

Some states, including Victoria and WA, commented on the difficulties of information sharing across jurisdictions. For example, Victoria DFFH noted that while it is not appropriate for the co-located official to share another state/territory agency's information, they may alert the court to the existence of relevant information held by another state/territory agency. Prior to the national co-location pilot, there was no effective process to link the family courts with an interstate agency.

4.4 TECHNOLOGY

4.4.1 TECHNOLOGY HAS FOSTERED CONNECTION DURING COVID-19 RESTRICTIONS

Access to technology (laptop, internet, and mobile phones) to allow access to information systems have unsurprisingly aided the establishment of the role. Those experiencing delays in receiving technology, equipment and therefore access to systems, clearly faced early challenges. Some co-located officials reported delayed or no access to technology, such as laptops to connect them to IT systems which in turn delayed access to the systems and resources necessary to perform their roles effectively.

As COVID-19 restrictions prevented many co-located officials from locating at or near family law court registries, and in some instances engagement with the family law court registry at all, technology has been used to foster interaction with the family law courts. For example, the Queensland CYJMA, and the QPS have utilised Microsoft Teams software to enable co-located officials to communicate with each other, build relationships and progress initiatives, and share documents such as the minutes of Community of Practice meetings.

4.4.2 TECHNOLOGY CAN INCREASE THE EFFICIENCY AND EFFECTIVENESS OF INFORMATION SHARING

Co-located officials have suggested that 'read only' access to the court database would be greatly beneficial. The anticipated benefits would increase collaboration between agencies. 'Read only' access to the court database could include the ability to determine if:

- the parties have previously/currently engaged in the Court process
- when the next listing/appearance date is and,
- whether there are any Orders currently active.

This information is available to the co-located officials either on a regular basis or on request. More efficient access to this information would:

- enable co-located officials to conduct proactive checks on high risk matters currently under investigation (for example, family violence and/or child abuse)
- increase transparency regarding intervention orders being made between the Magistrates Court and the FCFCOA,
- reduce the court resources required to look up information and return it to the co-located official, and
- reduce the time and resources required of co-located officials who then have to submit a request to view a file.

As mentioned earlier, a centralised generic email address assists the court and larger registries to facilitate communication.

5. INFORMATION SHARING

This chapter seeks to answer the question about the extent to which the co-location pilot has been effective and whether the courts and co-located officials have information in a timely manner and of sufficient quality to make decisions. It starts to explore the benefits of information and co-location to date. This chapter draws on information from the partnership survey and the workshops.

5.1 THE COURTS ARE MAKING INFORMATION REQUESTS

The s69ZW reports are of high quality. Collaboration has assisted judicial decision making and helped the wellbeing of children. (Court official)

Improved interactions with the family law court registry have been reported in most registries and jurisdictions since the role of the co-located officials was established. While not all Milestone reports explicitly detailed improvements, the examples provided within the Milestone reports describe increased contact and communication, which has facilitated information sharing. For example, conversations between officials from different agencies provide a better understanding of what information can be shared and how this information can be shared.

Most requests for information are initiated by the family law courts. Timely and well targeted information has reportedly assisted judges in making decisions. The co-located officials have received a range of information requests. Information requests from the court largely relate to s69ZW requests and where an urgent application has been made for a recovery order.

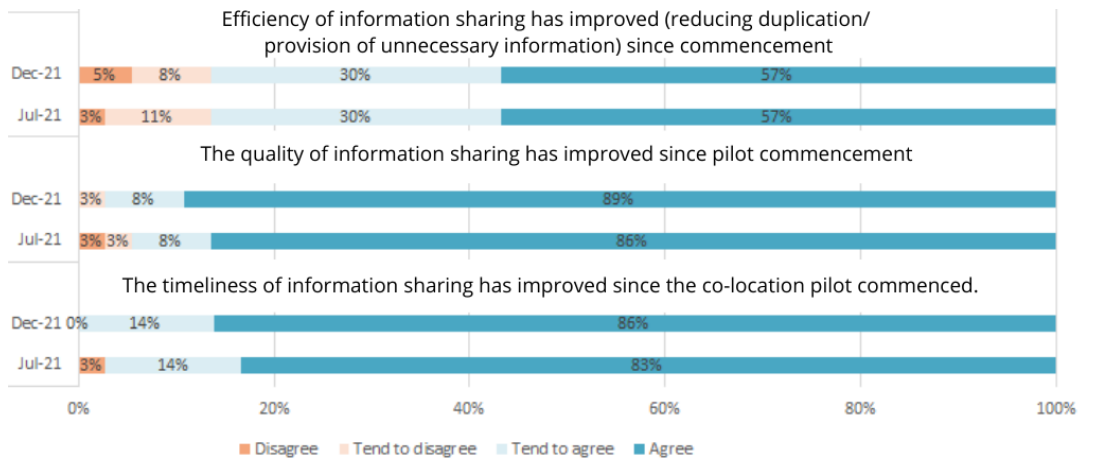
Stakeholders responding to the partnership survey were in clear agreement that overall, the quality of information sharing (89% in December 2021 partnership survey, and 86% in June 2021 partnership survey agreed) and the timeliness of information sharing (86% in December 2021 partnership survey and 83% in June 2021 partnership survey agreed) had improved with co-location, with slight increases in agreement levels between the two partnership survey rounds (see Figure 4).

Partnership survey respondents were less likely to agree that the efficiency of information sharing had improved (57% in both partnership survey rounds agreed). Response to this question has remained steady over the two partnership survey rounds. For example, QLD child protection co-located officials note that the accessibility of a co-located official assists when responses are urgently required (for example less than 30 minutes) and that these requests are not infrequent.

Child protection co-located officials in some states were also requested to attend matters as a 'friend of the court'. This is when the court identifies child protection concerns and requests clear and contemporary child protection history information and investigation outcomes regarding families; for example, when recovery orders are sought. On occasion co-located

policing officials (in some jurisdictions) have been requested to attend court matters, however, this is not perceived as usual practice in most jurisdictions.

FIGURE 4. TIMELINESS, QUALITY AND EFFICIENCY OF INFORMATION SHARING



Source. Co-location Pilot Partnership Survey 2021.

Policing co-located officials receive requests from the court for police checks relating to family violence history, criminal history, pending charges, active investigations (where appropriate) or firearms information. This may be via a s69ZW order, subpoena or a request for pre-notice/voluntary information sharing.

In some jurisdictions, co-located officials provide information to Independent Children’s Lawyers about the best interests of children. They may also provide information to Court Child Experts (formerly Family Consultants) to assist, for example, with the development of a family assessment (see Appendix 2 for more information).

The volume of requests for information have increased with the structural court changes. A range of co-located officials report that this increase in requests, if not matched by an increase in resources or a triage process, means that co-located officials will not be able to complete their requests in a timely manner.

5.2 VOLUNTARY INFORMATION EXCHANGE OR PRE-NOTICE INFORMATION SHARING

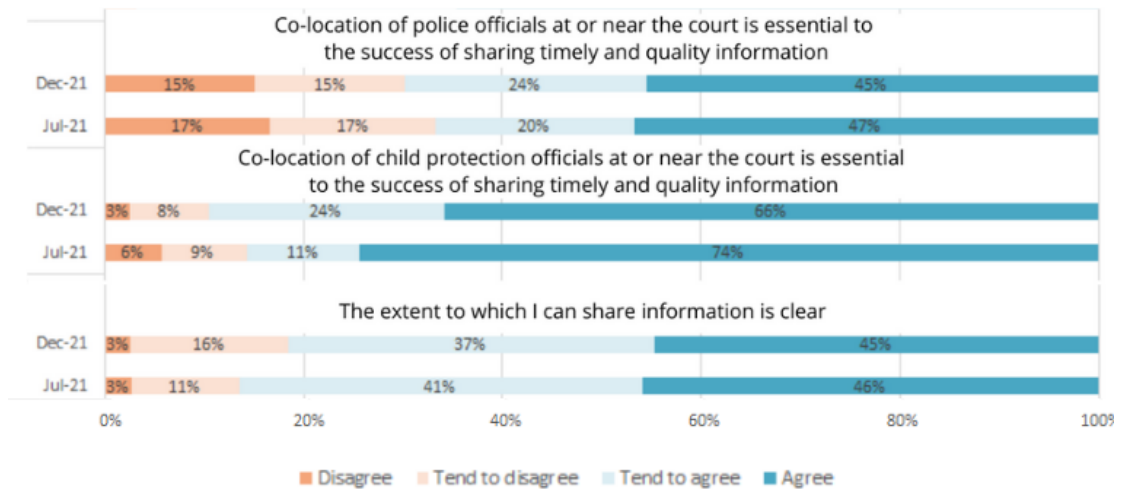
Informal conversations influence the structure of the requests and timeframes, so people don't do unnecessary work and the courts don't need to read unnecessary information. But information is still relayed through s69ZW. (Court official)

The exchange of information prior to the issuing of an order by the court to request information is seen by many stakeholders to be of key benefit to the family law court. This voluntary or pre-notice information sharing occurs amongst police and child protection co-located officials within jurisdictions. Co-location of officials at or near the court is vital to developing the trust and relationships required to facilitate pre-notice information sharing in most instances.

As illustrated within the partnership survey (and in Figure 5), between two thirds and three-quarters of partnership survey respondents (66% December 2021 partnership survey and 74% June 2021 partnership survey) agreed that co-location of child protection officials at or near the court is essential to the success of sharing timely and quality information. Approximately half of the partnership survey respondents agreed that co-location of police officials at or near the court is essential to the success of sharing timely and quality information (45% June 2021 partnership survey and 47% December 2021 partnership survey). However, partnership survey respondents were less likely to agree that the extent to which they can share information is clear (45% in December 2021 partnership survey and 46% in June 2021 partnership survey agreed). Response to this question has remained steady over the two partnership survey rounds.

Voluntary information exchange allows orders to be more focused and targeted. These interactions also assist the court to plan and schedule matters by allowing lead time to gather information and to prioritise matters by assessing risk. By knowing and understanding the way in which information can be provided to the court and the information that agencies have available, the quality of the information provided to the court is increased. An open and cooperative working relationship allows for solving problems and getting answers quickly.

Within Tasmania, the child safety co-located official will attend the court for the duty list. It is at this time when child safety concerns are to be raised. The co-located officials will look at the lists in advance to flag matters that have child safety/police concerns. If requested by the registrars, information can be provided on the spot (in real time) – a verbal briefing of the key issues and information held by the department is provided. This enables information to be shared and prevents the need for a written report when not necessary or flags that it would be valuable for a s69ZW report to be requested by the court. Attendance at court allows information provided by the parties to be clarified.

FIGURE 5. INFORMATION SHARING IN THE CO-LOCATION PILOT

Source: Co-location Pilot Partnership Survey 2021.

Within South Australia the co-located police officials and the child protection officials work closely together and discuss most information requests. As the legislation allows, information is provided to the court, ICLs or Court child experts employed by the court (formerly family consultants). The principles of natural justice and procedural fairness impact information disclosure to the decision maker. At the registry level, the timing of the orders ensures that information is received and that assessments of risk are completed in a co-ordinated way. This requires a significant amount of liaison by the court officials and decision makers, which is facilitated by pre-notice collaboration and early information sharing. Timely access to information can then influence the direction of the matter. For example, having early accurate information can inform whether a matter is heard, or is appropriate for dispute resolution.

Although stakeholders report that the pilot has led to increased interaction between the departments and family law courts, there are varied perceptions across jurisdictions about the extent to which this has occurred. In some states it was reported that there was little or no proactive engagement initiated by the family law courts (few information requests or requests from only a few court officials). Conversely, those in other jurisdictions report a high degree of collaboration and engagement with the court. The family law courts report initiating engagement in a range of locations and, as discussed later, co-located officials are supportive and appreciative of this.

Information sharing and interactions between agencies continue to change as the co-located officials and stakeholders continue to develop trust by having frank and robust discussions.

5.3 CO-LOCATED OFFICIALS ARE REQUESTING INFORMATION FROM THE COURT

The co-located officials' role is impacting the practice of the organisation in which the co-located official works. This includes co-located officials requesting information from the

courts and proactive action being taken by co-located officials to manage risk as a result of receiving that information. This is largely reported by child protection co-located officials nationally and by policing officials in South Australia, the ACT, Tasmania and Victoria.

5.3.1 REQUESTING INFORMATION FROM THE COURT

Co-located officials have made a range of information requests to the court, for example, requesting copies of documents or existing orders that were held on the court's files, reasons for judgments, family assessments and details of affidavits by parties involved in current court matters. These requests are in line with the legislative framework of the court (FCFOA Rules (Rule 15.13(1)(c)).

5.3.2 PROACTIVELY MITIGATING RISK

Co-located officials have in some cases mitigated risk through proactively requesting information.

For example, since the ACT Police co-located official commenced, the number of information requests from within the ACT Police have increased. These have come from the Sexual Assault and Child Abuse Teams and from the Office of the Director of Public Prosecutions (ACT).

Since the inception of co-location, child protection officials within South Australia have found it easier to seek information from the Court. This may include requesting and receiving copies of orders or assessments undertaken by the court which are beneficial for investigations. South Australian (SA) DCP often send information regarding current investigations or information held by the department to the Court before it is requested. This facilitates safer decisions being made earlier. SA DCP have established a Court Services Team, who have capacity to undertake 91B investigations and actions based on liaison with court officials. This has received positive feedback from the court officials. SA Police have initiated victim risk management based on information received from the court. This allows a tailored response to mitigate risk on a case by case basis in conjunction with policing areas across the state.

For example, in South Australia, the police co-located official is embedded in the Family & Domestic Violence Section, Public Protection Branch. The Public Protection Branch includes sex crimes, child exploitation and offender management sections and has close ties with family violence specialists. This ensures that when the police co-located official becomes aware of a crisis they can easily access the required services to respond. Information release teams may not be so readily connected with the operational teams. The child protection co-located official sits within the court's team within the child protection agency, and can immediately commence an investigation or initiate an emergency response.

When (the police and child protection co-located officials) pick up on a family that's really in crisis in terms of their children's safety because of a request that's come through from the registrar's, they're actually in a position to tap into the appropriate services to respond to that to that crisis. (Policing official)

In some jurisdictions, such as Western Australia, child protection co-located officials often work with emerging child protection cases (that are not yet open or allocated), and assist with the decision of whether to intervene, based on the current safety and risk issues relating to the children subject of the proceedings. This broadening of scope has also been described in Queensland, where the co-located official's role originally focused on matters with an open intake or investigation. If greater child safety involvement was required, co-located officials would refer the matter to the established court services worker. However, co-located officials are now also assisting child safety with requests for case advice on matters for which an investigation has yet to commence.

5.4 LEGISLATION AND ITS INTERPRETATION

Legislation is what's going to drive the success of the co-located positions.

Rules about how information is shared. The information sharing framework, once that's in place there'll be a strong drive and uptake. The court will feel more comfortable in the way we can share that information and feel more protected. We can all see how this pilot is going to benefit courts. (Child protection co-located official)

The role of legislation (and in some instances its interpretation) is frequently cited by stakeholders as a barrier to information sharing.

One of the things that we were looking at is enabling our liaisons (co-located officials) to actually do the information sharing that they want to do. Currently, our act, our legislation, is not letting that happen. So we've looked at how we are able to do it within the legislation, and we've found a way to share with the court through the Family Law Act, but not with others that we might like to share information with. (Child protection official)

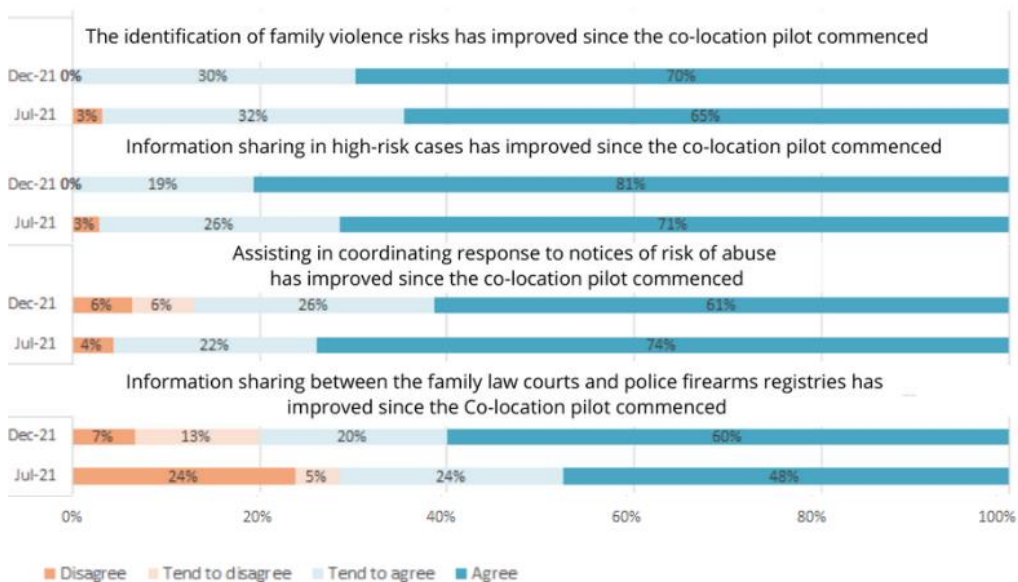
Anticipated legislative amendments to s69ZW requests may assist with consistency.

The amendments to section 69zw need to be expedited, shared for review and enacted. I understand this process is already underway, but I believe it is important to highlight that this legislation has a direct and restrictive impact on the ability of the Police liaisons to respond to section 69zw requests. At times, due to the specific conditions under section 69zw, the Police liaisons are unable to report on matters which would be of direct relevance to the Court and the subject child/ren, such as mental health concerns, drug/alcohol/substance reports, crimes or Police involvements that do not include the named child/ren, associated adults (such as new partners). The inability to provide this relevant information to the Court has, at times, felt negligent, when the records indicate a possible non-direct risk to the child. Changes to Commonwealth legislation to allow for voluntary and/or proactive information sharing would also be of great assistance to this pilot. (Child protection official)

5.5 THE BENEFITS OF SHARING INFORMATION

Stakeholders responding to the partnership survey (see Figure 6) were in clear agreement that overall, information sharing in high-risk cases has improved since the co-location pilot commenced (89% December 2021 partnership survey 86% June 2021 partnership survey agreed) and that the identification of family violence risks (70% in December 2021 partnership survey and 65% in June 2021 partnership survey agreed) had improved with co-location, with increases in agreement levels between the two partnership survey rounds. The proportion of those agreeing that information sharing between the family law courts and police firearms registries had also improved since the co-location pilot commenced has also increased (60% December 2021 partnership survey and 48% June 2021 partnership survey). Agreement that assisting in coordinating response to notice of risk of abuse has improved since the co-location pilot commenced has decreased between the two partnership survey periods (61% in December 2021 partnership survey and 74% in June 2021 partnership survey agreed).

FIGURE 6. BENEFITS OF INFORMATION SHARING IN THE CO-LOCATION PILOT



Source. Co-location Pilot Partnership Survey 2021.

5.5.1 BENEFITS TO CHILDREN AND FAMILIES

As a magistrate who is dealing with urgent recovery orders on a regular basis. I often only have limited information, and often it is biased to the person telling me because they want a particular result. So, the fact that you have access to independent information from the department is a huge resource that makes it easier for me to make decisions, there and then, that are in the best interests of the children. Sometimes there are issues in getting information, or delays in getting it, but these issues don't undermine the value in having the relationship and the ability to request the information. (Magistrate)

Information obtained from co-located officials has improved the ability of the family law courts to make decisions in the best interests of children, as risk can be more accurately determined. Where information sharing works well, judges or registrars regularly seek information from co-located officials to inform their decisions as they receive an objective source of information rather than the 'black and white views' provided by the parties.

Voluntary disclosure conversations can influence the structure of information requests and the timeframes in which they are completed. This reduces unnecessary work. Information is relayed through voluntary and pre-notice information sharing and through s69ZW notices. People (parties) enter the system at different points of risk, and they can hit crisis points quickly. Sharing information between relevant agencies can assist timely and accurate decision making to enhance safety.

Sharing information may assist decision makers to dovetail their information requests, which may result in better co-ordination of assessments. For example, ensuring that children are not being interviewed by both court child experts/ family counsellors and child protection officials.

5.5.2 BENEFITS TO THE COURT

We need more co-located officers, that's the feedback we would be giving, the benefits are huge. (Court official)

There are a range of benefits to the court that result in more efficient operations. Many of the benefits listed here ultimately also benefit children and families. Essentially access to timely, targeted and accurate information from co-located officials, enables the court to determine risk, prioritise high risk cases and appropriately schedule matters. The benefits include:

A MORE ACCURATE ASSESSMENT OF RISK

Receiving information from the co-located officials can assist in risk assessment.

When there are allegations of a child being at risk, or allegations in relation to a party being a criminal, going to a co-location officer helps to ask if there is any information backing these claims up, and also help us to realise how urgent things are. It has changed the way the court operates completely. (Court official)

PRIORITISATION OF HIGH-RISK CASES – URGENT APPLICATIONS

If an assessment of risk can be made by the court, this assists the court to prioritise higher risk cases. Duty registrars or other court members often receive 'urgent applications' from parties who want their matter listed as soon as possible. Risk to children is often cited. Information provided by the co-located officials has '*turned the story on its head*'.

MONITORING HIGH RISK MATTERS IN REAL TIME

In high-risk matters, regular information updates provided by the co-located officials are crucial. The co-located roles enable real time information to be provided to the court on high-risk cases where events unfold rapidly and urgent decisions about safety are required. For example, when family violence is escalating, and safety is diminishing.

FOCUSED INFORMATION SHARING

Within NSW, a computer generated brief personal history report provides the court with a summary of the types of records held by the department about families and children. This assists the court to develop a specific request for targeted information, rather than receiving a large general file. A formal notice of nil records can also be provided to the court.

QUALITY OF INFORMATION RECEIVED

The quality of information received by the courts has reportedly increased.

For example, within NSW, child protection co-located officials prepare s69ZW responses from beginning to end. Information is now presented in a way which is described as more useful to the court. All s69ZW responses are now indexed, paginated, and provide a cover letter (long responses can exceed 500 pages). The child protection personal history reports include more relevant information such as home visit records and interview notes: first-hand information from the child is also included.

Other states, including SA, are preparing tailored responses for court officials that provide concise and targeted summaries of relevant holdings, reducing the need for court officials to read through hundreds of often redundant pages. The format and type of information received will vary based on internal information systems and business rules of each jurisdiction.

TIMELY SCHEDULING OF MATTERS WHEN SUFFICIENT INFORMATION IS AVAILABLE (IF APPROPRIATE)

The court can also communicate with child protection (and in some instances police) to ensure that, where appropriate, time is allocated to collect information and where possible, all relevant information is available prior to listing a matter.

TIMELY DECISION MAKING ON MATTERS

Access to an individual (or known mailbox) facilitates timely decision making, particularly on urgent matters.

If it is an urgent matter, I call (the co-located official) and ask, 'What do you/your agency know about this family?' – it then allows the judge the ability to do something on that first listing date as (the information gathering) is already done in the background and ready on the first listing date. (Court official)

(Co-located officials) were able to produce information on the day of the hearing and the matter was able to be settled on the day and avoid a lengthy hearing later. (Court official)

AVOIDING PROTRACTED LITIGATION

If the duty lawyer (or other court official) can assess the matter as non-urgent, the child protection department, rather than the court, can address the matter. This may for example include implementing family support. This reduces unnecessary work on behalf of the court. Parties have avoided protracted litigation because of the access to information.

A CHANGE IN THE ROLE OF THE REGISTRAR

There is a sense in some states that the role of registrar has changed in some family law courts, possibly as a result of both the changes to information sharing practices and family law court management practices.

The role of the registrar has changed – they can now do s69ZW materials – so we can have all of the information ready for the Judge. Before the Judge would have to gather the information after the first court date—whereas now the Registrar can gather this information. This has been a very positive thing for the court. (Court official)

This change has been cemented in the structural court reforms. (As discussed in section 3.3).

LINKING THE FAMILY COURT TO THE MAGISTRATES COURT

Information is available to the family court that can be utilised in the magistrates court.

There was often no way of knowing if the respondent had been served. The respondent could view the file and see an FVO, and see they hadn't been served, which tips them off to get around this. Now we can pass information onto the police – and then the police

have the full picture. Before, the police only had either the family violence order or family court orders – and often they impacted each other. (Court Official)

It needs to move beyond the pilot stage. In my view Victoria has the best model of cooperation between the family courts and child protection departments. We don't have any arrangements with police and don't even have an arrangement where the courts can issue s69ZW orders and therefore are much more reliant on parties to file the relevant information. Often parties will file a copy of an IVO order as required but fail to provide the application or other information. A major problem is because the courts don't have ready access to information from each other, conflicting orders can be made based on incomplete information. For example sometimes the Magistrates Court will suspend parenting orders and not be aware that the case has recently been before the family courts, including where there has been a trial and findings made. (Judge)

5.5.3 BENEFITS TO CHILD PROTECTION AGENCIES

The intersection between family law and child protection is complex. Embedding a child protection practitioner in the court system enables them to develop a specialist knowledge in the family law system. This can bridge the two systems.

I think that these (co-located) positions...connect the dots. So, when we have some cases open or parents saying I'm going to go for a recovery order. I'm going to do this. We could have those early conversations and try and work out how we get information there or who has parental responsibility. (Child protection co-located official)

Co-located officials report a growing awareness of family law and the operations of the court. This includes options and pathways to progress child safety matters. Co-located officials can assist child protection practitioners to navigate the family law court system. This knowledge can be used to support families:

- going through separation
- who have a matter heard in the children's court then moved to the family law court
- understand whether a matter is better placed in family court or in the children's court.

The co-located official can provide an efficient and effective single point of contact with the family law court. Information may be received by viewing files or attending matters at court and knowing what evidence has been presented in court. The wording of orders can be clarified. Intake work can be prioritised. This is mutually beneficial for both the child protection and court officials.

It's a one shop stop. (Child protection practitioner)

Child protection practitioners may also receive information about court proceedings, knowing what decisions have been made in court, when a matter is listed or where a matter is up to in court. This information guides assessment and decision making for children who are at risk and may be proactively used to protect children.

The (co-located officials) have had a massive influence in terms of the work our broader unit deals with. It's provided better understanding for our colleagues in the field so that when the notices of risk come through (they know) there's a need to respond to that. Some of that more preventive work is hard to rationalise and justify, but these positions help us do that. (Child protection official)

We've also occasionally been able to say to the department, 'We've got some stuff you don't know but might like to know.' It's an information exchange. (Court official)

For example, within Western Australia, the child protection co-located officials request information from the court on complex cases. A generic centralised email address has been developed for the co-located official to manage requests (20-25 per day) from the districts about complex cases. With the agreement of the court, the co-located official may view files (and at times, order files) so that child protection practitioners have information to assess risk. The process is aligned with departmental policies and practices.

Matters with a child protection history may be effectively resolved in the family court rather than being relisted in the children's court, as the court can now utilise information that child protection holds to inform decision making. A positive resolution in the family court reduces the need for the matter to be held again in the children's court. This minimises unnecessary duplicative proceedings for children and families. It may also achieve better, longer term outcomes for children.

5.5.4 BENEFITS TO POLICE

The benefits to policing organisations are emerging, as their role develops over time. Some states report that police and child protection have been able to work more collaboratively since the co-located pilot commenced.

Those states which report performing more of a statutory information release function (for example NSW and QLD), perhaps indicating an organisational relationship based on co-ordination or co-operation, are less likely to report organisational benefits than those states demonstrating more of a collaborative working relationship. Benefits are more likely to be noted in those states in which the uptake of the liaison function is occurring (as discussed in 3.4.2). There have been some occasions where police have taken steps to improve safety for people based on information that they have received from the court. For example, within the ACT, access to information has assisted in resolving conflicts.

Some of the advantages police have received from the pilot so far is an easier ability to access parenting plans. This assists usso when we look at breaches, we can understand where the conflicts are arising. (Police official)

Legislation and resources are the barriers described by police co-located officials which prevent them from moving towards a more co-operative or collaborative relationship.

Co-located officials are part of a different team with different relationships and connections. It is more than sharing information via a s69ZW request. (Police official)

DCP Court services team was invited to intervene on a matter by the Family Court and they quickly developed concerns that a child was in a household being exposed to high levels of drug use by the mother and her new partner. The police and child protection shared intelligence and information. Over the next few days, the situation escalated to a point where the officials had a serious concern for the child. Within three days, the child was removed from risk of harm via a s91B. One party was arrested and at the time of writing, the second party was being sought for drug trafficking. The child is now disclosing neglect and abuse.

The police official was able to leverage his DFV expertise, that of co-workers and other specialists within the branch and the policing operations team. Utilising a normal investigative process would have taken considerably more time.

We can get those things done a little bit more quickly. Not always... but that was a really good outcome, for that little boy. Disclosures from the child about child abuse and neglect are likely to be investigated in the future. (Police official)

5.5.5 BENEFITS TO COURT CHILD EXPERTS (FORMERLY FAMILY CONSULTANTS)

Court child experts and family consultants conduct child and family assessments for the purpose of preparing reports that have been ordered by the Court under specific sections of the FLA¹⁰. These reports are to assist the parties and the court to determine arrangements that will bring about the best outcomes for children. Court child experts/family consultants are psychologists or social workers who have specialist knowledge in child and family issues and family dispute resolution. Some family consultants called court child experts are employees of the court. Other family consultants are private practitioners who are often referred to as a Regulation 7 family consultant.

Part of the information sharing role of court child experts/family consultants includes completing a s11F memorandum which provides a brief report clarifying and outlining the key issues in the matter. A more detailed family report may also be required in some instances. A court child expert/family consultant completing a family report under s62G must inform themselves and review all subpoena records, rather than rely on information exchange alone with a co-located official.

The role of the court child expert in the co-location model is emerging. It is not consistently or fully integrated into the co-location model across the country. Registrars and court child experts are still learning the best way to share information. The ability of co-located officials to share information with court child experts varies across jurisdictions. In some jurisdictions no information can be shared between co-located officials and court child experts; and in other jurisdictions, court child experts can access information provided by co-located officials on file. Finally, in some jurisdictions, information can be shared within some contexts.

For example, the nature of discussion which may occur with court child experts also varies. Voluntary disclosure of information (that does not breach procedural fairness) has been occurring between family consultants and co-located officials. These conversations may highlight the importance for decision makers to consider requesting information prior to making a decision. These conversations have enabled decision makers to formally request

¹⁰ <https://www.fcfsa.gov.au/fl/pubs/family-consultants>

information in an efficient manner, and enhance their decision making about child safety. In some registries, court child experts can also advise co-located officials if a family report is available.

It's so much easier when you know who's going to be the responder and you already have a working relationship with that person. It feels more like a warm referral than a cold one. I think (the co-located officials) have both done a great job in that regard. They give a face to the organisation. Normally, when you ring child protection, you don't know who you're going to get, but at least there's that person you know who's going to respond to your request. That's going to be a real game changer. Particularly, I think, for kids, that feeling of continuity, that one system is talking to the other. They have very disrupted lives already. It avoids that feeling of being passed around. It's more seamless and child friendly. (Court child expert)

In Western Australia, information sharing with family consultants is perceived by the court to work well. Family consultants within WA are all employed by the Department of Justice. Work under WA legislation which feeds into Commonwealth legislation. Information provided by family consultants is perceived as:

... it's really useful and very rich and well regarded (Court official).

5.5.6 BENEFITS TO INDEPENDENT CHILDREN'S LAWYERS

An Independent Children's Lawyer (ICL) represents a child's best interests¹¹. The Court can appoint an ICL under section 68L of the FLA or on the application of a child, an organisation concerned with the welfare of children, or any other person, to represent and promote the best interests of a child in family law proceedings. Appointments are usually managed and funded by the Legal Aid Commission, though it is possible for an ICL to be privately funded by one or both of the parties.

ICLs are obliged to consider the views of the child, but ultimately provide their own, independent, perspective about what arrangements or decisions are in the child's best interests. The ICLs have a role in the most difficult family law cases, by order of either the now FCFCOA or the Family Court of Western Australia.¹²

I think ICLs value as much information sharing as possible and it is valuable to their role (ICL official).

I have really appreciated it. There is someone available to deal with an urgent query. The need to be able to get the information quickly is what makes it work. We appreciate them answering those urgent requests on top of their other work (ICL official).

It used to be very difficult to get information from the department and find out who the worker was. The co-located official assists with this and can also help out if we can't contact the worker (ICL official.)

¹¹ <https://www.fcfoa.gov.au/fl/children/icl>

¹² <https://icl.gov.au/>

The roles work well in Victoria. Registrars can access the CP official for information in urgent applications and ICLS also contact the CP official as a matter of course at the beginning of a matter to find out about departmental involvement, and then if something arises (child protection related) during the court matter. Both ICLS and Family Consultants access advice from the CP official in relation to reporting harm/notifying. (ICL official).

Co-located officials is the best initiative I have been involved in. Information sharing has improved, communication has improved, understanding of roles is better, and the relationship between the co-located official and ICLS and court staff is very good. (ICL official).

ICLs are not consistently or fully integrated into the co-location model across the country.

In many states there are strong collaborations between ICLs and child protection co-located officials, with recognition that Legal Aid organisations are a critical partner in the success of the pilot. For example, within Victoria, the co-located official role has been described as very beneficial to ICLs. Over time and with effort, relationships between the co-located official and ICLs have been established. The provision of education to child protection practitioners about the role of the ICLs and their actions, has paved the way for understanding and better information sharing. By understanding a family's history with both child protection and the family court, a constructive discussion can be had about which court is best placed for the matter to be resolved. This may save the matter being held in both courts, which has historically been the case. For example, a matter may not return to the family law court, rather stay with the children's court, because the ICL knows that the proper interventions and supports have been put in place for the family.

However, in some states and in some instances, ICLs report that they can experience some challenges with child safety department officials. Within some states there is a sense that the ICLs would require their own information agreement with co-located child protection officials. For example, within Western Australia, it can reportedly be challenging for ICLs to access information from the Department. This is improving over time. A bi-monthly regular protocol meeting between the central intake team, the co-located official team leader and ICLs about the function of each team, assists in managing expectations about the information that can be accessed. This also gives the ICLs an opportunity to provide feedback on issues they may experience, and the group a chance to develop or refine processes to discuss and address issues.

Within some states, an information sharing protocol or agreement exists to facilitate information sharing between ICLs and the co-located child protection officials. This agreement does not extend to policing agencies. Both NSW and Queensland have an information sharing protocol with ICLs. Within NSW, this work is not currently a primary role of the co-located official. Rather, the ICL seeks information from the DCJ legal officers. Within Queensland, co-located child protection officials are able to, and do, provide information to the ICLs.

Some stakeholders note that there is an opportunity, where possible and relevant, to provide more education to ICLs of the role of co-located officials, the role of the central intake team, and the process of how the department assesses child safety risks (and associated thresholds).

6. COLLABORATION AND PARTNERSHIPS AS A MECHANISM FOR CHANGE

This chapter seeks to answer the question about the extent to which the co-location pilot has been effective. It draws on the information from the document review, partnership survey and the workshops.

It's difficult to quantify...but just the mere fact that police, child safety and the court have a conduit to have an easy conversation with each other... is a significant benefit of the program. For us, there's internal conversations, there's relationships between the state agencies and the court, and then on top of that you have relationships between all of the interstate jurisdictions. You can't quantify that, but it shouldn't be underestimated. That of itself, is a benefit of the program. (Police official)

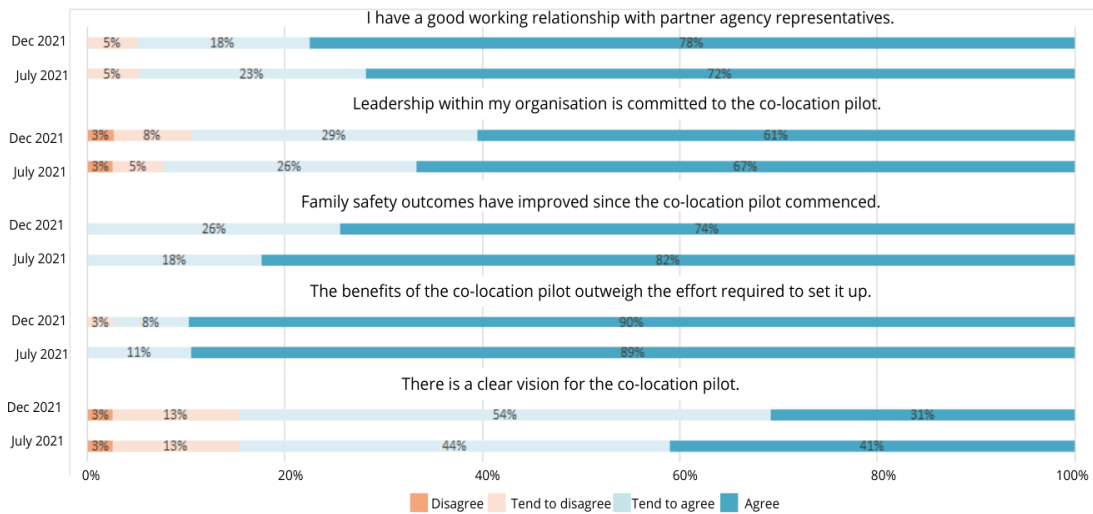
6.1 A SNAPSHOT OF PARTNERSHIPS WITHIN THE CO-LOCATION MODEL

Within the partnership survey, respondents were asked to express their level of agreement with a series of statements about partnerships.

As illustrated in Figure 7, partnership survey respondents were in clear agreement that the benefits of co-location outweigh the effort required to set it up (90% December 2021 partnership survey and 89% June 2021 partnership survey respondents agreed with this statement) and that family safety outcomes have improved since the co-location pilot commenced (74% December 2021 partnership survey and 82% June 2021 partnership survey respondents agreed with this statement). Most partnership survey respondents (78% December 2021 partnership survey and 72% June 2021 partnership survey) agreed that they had good working relationships with partner agency representatives.

There are opportunities for the partnership to continue to develop as the co-location model matures, as illustrated with less agreement amongst partnership survey respondents about a range of statements reflecting organisational governance of the pilot. In particular that there is a **clear vision for the co-location pilot** (31% December 2021 partnership survey; 41% June 2021 partnership survey respondents agreed with this statement), perhaps this related to the uncertainty of the future of the co-location model at the time of data collection (December 2021). Also, partnership survey respondents were less likely to agree that **leadership** within their organisation is committed to co-location (61% December 2021 partnership survey; 67% June 2021 partnership survey respondents agreed with this statement).

FIGURE 7. ORGANISATIONS/ AGENCIES INVOLVED IN THE CO-LOCATION PILOT WORKING TOGETHER



Source. Co-location Pilot Partnership Survey 2021.

Reflecting the early stages of implementation in many jurisdictions, partnership survey respondents were also less likely to agree that the roles and responsibilities of co-located and other officials within the pilot were clear (see Figure 8):

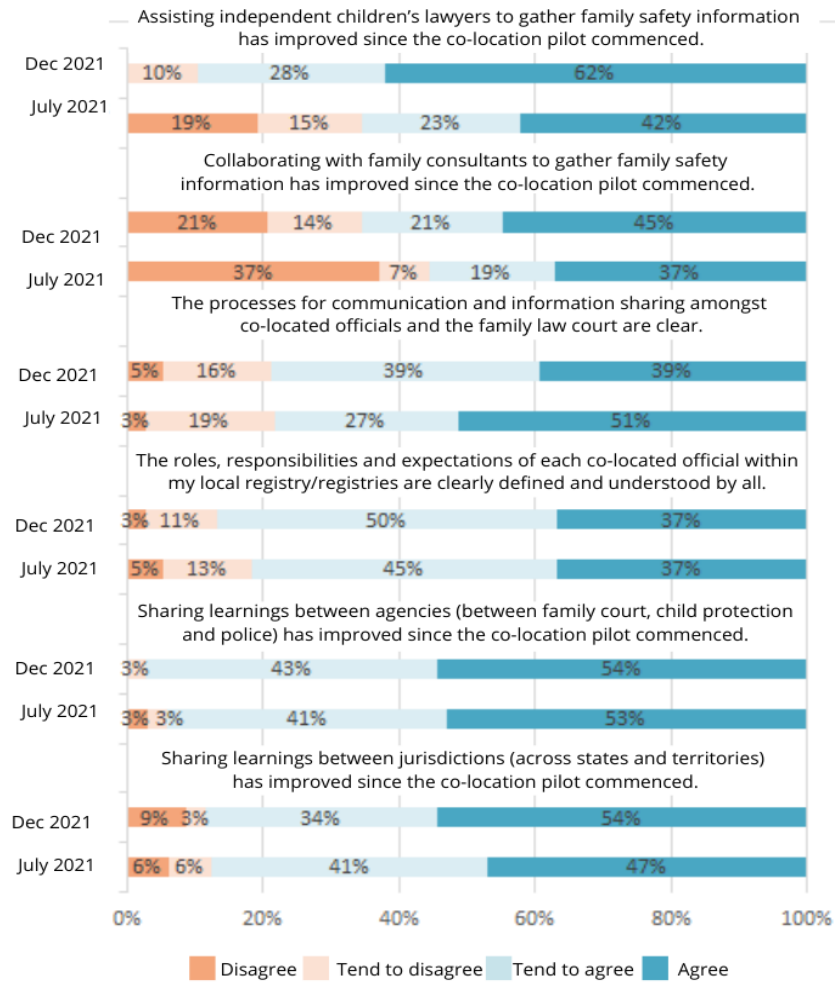
- the processes for **communication and information sharing** amongst co-located officials and the family court are clear (39% December 2021 partnership survey; 51% June 2021 partnership survey respondents agreed with this statement), perhaps reflecting the recent implementation of the structural court reforms, which are still being embedded
- the roles, responsibilities and expectations of each **co-located official** are clearly defined and understood (37% of partnership survey respondents agreed with this statement in both partnership surveys), this may reflect the varied implementation across jurisdictions and the varied uptake of the role by the registries in each jurisdiction
- assisting **independent children's lawyers** to gather family safety information has improved (62% December 2021 partnership survey; 42% June 2021 partnership survey respondents agreed with this statement) this may reflect continued discussion of this role within the model
- collaboration with **family consultants** to gather family safety information has improved (45% December 2021 partnership survey; 37% June 2021 partnership survey respondents agreed with this statement) this may reflect continued discussion of this role within the model.

The sharing of learnings has reportedly improved over the two partnership survey time periods including sharing learnings:

- **between agencies** has improved (54% December 2021 partnership survey; 53% June 2021 partnership survey respondents agreed with this statement) and

- **between jurisdictions** has improved since co-location commenced (54% December 2021 partnership survey; 47% June 2021 partnership survey respondents agreed with this statement), perhaps reflecting a range of community of practice options available for the co-located officials and their departmental colleagues also involved in the co-location pilot.

FIGURE 8. ORGANISATIONS/ AGENCIES INVOLVED IN THE CO-LOCATION PILOT WORKING TOGETHER



Source. Co-location Pilot Partnership Survey 2021.

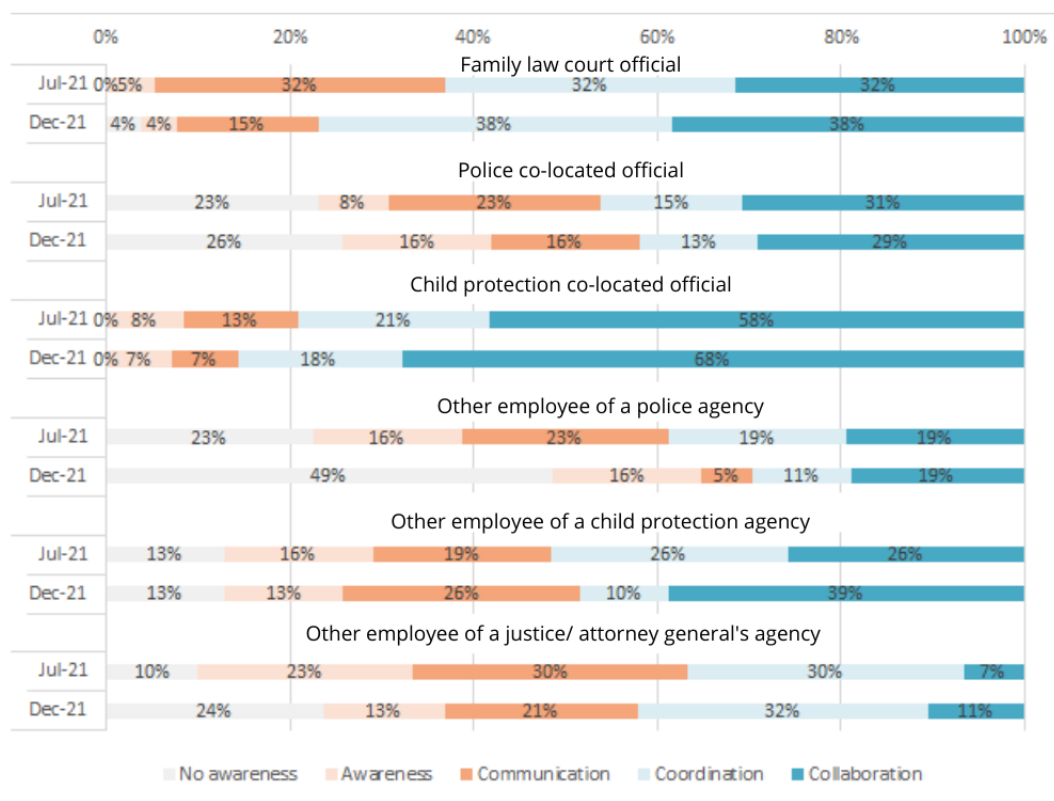
These factors are explored in greater detail throughout this chapter.

6.2 CURRENT AND NECESSARY LEVELS OF COLLABORATION

Within the partnership survey, respondents were asked to indicate on a scale from 0 to 4 the extent to which they thought partners were currently collaborating with them, and then the level of collaboration that they believed was necessary for co-location to be successful.

As is illustrated in Figure 9 below, child protection co-located officials were perceived by partnership survey respondents to have a higher level of collaboration with partners, relative to those in other roles (68% December 2021 partnership survey; 58% June 2021 partnership survey). With collaboration by family law court officials (38% December 2021 partnership survey; 32% June 2021 partnership survey) and co-located police officials (29% December 2021 partnership survey; 31% June 2021 partnership survey) perceived as present but to a lesser extent.

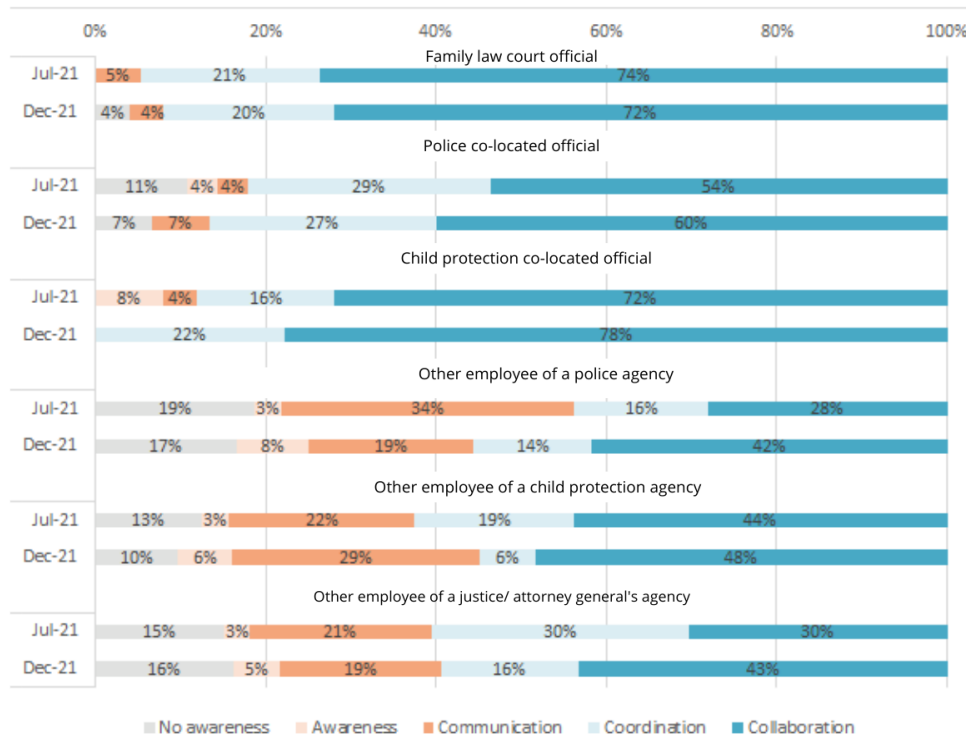
FIGURE 9. CURRENT LEVEL OF COLLABORATION



Source. Co-location Pilot Partnership Survey 2021: June 2021 survey (n=39) and December 2021 (n=42).

As illustrated in Figure 10, partnership survey respondents think that for co-location to be successful, the levels of collaboration amongst all partners needs to increase. Particularly, collaboration with the family law court officials (December 2021 partnership survey 72%; June 2021 partnership survey 74%), child protection co-located officials (December 2021 partnership survey; 78% June 2021 partnership survey 72%) and, to a lesser extent, police co-located officials (60% December 2021 partnership survey; 54%).

FIGURE 10. NECESSARY LEVEL OF COLLABORATION



Source. Co-location Pilot Partnership Survey 2021. June 2021 survey (n=39) and December 2021 (n=42).

The gap between the current and necessary levels of collaboration, as perceived by partnership survey respondents is outlined in Table 6 below. Although the numbers within the sample are small, of interest is that the gap between the current and necessary levels of collaboration is highest for family law court officials and policing officials. This suggests that co-location partners would like the level of collaboration with family law court officials and policing officials to increase.

6.3 CO-LOCATION: A COLLABORATION TIPPING POINT

Speaking of the court and (child protection), both can be accused of being ivory towers, protective of their patch, and I feel we have broken down these myths (through co-location) to enable children and families to get better services. The guiding light needs to be helping children and families. (Court official)

The term, 'collaboration', describes a range of working relationships between individuals, departments and organisations and is often represented along a continuum¹³. As illustrated in Figure 11, each stage of the continuum has identifiable attributes and requires specific capacities and inter-institutional supports. Moving from left to right across the continuum, the potential to accomplish together that which cannot be achieved alone increases. Each level requires an increasing investment in time, trust, and turf-sharing.

The co-location of a liaison officer from the child protection department has made an enormous difference. It provides judges and other staff a direct point of information about specific cases but also how the department might respond to matters. The liaison officer has also been able to get a better understanding of how the family law courts works and this benefited both organisations. There is a greater sense of trust and understanding between the two and a great responsiveness to problems as they arise. (Judge)

For the information exchange to be successful. It really relies on the collaboration. (Child protection co-located official)

The co-location models operating in ACT, South Australia, Victoria and Western Australia have been described as collaborating. Whilst a range of factors contribute to this, stakeholders describe the physical location of officials at the court for periods of time as essential to collaboration. Within Tasmania, the co-location model illustrates characteristics of co-operation, with agency officials also describing physical co-location at the court as being essential to the model.

The co-location models operating in NSW and QLD function around co-ordination. These jurisdictions have altered their systems and processes to improve information sharing. Whilst police co-located officials within NSW and QLD are located near the court, they have largely indicated that they see no benefit from being physically within the court. The location of child protection co-located officials at or near the court within NSW and QLD varies by registry.

¹³Arthur T. Himmelman, Collaboration for a Change: Definitions, Decision-making Models, Roles, and Collaboration Process Guide. January 2002, Himmelman Consulting, Minneapolis, MN.


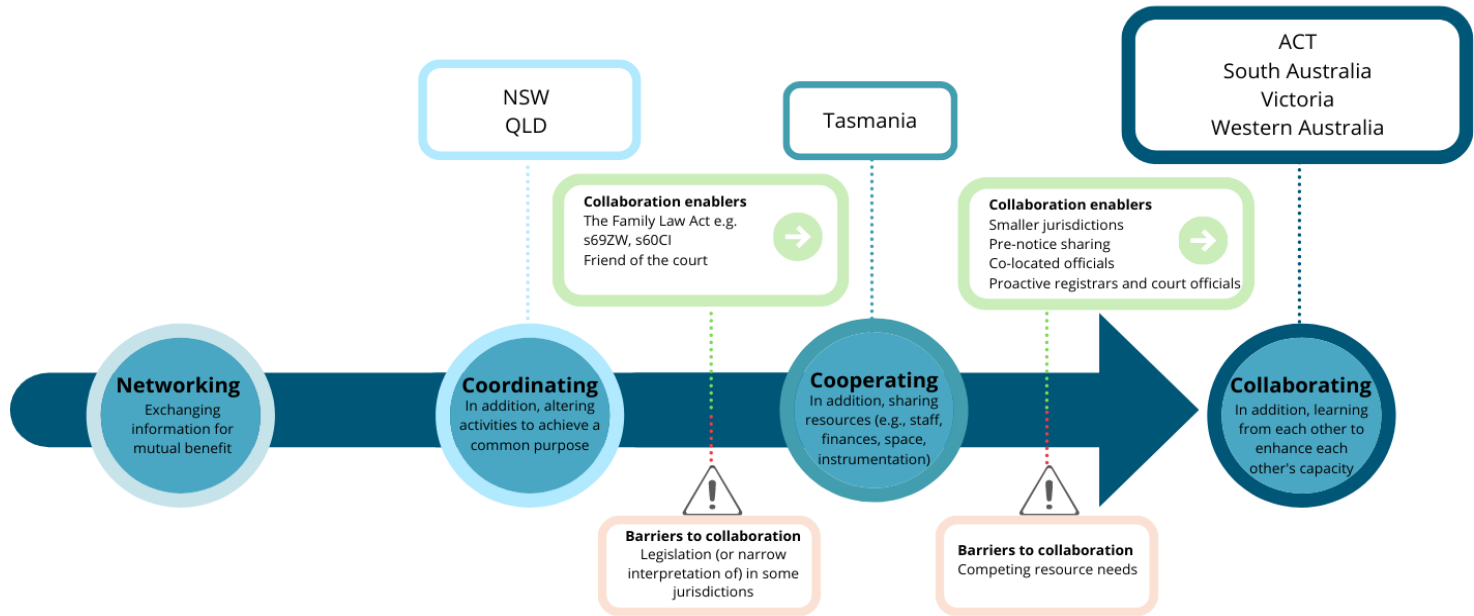
FIGURE 11. JURISDICTIONAL MODELS ALONG THE COLLABORATION CONTINUUM

NETWORKING is defined as exchanging information for mutual benefit. Networking is the most informal of the inter-organisational linkages and often reflects an initial level of trust, limited time availability, and a reluctance to share turf.

COORDINATING is defined as exchanging information and altering activities for mutual benefit and to achieve a common purpose. Coordinating requires more organisational involvement than networking. Coordinated services are “user-friendly” and eliminate or reduce barriers for those seeking access to them. Compared to networking, coordinating involves more time and higher levels of trust. There is little or no access to each other’s turf.

COOPERATING is defined as exchanging information, altering activities, and sharing resources for mutual benefit and to achieve a common purpose. Cooperating requires greater organisational commitments than networking or coordinating and may also involve written or legal agreements. Shared resources can encompass a variety of human, financial, and technical contributions, including knowledge, staffing, physical property, access to people, money, and others. Cooperating can require a substantial amount of time, high levels of trust, and significant access to each other’s turf.

COLLABORATING is defined as exchanging information, altering activities, sharing resources, and enhancing the capacity of another for mutual benefit and to achieve a common purpose. This includes sharing risks, responsibilities, and rewards. The qualitative difference between collaborating and cooperating in this definition is the willingness of organisations (or individuals) to enhance each other’s capacity for mutual benefit and a common purpose. Collaborating is usually characterized by substantial time commitments, very high levels of trust, and extensive areas of common turf.

6.3.1 CO-LOCATION FAST TRACKS COLLABORATION

Stakeholders who have experienced the collaboration that comes from co-location at or near a registry – the ability to determine a shared purpose, to embed mutually beneficial processes, to pro-actively mitigate risk and to collaborate on cases – regularly cite the clearly evident benefits to children and families. Conversations, mutual problem solving and decision making happens in a way that have not occurred previously.

We've had multiple examples of (mutual problem solving) through co-location with our colleagues. The way that relationships in Victoria have evolved have been fundamental to the success of where we're at. It's facilitated by the physical presence of the co-located staff. (Court official)

Face to face is very important. It is very important that the judges have relationships with (the co-located officials). They trust them and the information they are receiving from them. (Court official).

The co-located official becomes embedded in the work of the court and part of the team. Officials from the collaborating organisations enhance each other's capacity for mutual benefit and a common purpose. Co-location of an official at or near the court, facilitates and enhances collaboration as the official can more easily build relationships and develop an understanding of the perspective of 'others.' The accessibility of a co-located official also assists when the time frames for responding are urgent (e.g., less than 30 minutes) which some co-located officials describe as the timeframe frequently available.

A number of co-located officials experience both remote working (due to COVID-19 restrictions) and co-location (due to easing of COVID-19 restrictions). This natural experiment illustrates how those involved in the co-location pilot have experienced the tipping point.

Co-location and being present in the court is invaluable. When we started this pilot like a lot of other states, we had COVID and it was a bit of a slow start to get things moving. The whole pilot changed after we were able to actually move into the court. I find it hugely beneficial to relationship building, to easing that information flow, to getting quick notifications around what we should be looking for, what we might be needing to produce. I'm able to give certain units the heads up early. I'm able to put in intelligence submissions for police. I'm able to talk to the AFP and say this might be happening in this state so (being co-located) is hugely beneficial. (Police co-located official)

Child protection and the courts have, to some extent, a history of co-operation and collaboration through partnerships, which has provided a base from which the co-location model can build. The ability to share information is, in many jurisdictions, built into the child protection legislation.

The role of the policing co-located official in this collaboration is emerging. While the provision of information by policing officials (where appropriate) is valuable to enhancing safety outcomes for children and families, the value to police organisations themselves is emerging and, to some extent, yet to be identified and realised.

Co-location at or near the registry is more effective in smaller jurisdictions reflecting the broader reach of any individual co-located official within a jurisdiction. In larger registries, co-location of an official at or near the registry requires support from systems levers such as technology to facilitate communication. A centralised generic email address is an example of this in its simplest form.

A continued presence at the court for some periods of time maintains and strengthens the trust and relationships that are necessary for collaboration.

I think the physical co-location (of officials at the court) absolutely helps with the collaboration but also the expertise of the co-located officers... If this was purely an admin exercise, it wouldn't have the same benefit. (Co-location and the expertise of the officials) builds confidence of judiciary and registrars. (Court official)

6.3.2 DEVELOPING TRUST AND A SHARED UNDERSTANDING

For those states and territories who have had a positive experience of co-location, having co-located officials located at or near the court has been invaluable. Stakeholders note that relationships need to be re-established in cases where there is a turnover of staff within the family court.

The visibility of the co-located child protection official at the registry and in the court room, is a reminder that the judiciary can reach out for information. It is the first step to facilitating a change in information-seeking behaviour.

You can't discount the importance of the relationship and the trust developed over time and knowing that the (co-located official) will want to take your call. (Court official)

As highlighted in many sections through this report, the location of a child protection or policing official at or near the court has resulted in the development of trust. Through this trust and mutual respect, a shared process for information sharing has been developed and an understanding of roles and responsibilities of the court, child protection and policing agencies has emerged.

Co-location is critical because relationships have been established, which facilitates responsiveness, a high level of trust and timeliness in taking action. (Court official)

Having an officer from the department physically here is very important to us. Having the access to the information is very important as the timing is important ... just managing the case as it goes on that day. I can't see working without it. (Duty Registrar)

As relationships and trust between the co-located officials and the court develop, there is increasing co-ordination, co-operation and collaboration between officials. There is also an increasing confidence that the information shared will be appropriate and not inadvertently place a third party at risk. Increased understanding of the various agencies has enabled the development and streamlining of systems and processes for information sharing.

Quite recently, we have collaborated in some very high-risk circumstances, and I am confident that we have been able to avoid serious problems. This ultimately brings about the safety of children and adults that we are aiming to provide. (Court official)

We all trust each other. We know if (the Court is) asking for it to be done urgently, it's urgent and we can, you know, provide the best service to our clients. (Child protection co-located official)

For some stakeholders there is a sense that the benefits of collaboration can be achieved by being located near, not at, the registry. This relies on the continued co-ordination of activities and the co-operation of officials based on the development and maintenance of relationships, and the sense of shared purpose to maintain collaboration.

We started with a strong physical presence at the registry. Covid came along and we learnt we can work virtually. We think having a dedicated resource not distracted by other things, and that relationships are the important things. It would be good to get some clarification on the need for a physical body at the registry. (Child protection official)

As the co-location model has continued to mature in various registries and locations, processes become more systematic and continuously improved. The benefits of co-location continue to accrue: benefits for the court, to children and families, and to child protection agencies. In some instances, benefits to the policing agency. The roles of practitioners within various agencies evolve and change.

7. PROGRAM OPTIMISATION

This chapter seeks to answer the question about how the co-location model can be optimised moving forward. It draws on the information from the document review and the workshops. Suggestions for program optimisation are highlighted under each heading.

7.1 A CONTEXT OF COMPLEXITY

Co-location is operating in an environment which stakeholders describe as increasingly complex. Cases requiring input from co-located officials include matters before the family law courts involving family violence, parenting applications, child abuse, substance abuse and mental health issues. As a marker of complexity, there has reportedly been significant increase in the cases where an ICL has been appointed. Cases where ICLs are appointed include a high level of conflict, allegations of family violence, abuse or neglect.

The co-location model is an important means to provide accurate, real-time information to support decision making in such cases. Stakeholders anticipate its importance will increase as the complexity of cases continues to increase.

7.2 MOST SIGNIFICANT FUTURE CHANGE

Those who responded to the partnership survey were asked what future change could most positively impact the co-location model.

Resourcing and permanency of the co-location model (29% December 2021 partnership survey and 23% June 2021 partnership survey) was most frequently mentioned as the change which could most positively impact the co-location pilot. Stakeholders across many jurisdictions noted that the objectives of co-location are constrained to some extent by available resources.

Legislation reform and consistency of information requests from all members of a registry were suggested as the areas of change that would have the most significant impact (21% December 2021 partnership survey; 22% June 2021 partnership survey). Legislation varies between jurisdictions and agencies, as do information requests.

7.3 ENSURE SUFFICIENT RESOURCES FOR CO-LOCATION AND ALLOW FLEXIBILITY TO ABSORB FLUCTUATING WORKLOADS

The benefits of the co-location model are clearly articulated by stakeholders. Continued funding of the model with sufficient resourcing will assist with the continued realisation of these benefits. Across a number of registries, the volume of work is reportedly increasing as both awareness of the co-located official's role and the value that it provides is recognised. It takes time for the co-located official to identify and prepare an accurate summary of relevant

information (sometimes this involves reviewing 15 years of history). Allowing the co-located officials time to prepare this information will assist with relevance and accuracy. For example, there may be a critical piece of information within a report that must be verified to ensure credibility. Without sufficient resources, co-located officials note that they may be required to triage requests, or respond reactively rather than proactively, potentially reducing some of the benefits associated with the co-location pilot.

Moving forward, an increase in information requests is anticipated in 2022 as:

- court officials see the value and benefits of information sharing
- the structural court reforms have resulted in additional court officials who are requesting information (see section 6.7.3 for more information)
- self-represented litigants return to the court post COVID-19
- the court begins transitioning the Lighthouse Project pilot from 3 to 15 registries following funding provided in the 2022-23 budget.

Stakeholders suggest that increasing the number of officials who can access information (rather than limiting it to one official) would assist with backfilling roles and managing the largely unpredictable peaks and troughs of the workload.

As the pilot draws to a close, stakeholders seek clarity about the future. There is a risk that experience and knowledge in the team may be lost if the pilot is not extended in a timely way.

7.4 OPTIMISE THE CO-LOCATED OFFICIALS' ROLES AND FUNCTIONS

As at December 2021, the role of the co-located official is described as having two key functions:

- a liaison/engagement function and
- an information sharing function.

Optimising these functions within these different roles could provide clarity to key stakeholders and better guidance for resourcing.

The **liaison/engagement** function is perceived to require a greater level of knowledge and skills than information sharing. This function includes a focus on problem solving, responding to high-risk matters and emergencies. It may also have an education and training component which reaches across organisations, and connects with the operational units within police or child protection agencies. This function may also include a supervisory component.

Ideally, the official holding the liaison/engagement function would be co-located at the court for part of the time and connected within their own agency for part of the time, blending learnings and building and maintaining connections with both the officers of the court and their own agencies and supported by policy and practice within their own agency and the court.

The role is critical to collaboration and benefits children and families through proactive mitigation of risk. In the consultations that have occurred with jurisdictions it is noted that not all agencies may take up/or be interested in this role/function.

The **information sharing** function is perceived as more generic. With training/guidance as to what is expected, this function could be performed within the agency by any designated officer (or group of officers). The focus is largely on information release, often described as statutory compliance. This function could be located solely within the agency to which it is attached. This role may be similar to that of the nominated officer contact identified within the national case management system, described as part of the structural court reforms (see section 6.7.3). Alternatively, within child protection it could include face to face assessments where required under the guidance of the liaison officers.

What information can be shared with whom varies between and within jurisdictions and is largely dependent on the legislation of the jurisdiction, the way in which the legislation is being interpreted within each jurisdiction, the relationships between the officials and the organisations, resourcing and any other agreements in place between the organisations.

7.5 CONTINUE TO INCREASE KNOWLEDGE AND AWARENESS OF THE CO-LOCATED OFFICIALS

As personnel change within the court, child safety and policing agencies, there will be a need to continue to refresh the knowledge of key stakeholders about the role and functions of the co-located officials. This is relevant at the local registry level, and given the structural reforms of the court and the resultant increase in registrars, at the national level. This may include a variety of strategies such as:

- providing the names and contacts of the co-located officials, the national case management assessment registrars and local registry staff (via existing orientation/ induction mechanism)
- continuing to build/maintain relationships at the local level through co-location, information/training or education activities. These activities could include the nuances of how information provided by agencies can be interpreted.

7.6 CONTINUE TO BUILD COLLABORATION

The benefits of the information sharing are clearly articulated by stakeholders. They are expressed as the ability to build relationships, develop an understanding of the perspective of 'others', to determine a shared purpose and to embed mutually beneficial processes. Stakeholders perceived that embedding collaboration through co-location is continuing to enhance outcomes for children and families.

Continuing to develop and build a collaborative culture includes sharing risks, responsibilities, and rewards. Collaboration involves sharing turf and power. Power is inherent to legislation and the interpretation of legislation. Continuing to develop a collaborative culture includes exploring ways in which the interpretation of legislation can

facilitate information sharing to improve outcomes for children and families whilst balancing procedural fairness and natural justice.

7.7 CREATE MORE CONSISTENT INFORMATION SHARING PRACTICES ACROSS JURISDICTIONS

One of the problems evident at the start, was that the court was unsure on what information they could share. It is still an issue now, from what I can understand, it comes down to individual officers on what they can and can't share and use. (Police official)

Information sharing is complex and the balance between procedural fairness and safety planning is sensitive. Sharing information may impact procedural fairness or result in potential harm to a third party.

The legislation varies between jurisdictions impacting what information can be shared.

The legislation is very different state to state. This may prevent the model from being used to its full potential. (Court official)

The way in which legislation is interpreted varies across states and registries and between decision makers. Some stakeholders are cautious about sharing information, others would prefer to share information more liberally. Individual court officials have varying interpretations about how information can be shared.

If there were amendments to legislation, that would resolve (information sharing) from the court's perspective. There is work on a guide for judicial officers and registrars on how to best utilise the co-located officials. But that is a work in process. (Court official)

For example, NSW Police note that they frequently have information that they are willing to share with the Court but not the parties themselves (as the matter is still under investigation). At times, NSW Police have requested that the Court restrict access of information to legal representatives and ICLs, and the Court has agreed. However, when this agreement is unable to be reached, NSW Police have been unable to share information as it could negatively impact child safety. With limited safeguards in place, Police have withheld information from the family law courts, as the premature release of information (to the offender) could significantly impact an investigation and/or prosecution. Safeguards about who receives information are required for further information sharing to occur.

Many stakeholders have suggested that clarity about what information can be shared with whom and under what circumstances would enhance the co-location model. For example, police officials seek clarity about how:

- information about a party under investigation by police can be released to the judges in instances where it impacts child safety decisions
- the court can share relevant information more freely with the police (as a third party).

- operational police can access information about parenting orders as this is a core concern for operational and family violence policing
- police can search court records to identify if a party has records with the court
- more national consistency about s121 restrictions on publications of court proceedings
- the court can indicate what information is already known about a matter (for example read only access to court information) to prevent duplication
- information requests from the court for both a S69ZW and subpoena on the same matter can be reduced to prevent duplication.

The national guidelines and its associated protocol are suggested as welcome pathways forward. The upcoming co-location guide, currently being prepared by the courts but delayed by the structural courts reforms, could also assist with clarity and consistency. Legislative amendments are suggested as long term possibility changes.

This could assist consistency of information sharing across the country. This work may intersect with the national case management system.

Legislation is what's going to drive the success of the co-located positions. Rules about how information is shared. The information sharing framework, once that's in place there'll be a strong drive and uptake. The court will feel more comfortable in the way we can share that information and feel more protected. We can all see how this pilot is going to benefit courts. (Child protection co-located official)

7.8 OPTIMISE ROLES WITHIN THE SYSTEM

7.8.1 CLARIFY THE ROLE OF REGISTRARS IN INFORMATION SHARING

Within some states and territories information requests to co-located officials are received from registrars (in addition to, or instead of, judges). Interest in this practice is emerging within some states where this practice does not occur.

The structural court reforms that have occurred may make the above point less relevant, as the court reforms are driving the increasing role of registrars in information sharing.

7.8.2 CLARIFY THE ROLE OF COURT CHILD EXPERTS IN INFORMATION SHARING

The role of the court child expert in the co-location model is emerging. Court child experts are not consistently or fully integrated into the co-location model across the country. Some stakeholders suggest that as court child experts give evidence in court, and are cross-examined, that they should not be sharing information with co-located officials. Other stakeholders suggest the scope of the co-located role should be extended to provide information to court child experts and family dispute resolution services. In those

jurisdictions where information sharing with court child experts has occurred, there is a sense that this has been highly beneficial and led to better outcomes for families and children.

In addition to the court child experts employed by the court, there is a broader workforce of (one hundred plus) nationally contracted family consultants who would have no to low awareness of the co-location pilot. This group do most of the family reports.

Court child experts describe a need for timely, pertinent, standardised and streamlined information to assist them with identifying risk when they are preparing family reports. Summarising police records can reportedly be difficult, as court child experts are not familiar with the police system. For example, when reviewing records, it can be difficult to determine whether the charges are for the same offence or a different offence. When reviewing child protection records, much information is repeated. It is difficult to identify the assessment of risk and the resulting action.

Further clarity is sought by court child experts about the communications that can occur between court child experts and the co-located officials. National clarity would ensure consistent and streamlined processes. This could include the development of a national MOU (or other agreement) between the co-located officials and court child experts or be highlighted in the upcoming National Framework, and Co-location Guide (being prepared by the Court).

There is a need to consider:

- how court child experts approach co-located officials for information
- how information gleaned by court child experts in interviews and reports can be legitimately used
- whether the use of information needs to be included in orders.

For example, NSW Police report that they have been advised that information cannot be shared with a court child expert as they are not a reporting body as prescribed by NSW legislation. They note that court child experts within NSW were of the same view.

Clarity about the role of proactively sharing information identified by court child experts during a family safety assessment with co-located officials, is also sought. For example, there are situations where the court child experts may see someone who is considered high risk. Court child experts request clear guidelines about how information about risk can be effectively flagged with police or child protection officials to ensure an active response to mitigate risk before the matter reaches the court.

The ideal role is to share (information about risk) as soon as possible to prevent any tragedies happening. (Court child expert)

Suggestions to enhance risk-based decision making include:

- introduce case conferencing between child protection, the family law courts, health and police, to enable a systematic approach to working with families and minimising duplication of reports to agencies, potentially reducing the number of interviews that a child and family complete and possibly assist in better planning of child protection

investigations and family law courts' assessments (where this does not replicate existing structures)

- share community referral options for children between child protection agencies and family consultants
- share the results of child interviews (where appropriate) across agencies so that the child is interviewed only once.

7.8.3 CLARIFY THE ROLE OF ICLS IN INFORMATION SHARING

ICLs are not part of the court structure. ICLs are not consistently or fully integrated into the co-location model across the country. The ICLs have a role in the most difficult family law cases by Order of either the FCFCOA or the Family Court of Western Australia.¹⁴ Within some states there is a sense that the ICLs would require their own information agreement with co-located child protection officials. In other jurisdictions (for example Victoria and QLD) ICLs are included within the co-location model.

7.8.4 SELF-REPRESENTED LITIGANTS

Some stakeholders note that there remains an issue of equal access to information for self-represented litigants. Self-represented litigants often rely on ICLs or other lawyers to provide this information. It is difficult for them to gain access to information from child protection and policing agencies. Other stakeholders note that information sharing carries a high risk when self-represented litigants are involved.

7.9 DEFINE MEASURES OF SUCCESS

DEVELOP AGREED MEASURES OF SUCCESS

This report is largely qualitative in nature. Whilst we have taken a mixed-methods approach, the absence of consistent administrative data and the small number of partnership survey responses, means we are unable to provide a robust and granular quantitative analysis.

Looking forward, the development of agreed measures of success across the states and territories, and the collection of, and reporting on, data associated with the agreed measures of access would greatly assist in quantifying the benefits of co-location.

Measures of success may consider aspects of the model that are common across the states and territory, and also unique to each jurisdiction.

The below list of indicators are suggested for consideration.

PROCESS INDICATORS

- Consultation about a matter between a court official and a co-located official occurs before orders are made.

¹⁴ <https://icl.gov.au/>

- Consultation with a police or child protection co-located official occurs (in the relevant registries) before a recovery order is made.
- Information requested by the court is returned before the first court attendance/ interim hearing.
 - This reflects consultation and liaison between the court and the agencies to determine when it is reasonable for the co-located official to provide the required information to the court as required, and reflects that co-located officials have sufficient resources to respond to requests in a timely manner.
- Increase in s69ZW orders made by the court and fewer subpoenas requests made by the court.
- The time taken to resolve a matter decreases.
- The number of matters resolved without a final trial increases.
- The number of times a child is interviewed in a matter decreases.
- The number of times the parties are interviewed in a matter decreases.

SATISFACTION INDICATORS

- Decision makers indicate that the quality of information and reports received is useful and fit for purpose on 90% of occasions.
- The gap between the current and necessary level of collaboration between partners decreases over time.

QUALITATIVE INDICATORS

- Case studies highlight examples of matters during which proactive information sharing leads to better outcomes for children and families.

APPENDIX 1 STEERING COMMITTEES

TABLE A1. THE ESTABLISHMENT OF STEERING COMMITTEES ACROSS STATES

State	Establishment, Operation and Membership
NSW (DCJ and NSW Police):	<ul style="list-style-type: none"> • Establishment: NSW Steering Committee was established 19 February 2020 prior to the FLCL Team being implemented. • Operation: The co-located officers attended their first NSW Steering Committee on 23 September 2020. During the establishment of the pilot, the Committee met every 2-3 weeks to discuss implementation issues. The Committee has agreed to meet bi-monthly. • Membership: The NSW Steering Committee is chaired by Director of Court Services NSW/ACT. The membership consists of Court Services Managers from each registry, Independent Children’s Lawyer (ICL) Representative, Family Consultants Representative (Director Child Dispute Services NSW/ACT), Registrar Practice and Procedure, Family Law, Principal Registry, Legal Aid, and members from NSW Police and DCJ. Co-located officials joined the committee in September 2020.
Vic (DFFH):	<ul style="list-style-type: none"> • Establishment: The Steering Committee was established in 2012 to oversee the co-location of child protection in the Melbourne registry and the operationalisation of the protocol between the department and Family Courts. • Operation: The Steering Committee meets quarterly. • Membership: The Steering Committee includes senior Court officials (Director of Court Services, National Coordinating Registrar, Director of Child Dispute Services), senior departmental officials, the co-located practitioners and Victoria Legal Aid.
ACT (CYP and ACT Police):	<p>ACT Steering committee</p> <ul style="list-style-type: none"> • Establishment: The ACT co-location steering committee was established (exact establishment date not given). • Operation: The ACT co-location steering committee has met regularly since February 2020. • Membership: The membership of the committee contains members from ACT Police, child safety and the Courts. The membership has been expanded to include Legal Aid and an invitation has been extended to the Domestic Violence Crisis Service. Formal minutes and action items are maintained by the committee. <p>ACT Family Law Information Sharing Reference Group</p> <ul style="list-style-type: none"> • Establishment: CYPS have taken the lead on initiating the ACT <i>Family Law Information Sharing Reference Group</i>. • Operation: The reference group meets bi-monthly. Legal Aid to oversee the implementation of the co-location positions. • Membership: The reference group has membership from CYPS, AFP, Family Law Court and Legal Aid.
Qld (CYJMA and Qld Police):	<ul style="list-style-type: none"> • Establishment: A Queensland Steering committee has been established and had its inaugural meeting in July 2020. • Operation: The Steering Committee has developed the Terms of Reference and structured agenda to assist in the facilitation of bi-monthly meetings.

State	Establishment, Operation and Membership
	<ul style="list-style-type: none"> • Membership: Broad representation from the Family Law Courts at Brisbane, the Department of Child Safety, Youth and Women, Legal Aid Queensland, and the Queensland Police Service in attendance. At the second Steering Committee in August 2020, Court representatives from Townville, Cairns and Rockhampton joined, along with an invited representative from the family law team of Legal Aid Queensland.
SA (DCP and SA Police)	<ul style="list-style-type: none"> • Establishment: The South Australian Co-Located Steering Committee was established in June 2020. • Operation: The first meeting was on 24 June 2020. Meetings will be alternatively chaired by DCP and SAPOL and representatives from key roles across the family law system. Meetings will be held quarterly, and minutes will be taken by the alternate department to chair. The committee will remain in operation for the term of the co-located information sharing initiative. Agenda items outside of standing items to be emailed to the chair prior to the meeting. The committee reports to the National Co-Located Reference Group. • Membership: Includes: supervisor, DCP courts team, DCP Co-located child protection practitioner, Manager, policy and training unit SAPOL, Family Law Information Sharing Officer, Director, court services (SA/NT) court tribunal services, Federal Court of Australia, Family Court of Australia and Federal Circuit Court of Australia, Judicial Services, team leader Family Court & Federal Circuit Court of Australia, Senior Family Consultant, Legal Services Commission, family law policy and programs, and Legal Services Commission, family law practice division. A Senior Registrar has been invited to the next meeting.
WA (DC):	<ul style="list-style-type: none"> • No information provided.
Tas (CSS and Tas Police):	<ul style="list-style-type: none"> • Establishment: The Tasmanian Steering Committee is the inter-agency working group established to meet once per month in relation to the co-located child safety and policing liaison officers in Hobart and Launceston. • Operation: the establishment and operation of the pilot to co-locate child safety/family law court and policing liaison officers in Hobart and Launceston for an initial period to 30 June 2022. • Membership: Senior Consultant - Safe at Home Coordination Unit, Department of Justice (chair), Acting Manager - Family Law Court Services, Acting Registry Leader - Family Law Court Services Team Leader, Senior Family Consultant - Federal Circuit Court, Child Safety Manager – North Child Safety Service, Principal Analyst - Planning and Program Support, Children and Youth Services, Analyst - Planning and Program Support, Children and Youth Services, Manager - Safe Families Coordination Unit, DPFEM, Coordinator – Safe Families Coordination Unit, DPFEM, Child Safety/Family Law Court Liaison Officers- South and North Child Safety Service, Liaison Officer/Information Analyst - Safe Families Coordination Unit, DPFEM.

APPENDIX 2 ANALYSIS OF MILESTONE REPORTS

The series of tables following provide a summary analysis of the three Milestone reports that have been completed to June 2021.

TABLE A2. ACCOMMODATION OF CO-LOCATED OFFICIALS

State and Agency	Activities
NSW DCJ:	As a result of COVID-19 restrictions, the co-located officials continue to work from home and using remote access. Newcastle continued to attend the registry one to two days per week. FLCLOs will gradually increase the time they work from the site. FLCLO have full access to all departmental systems while at the registry and at home. Three of the four NSW sites (Sydney, Parramatta and Newcastle) have had all current accommodation issues resolved, with furniture provided, access to amenities and security passes issued. Wollongong still does not have an available space for the official.
NSW Police:	The co-located officials continue to work well from Police Headquarters, Parramatta. Officials intended to start working from the Court in mid-May. Whilst co-located officials are able to work from both Sydney and Parramatta courts, this has not occurred yet due to COVID-19 lockdown restrictions.
Vic DFFH:	The co-located officials returned on site to Melbourne and Dandenong Registries in June 2021. Since this time and in response to emergency measures and health directions issued in the State of Victoria, when permitted to on site. Both officials work on site at the respective registries from Monday to Wednesday and remotely Thursday to Friday of each week.
ACT CYP:	There has been no change in the accommodation of the CYPs co-located official. The officials attend the court as required.
ACT Police (AFP):	Both the AFP and child safety officials have yet to move into the accommodation that has been allocated to them at the ACT Family Law Court. Consequently, issues are yet to be identified. The member's activities have been significantly impacted by reduced physical contact hours due to the COVID-19 Health restrictions introduced by the court. The official's primary focus has been in developing relationships with the Family Law Court, other co-located officials and with internal AFP stake holders. Another issue arising from the COVID-19 response has been a reduced number of cases appearing before the court. The reduction in case load has allowed the co-located official time to develop relationships and information exchange protocols with the ACT Family Law Court.
Qld CYJMA:	The co-located officials allocated to Brisbane registry remain working from home due to COVID-19 restrictions. The Official has attended the Brisbane registry and met with the Director. Ongoing discussions about co-location continue. The Townsville/Cairns official is co-located in Cairns monthly on duty weeks and has been co-located in Townsville since November 2020. The

State and Agency	Activities
	Rockhampton registry is unable to provide accommodation to the co-located official.
Qld Police:	The co-located official's primary location is at QPS headquarters. Brisbane family law court has permitted the co-located official to use the space at the Brisbane Family Law Court.
SA DCP:	The co-located official is sitting with the courts.
SA Police:	SAPOL's co-located official has returned to Adelaide's Federal court building since COVID-19 restrictions eased. The FLISO works from the court home and the police building.
WA DC:	Co-located officials continue to work in an office within the Family Court Counselling Services at the Family Court of WA.
Tas CSS:	An office has recently been identified in the Hobart registry for the co-located official and will be occupied by the co-located official on 5 October 2020. Whilst initially it was thought that there was not space for an official at the small Launceston registry, recently an office has been identified for the co-located official. The official is now primarily working from the Launceston registry.
Tas Police:	The co-located official is based equally between the court and the SFCU. Currently, the office is equipped with a desk, monitor, laptop accessories, chair and work laptops. A printer, phone and door are being arranged. Strategies to increase visibility by Court staff are being arranged.

TABLE A3. MONITORING AND OVERSIGHT ARRANGEMENTS BY STATE

State/ Department	Monitoring and oversight
NSW DCJ:	Extensive support network reportedly set up including: <ul style="list-style-type: none"> The four co-located officials (the Family Law Court Liaison Officers [FLCLO]) together create the Family Law Court Liaison Team, which sits within the Information Access and Exchange unit within DCJ. The team is supervised by a Senior Project Officer (SPO), who manages the day-to-day team organisation and structure.
NSW Police:	The co-located officials are now incorporated within the Processing and Redaction team of Infolink. This team also processes subpoenas for NSWPF. The co-located officials report to a team leader and Manager.
VIC DFFH:	While the Co-located Official 2 reports to and receives supervision from the Co-Located Official 1, both positions report to the Manager of Child Protection Jurisdictional Partnerships, Statewide Children and Families Branch (in the Community Services Operations Division).
ACT CYPS	The co-located official is monitored and supervised by the Manager of Practice and Performance within the CYPS.

State/ Department	Monitoring and oversight
ACT Police	The co-location project committee, which consists of representatives from the ACTIP, ACT Child Safety and the Family Law Courts oversee the co-located official's actions. The official is also supervised by the team leader of the Family Violence Unit, and works with the Acting Inspector who is overseeing the project from the ACT Police perspective.
Qld CYJMA	The co-located officials are supervised by the Manager of the Court Services unit, who oversees child safety matters that interface with specialist jurisdictions. The Court Services unit reports to the Department's Legal Service area.
Qld Police	The co-located official has a clear immediate chain of command, reporting to line manager, the Subpoena Team Leader, Right to Information and Privacy Unit and thereafter the Inspector, Right to Information and Privacy Unit. The Director of Information and Discipline Support Services also provides supervisory and support assistance regarding Commonwealth Co-Location pilot tasks.
SA DCP	The co-located official reports to the supervisor of the DCP Court Services and Liaison team. The Courts Liaison team is part of the Quality and Practice directorate of the Department for Child Protection.
SA Police	There are clear lines of reporting and supervision in place for the co-located official, with a supervisor (Sergeant of the Domestic Violence Programs and Projects), a manager (Staff Sergeant of Domestic Violence) and the Family Domestic Violence Section's Officer in Charge.
WA (DC):	The Department's Co-Located Team Leader, Principal Policy Officer and Chief Officer attend Protocol Meetings of the Family Court, and meet on a by monthly basis to discuss any business or issues to ensure an ongoing collaborative working relationship between the Department, the Family Court and Legal Aid.
Tas CSS	The Principal Analyst of Policy and Intergovernmental Relations supervises the co-located officials for project/pilot related arrangements, and the CSS Managers oversees any operational matters. Fortnightly meetings with the Principal Analyst allow parties to discuss issues and provide direction against the milestones.
Tas Police	The co-located official delivers a formal report at the conclusion of each month to the Sergeant or Inspector of the Safe Families Coordination Unit, where they review the co-located official's performance and plan for the upcoming month.

TABLE A4. ACTIVITIES PERFORMED BY CO-LOCATED OFFICIALS

State and Agency	Activities
NSW DCJ:	<ul style="list-style-type: none"> • FLCL Team mailbox management and data recording • Produce electronic bundled reports • Triaging s91B requests • Complete Magellan Reports (including a mid-point internal meeting between the FLCLO, FLCL SPO, and relevant District Managers to address practice issues) • Process Section 69ZW requests (and peer review responses) • Trial inclusion of home visit records and interview notes in the current or recent assessments, as part of the material produced in response to a s69ZW order • Lighthouse Project/Evatt List (Parramatta Only); FLCLO and SPO have participated in introduction meetings on the pilot process and largely provision of Person History Reports and s69ZW materials • Provision of Person History Reports • Process judicial written requests via Section 245D/248 Care Act • Provides a verbal Section 248 response during duty list attendance • Assisting DCJ staff receiving records from the Court • Liaising with DCJ and NSW Police/NSW Health on and before the release of shared records in the Joint Child Protection Response Program • Responding to Family Consultant Enquiries • FLCL Team representation within DCJ and for DCJ: On behalf of the FLCL Team, the FLCLO with the SPO, attend District Legal meetings, DCJ internal stakeholder meetings, the Community of Practice Meetings and the NSW Steering Committee (new process) • Participation in the development, design and feedback in new or improved DCJ processes and procedures related to the information exchange with both Family Law Court and Federal Circuit Courts • Participation in professional development
NSW Police:	<ul style="list-style-type: none"> • Co-located officials primarily respond to section 69ZW Orders, as well as section 245D requests made under NSW state information sharing legislation (Children and Young Persons (Care and Protection) Act 1998), requesting information regarding a child about whom proceedings relate, parties to proceedings and other related persons of interest as stated in the Orders. • Co-located officials also liaise on a regular basis with state-based stakeholders including personnel from NSW Police Force Units, other Co-located officials from the Department of Communities and Justice, as well as members of the Judiciary, Judge's Associates and other court staff in order to build cooperative relationships.
Vic DFFH:	<ul style="list-style-type: none"> • Respond to information requests from judicial officers, registrars, registry staff, Court Child Experts of the Children's Court Service, Independent Children's Lawyers and to a limited extent, duty lawyers services (FASS). Provide case consultation and case practice advice to Child Protection Practitioners. • Oversight of Magellan matters referred to the department, including referring and providing advice on Magellan orders to child protection, and

State and Agency	Activities
	<p>participating in the Magellan case management model. This includes being available to the Court and legal practitioners on the Magellan listing day.</p> <ul style="list-style-type: none"> • Managing the generic email account, which is the central point of referral for all s69ZW, s91B, and Magellan orders. These orders together with practice advice are referred to the relevant child protection office for a response. • Provide child protection workforce capability uplift by delivering information sessions delivered to the workforce on the intersections of child protection and family law. • Secondary case consultations with child protection practitioners and where required, the Child Protection Litigation Office, often when there are jurisdictional complexities. • Maintaining a suite of tools (tip sheets and templates) designed to assist child protection practitioners when responding to Notices of Risk, s69ZW, s91B and Magellan Orders. • The Principal Practice Advisor has additional responsibilities in the context of stakeholder engagement and improved system response including a range of activities. • Secretariat duties for the DFFH and Family Courts Steering Committee. • Information sessions for stakeholders on the intersections of child protection and family law. • Induction sessions for new Court staff – Associates, Registrars, Judicial Officers, Family Consultants.
ACT CYP:	<ul style="list-style-type: none"> • Inspection of Family Law Court (FLC) files for CYPs investigations. • Early identification of matters open in both the FLC and CYPs. • 'Real time' information sharing with Registry staff/Judicial Officers when CYPs hold information relevant to a matter. • Oversight of all Notice of Risk responses provided to the FLC. • Attendance at Court to observe proceedings. • Consultations with CYPs staff when they have an open matter. • Responding to requests from CYPs staff and FLC judicial officers. • Expediting CYPs access to FLC documents. • Development of relationships with FLC staff and key stakeholders. • Development of internal processes (inbox and data collection) and development of supporting documentation (protocols).
ACT Police (AFP):	<ul style="list-style-type: none"> • Liaising with Family Law Court registry Staff, Registrars, Judges and their associates. • Liaising with child protection. • Liaising with the magistrate's court. • Liaising with internal AFP teams/areas. • Processing information requests. • Meeting with other interstate policing Officials and child safety Officials. • Liaising with AFP legal team. • Liaising with Information Access and FOI Teams. • Attend court 3 times a week to maintain the relationship. • Working on protocols for information sharing between AFP and the Court. • Developing a better practice guide (BPG) for the role. • Drafting a template to capture registration/judge's requests. • Spreadsheet – capture statistical data.

State and Agency	Activities
Qld CYJMA	<ul style="list-style-type: none"> • Cross-jurisdictional capability development through education and training. • PCPPs met in November 2020 and March 2021 and developed and revised a statewide training agenda for judiciary staff and Child Safety staff to have a better understanding of both jurisdictions. • Governance, organisational and planning activities. The Principal Child Protection Practitioner Guidelines and a Team Plan have been developed. These provide a shared understanding of the intent of the role and tasks. • Stakeholder engagement, promotion of the role, building strong relationships with judicial officers and registry staff. • Established an 'information sharing request and response' document. This facilitates processing of voluntary, information sharing requests from court to co-located practitioners in a 'pre s69ZW' manner. • Developed an early identification review process for Notices of Risk / Form 4's being submitted from the courts. Co-located practitioners flag cases with lengthy and/or current child protection involvement. • Promote the role internally within child safety, with a focus on the early identification and coordination of responses to family court proceedings where there is active child protection intervention. • In September, the co-located practitioners sent out their first quarterly Newsletter to update state-wide child safety staff on the role, objectives, and current activities. • Established a state-wide steering committee. Terms of Reference for the committee have been established, and a structured agenda to facilitate bi-monthly meetings along with an issues register. The co-located practitioners provide the secretariat support to this committee. • Conduct education sessions with various agencies through the Family Law Pathway Networks (FLPN) such as with Relationships Australia. • The Lighthouse project commenced in Brisbane in January 2021. The Brisbane based PCPPs participate in the quarterly Queensland Lighthouse stakeholder meeting, the six-monthly national stakeholder meeting and other activities.
Qld Police:	<ul style="list-style-type: none"> • Managing the implementation and active trial phase of the 'Prenotice Information Sharing Project – Family Law Courts and the Queensland Police Service' ('the Prenotice Project'). • Support the Lighthouse Project/Evatt List Pilot at the Brisbane Family Law Courts. • Training in QPS databases and information supply to the Courts. • Internal and external consultation with family law stakeholders and other co-located officials to identify new information sharing processes and best practice methods. These consultations have assisted in developing templates for requests for information held by the Family Law Courts.
SA DCP:	<ul style="list-style-type: none"> • Provide child protection history summaries on the departmental database. • Highlight department awareness of key information that may be held by policing and recommend that this information is sought. • Provide information to assess urgency of matters. • Provide information in relation urgent applications that may be <i>ex parte</i> or where recovery orders are being sought (written or verbal response in court). • Respond to 69ZW orders and Notice of Risk of Abuse (NOR). • Attends 91B order matters.

State and Agency	Activities
	<ul style="list-style-type: none"> • The co-located practitioner responds to information requests from the judiciary and registrars for the purpose of determining urgency of hearing listings, extent of current and historical departmental involvement, and any existing agreements the department may have with parents. • The co-located practitioner also provides information to Independent Children Lawyers for the purpose of determining the best interests of the children subject to proceedings. • The co-located practitioner provides departmental information to family consultants to assist in the development of family assessments as requested by the Court.
SA Police:	<ul style="list-style-type: none"> • The FLISO has been receiving and responding to information requests from Family Consultants, Independent Children’s Lawyers, the Judiciary, and more recently a Senior Registrar. • The FLISO also supports the Department for Child Protection (DCP) co-located official, along with their new Court Services Team with information, collaboration and safety advice.
WA DC:	<ul style="list-style-type: none"> • Handling Notices of Child Abuse or Family Violence or Risk (Form 4). <ul style="list-style-type: none"> ○ The co-located officer checks Notices in line with geographic location and whether the family are open or closed case, and distributes Notices to correct Districts for assessments ○ The co-located official will provide one of the 4 different responses to the Court regarding each Notice of Child Abuse: No action warranted response; Previous relevant involvement response; Harm substantiated response; Abuse unsubstantiated response. • Request for information under s. 69ZW, Child Related Proceedings (CRP List) and Request for Urgent Information (Recovery Order). • Handling s. 91B orders. • Working closely with Counselling Services in managing and tracking responses to requests for information to ensure they are provided in a timely manner. • Attending court as a friend of the Court in response to a request by the Court, an order, or where the Department holds relevant information that it is deemed may assist the Court.
Tas CSS:	<ul style="list-style-type: none"> • The co-located officials have consulted with the following key stakeholders: <ul style="list-style-type: none"> ○ CSS Advice and Referral Line, CYF (several to discuss 67Z responses) ○ CSS Teams in the 3 regions, CYF ○ Family Violence and Counselling Services, CYF ○ Legal Aid ○ Senior Family Consultant, FLC ○ Judicial officers ○ Family Law Practitioners Association (ongoing meetings) ○ FLC Registrar (Hobart) ○ ICLs ○ Family Advocacy and Support Service (FASS) ○ Child Safety Redesign change manager.

State and Agency	Activities
	<ul style="list-style-type: none"> • Other activities include: <ul style="list-style-type: none"> ○ Developed a CSS/FLC Co-location Project Plan ○ Sitting through Court Duty List days ○ Receiving and responding to requests from CSS staff about Family Law proceedings ○ Attending ARL Weekly Case review meetings to consult on Family Law matters ○ Developing relevant documentation (see below) ○ Regular consults with CSS staff re if matters could move to the FLC.
Tas Police:	<ul style="list-style-type: none"> • Regular communication with the Family Consultants, Registry staff and being present within the Court for Duty List matters. • Trialling a voluntary information sharing document with the Family Consultants. • Pro-active check of the Family Consultant weekly client list to identify parties attending the Court who have significant/relevant information which requires 'flagging'. • Development of an engagement strategy with the ICLs. • Educations session to enhance timeliness of s69ZW requests where Police Information is included in Child Safety responses. • Reviewing and assessing current information sharing practices between the Family Law Courts and Tasmania Police. • Responding to requests from the Family Law Courts through the Family Consultants. This includes sharing Tasmania Police information back to the Court. • Managing requests from Tasmania Police to the Family Law Courts. • Engaging with key internal stakeholders such as Information Services, Firearms Registry, Prosecutions, State Intelligence Service, Policy and Governance. • The co-located official has also travelled to northern Tasmania to make contact with the abovementioned business areas based in regional areas, to promote awareness of the role. • Engaging with key external agencies such as Legal Aid, a variety of ICLs and those of the Court which includes the Manager, the Registrar, Family Consultants. • The Co-located Official has extended the opportunity to share information with the Family Law Courts which includes the Judges, the Registrar, the Family Consultants and an appointed Independent Children's Lawyer. • A new information sharing process has commenced with the Family Consultant and this will be extended to ICL's in the near future.

TABLE A5. INTERACTIONS BETWEEN CO-LOCATED OFFICIALS AND THE FAMILY LAW COURT REGISTRY

State and Agency	Activities
NSW DCJ:	<ul style="list-style-type: none"> Positive collaboration experiences between judicial officials and the FLCLC. FLCLC attends local duty lists and provides a verbal S248 response during duty list attendance, and will contact registry to receive records from the Court. Assisting DCJ staff receiving records from the Court: The FLCLC will assist, when possible, the expedited flow of information exchange under S248 of the Care Act. FLCLC will contact registry staff outlining the current request, and the nature of the urgency for the required records. The FLCLC participate in the development, design, and feedback in new or improved DCJ processes and procedures related to the information exchange with both Family Law Court and Federal Circuit Courts. Examples include updating the content within the Magellan Report.
NSW Police:	<ul style="list-style-type: none"> Lighthouse Project commenced in Parramatta registry. Discussions with registrars prior to commencement to develop templates to narrow requests to relevant information within specified timeframes. Feedback that having direct contact with Judge's Associates and Registrars, for the purpose of clarifying an order made and/ or discussing any difficulties with compliance, rather than relying on more formal processes at first instance has been beneficial. By having an open and cooperative working relationship, this promotes an environment for solving problems and getting answers quickly. Providing more information when a s69ZW does not - By utilising the provisions of the Children and Young Persons (Care and Protection) Act 1998, important and relevant information is provided to the family law courts which would otherwise have been out of scope.
Vic DFFH:	<ul style="list-style-type: none"> Easing of emergency measures for COVID-19 has led to an increase in the activities of the co-located officials. Data recorded during quarter 2 of the 2020-2021 year reflected a 10% increase in the activities of the co-located officials. There was a reduction of information requests from the Court immediately following the first period of COVID-19 restrictions (March / April 2020). Due to COVID-19 health restrictions, the interaction with the Courts is via electronic means. This has not created any significant barriers to effective service delivery, which has been attributed to the established processes, relationships and strong partnership that exists between DFFH and the FCFCoA.
ACT CYP:	<ul style="list-style-type: none"> Given the early stage of development and the challenges with working remotely, any observations of changes in trends will require further review as the position progresses.

State and Agency	Activities
	<ul style="list-style-type: none"> • An increased engagement between CYPS and Court, including meeting with the Judges Associates, increase in requests for CYPS information at the early stages, an increase in number of 91B orders in early Jan 2021 vs end of 2020 and a closer working relationship between CYPS and the FLC. • Communication and engagement has increased in 2021, CYPS have increased their presence at the Court, met with the associates and there are strong foundations for information sharing.
ACT Police (AFP):	<ul style="list-style-type: none"> • Prior to the introduction of the pilot, the ACT Police had limited interaction with the Family Law Court. As a result of the activities the co-located officer is performing, the member has developed a strong relationship with the Family Law Court Registrar and her staff. An outcome has been the development of information sharing between the co-located officer and court staff within legal restraints. • The co-located officer is currently exploring opportunities to improve information exchange between the ACT Magistrates Courts and the Family Law Court in matters that are of interest to the ACTP. From initial discussions on protocols for information exchange, the process is slowly evolving as both parties gain a better understanding of the information that can be exchanged. Critical to this process is both parties informally exchanging information prior to submitting a formal request for information. The informal exchange allows requests for information to be more focused and targeted resulting in efficiencies in providing information in a timely manner. Furthermore, this process assists the court in prioritising matters appearing before it and improves the quality of information put before the court.
Qld CYJMA	<ul style="list-style-type: none"> • There has been varying degrees of 'uptake' of the initiative across and within the four permanent family law court registries. Where judicial officers are engaging with the role, it has enabled timely and well targeted information to assist Judges in making decisions. There has been a decrease in the number of s91B orders being made but an increase in s69ZW. There is also an apparent increase in the number of 'friend of the court' appearances by the co-located officials and they have been well placed to respond to these on short notice.
Qld Police:	<ul style="list-style-type: none"> • There has been a high level of interactions and processing undertaken to support the Lighthouse Project/Evatt List Pilot at the Brisbane Family Law Courts (commenced just prior to the QPS Prenotice Project trial). This has led to a significant effect on the processing work of the QPS Subpoena Team. • Comparing the periods of January to March 2020 (Pre-Lighthouse Project) and January to March 2021 (Post-Lighthouse Project), there was an increase of over 300% in the average number of s69ZW orders processed by the QPS. • The co-located official has started to develop training presentations for key family law stakeholders to reduce confusion, unnecessary or duplicated requests, as well as improve the quality of requests received. For instance, the co-located official has commenced producing improved templates for s69ZW orders and subpoenas directed to the Commissioner.

State and Agency	Activities
SA DCP:	<ul style="list-style-type: none"> Information/training session in Feb 2021 have strengthened existing relationships with the Judges and Senior Registrar and allowed for open discussions between the Co-located Practitioner and the Independent Children's Lawyers. The process of the department sharing information with the Federal Circuit Court/ Family Court has improved with the establishment of the co-located position. Feedback from the Judiciary has indicated that the Department's information has assisted the court to determine what orders should be made by the Court. Requests for information about urgent matters have increased, particular where a recovery order was sought. South Australia commenced its role as a pilot site in the Lighthouse Project within the Courts in December 2020. It is envisioned that both the child protection and SAPOL co-located roles will be critical in providing information as part of this project.
SA Police:	<ul style="list-style-type: none"> Collaboration between agencies and court staff has further improved since physically returning to the court building. There are more opportunities for discussions between police, child protection and court workers. The FLISO has received 150 information requests from court staff and ICL's, and 18 formal requests from DCP, totalling 168 information requests. To date no trends have been identified in changes to SAPOL's interaction with the Family Law Courts. Little information around risk, concerns or possible referrals has flowed back from court workers to the FLISO, making the flow of information almost entirely one way.
WA DC:	<ul style="list-style-type: none"> The Department does not participate in Case Assessment Conferences conducted by Family Court of WA Family Consultants, however, does work collaboratively with Family Consultants where the family and children are open to the Department for investigation.
Tas CSS:	<ul style="list-style-type: none"> Increase in utilisation of the Liaison roles by Judicial Officers to ensure the Court has the information needed, and that information is passed onto ARL/CSS in a timely manner. Increase in 91B orders made by Judges in the Federal Circuit Court in Hobart. Family Law Court responses for requests for CSS reports have been timely and satisfactory. CSS has noticed that participation at Duty List days, has provided the Court with real time information useful for each matter. This benefit has been recently confirmed by the Judiciary. The officers are noticing an increase in the level of interaction with the Advice and Referral Line which is positive as it enables and increase in the quality of information flow between CSS and the FLC.
Tas Police:	<ul style="list-style-type: none"> Positive working relationships being built, particularly with the Associates, Registry staff, Family Consultants, and the Manager (because two of three Judges have recently retired and have not yet been replaced). Present at the Duty List matters for Hobart on each occasion. At this time, the engagement between the Tasmania Police CLO and the sitting state-based Judge has been limited and there have not been any requests received to date.

State and Agency	Activities
	<ul style="list-style-type: none"> • The Co-Located Official travelled to Launceston and Devonport in early September to extend the internal information sharing network and engage with work areas such as Criminal Investigations, Prosecutions and the Family Violence Units and educate them on the pilot and the new role. • Tasmania Police have historically interacted with the Family Law through the subpoena mechanism only. The move to sharing information in a voluntary space or through a court order are new concepts in development. As a result, there has been an increase in interaction between Tasmania Police and the Family Law Courts through the co-location pilot. However, it is emphasised that the majority of engagement with the Courts has been arranged and promoted by the co-located official or Tasmania Police. There has been no proactive engagement by the Courts, outside of the four information requests received. • Whilst the scope of the pilot is contained to Hobart, the co-located policing official has engaged with the family court in Launceston (and Burnie circuit) to gain a better appreciation of family court activities. For example, attending open court to view processes involved with the Duty List.

TABLE A6. INFORMATION REQUESTS MADE BY THE COURT

State and Agency	Activities
NSW DCJ:	<ul style="list-style-type: none"> • S91B requests • Magellan reports • s69ZW requests • Lighthouse project/Evatt list (Parramatta courts) • Process judicial written requests via S245D/248 Care Act • Person History Reports
NSW Police:	<ul style="list-style-type: none"> • Respond to s69ZW Orders, as well as S245D requests made under NSW state information sharing legislation (Children and Young Persons (Care and Protection) Act 1998), requesting information about a child to whom proceedings relate, parties to proceedings and other related persons of interest information as stated in the Orders. • Liaison with state-based stakeholders such as personnel from NSW Police Force Units, other Co-located officials from the Department of Communities and Justice, the Judiciary, Judge's Associates and other court staff to build cooperative relationships.
VIC DFFH:	<ul style="list-style-type: none"> • Information requests are received from Judges' Associates, Registrars, Registry Staff, Family Consultants of the Child Dispute Services, Independent Children's Lawyers (ICL's), Duty Lawyer Services (Family Advocacy Support Service) and Child Protection Practitioners. • The co-located officials support Child Protection Officials in obtaining copies of family law orders, listing dates, judgments and assessments.

State and Agency	Activities
ACT CYP:	<ul style="list-style-type: none"> • Requests regarding new applications, recovery orders and matter where risk issues are identified. • Requests to confirm if the children are known to CYPs. • Discussions about processes to formally provide timely and appropriate information. • Family Law Court requests have included responses to s69ZW orders and Notices of Risk. • The Family Law Court registrar has requested the Co-Located official to attend matters as 'friend of the court' and provide urgent information when recovery orders have been sought. • Several requests have been made by CYPs staff to the court to guide CYPs assessments. This has included inspecting the court files where CYPs has an open case, seeking current orders and upcoming court dates.
ACT Police (AFP):	<p>Informal and formal requests for information from the Courts such as:</p> <ul style="list-style-type: none"> • Requests in relation to preliminary information to allow the court to decide on a listing date and to assess risk • The court also requests advice on whether an FVO or/and PPO has been served on a person that is going to be attending the court • Informal discussions are regularly held to assist the court in identifying relevant material which is subsequently obtained through a Section 69ZW Order • The member also assists the court in referring inquires through to law enforcement officials in the ACT and interstate and provides feedback to the courts • Information of AFP holdings (PROMIS) • Criminal Conviction History of persons of interest • Current or lapsed Personal Protection Orders and Family Violence Order's • Subpoenas • Firearms registry information • Bail conditions • Request for advice in co-ordinating the timing of a high-risk offender receiving a Family Law Court Order and FVO.
Qld CYJMA	<ul style="list-style-type: none"> • The co-located officials are primarily receiving information requests from judicial officers and Independent Children's Lawyers, via the agreed information request form. Judicial officers are seeking information when the court identifies child protection concerns. The co-located officials are often requested to appear as a Friend of the Court, providing clear and contemporary information in relation to child protection history and investigation outcomes regarding families. Including pre-69ZW and Section 91B requests. • A call back response has been established to assist the Registrar to decide how urgently applications for parenting orders should be listed. • Review duty lists for Cairns and Townsville and provide preliminary information. • ICLs have requested information about current child safety responses to notified concerns and if any intervention is occurring. Co-located officials have shared details of current child safety investigations and

State and Agency	Activities
	<p>interventions, and identified key child safety staff for ICLs to maintain ongoing engagement.</p>
Qld Police:	<ul style="list-style-type: none"> • Processing all Prenotice requests received from the three Brisbane Trial Chambers to the QPS during trial period 25 January to 30 April 2021 (inclusive); in total 91 Prenotice Requests. • Comparing the periods of January to March 2020 (Pre-Lighthouse Project) and January to March 2021 (Post-Lighthouse Project), there was an increase of over 300% in the average number of s69ZW Orders processed by the QPS.
SA DCP:	<ul style="list-style-type: none"> • Since the establishment of the Co-located position the Co-located Practitioner provided over 390 pieces of information. <ul style="list-style-type: none"> ○ 71 to Independent Children’s Lawyer ○ 15 Departmental ‘alert letters ‘to the Judiciary/Associate ○ 20 to Family Consultants ○ 276 to Registrars and Judicial Officers • Involved in Lighthouse Project: provide information in relation to matters being assessed for the Evatt list. This information is frequently requested as urgent and requires a 12-24-hour response time. • Responds to information requests from the judiciary and registrars to determine the urgency of hearing listings, extent of current and historical departmental involvement and any existing agreements the department may have with parents. • Provides information to Independent Children Lawyers regarding the best interests of children. • Respond to requests from Family Consultants with information to assist with the development of a family assessment.
SA Police:	<ul style="list-style-type: none"> • As at 30/04/2021, the FLISO has received 559 formal information requests, 496 from the court, and the remaining from child protection and police. • The nature of information requests can vary, however, family consultants and registrars are more likely to be interested in the Parties complete (relevant) background, while ICL’s and the Judiciary may ask for more specific and targeted information relating to individual parties or events. SAPOL’s Firearms Registry has requested information that may impact a license holder’s suitability. • To date the FLISO has not been able to make any submissions to the registry based on information from the court.
WA DC:	<ul style="list-style-type: none"> • The Co-located official receives requests for information from the Court under s69ZW, Child Related Proceedings (usually requested by the Family Court Counselling Services – Family Consultants), and Requests for Urgent Information through a Recovery Order. • The co-located official often deals with child protection cases that are not open or allocated, and assists with the decision of whether to intervene, based on the current safety and risk issues relating to the children subject of the proceedings.
Tas CSS:	<ul style="list-style-type: none"> • Querying nature of degree of CSS involvement with families. • Nature of status of proceedings in Federal Courts. • Requests about how to complete documentation such as 67Z requests.

State and Agency	Activities
	<ul style="list-style-type: none"> • Requests to review 67Z requests. • Consultation regarding case direction and progression of matters which are active in both jurisdictions.
Tas Police:	<ul style="list-style-type: none"> • As of March 2021: Tasmania Police CLO has received 30 requests from the Court for information. Requests are frequently via email. • Police CLO has not received a s69ZW Order from the Court. • From May to September 2020, the co-located Official has received four requests for information from the Family Law Courts. These requests were received from the Family Consultants and involve conducting checks on the police systems related to family violence. Information has been provided directly or a recommendation to seek further information via a subpoena or court order has been made. • Information provided (via email) has related to relevant criminal history, pending charges, active investigations (where appropriate) and family violence history. • To date, the co-located official has not received any requests from a Judge or Independent Children's Lawyer. The Registrar has advised that he will not be seeking information from co-located officials as part of his role.

TABLE A7. INFORMATION REQUESTS MADE BY CO-LOCATED OFFICIALS

State and Agency	Activities
NSW DCJ:	<ul style="list-style-type: none"> • Copies of Magellan reports previously furnished by DCJ to improve quality. • Current FLC/FCC proceedings status and orders. • Feedback on Magellan case practice where DCJ records were referenced. • Participation in the Associates meetings. • Advice on the court schedule including the appointment of an ICL.
NSW Police:	<ul style="list-style-type: none"> • Requests for information such as whether a family was involved in Family Law Court proceedings and named in Family Law Court Orders. • NSWPF requested information from the court about known supports put in place by the court for either parents or child, for example a Family Consultant or Psychologist etc. The family law court could not provide this information to co-located officials. The request needed to be submitted through the appropriate chain of command via the iAsk system to the Court's National Enquiry Centre. • On the request of a NSWPF Domestic Violence Liaison Officer, the co-located official made a request for the phone number of a serious domestic violence offender, that was held by the court. As the NSWPF had a proper interest in information obtainable from the case, the information was provided.
Vic DFFH:	<ul style="list-style-type: none"> • Both Courts are responsive to information requests and there are no barriers to obtaining information.

State and Agency	Activities
ACT CYP:	<ul style="list-style-type: none"> Seeking confirmation of parenting orders, next court attendance or information which has been provided to the FLC (affidavits etc) when they are undertaking an investigation. Requests made by the co-located official have been in respect of risk. This includes pro-actively seeking to share information from CYPs to the FLC as well as noncompliance with information sharing requests when the production of the material would increase a risk to a child.
ACT Police (AFP):	<p>The co-located officer is still identifying what material is available for information sharing between the Family Law Courts and the AFP. For example,</p> <ul style="list-style-type: none"> requested general information around when a party will be attending court and if police can attend in person. requested Parenting orders and affidavits to assist police in clarifying issues around complaints of breaches of local family violence orders. Summary of professional reports submitted to the court as part of a matter. Details of affidavits by the parties involved in a Family Law Court matter. The status and conditions of an Order made by the Family Law Court. Confirmation if a matter is proceeding or has been through the Federal Circuit Court or Family Law Court. Listings information.
Qld CYJMA	<ul style="list-style-type: none"> Co-located officials have made information requests to the family law courts on behalf of child safety officers, for affidavit material and family assessment reports to support officers to make decisions. Requests have been made to access copies of final orders, reasons for judgments, family assessments and affidavits to assist with determining whether child safety needs to play an ongoing statutory role in meeting the protective needs of children. PCPPs make requests for information to the registries on behalf of child safety officers to supplement information provided by parties. For example copies of parenting orders, filed material, forensic reports, and reasons for judgement.
Qld Police:	<ul style="list-style-type: none"> Information sharing from the QPS to the Courts has continued to take precedence over the development of initiatives for information sharing from the Courts to the QPS.
SA DCP:	<ul style="list-style-type: none"> Current Family Law Orders, Family Assessments and Judgments where there is departmental involvement – ensure that thorough assessments are conducted by department.
SA Police:	<ul style="list-style-type: none"> Some enquiries have been made by SAPOL members relating to specific occurrences, which have been facilitated, however SAPOL's interactions with the court is unlikely to change much until information is readily shared from the courts to the co-located officials.
WA DC:	<ul style="list-style-type: none"> Nothing noted.
Tas CSS:	<ul style="list-style-type: none"> Orders for CSS reports that are on file from the Family Law Court General information noted.

State and Agency	Activities
Tas Police:	<ul style="list-style-type: none"> Two requests to Family Law Courts for information by Tasmania Police have been made. One was on behalf of the Safe Families Coordination Unit (SFCU) and involved enquiry about an active Parenting Order. A request was made on behalf of the Firearms Registry for Tasmania Police who were conducting an assessment on an application for a firearms license from a person who had previously been suspended due to the issuing of a Police Family Violence Order years earlier.

TABLE A8. PRACTICES AND PROCESSES

State and Agency	Activities
NSW DCJ:	<p>Magellan Reports are coordinated upon receipt with a midpoint internal meeting between the FLCLO, FLCL SPO, and relevant District Managers to identify and address any practice issues.</p> <p>FLCLOs now either peer review each s69ZW response or identify matters that require SPO review.</p> <p>The FLCL Team have provided timely responses to information requests by the courts, and anecdotal feedback suggests that the quality of responses has improved with the centralised team. The team have introduced the electronic bundled documents, with access to new software to improve efficiency.</p>
NSW Police:	<p>Provide information and training on state-based legislation when CLO receives orders requesting info outside the scope of s 69ZW. Particularly educate around s245C and s245D of Children and Young Persons (Care and Protection) Act 1998 (NSW).</p> <p>Developed a document discussing legislative provisions to assist the court with information requests (s69ZW and/or s245D).</p> <p>With the commencement of co-located officials, the NSWPF has ensured that s69ZW orders are answered appropriately and identified information gaps are closed. This has ensured that important and relevant information is provided to the family law courts in a timely manner.</p>
Vic DFFH:	<p>Victoria have embedded a number of established processes over the years of the co-location initiative. This includes written processes established in the interface between officials and Judges Associates and working relationships with the Child Protection program in supporting the programs' response to reports/notifications made from the family law system and response to 69ZW orders. A recent practice initiative has been implemented in response to s91B orders. The DFFH and Family Courts agreed to examine practices and decision making when making and responding to s91B orders. This involved reviewing a selection of cases where s91B orders had been made and interviewing judicial officers. A discussion paper was prepared by the Principal Practice Advisor and presented to the Steering Committee in July 2020. Since then, this paper has been provided to Judges of the Federal Circuit Court of Australia</p>

State and Agency	Activities
	<p>and Family Court of Australia. The recommendations for practice improvements have been discussed. A revised paper has been distributed to the remainder of the Victorian judiciary.</p> <p>The department in partnership with Victoria Legal Aid has commenced an early engagement model where the co-located officials facilitate liaison between the allocated Child Protection Practitioner and appointed ICL Lawyer following the making of a s91B order.</p>
ACT CYP:	<p>In the initial set up of this role communication with other states and territories has been vital and assisted guiding the process. The ACT Family Law Information sharing Reference Group is a collaboration and commitment from ACT stakeholders to support information sharing. Issues are regularly reviewed.</p>
ACT Police (AFP):	<p>Trialling a summary sheet for 69ZW orders. Process to be discussed and finalised.</p> <p>This project has provided a unique opportunity and resulted in several positive interactions between the ACT Police and the Family Law Court, including:</p> <ul style="list-style-type: none"> • the development of a strong relationship between the parties. • the development of regular information exchange between agencies within legal restraints which is improving as the Courts and AFP understand what information is available for exchange. • Improved access to information/documents for such areas as SACAT (Sexual Assault and Child Abuse Team) and DPP allowing for a more thorough preparation for court hearings. • Improved preparation of FVO's and their conditions and validity, as we can now reach out to the court.
Qld CYJMA:	<p>The 'request for information' form has been updated and is seen as an effective process to facilitate timely information sharing and record keeping.</p> <p>The co-located official in Townsville/ Cairns reviews all duty lists and provides early information to the Judges and makes suggestions that the Judges request information from child safety or issue a s69ZW order where appropriate. Case numbers preclude this approach being adopted in Brisbane registry and the Rockhampton registry has yet to take up the offer for this approach.</p>
Qld Police:	<p>Training and information sessions to support the operationalisation of the QPS Prenotice Project trial. QPS has developed and shared a suggested/preferred template for s69ZW Orders.</p> <p>QPS CLO acting as a liaison for consultation with internal stakeholders (State Domestic, Family Violence and Vulnerable Persons Unit) and the Senior Family Consultant (Lighthouse Project).</p> <p>The co-located official has undertaken extensive consultation and engagement with various stakeholders including Family Law Courts representatives, internal members of units within the QLD Police, and the Office of the Information Commissioner QLD. This consultation aims to investigate current best practice for information sharing and develop any changes needed to support better information sharing.</p>

State and Agency	Activities
SA DCP:	<p>Co-located Practitioner liaises between the departmental family law investigation team. This team considers and investigates matters where the Family Law Courts have invited the department to intervene under section 91B March 2021: Co-located Practitioner met with Family Advocacy Support Service (FASS) regarding a referral process from the Co-located Practitioner to refer a person (with their consent) to the FASS in circumstances where the department have assessed that person as a safe caregiver and encouraged that person to seek family law orders.</p> <p>February 2021: information/ training session with Judges, Senior Registrar.</p> <p>An instrument of authorisation was drafted and signed by the Chief Executive following consultation between the co-located official, the Department's legal services team and the State Crown Solicitors. This instrument has led to improved information sharing with the Courts, allowing the family law courts to now receive information earlier, which is particularly beneficial in urgent applications where recovery orders are being sought.</p>
SA Police:	<p>FLISO has been participating routinely in the Lighthouse Project since its launch in Adelaide in December 2020. Activities include providing an information summary for Lighthouse applications considered for the Evatt List.</p> <p>The FLISO has begun routinely providing responses that are approved for release as evidence to better support the Judiciary's needs. All information released to the Judiciary, ICL's and registrars is now prepared as evidence. An information request template which is easy to use and fit for purpose has also been distributed to associates to ensure quality and consistency.</p>
WA DC:	<p>All information that is requested by ICLs and Legal Aid duty lawyers is forwarded to the Counselling Services to be placed on Court files with the appropriate matter name/number. This ensures all parties in a court process are aware of the information the Department has provided, ensuring information shared with legal representatives is also shared with the Court.</p>
Tas CSS:	<p>Development, revision and release of the following documents to improve information sharing between the FLC and CSS:</p> <ul style="list-style-type: none"> • Procedure: Responding to the Family Court and Federal Circuit Court • Practice Advice: Responding to the Family Court and Federal Circuit Court • Fact Sheet: Co-located Child Safety Family Law Liaison Officers • Revised forms: Notice of risk Response S67ZA, Order Response 69ZW, Order 91B Response, Magellan Response <p>Training for CSS and ARL staff to provide them with an understanding of the Family Court and Federal Circuit Court and how information sharing can assist Liaisons have begun to attend regular CSS and ARL meetings where their expertise can be utilised.</p> <p>Consultations have resulted in the following documents being prepared to improve information sharing between the FLC and CSS: 'Guidelines for Information Sharing' for stakeholders, Practice Advice for CSS staff (under review), a paper regarding how CSS obtain, use and store documents such as psychological reports from the FLC. These practices are yet to be implemented,</p>

State and Agency	Activities
	<p>so it is too early to determine if they have improved information sharing. They indicate future improvements.</p>
Tas Police:	<p>A new information sharing process has been commenced with the Family Consultant and is intended to extend to the ICL's in the near future.</p> <p>DPFEM Legal Services are currently reviewing the information sharing capacity of Tasmania Police with the Family Court, including the scope of information shared under section 37 of the <i>Family Violence Act 2004</i> (Tas). In the past Tasmania Police has largely been involved with the Family Law Courts through the subpoena process. The move to responding to a court order, voluntary or proactive information sharing is a new process for Tasmania Police. At this time, the co-located official has responded to four information requests by the Court and has requested two applications for leave to view the file. Practice scope is still being determined.</p>

APPENDIX 3 PARTNERSHIP SURVEY

Please note this is a word version for ease of viewing. It does not include skip logic/piping of the questionnaire.

Q1. This short survey is for stakeholders involved in implementing the pilot co-location of state and territory child protection and policing officials in family law court. The survey is part of an evaluation of the pilot, which ARTD is undertaking for the Australian Attorney-General's Department.

Your responses are confidential—no individual person or organisation will be identified in the report.

The aim of the survey is to inform discussion amongst the partners in the implementation of the Co-location pilot.

This survey is an important way for you to give your opinion on how the partnership is working.

For each question, select the option that most closely represents **your viewpoint**. Don't spend too much time thinking about how to answer the question—your first instinct is usually the right one.

If you have any questions about the survey, please contact **[Name] at ARTD Consultants on [phone] or [email]**.

Please complete the survey by **[date]**.

Thank you for your time.

Q No.	Question	Response categories
	<p>We would like to start this survey by asking you to reflect on what has been the most significant change resulting from the Co-location pilot to date.</p> <p>Also please consider the purpose of the change (the problem the change helped to address).</p> <p>(We will ask you more details about your role and where you are located later).</p>	<p>2a. Problem: (Open text)</p> <p>2b. Intended outcome: (Open text)</p> <p>2c. Most significant change: (Open text)</p> <p>2d. Reasons for the change: (Open text)</p>
	<p>We would also like to ask you what future change could most positively impact the Co-location pilot.</p> <p>Please consider this from the perspective of your agency or the court registry/registries with which you are associated.</p> <p>Also please consider the purpose of the change (the problem the change would help to address).</p>	<p>3a. Problem: (Open text)</p> <p>3b. Intended outcome: (Open text)</p> <p>3c. Most significant FUTURE change: (Open text)</p> <p>3d. Reasons for the change: (Open text)</p>
	In which state or territory are you located?	<p>New South Wales</p> <p>Queensland</p> <p>South Australia</p> <p>Tasmania</p> <p>Australian Capital Territory</p> <p>Victoria</p> <p>Western Australia</p>
5.	Which of the following best describe your role in the co-location pilot?	<p>Family law court official</p> <p>Police co-located official</p> <p>Child protection co-located official</p> <p>Other employee of a police agency</p> <p>Other employee of a child protection agency</p> <p>Other employee of a justice/ attorney generals' agency</p> <p>Other (Specify)</p>
	In which family law court location do you work?	<p>Sydney Family Law Courts (NSW)</p> <p>Parramatta Family Law Courts (NSW)</p> <p>Wollongong Family Law Courts (NSW)</p> <p>Newcastle Family Law Courts (NSW)</p> <p>Melbourne Family Law Courts (Victoria)</p> <p>Dandenong Family Law Courts (Victoria)</p> <p>Brisbane Family Law Courts (Qld)</p> <p>Cairns Family Law Courts (Qld)</p> <p>Rockhampton Family Law Courts (Qld)</p> <p>Townsville Family Law Courts (Qld)</p> <p>Family Court of Western Australia, Perth (WA)</p> <p>Adelaide Family Law Courts (South Australia)</p> <p>Hobart Family Law Courts (Tas)</p> <p>Launceston Family Law Courts (Tas)</p> <p>Canberra Family Law Courts (ACT)</p>
	Which of the following best describe your usual work location?	<p>Based at the family law court registry</p> <p>Based near the family law court registry</p> <p>Other (Specify)</p>

Q8a. Area of integration/ coordination in the co-location model within your State/ Territory

Please indicate on a scale from 0 to 4 the extent to which the following partners are **currently** collaborating with you, and then the level of collaboration that you believe **is necessary** for the Co-location pilot to be successful.

Rating	Collaboration level	Definition
0	No awareness	We are not aware of approaches by this organisation to collaborate
1	Awareness	We are aware of approaches by this organisation to collaborate, but organise our activities solely based on our own objectives, materials, and resources
2	Communication	We actively share information (formally or informally) with this organisation
3	Coordination	We work together with this organisation and to share information how we do things to consider their methods, materials, timing and needs.
4	Collaboration	We jointly plan and deliver key aspects of our program with this organisation with the aim of an integrated approach

Q8b. Current level of Collaboration	Matrix question
Family law court official <i>Display to survey respondents who selected the following options in Q5:</i> <ul style="list-style-type: none"> ○ Police co-located official ○ Child protection co-located official ○ Other employee in a police agency ○ Other employee of a child protection agency ○ Other employee of a justice/ attorney generals' agency 	No awareness Awareness Communication Coordination Collaboration
Police co-located official <i>Display to survey respondents who selected the following options in Q5:</i> <ul style="list-style-type: none"> ○ Family law court official ○ Child protection co-located official ○ Other employee in a police agency ○ Other employee of a child protection agency ○ Other employee of a justice/ attorney generals' agency 	No awareness Awareness Communication Coordination Collaboration
Child protection co-located official <i>Display to survey respondents who selected the following options in Q5:</i> <ul style="list-style-type: none"> ○ Family law court official ○ Police co-located official ○ Other employee of a police agency ○ Other employee of a child protection agency ○ Other employee of a justice/ attorney generals' agency 	No awareness Awareness Communication Coordination Collaboration
Other employee of a police agency <i>Display to survey respondents who selected the following options in Q5:</i> <ul style="list-style-type: none"> ○ Family law court official ○ Police co-located official ○ Child protection co-located official ○ Other employee of a child protection agency ○ Other employee of a justice/ attorney generals' agency 	No awareness Awareness Communication Coordination Collaboration
Other employee of a child protection agency <i>Display to survey respondents who selected the following options in Q5:</i> <ul style="list-style-type: none"> ○ Family law court official ○ Police co-located official ○ Child protection co-located official ○ Other employee in a police agency ○ Other employee of a justice/ attorney generals' agency 	No awareness Awareness Communication Coordination Collaboration
Other employee of a justice/ attorney generals' agency <i>Display to survey respondents who selected the following options in Q5:</i> <ul style="list-style-type: none"> ○ Family law court official ○ Police co-located official ○ Child protection co-located official ○ Other employee in a police agency ○ Other employee of a child protection agency 	No awareness Awareness Communication Coordination Collaboration

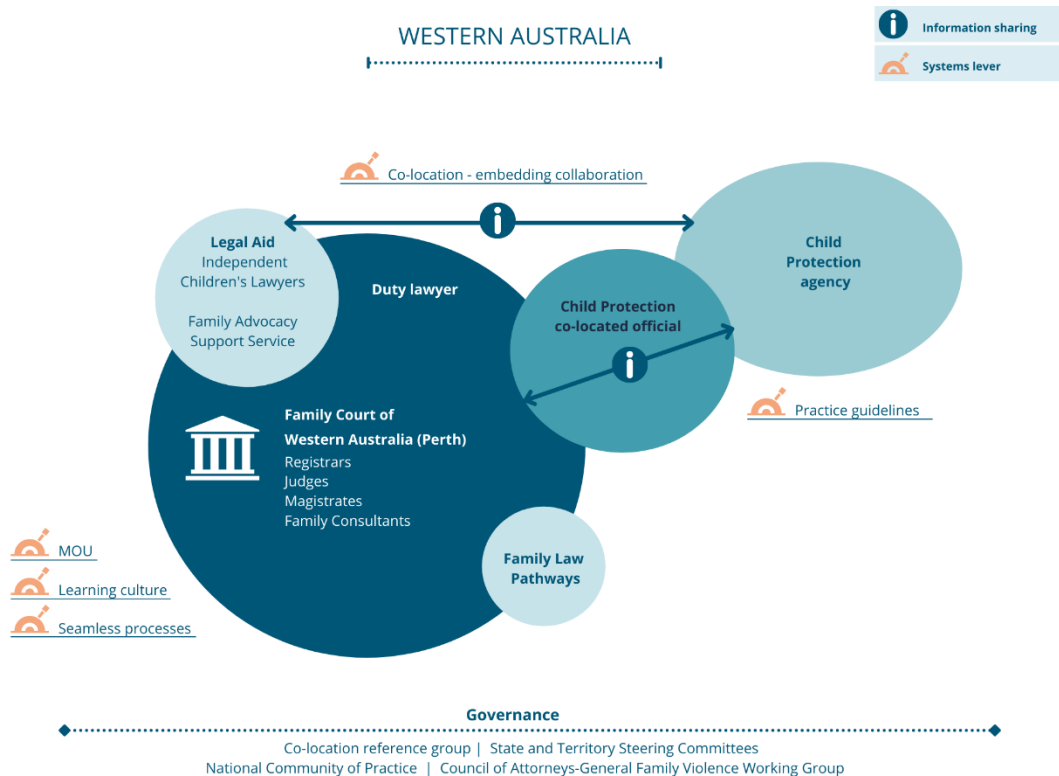
Q8c. Necessary level of Collaboration		Matrix question	
(Repeats above)			
Q9. Please comment on how you feel your partnerships have been working			
Q10. Please comment on how you feel the partnerships could be improved.			
Q11.	These questions are about how the different organisations/ agencies involved in the Co-location pilot are working together. For each statement, please select the answer that most closely matches your opinion. If a statement refers to something that you have no experience with or which is not relevant, select the ' <i>Don't know/ not applicable</i> ' option.	<ul style="list-style-type: none"> a. There is a clear vision for the co-location pilot. b. The benefits of the co-location pilot outweigh the effort required to set it up. c. Family safety outcomes have improved since the co-location pilot commenced. d. Leadership within my organisation is committed to the co-location pilot. e. I have a good working relationship with partner agency representatives. 	<ul style="list-style-type: none"> Agree Tend to agree Tend to disagree Disagree Don't know/ not applicable
Q12	Please provide some reasons for your rating of the above statements.		
Q13	These questions are about information sharing in the Co-location pilot. For each statement, please select the answer that most closely matches your opinion. If a statement refers to something that you have no experience with or which is not relevant, select the ' <i>Don't know/ not applicable</i> ' option.	<ul style="list-style-type: none"> a. The timeliness of information sharing has improved since the co-location pilot commenced. b. The quality of information sharing has improved since the co-location pilot commenced. c. The efficiency of information sharing has improved (reducing duplication and provision of unnecessary information) since the co-location pilot commenced. d. The extent to which I can share information is clear. e. Co-location of child protection officials <i>at or near the court</i> is essential to the success of sharing timely and quality information. f. Co-location of police officials <i>at or near the court</i> is essential to the success of sharing timely and quality information. 	<ul style="list-style-type: none"> Agree Tend to agree Tend to disagree Disagree Don't know/ not applicable
Q14	Please provide some reasons for your rating of the above statements.		
Q15	These questions continue to ask about information sharing in the Co-location pilot.. For each statement, please select the answer that most closely matches your opinion. If a statement refers to something that you have no experience with or which is not relevant, select the ' <i>Don't know/ not applicable</i> ' option.	<ul style="list-style-type: none"> a. The identification of family violence risk has improved since the co-location pilot commenced. b. Information sharing in high-risk cases has improved since the co-location pilot commenced. c. Assisting in coordinating response to notices of risk of abuse has improved since the co-location pilot commenced. d. Information sharing between the family law courts and police firearms registries has improved since the co-location pilot commenced. 	<ul style="list-style-type: none"> Agree Tend to agree Tend to disagree Disagree Don't know/ not applicable

Q16	Please provide some reasons for your rating of the above statements.		
Q17	These questions are about how the different organisations/ agencies involved in the Co-location pilot are working together. For each statement, please select the answer that most closely matches your opinion. If a statement refers to something that you have no experience with or which is not relevant, select the 'Don't know/ not applicable' option.	<ul style="list-style-type: none"> a. Sharing learnings between jurisdictions (across states and territories) has improved since the co-location pilot commenced. b. Sharing learnings between agencies (between family court, child protection and police) has improved since the co-location pilot commenced. c. The roles, responsibilities and expectations of each co-located official within my local registry/registries are clearly defined and understood by all. d. The processes for communication and information sharing amongst co-located officials and the family law court are clear. e. Collaborating with family consultants to gather family safety information has improved since the Co-location pilot commenced. f. Assisting independent children's lawyers to gather family safety information has improved since the Co-location pilot commenced. 	<p>Agree Tend to agree Tend to disagree Disagree Don't know/ not applicable</p>
Q18	Please provide some reasons for your rating of the above statements.		

APPENDIX 4 CO-LOCATION PILOT SUB SYSTEMS

WESTERN AUSTRALIA

FIGURE 12. THE WESTERN AUSTRALIAN CO-LOCATION SYSTEM



We have been doing it since 2009. Across the rest of Australia they've used WA as a model. We've learnt along the way. We're still having difficult, interesting discussions and resolving issues quickly and well as they come up. (Court official)

Within Western Australia, a model of co-location has been operating since the mid-2000s. Co-located child protection officials are based in the Family Court of Western Australia and within the central team of the Western Australian Department of Communities. Additional resources were allocated to Western Australia as part of the pilot. The co-located officials are embedded within the Family Court of Western Australia. This is described as invaluable: the information provided by the co-located officials is vital to assessing risk and facilitating decision making.

'How we operated without it mystifies me, even though I was here. Without it, is like walking with a broken leg.' (Court official)

Stakeholders describe their co-location learning journey as one that included relationship building between individuals, developing an understanding of agency roles, and learning what information could be both realistically and usefully provided. With a shared language of communication and an increase in professional respect, organisational perspectives could be clarified. Learning about the family law court by the co-located officials has been instrumental to implementation as it has provided the co-located officials with the skills required to work across the boundaries of the two organisations and systems.

Whilst the model was initially based on personalities, over time the need for structure and processes emerged. A Memorandum of Understanding (MOU) and practice guidelines were implemented in 2008. The development of an MOU facilitated improved processes and ensured that the court (and parties) had access to the information they required to make timely decisions in the best interest of children and families.

There were tense discussions, but we needed these to ensure best interests of client were served. As stakeholders, we are all committed, we respect each other, but are also happy to have tough discussions. (Court official)

Since the implementation of the MOU, a continuous improvement mindset has been applied to ensure the provision of timely and consistent information to the court. For example, meeting quarterly to discuss the strengths and weaknesses of protocols and addressing issues as they emerge. The pilot has enabled the team to review operations to ensure that the current practices and guidelines were aligned with the department and the courts.

Co-location and an MOU of this kind all lead themselves to better working relationships and more cost-effective streamlined information sharing processes, as people meet on a regular basis, to discuss what's relevant and refine processes. It's a work in progress, we need to keep working on it all the time to ensure it works as best as it can. (Court official)

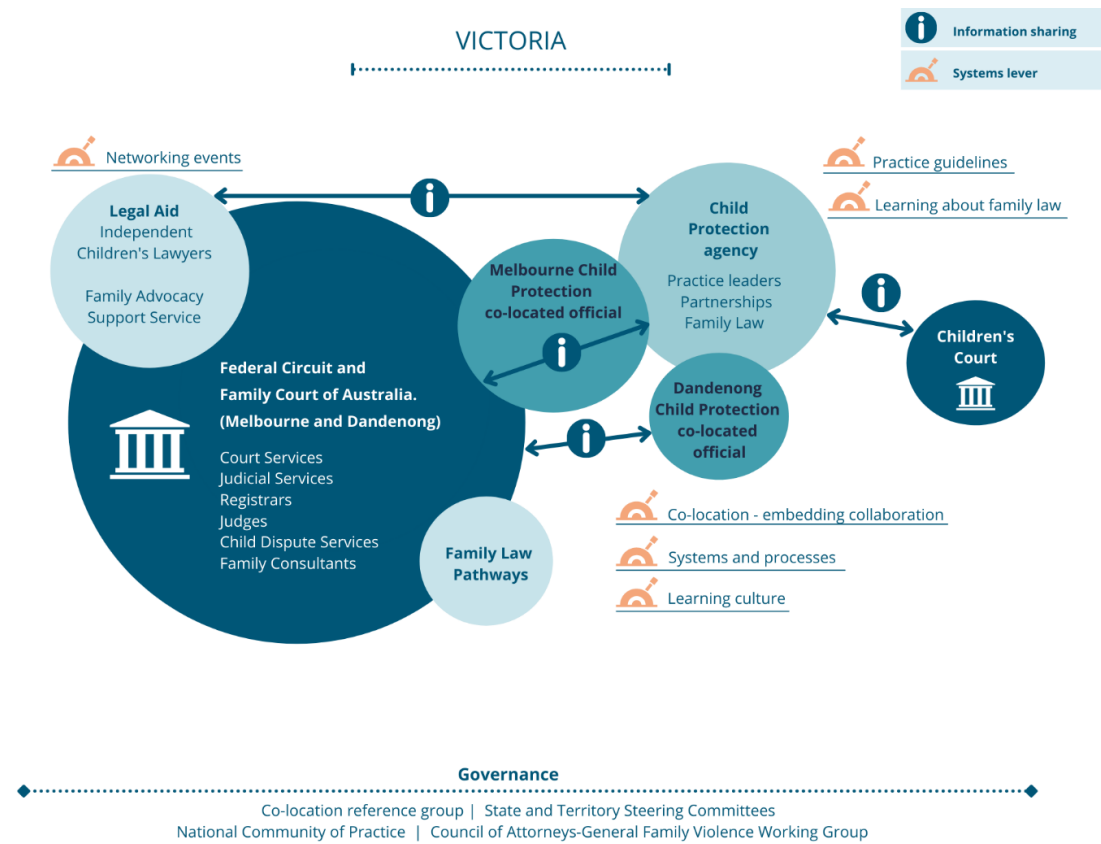
Within Western Australia, workflow varies. At times of high workflow more resources are required. A little more flexibility in the resourcing would assist the model moving forward. There is perceived value in expanding the model to include an additional co-located official and family law specialists within the child protection central intake team to enhance the flow of information, ensure access to the family law lens and provide collegial support.

Further process documentation and training of 'back up staff' could assist if critical team members are unavailable. For example, family consultants could back up the co-located official within the family law court and the child safety officers within the department if the co-located official is unavailable.

The continuous improvement mindset of the Western Australian model provides a valuable framework for continuing to optimise co-location. This includes the ongoing challenges experienced by all jurisdictions when trying to harmonise work across different Departmental policies, procedures and legislations.

VICTORIA

FIGURE 13. THE VICTORIAN CO-LOCATION SYSTEM



The Victorian model of co-location has been in operation since 2012. The model focuses on promoting information sharing and collaboration between the family law and child protection systems. To embed timely information sharing and collaboration, intended to enhance decision making about the safety of children, the Victorian co-located officials and the family courts have invested time in developing relationships and establishing processes to operationalise the model. Around the same time, family violence amendments to family law legislation provided an opportunity to strengthen the approach to information sharing and family violence reporting between the systems.

The legislative amendments and protocol created learning opportunities for the child protection workforce. Training was established and delivered by the Child Protection Program (Office of Professional Practice) in the areas of child protection, family law and family violence. Training was supported through a Specialist Practice Resource. The training opportunities also increased the visibility of the co-located roles for child protection staff.

In the establishment phase, learnings from Western Australia’s Co-location model were identified, informing Victoria on what not to do and what to do well. Learnings and reflections from Western Australia encouraged the establishment of strategies to minimise risk of ‘scope creep’ on the co-located roles and ensured clarity on the scope and intent of the role.

As the (co-located official) came into the role – ‘it was like getting a passport into another country’ – understanding how it all works from the bottom up - the work of everyone in the registry – family consultants, registrars, registry services, practitioners, judges. And having a judge that was nominated to champion the role among the judiciary was of great benefit. (Co-located official)

In establishing the model, it was important to understand where the role would be of most value and have the greatest impact. Learning the operations of each part of the family law system influenced how child protection and family law officials communicated. The objective was to ensure that the right information was received at the right time.

A learning culture informed and supported the development of new processes and replaced a fragmented approach to information sharing with a responsive and fluid approach that joined the dots and connected pieces of information to inform decision making.

I felt like I could walk in the shoes of the different positions in the family law system: whether it was an independent children’s lawyer, court registrar, registry staff member, and a family consultant. I spent time with and could shadow the day-to-day operations. It was important to understand the landscape, the family law system, the environment outside of the court, and to understand the intersections – at what points do child protection and family law meet. (Co-located official)

The co-located officials are embedded in the family courts, and come to acquire knowledge about family law, the system, processes, and the roles of each person within the court. Processes to assist the flow of information are then established with due attention to procedural fairness. Clear benefits to the family court and child protection officials are described.

Within Victoria it was suggested that there was an opportunity for police to be embedded within the model. This was perceived to some extent as a missed opportunity. It was anticipated that the positive relationships that had been developed between child protection and the court could be replicated and strengthen a joint approach to responding to family violence.

Stakeholders report that family consultants are required to make assessments in a vacuum. Access to historical information greatly impacts the decision made to move a family forward. Having access to police information could lead to even safer outcomes for families.

The other challenge with information sharing is in the family violence space – the interface between the magistrate’s court (family intervention orders), the family court and the children’s court. There is a block of information between the three systems, where often it feels they are working against each other, and is to the detriment of families, and keeps families and children separated for extended periods of time. (Court official)

While co-location of officials at the court has for the last nine years promoted, valued, and increased collaboration between child protection and the courts, the opportunity to extend the model to include police was perceived to have a particular benefit in strengthening responses to family violence.

CASE STUDY 1

A request for information by a Registrar was made in response to an ex-parte recovery order application.

In his application, the father asserted that the mother had absconded with their infant child and the child was unsafe due to the mother's alleged significant intellectual disability. He further asserted that the mother had likely moved interstate to be with her mother, against whom she had a family violence order.

The co-located official conducted a search of the electronic child protection record identifying a history and recent child protection investigation. The history indicated that whilst the mother did have an intellectual disability, this did not compromise her care of their infant child. It was identified that the mother had alleged family violence perpetrated by the father against her and their infant child throughout the relationship. It was further identified that she was fleeing interstate to escape the violence and seek the support of her family. At the time of the Department ceasing its investigation, the Department had alerted the relevant interstate child protection agency.

Upon receipt of this information, the Registrar immediately made a request for information from the co-located child protection official in the other state. The information received from both co-located officials guided the Registrar in the listing of the matter. The matter was not listed on an urgent ex parte basis, rather, future listed in a few weeks.

Continued liaison occurred with the Registrar to ensure critical information would be available to the judicial officer at the first return date. As the child resided in another state, the Notice was referred to that state.

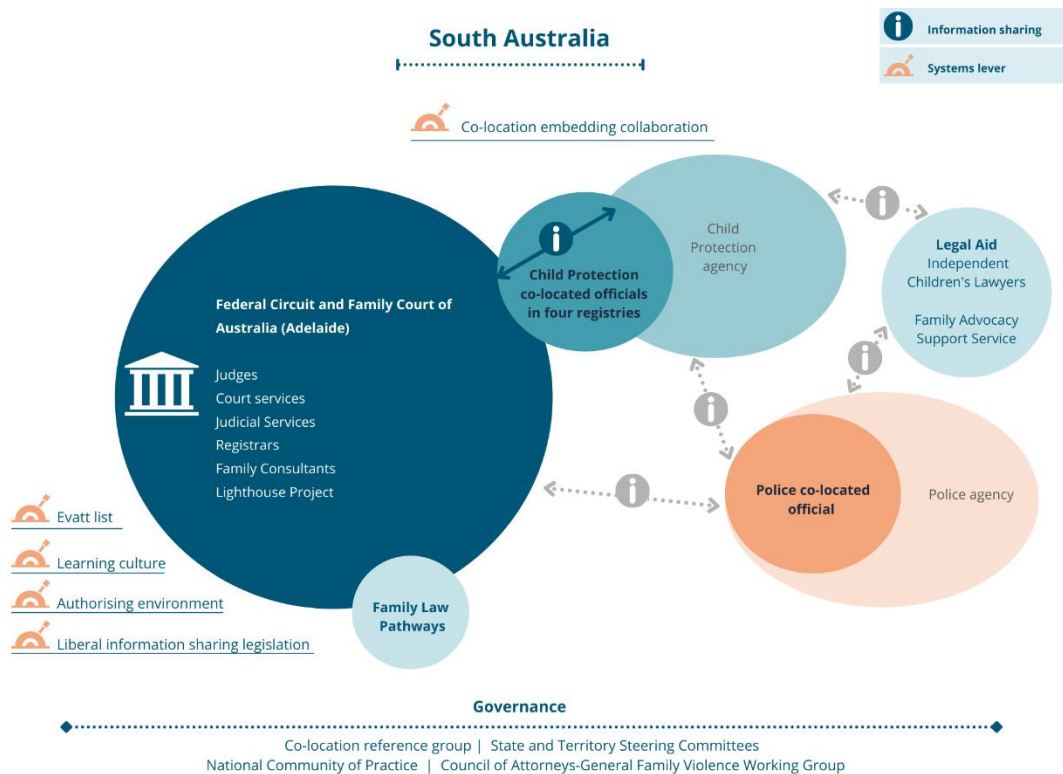
The Registrar informed the co-located official of the listing date and the relevant chambers. The co-located official contacted chambers to alert the court that relevant information was held by both Victoria and another state to which a s69ZW order was made, providing the legislative order for information to be available at the first return of the matter. The outcomes included:

- Early identification of risk of family violence.
- Early inter-jurisdictional information sharing.
- Collaboration between stakeholders – Registrar, Chambers, Co-located Child Protection Officials.



SOUTH AUSTRALIA

FIGURE 14. THE SOUTH AUSTRALIAN CO-LOCATION SYSTEM



South Australia describes a previous attempt to implement a co-located role within the state which was not effective at the time. On this occasion the team was able to commence co-location before COVID-19. The successful implementation of the co-located model on this occasion has been attributed to a combination of factors including:

- more effort on behalf of all of the agencies involved
- clear and proactive communication with judges, justices and registrars about what information can be provided by the co-located officials
- the ability of the co-located official to connect with court officials
- authorisation for the co-located official to communicate with family law court and federal circuit court officials
- the ability (legislatively) to easily share information.

Judges have huge lists, and often changing the way they do things is not at forefront of their minds, but realising how much it helps them - having the information there - and seeing the benefits - they are more open to this now. (Court official)

The child protection co-located officials sought authorisation to speak with everyone involved in court proceedings. This step was viewed as both crucial and beneficial. Everyone within the Court has participated in the model and is on the same page regarding information sharing.

Within South Australia, the police co-located officials sit within the family violence branch rather than the information sharing compliance. Although COVID-19 created an implementation lag, the SA co-located official was able to consult with the court officials and discuss what was needed from their perspective and determine how to meet their needs.

From the police perspective, South Australian legislation, a commitment to cross-agency collaboration and existing learnings from the domestic violence disclosure scheme have enhanced the implementation of the co-location pilot. This, together with learnings about the family law system, procedural fairness, what information can be shared and how police can interact with the court has enabled a robust model. Engagement with the court officials is positive, but the team are unable to meet the workload. Police have had to prioritise who receives information. Liberal information sharing guidelines within South Australia has meant that care must be taken not to inadvertently identify people and put third parties at risk.

Co-located officials practice voluntary pre-notice information sharing. This 'value add' provides a new tailored and collaborative information sharing approach and an alternative to filing subpoenas and s69ZW requests. The produce is a succinct summary of relevant information that informs risk but is often out of scope of s69ZW orders. This information is prepared as evidence with agreed access restrictions.

The team adopt a flexible and continuous improvement mindset. Continuing to regularly meet to address issues and maintain positive relationships and outcomes is perceived to be important. This may include reviewing what is efficient and working well for judges and considering further collaboration between court officials and agencies. The team are exploring two-way information sharing, for example the Evatt list may identify high risk matters which are not known to child protection.

The successful implementation of the co-location model within South Australia on this occasion has been attributed to a combination of success factors related to willingness and effort, coupled together with a continuous improvement mindset and the ability to share information. Co-location at the court has improved collaboration. However, the success of the model, together with the implementation of the Lighthouse Project, is resulting in an increase in workloads, making it difficult for the co-located officials to meet timeframes.

CASE STUDY 2

In January 2021, SAPOL received a Lighthouse Project request for information from a registrar regarding a family consisting of mother, father and one child. The applicant father informed the court that the mother had full-time care of the child, that he was unaware of the child's whereabouts, and that he was concerned for the child's safety while solely in the custody of the mother.

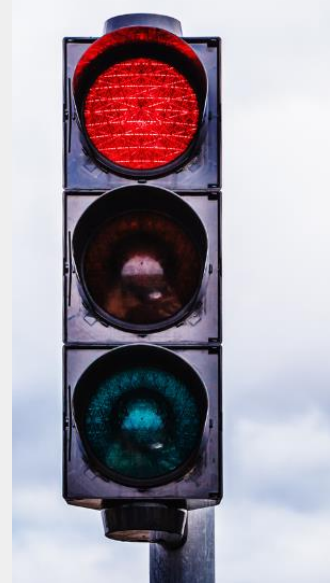
The registrar requested SAPOL's usual information release product, which is a written summary of the parties' relevant antecedents and risk factors, prepared as evidence for release to court officials and legal representatives. The first information summary provided identified that the parties had a recent domestic abuse history centring on child custody issues, which appeared to be escalating in frequency and risk. Other risk factors identified were the mother's declining mental health, drug and alcohol use and recent criminality, and the father's more historical record of violence and alcohol use.

The FLISO discussed the matter with DCP's co-located official; both agencies' information holdings supported similar escalating risk factors for the child of the matter. As a result, both co-located officials provided materials in support of the matter being added to the Evatt List and dealt with urgently. Once the matter was listed before the senior registrar, the matter was again discussed amongst the associate and the co-located officials. Interim orders were made allowing the father contact with the child, and giving the maternal grandmother more parenting responsibility.

On reviewing the matter for the Independent Children's Lawyer some time later, the FLISO became aware that the mother's behaviour and risk profile had escalated in previous weeks. Furthermore, the FLISO identified that the maternal grandmother, who had previously been identified as a potential safe parenting alternative, had been implicated in the mother's offending on a number of recent occasions. The FLISO updated the information summary report to include recent events, and alerted DCP's co-located official of the evolving situation. The senior registrar's associate was alerted, with the senior registrar urgently re-listing the matter in light of recent events. The FLISO provided another information summary just prior to the court date to ensure that the information before the senior registrar was as contemporary as possible.

As a result of DCP and SAPOL information, the matter was re-listed urgently. The senior registrar made interim orders that the child live with the father and have no contact with the mother, and adjourned the next hearing for an amount of time to allow DCP to investigate and intervene. The mother was later arrested for further offending both against the father and other unrelated matters, and was remanded in custody.

Both the SAPOL and DCP co-located officials were pleased that a collaborative, flexible and responsive approach was taken in respect to the child's safety. By listing the matter urgently and making interim orders, the court was able to quickly remove the child from an increasingly risky environment. The measures taken by the court, with the support of contemporary SAPOL and DCP information and support, appear to have greatly improved the child's safety and stability.



CASE STUDY 3

In the matter of Smith and Jones, the Federal Circuit Court had previously made orders for 3-year-old Josh to live with the mother, and spend time with his father on weekends. The Department became involved shortly after in relation to reported concerns that the mother had been detained under the Mental Health Act. The mother's mental health had placed Josh at risk due to her inability to provide him with safe care, and the child was additionally being exposed to dangerous behaviours.

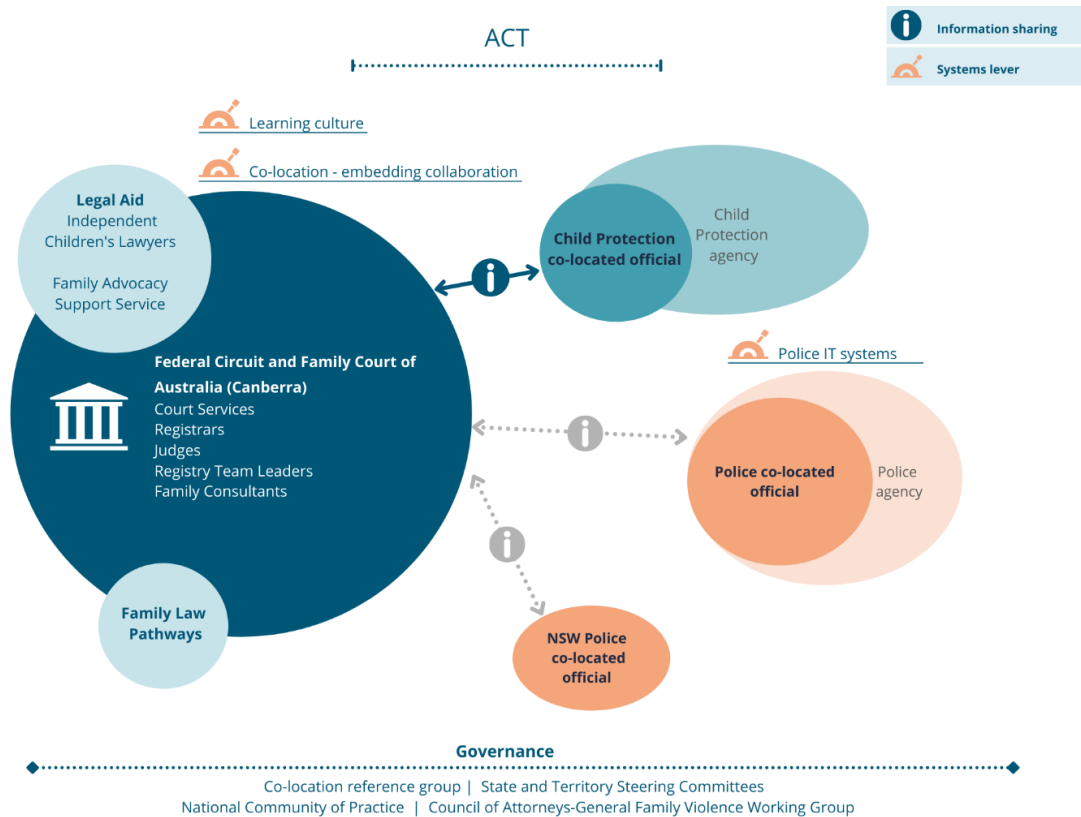
The departmental investigation assessed the father as a safe caregiver and recommended the father initiate further proceedings in the Federal Circuit Court in relation to the care of his child. The co-located practitioner was able to highlight the Department's concerns and changed circumstances to the Judge, as well as the urgency of the matter being heard. As a result, the Judge was able to hear the matter urgently and Josh was placed in the care of the father.

The communication between the Department (through the Co-located Practitioner) and the Federal Circuit Court ensured all key information in the matter was considered and child's safety was ensured through family law orders.



THE ACT

FIGURE 15. THE ACT CO-LOCATION SYSTEM



At the inception of the pilot, COVID-19 prevented the co-located official from being at or near the registry resulting in a slow start for the pilot within the ACT. Co-location within the ACT is described as personality based. The current registrar and co-located officials had frank discussions about how the roles could best work. Relationships and trust have been established between the registrar, other court officials and the co-located officials.

It is very personality led, as we are such as small registry. We are the voices and faces that everyone sees. We can approach (the judiciary) frankly and openly. (Co-located official)

There is good communication between the courts and the co-located officials. The co-location of officials at the court has assisted relationship building with the court staff through face-to-face contact. The visibility of the co-located child protection official at the registry and in the court room, is a great reminder that the judiciary can reach out for information. Being present at the court has really helped develop and streamline systems and processes when providing information.

The local associates in the judiciary now have a face and name, and that presence is great as it shows they may be able to assist the judges. That physical placement of the officers is useful. We have one judge that sees (the co-located official) in court and now they always think (child safety) needs to say something. (Court official)

The team are considering how the model could be improved. The role of the co-located officials has become more proactive in 2021 due to a change in registrar and location of the officials at the registry. There is a sense that the co-located officials are not yet being used to their full extent. Both police and child protection officials appreciate spending some time within their own agencies.

The child protection co-located official appreciates being able to share learnings about the family court proceedings and systems with colleagues. Police note that there is room for remote work once communication and relationships are established, particularly if the official does not have a full-time workload.

The ACT is uniquely placed, working with the co-located officials within NSW. The volume of information requests is mostly for the NSW matters being held in the ACT registry. The relationship between NSW and the ACT is described as positive. The team suggest it could be advantageous to have a NSW official located in the ACT. Currently the pilot does not extend to the Federal Court circuit judges. This is an emerging aspect of the model that may have been impeded by COVID-19. This model continues to mature.

CASE STUDY 4

The Family Law Court have a current matter that has, at different times, involved CYPS. This matter continues to be challenging for the court and all parties involved due to the complex allegations, the protracted nature of the proceedings and regular noncompliance with orders. The primary carer has two children; one child is subject to FLC orders (the subject child of the proceedings), the other child does not have contact with their other parent.

One party has had ongoing contraventions of orders, which resulted in the parent entering bond with the court. If the parent did not comply there was a two-week suspended sentence.

CYPS had worked with this family previously, however, did not have an open case. Noting the complexity, the co-located official was able to monitor this case in the FLC and was aware of the situation and that the primary parent may be incarcerated.

Given the significant change in family circumstances, CYPS were informed of the risk and engaged proactively with the family to plan for the safety and care of the children should this occur. This arrangement allowed supervision of the children during a period where their parent may be experiencing stress due to the suspended sentence and ensured there were safe plans in place should their parent enter custody. Ultimately the parent was arrested, however with adequate lead time, CYPS had already confirmed safe care arrangements for the children.

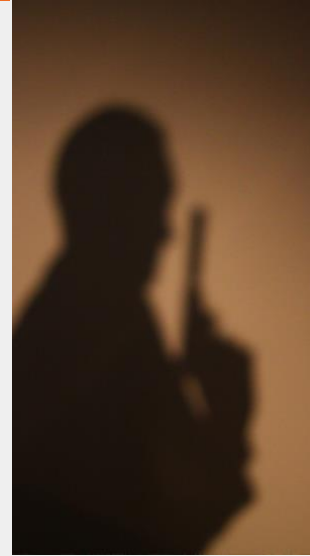


CASE STUDY 5

During the judge overseeing a highly volatile case, a photo was produced by the applicant of a person holding a firearm. The judge determined that this photograph would be provided to the AFP policing official.

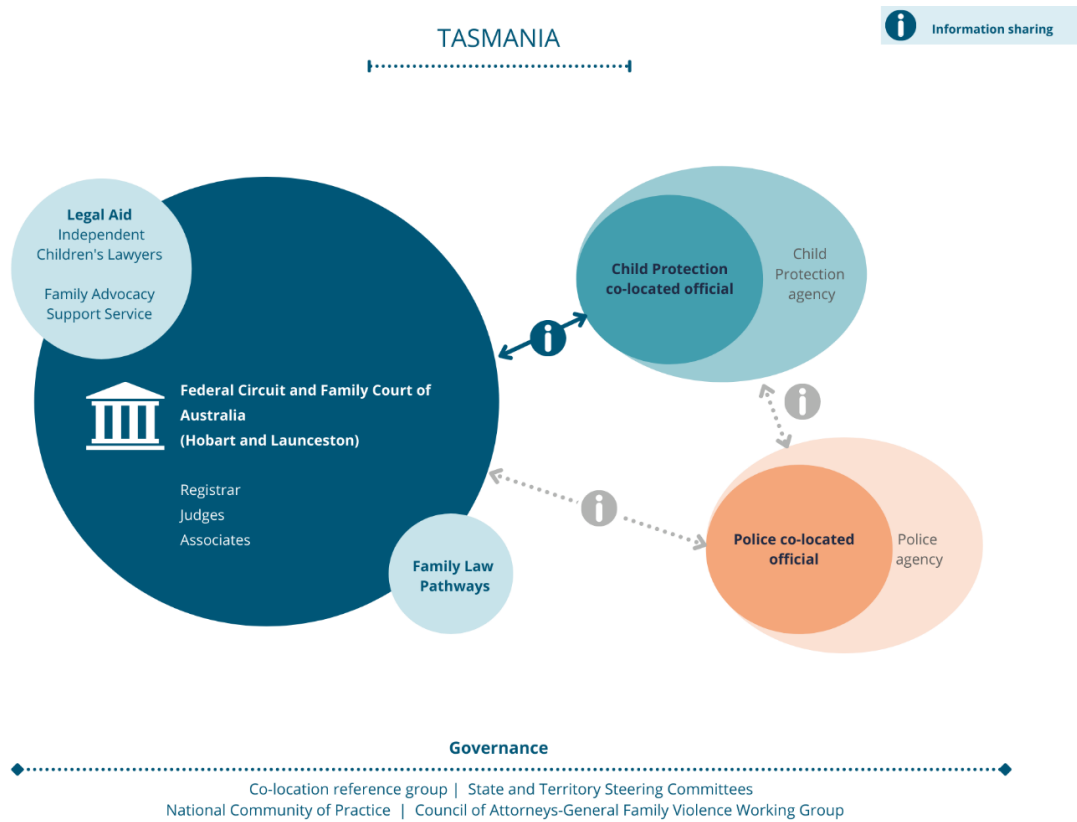
The photo was then forwarded on to the AFP intelligence area, where an information report was completed in relation to the firearm and the person of interest.

This was a great outcome for the safety of the family and the public, and shows the success of the pilot and information sharing across agencies.



TASMANIA

FIGURE 16. THE TASMANIAN CO-LOCATION SYSTEM



Within Tasmania, the co-located officials describe a slow start connecting with the court and judges, with some confusion about who would facilitate connections with the judges and the court. The purpose of the co-location model was initially unclear from the Court's perspective, this included both where the co-located officials would be located and how and what information can be shared. Court officials stated that at times it was difficult to get advice around these questions which delayed engagement. The model has been described as judge driven and dependent on personalities.

Implementation commenced during COVID-19. Given '*relationships are much easier to develop face to face*', it took time for the co-located officials to connect with the court. The benefits of face-to-face contact are now evident. The co-located officials are developing relationships with the courts, the legal profession and wider legal groups. This in turn has enabled discussion about how the co-location model could be implemented within Tasmania.

Being a known face in the in the court has made a big difference. (Co-located official)

The team are working out how the court works and how the co-located officials can assist the court. The co-located officials have been proactive in providing information. There is a steady increase in requests for information from the co-located officials as the judges become more familiar with the role of the co-located official. A challenge has been that each

judge operates differently. There is an interest amongst the court to have access to information to determine and reduce risk. Judges are becoming more proactive in their requests for information. The information sharing processes have been improved and are assisting a more streamlined and focused provision of information. The co-located police role is still emerging. All agencies are learning as they go.

Constant and stable relationships with child protection officials who have sufficient knowledge about the family law court is critical from the perspective of the court officials in Tasmania. The rotation of judges has been a barrier. This will hopefully be optimised in the future.

As 3 new judges have been appointed recently, discussion about how the co-located officials can assist these judges are underway. Information sharing is still very complex, but a path forward is emerging. There has been a significant relationship change since the appointment of the Judges in June 2021. As relationships and trust between the co-located officials and the court develop there is increasing confidence that the information shared will be appropriate and not inadvertently place a third party at risk. Tasmania anticipate that the benefits of co-location will continue over the next 6 to 12 months as the model continues to mature.

The structural court reforms have also led to the implementation of new roles within the Tasmanian judicial system. This has directly impacted on the workload of the co-located officials in a positive way.

The co-located officials work as a collaborative team of three. This is assisted by co-location of the officials at the court. Tasmania Police and the Child Safety Service have recently revised the sharing agreement between the two organisations, and the co-located officials participate in regular (almost daily) case consultations where matters before the Family Court are discussed. These consultations enable relevant information to be shared with frontline staff.

The co-location model is regarded by Tasmanian stakeholders as highly productive, efficient and beneficial to both Tasmania Police and the Child Safety Service. A key benefit relates to information sharing about active cases that are under investigation by one or both agencies.

Overall, the general findings of the report are supported – that the role has positively impacted the information sharing between the Court and Child Safety/Tasmania Police. It has significantly increased relationships between these agencies and in the last few months the co-located officials have experienced a notable increase of requests from the Court with the appointment of permanent judiciary (for example, Tasmania Police has received approximately 75% of the total requests in only a few months, since 01/08/2021).

CASE STUDY 6

In 2018, a male and female party engaged in the Family Law Court process in regard to determining custody of their children. In the mother's affidavit she noted several examples of family violence offending including threatening behaviours, coercive control, physical and sexual assaults. These had not been reported to the Child Safety Service or Police. The mother cited significant mental health concerns for the father and the 'Notice of Risk' specifically identified that the father was at an increased risk of committing homicide due to his mental health. As the family law process was underway, the father was engaged in various mental health assessments within the community and through the Court.

In 2019, the Federal Circuit Court released a report where one psychologist, who had assessed the family, concluded that the father was at such a high risk to the mother and children that he should not be permitted contact at this time. After the actual assessment and father's interview, the psychologist had contacted the mother to advise her of his conclusions as he was so concerned about the father's comments and behaviours.

Following the release of the report, father attended the address of the mother and children and attempted to kill them the next morning. He was arrested and charged with attempted murder x3 and wounding and is currently awaiting a trial.

In 2018, this family was 'mapped' by the SFCU where a five-page report was produced from information compiled from the Departments of Justice, Health, Child Safety and Education. In 2021, the family was 're-mapped' following breaches to the family violence order perpetrated by the father from prison. The CLO was able to identify a significant pattern and history that commenced a decade prior to the final violent incident. The CLO was also able to review the Court file to determine how this process and key court dates and decisions contributed to mental health events exhibited by the father, and noted that it was also commented by a psychologist that the legal process would exacerbate his condition but at no time were Police or Child Safety notified.

Through a reflective case consultation by the Police CLO with Child Safety it was also uncovered that the Notice of Risk was not sent from the Court to Child Safety or Police. Both Police and Child Safety were unaware of the previous violent offending, pattern of behaviour, deteriorating mental health and the upcoming Court dates where it was recommended that the father was to be restricted from the children.

The information obtained from the Court was incredibly valuable and provided significant, qualitative data that directly contributed towards the inter-agency assessment process for this family. The CLO was also able to highlight service gaps in the current process and is using this case as an example of how the co-location roles could be utilised if the situation were to occur again. Initial consultation with the Court has confirmed a willingness by the Family Consultants in particular (in the absence of a permanent Judge or involved Registrar) to have a case consult with the CLOs about possible reporting/safety planning if this situation were to arise in the near future.

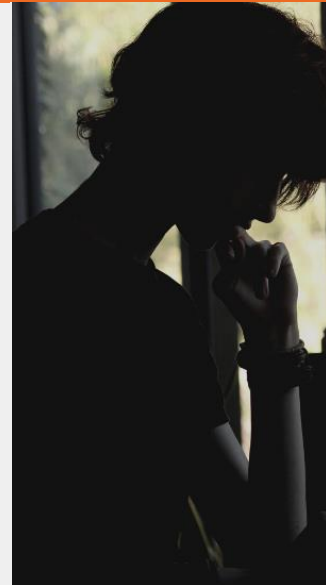


CASE STUDY 7

A Recovery Order was sought by a mother whose teenage son had absconded to live with his older brother. The matter was already open with ARL due to other concerns.

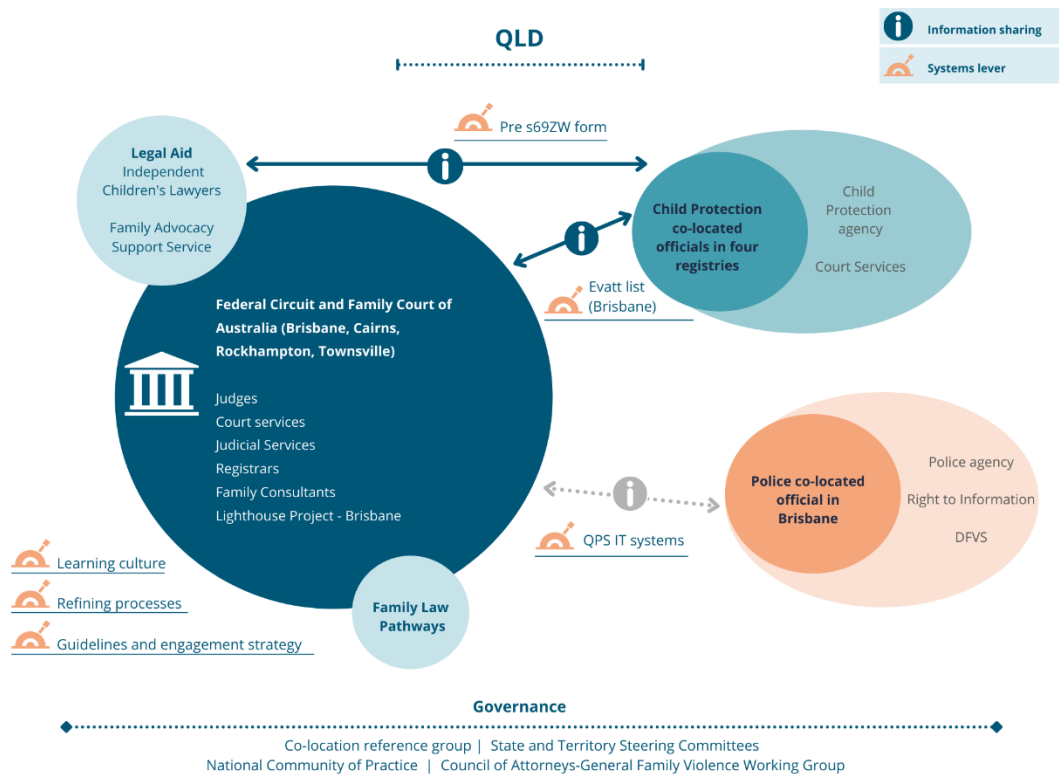
The Co-located Officer was contacted by the Family Consultant with further concerns and was able to speak with them about next steps. The Co-located Officer was also contacted by the ICL and was able to speak with them (in a limited way) about ARL's position and plans.

When the matter was heard in Court the Co-located Officer was sworn in to give evidence regarding ARL's current plans and position, the impacts of any Order made on ARL/CSS, and the timeframes for CSS to undertake an assessment and complete a report. This assistance was appreciated by the Court.



QUEENSLAND

FIGURE 17. THE QUEENSLAND CO-LOCATION SYSTEM



The co-location pilot in Queensland was established during COVID-19. Working from home, the child protection co-located officials implemented several strategies to *set the pilot on its path*. This included developing guidelines and a stakeholder engagement strategy resulting in consultations with registry staff, ICLs, child safety staff, the internal legal unit and police.

It was a really challenging implementation period with the restrictions and limitations at that time with covid. It was a massive effort by a lot of people to make it work as well as it did. I think it did work extremely well. (Child protection official)

In consultation with the family court, a pre-notice form/pre s69ZW form was developed. If requested, the pre-notice form allows a summary of risk to be proactively sent to associates, judges or registry staff, alerting the court that significant information, relating to notices of risk, may be available to assist the court with decision-making. Within the QPS, the pre-notice project trial has provided a new avenue for information sharing between the QPS and the Court. Child protection stakeholders report that the pre-notice form is being well used within their agency.

Processes for the child protection co-located officials vary across the registries due to the number of information requests. A tailored process is possible in Rockhampton, Townsville and Cairns. However, in Brisbane the volume of requests is high. The child protection co-located officials are now focusing on training, capacity building and embedding processes that have worked well.

The police co-located official, also commencing the role during COVID-19, is based primarily in QPS headquarters, near the court. Location at QPS is preferred, as this provides the official with access to system supports such as a team, supervisory structures and IT systems which improve the provision of complex and urgent information sharing.

QPS has reasonably clear idea of what it thinks the role can be, what it can achieve and its limitations. One of the challenges, particularly in the early stages, was communicating that to other stakeholders, because we have a different legislative framework...compared to child safety. (Police official)

The creation of a central liaison point for sharing family law information has been described as positive. Stakeholders continue to regularly consult and share operational processes, and perspectives on legal frameworks.

Stakeholders describe a relatively slow uptake of the pre s69ZW process by the court, but have reported that information requests have increased as the co-located officials have been able to physically return to the courts, pathways with judicial officers have been established, and the Lighthouse Project has commenced. Commencement of the Lighthouse Project has been associated with increasing workloads at the associated registries.

It's been a noticeable difference once officers have come on site, they've been able to raise the profile, access to information, build relationships, it has facilitated the way this operates between the services and the chambers. (Court official)

To embed and optimise the co-location model within QLD there is a need to engage more widely and directly with judicial officers to ensure that the agreed processes are understood and utilised. Views about information sharing, and its impacts procedural fairness vary.

Judicial officers are all independent and have their own ideas about the evidence that is before them and how it should be obtained. (Child protection co-located official)

The biggest issue we had with QPS material is s69ZW doesn't give us a criminal history. You need to have a full blown subpoena for that. I understand that's just the way the legislation works, but sometimes that's the thing a judge really needs. (Court official)

Within Queensland, a base level for collaboration and willingness to work together has been established. The development of processes is continuing, however currently there is a risk of duplication of information requests. Judicial officers also have different approaches to requesting information making embedding processes more challenging.

CASE STUDY 8

The trial of Prenotice Project information sharing (25 January to 30 April 2021), has enabled the QPS, for the first time, to produce a quick release of finalised policing information aimed at assisting the Court to identify and assess known safety risks relating to families and children.

Where a Prenotice Request has been received, information is supplied in a 'tick-a-box' style Response Form (Part B), which indicates if and what type of information the QPS holds on the named persons/children. This Response indicates the existence of adult Criminal Histories in the State of Queensland, Domestic Violence Protection Orders (AVOs), as well as whether the named children have provided special interview statements in relation to a criminal complaint (pursuant to s.93A of the Evidence Act 1977 (Qld)).



Where applicable, corresponding QPS reports generated quickly in the QPRIME software system against the named persons (e.g. copies of Criminal Histories and QPS Summary of Domestic Violence Orders and Conditions Report), are provided. In rare cases, Responses identified where the QPS did not hold any information on the named persons (e.g. out of State residents). The quick release style of the QPS Prenotice Project has facilitated:

- Eight urgent, same day requests from the Evatt List Registrars and Trial Judges in the 3-month trial.
- The Evatt List Registrars were able to use these Prenotice Responses as part of a global assessment of available information, to identify and assess family safety risks and determine whether a matter should be placed on the specialist Evatt List high-risk pathway. One Evatt List Registrar described the Prenotice Responses as, "the last piece in the puzzle," to assess what case management pathway a matter should take and firm up decisions in respect of the procedural orders required to support the family.
- In these urgent cases, Prenotice Responses were able to be returned to the Court within one hour, with nearly all urgent requests producing information and reports, by attaching Criminal Histories and QPS Summaries of Domestic Violence Orders and Conditions in respect of the named persons.

Feedback received from an Evatt List Registrar was that the timing of the QPS Prenotice Responses was "amazing," providing an unprecedented service to the Courts to identify and assess risk thresholds as accurately as possible, before any orders have been made.

It is anticipated the quick supply of this information has had an advantageous outcome for litigants and the family law courts, by assisting to ensure case management pathway referrals and judicial decision making affecting families and children is informed by the best available finalised/summary report information, being returned as quickly as possible. Positive feedback returned from the Evatt List Registrars supports this conclusion:

- One Registrar commented that the QPS Prenotice Responses assisted to reveal where the Aggrieved (or their legal representatives), may have been minimising the events or extent of domestic and family violence perpetrated against them or their child/ren.

- One Registrar observed QPS Prenotice Responses had highlighted instances where policing and child welfare agencies had different information relating to family violence/family safety risks. This feedback demonstrates the value of the multiagency voluntary responses to the Courts' early triage and case management assessments.

CASE STUDY 9

An urgent pre-69ZW information request was received regarding a matter that had been allocated to the Evatt list. The parenting proceeding related to the mother seeking parenting orders and a recovery order, for a 3-year-old child who the father had refused to return to her mother following their separation. The mother outlined significant domestic and family violence perpetrated by the father as a significant concern. The PCPP provided the information response within three hours as the matter was listed for the following morning.

The information response outlined significant concerns regarding a pattern of violence perpetrated by the father against the child and mother. The response also identified that there was a current investigation in relation to the safety of the child in the father's care. The investigation has just been commenced and initial contact had been made with the father and the child.

The information response also highlighted the Department's significant concerns for the safety of the mother and the child, should the full information request response be provided to the father, as the information contained disclosures made by the mother of significant domestic violence. Based on the child protection history for the family, concerns were also highlight with the judicial officers regarding a potential escalation in risk and danger should the child be returned to the mother without adequate safety plans and support being provided to the mother.

After the judicial officer received the written response, a request was made for the PCPP to appear as a friend of the court given the current contact with the family and the nature of the departments concerns. The PCPP attended the interim hearing and provided a brief verbal summary of the information contained in the written response to the court so that the parents and their legal representatives could be advised of the information the PCPP had provided in a manner that aimed to minimise any unintended consequences of sharing high risk information.

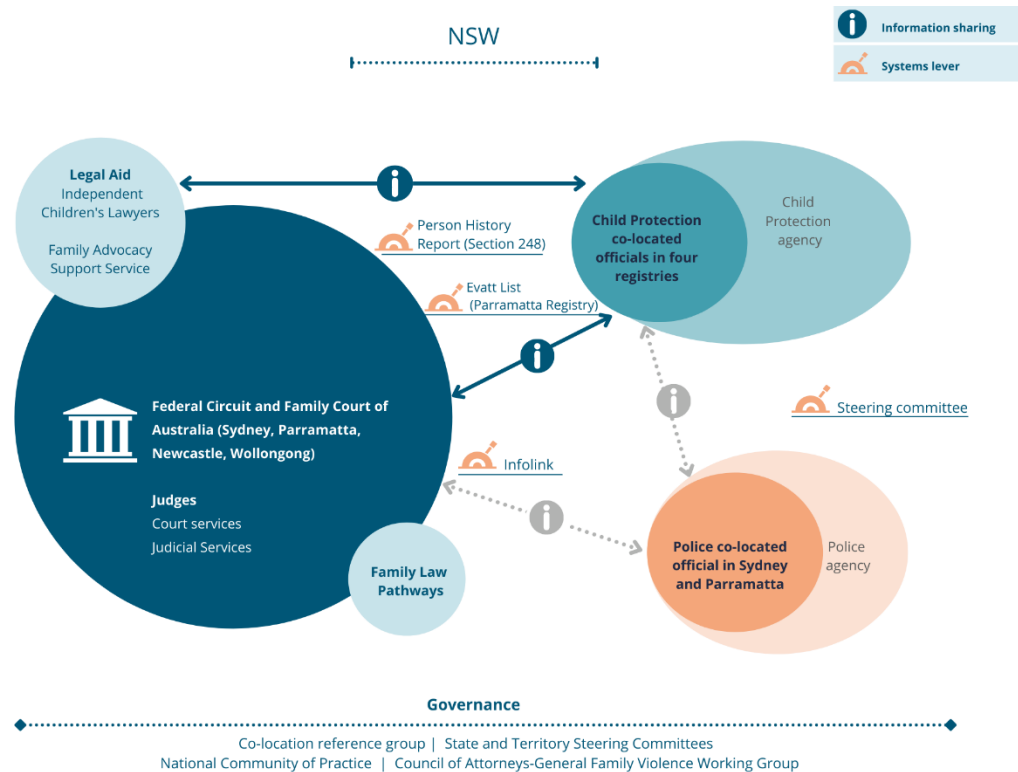
An interim order was made that the child be returned to her mother's care along with several other procedural orders aimed at addressing the identified risk factors present. Safe arrangements were made for the child to be handed over to the mother with the assistance of Child Dispute Services.

The PCPP communicated the court outcome to the investigating child safety officer and later provided a copy of the interim parenting order. The following week child safety concluded their investigation as the child was assessed to be safe in her mother's care and not in need of future protection as the interim parenting order provided a legal framework to assist with keeping the child safety and mother was engaged with support services.



NEW SOUTH WALES

FIGURE 18. THE NEW SOUTH WALES CO-LOCATION SYSTEM



The NSW Steering Committee was operating before the co-located officials commenced and has been meeting regularly. Rapport has been established between stakeholders, although this has been difficult with COVID-19. Stakeholders describe an initial confusion about what information could be shared and with whom. Stakeholders report coming to a better understanding (of what information can be shared) over time and through discussion with registrars, associates and judges.

The NSW co-located child protection officials provide a conduit between the court and DCJ. From a child protection perspective, the court team leaders at each location collaborated significantly with DCJ to develop how the co-located official role in each registry would be established at the registries and facilitated meetings between the co-located officials and the judiciary and the court. The roles were however, unable to start in the registries as intended due to COVID-19 and there is no space at the Wollongong registry for the co-located officials.

Implementation varies across the registries. For example, the co-located child protection official least impacted by COVID-19 has been based at the registry in Newcastle. This has facilitated positive relationships with the judiciary and the court. Within the Parramatta and Sydney registry, the co-located child protection officials have been positively received. Although largely working remotely, working relationships have been formed and timely information provided.

The child protection co-located officials work as a team to manage the flow of work from the registries. Whilst they primarily focus on their own registry, they assist with the work from other registries during any absences of co-located officials and to assist with the unpredictable volume of requests.

The Evatt List (Lighthouse Project) commenced at the Parramatta registry in January 2021 and the Sydney registry has a pre-established Indigenous list.

The feedback overwhelming from the judiciary is that the assistance given by the DCJ staff is very timely supportive, and to have them physically in the court building has been of assistance more than by email. The judiciary are a breed of VIP clients who want things immediately to avoid delays and adjournments. DCJ officers being present in the court room has enabled this. (Court Official)

Broadly speaking police view the co-location model positively. However, establishing streamlined systems and processes has been challenging. NSW Police prefer the co-located official to be located within the policing agency, but available to attend the court as required. In the experience of the police co-located official, there is no material benefit in having the officials physically located at the court, except for meetings (and other related matters). NSW Police note that collaboration and building relationships has occurred and worked without the need to physically co-locate at the courts. NSW Police note that with the pandemic and need to work remotely, this has been thoroughly tested and has shown to be successful. Benefits to this approach include having access to IT resources and additional staff to assist with information requests. This balances the varied workflow.

Within NSW, the co-location pilot is leading to conversations about when to use person history reports (Child Protection Only), s245D/s248, s69ZW and subpoenas. There is a sense in the court that the quality of information provided in s69ZW requests has improved since the co-located officials commenced. There is a sense from co-located officials that further education is required for court officials to ensure that reasonable and sufficient information is provided to co-located officials (for example timeframes and purpose of the request) to ensure that officials can provide useful and timely requests. The information summaries are useful to the judicial officers. Clarity about what information can be provided by the court to NSW Police as a third party is sought as this is currently a grey area.

The Commonwealth Attorney General trying to achieve an inquisitorial flavoured process, which I personally agree with...but many officers say this is an adversarial process. We want to understand (the) purpose (of co-location) and that is where we have struggled. (Police official)

We need to be thinking about who is the court? The court is not just the judges, they are at the end of the court. The court is the registrars, the family consultants. In our adversarial system, we have just thought as the court as the judges. (Court official)

Within NSW, stakeholders are still coming to a shared understanding of the most effective way to deliver co-location benefits within registries, having worked primarily remotely, and communicating through audio-visual technologies including MS Teams. NSW does not currently have co-located policing officials or child protection officials at all registries. Additionally, as individual judges and registrars have varied practices, and independence

within their practices, creating a consistent approach within NSW is therefore challenging and an ongoing area of continued focus.

CASE STUDY 10

On 2 April 2021 (Good Friday) FLCL Team received an order for a s69ZW with a 14-day time frame, however within the email the information was sought within two working days as the matter was an urgent recovery order. The FLCLO acknowledged the request after the public holidays. Following FLCLO review of DCJ's extensive records for the family, it was evident the s69ZW material could not be provided within two days in its entirety.

FLCLO collated all material on DCJ records from the last six months, and sent the response within two days explaining in the cover letter that these were the most recent material and assessments and advised the remainder of the material would be provided within the ordered 14-day response time. DCJ was not actively working with the family and did not require an outcome or update on the recovery order outcome.

The Associate for the matter thanked the FLCLO and stated that His Honour appreciated the prompt provision of information and it assisted the court in making the urgent orders until further material could be provided by DCJ and other sources. The remainder of the s69ZW bundle was submitted within the 14 day timeframe.



CASE STUDY 11

A Judge submitted a s.245D request seeking access to an unredacted report that related to an alleged child grooming. The suspect involved was the mother's new partner and concerns were raised due to vulnerability of children involved in the family court proceedings. NSWPF refused access to this report under s.245 due to concerns about the victim's safety and other factors relating to the investigation.

The Court provided additional information in the form of an affidavit of the mother's partner and requested that NSWPF reconsider their response. Numerous discussions were undertaken between the NSWPF Child Abuse Squad, DCJ (who had already released some information about the incident to the Court) and Sydney FLC. The co-located official attended the Sydney Registry in person to review the documents already disclosed by NSWPF. A comprehensive response was provided to the Court by NSWPF that was agreed upon by NSWPF Child Abuse Squad and DCJ.

The Judge had reserved their decision whilst awaiting the production of this report. Upon receipt of the response, feedback was received from the Court thanking NSWPF for their assistance. This



particular case study demonstrates the benefit of the 3 different agencies assisting each other to achieve a positive result.