

'What's Your Plan?' process evaluation

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Aim: 'What's Your Plan?' (WYP) is a brief program designed to increase compliance with Apprehended Domestic Violence Orders among Aboriginal defendants, delivered by Aboriginal Client and Community Support Officers (ACCSOs) in the Local Court. This process evaluation aimed to: (1) determine whether WYP was implemented as intended in the first seven months of operation, and (2) identify barriers and facilitators to implementation.

Method: The evaluation reviewed implementation in 45 courts from October 2017 to April 2018 (the first seven months of the planned two-year trial period required for BOCSAR's outcome evaluation). Data on trial activity in treatment weeks (during which ACCSOs offered WYP) and comparison weeks (during which ACCSOs did not offer WYP) were extracted from the WYP database and augmented with interviews (with delivery staff, supervisors, and stakeholders), court observations and trial documentation.

Results: During the seven month review period, ACCSOs identified 1,031 eligible defendants (about a third of the estimated eligible population). The treatment group comprised the 374 eligible defendants who attended court in treatment weeks and could therefore be offered WYP. Of these 374, 283 (76%) were offered WYP and 104 (28%) completed the WYP session. Most completers also received SMS reminders or a follow-up call. Identification of Aboriginal persons proved difficult, as ACCSOs did not have access to a reliable list of Aboriginal defendants. The key facilitator of intended implementation was the enthusiasm of ACCSOs and management to participate in the trial and deliver WYP. Despite this, non- or incomplete engagement (defendants who were identified but did not receive or respond to an offer to participate) was a major source of attrition. A consistent barrier to implementation was the narrow window of time in which ACCSOs had to locate and deliver WYP with voluntary participants, whilst managing competing demands from other clients, especially on busy court days. Most ACCSOs also experienced long delays between training and completing WYP sessions, which meant they had little opportunity to reinforce and refine planning skills with defendants.

Discussion: WYP is an innovative program for Aboriginal defendants that has been widely implemented in courts across NSW. Despite some structural barriers to implementation, the diverse workforce and settings for this trial, and its substantial delivery and reporting demands, WYP has been, for the most part, implemented as intended.

Keywords: domestic violence, ADVO, treatment, Aboriginal, implementation, process evaluation

Introduction

Domestic violence (DV) is a focus of NSW criminal justice policy under the Premier's Priority to Reduce DV Reoffending (Freeman, 2018). Apprehended Domestic Violence Orders (ADVOs) are one important tool in efforts to reduce DV. ADVOs are made to protect persons with whom the defendants are, or have been, in a domestic relationship, such as partners, relatives and members of the same household.¹ In NSW, ADVOs are civil orders that are enforced in the criminal jurisdiction if the order is breached. In NSW, the proportion of Aboriginal defendants that breach their ADVO within 12 months of issue is considerably higher than that of non-Aboriginal defendants (24.6% versus 16.8%; Poynton,

Stavrou, Marrott, & Fitzgerald, 2016), so reducing breach rates by Aboriginal defendants is a priority. This report describes a process evaluation of 'What's Your Plan?' (WYP), a behavioural initiative designed to reduce ADVO breach rates among Aboriginal defendants.

WYP background

In 2016 and 2017, Aboriginal Services Unit (ASU) and the Department of Premier and Cabinet's Behavioural Insights Unit (BIU) co-developed 'What's Your Plan?' (WYP): a brief individualised behaviour change program for Aboriginal ADVO defendants to help them comply with their ADVO. WYP was designed to be delivered at court by Aboriginal Client

and Community Support Officers (ACCSOs) and consists of a structured tool to guide ADVO discussions and optional follow-up. WYP seeks to support compliance through the application of evidence-based psychological strategies and well-timed reinforcement. Briefly, WYP first requires that ACCSOs discuss the conditions and implications of a defendant's ADVO. Defendants are then asked to conceive a positive future arising from complying with their ADVO, to identify an obstacle that may jeopardise compliance, and to create a plan to help manage this obstacle. Ideally, defendants also design a timely text message (SMS) reminder of their motivation to comply.

WYP underwent an extensive development and co-design process with ASU to clarify its operational requirements with the object of creating a program that would be considered culturally appropriate by ACCSOs, defendants and their communities. Co-design began with group consultation between ASU, Courts and Tribunal Services and other members of the WYP governance group (including NSW Police, Aboriginal Legal Services, and Legal Aid) and invited representatives from DV program providers. Workshops were held with ACCSOs to refine the format and wording of the tool and planning sessions. The Bureau of Crime Statistics and Research (BOCSAR) was engaged to conduct a process and outcome evaluation of WYP.

WYP was piloted in several NSW Local Courts from March to May 2017, and was rolled out to other courts from June to September 2017. During this time, Quality Assurance (QA) procedures and an online program database were developed. Dedicated QA roles were also established. A QA Coordinator was appointed to train, observe, and coach ACCSOs in their implementation of WYP (including delivery of WYP sessions, data recording, and adherence to trial procedures). One 'WYP ACCSO' was appointed in each ASU region to deliver WYP, support other ACCSOs to implement WYP, and collate their region's data. Staff completed a one day training session prior to delivering WYP. The WYP trial period commenced in October 2017 and is intended to run for two years.² The inclusion criteria were all non-incarcerated adult defendants identified as Aboriginal and issued an interim or final ADVO at a WYP court during the trial period. Participation was voluntary.

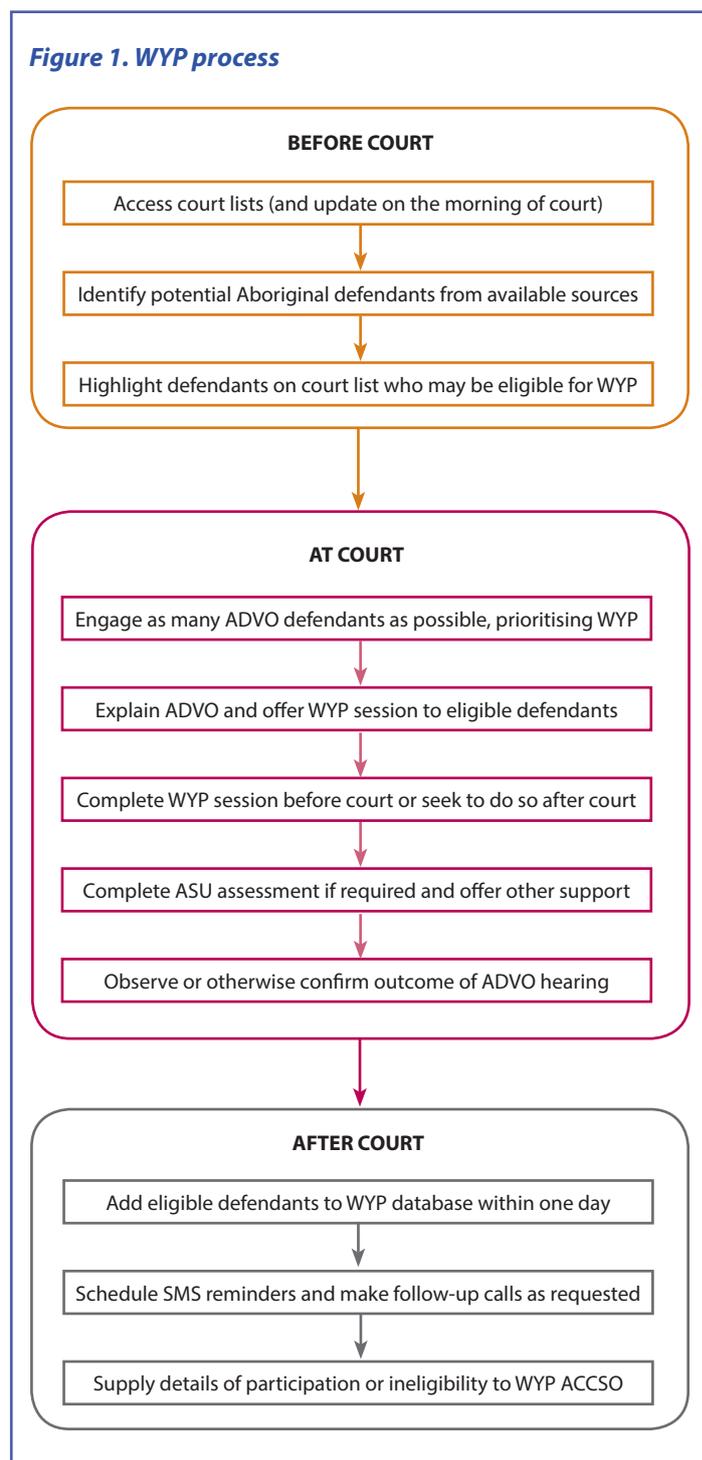
To ensure a valid counterfactual is available for BOCSAR's outcome evaluation, a quasi-experimental design was adopted for the trial whereby defendants become eligible for WYP (the treatment) and the comparison condition on an alternating (typically weekly) cycle synchronised with local court sitting arrangements. Defendants who are issued an ADVO in a given week and attend court can be offered WYP and enter the treatment group. Defendants who are issued an ADVO in the following week and attend court cannot be offered WYP; these defendants enter the comparison group. Defendants remain eligible for other services provided by ACCSOs irrespective of their participation in the trial. This design was chosen to maximise the similarity between treatment and comparison groups.³

WYP was designed as a 'process enhancement' for ACCSOs' existing frontline support work, providing a specific structure for their interaction with DV defendants. Thus, some detail

about their existing work is offered. ACCSOs are employed by ASU to provide frontline support in many NSW Local Courts to Aboriginal court users (defendants, victims, families, and others). ACCSOs may also outreach to Aboriginal people in the community and coordinate Community Justice Groups. Court support may involve explaining court processes and outcomes, assistance with forms, liaison with legal representatives, service referrals, and communication between detainees and their families. ACCSOs offer specific programs to court users who meet certain eligibility criteria, including the voluntary Driving and Licence Offences Project for traffic offenders. Prior to WYP being trialled, ACCSOs also typically supported ADVO defendants by discussing conditions and implications of breaching their order.

The intended WYP process is shown in Figure 1. The process involved several steps, some of which could overlap, be skipped,

Figure 1. WYP process



or be repeated. For example, ACCSOs sought to identify defendants on court lists before their court date, but in practice, some defendants were not identified until they were engaged (spoken with by ACCSOs) at court. Figure 1 does not detail the provision of non-WYP services.

Treatment effectiveness

Reviews of treatment programs for DV offenders offer inconsistent evidence of their effectiveness in reducing DV reoffending, with weaker effects evident from more robust designs (e.g. Feder, Wilson, & Austin, 2008). There is no evidence for Duluth-based treatments but some promise for others including behaviourally-based programs (Miller, Drake, & Miller, 2013). No large-scale studies of DV treatment effectiveness with Aboriginal DV offenders were located for this review. However, Gallant et al. (2017: 64) note the “rich development of practice frameworks which weave cultural practices, attention to social justice, and the components of behaviour change into prevention of family violence” and “remarkable consistencies across [such] programs in Australia, New Zealand and Canada in providing these elements in a holistic approach to Aboriginal men and their families and communities”. A recent meta-analysis of treatment programs for Indigenous offenders has also indicated that culturally relevant programs were significantly more effective than generic programs in reducing recidivism (Gutierrez, Chadwick, & Wanamaker, 2018), although the included programs did not specifically target DV or Australian Aboriginal offenders.

The core elements of WYP are its use of the self-regulatory behaviour change strategies of mental contrasting (MC) and implementation intentions (II). MC fosters goal attainment through more effective goal setting, by having individuals compare a desired future with their current reality (Oettingen & Gollwitzer, 2010). As applied to ADVO compliance, MC involves defendants imagining a positive future arising from the benefit of complying (versus not complying) with their order. II fosters goal implementation by having individuals create an ‘if-then’ plan in which a specific cue (the ‘if’ component) triggers a desired behaviour (the ‘then’ component) (Oettingen & Gollwitzer, 2010). In WYP, II requires defendants to identify an obstacle that could prevent them from complying with their ADVO (and thus prevent them from achieving their goal), and to develop a suitable plan to manage this obstacle.

A strong theoretical and experimental evidence base supports the effectiveness of MC and II in increasing goal attainment across a wide range of problem domains (Oettingen & Gollwitzer, 2010; Toli, Webb, & Hardy, 2016). II has stronger effects on goal attainment in samples with mental health or substance abuse problems (Gollwitzer & Sheeran, 2006) and is more effective when goals are fewer in number and clearly defined and operationalised (Oettingen, 2012).

There is also evidence for the effectiveness of SMS reminders (which are used to supplement MC and II in WYP) in supporting goal attainment (e.g. Prestwich, Perugini, & Hurling, 2010; Vervloet et al., 2011) and court attendance (BIU, 2018). However, there have been few applications of MC and II in criminal justice,

DV, or with Aboriginal people and no known studies involving Aboriginal DV defendants. Treatment fidelity and the delivery environment can strongly affect treatment outcomes and have been shown to do so in many evaluations of court-based programs (Cissner & Farole, 2009). Thus it is important to assess not only the outcomes of WYP but the way in which WYP is implemented and factors affecting implementation.

Aim

This report presents the results of a process evaluation of the first seven months of the WYP trial period. The aims of this process evaluation were to:

1. Assess whether WYP was implemented as intended, and
2. Identify barriers and facilitators to the intended implementation of WYP.

To address these aims the evaluation explored whether certain conditions necessary for implementation were met during the trial. These conditions, outlined below, were identified through examination of key project documentation (including training material, the original WYP process enhancement proposal, and WYP Guide for ACCSOs) and consultation with design and delivery partners. They relate to identification and engagement of eligible defendants, delivery of WYP sessions and follow-up, and data collation and quality assurance procedures.

1. Identification and engagement:
 - a) ACCSOs consistently identify eligible defendants on court lists;
 - b) ACCSOs engage and offer WYP to as many eligible defendants as possible;
 - c) Steps are taken to ensure balance in the treatment and comparison groups.⁴
2. Delivery of WYP session and follow-up:
 - a) ACCSOs explain ADVO conditions and discuss their practical implications for daily life;
 - b) Defendants identify a reason (ideally a positive goal) to comply and a specific obstacle;
 - c) Defendants create (ideally write) a suitable ‘if-then’ plan to manage the obstacle and retain this on a card;
 - d) Defendants and ACCSOs co-design a suitable SMS reminder and schedule for high-risk times;
 - e) SMS reminders and follow-up phone calls are made, and plans are revised as requested.
3. Data collation and quality assurance procedures are followed during the review period.

Method

This process evaluation measured whether the above conditions were met through a review of trial data, qualitative interviews with delivery staff and stakeholders, file reviews and ongoing participation in WYP quality assurance team meetings. BOCSAR’s court data were also used to estimate the volume of eligible defendants. Frequently used acronyms and terminology are presented in the Appendix.

Sample

The review period (1 October 2017 to 28 April 2018) comprised the first seven months of the trial period. The review included 45 courts, excluding courts that joined the trial in March or April 2018 (i.e. Blacktown, Penrith, and Parramatta).⁵ From October 2017, Aboriginal defendants who were issued an interim or final ADVO at a WYP court and were not in custody at the time their matter was finalised were included in the trial. These criteria were adjusted on 19 February 2018 to include defendants with provisional ADVOs.⁶ Defendants can be eligible for the trial only once (i.e. if they are issued a subsequent ADVO they do not re-enter the trial).⁷

WYP data

WYP data were originally recorded in individual spreadsheets and collated on request by ASU. Recording transitioned to a purpose-built web-accessible database in mid-October 2017, with all ACCSOs receiving training in its use. Records of trial activity before this time were added to the WYP database during the review period. ACCSOs were to enter details of all defendants deemed eligible for the trial, in treatment or comparison weeks. Personal identifiers, outcomes of offers to participate in WYP, delivery of WYP and agreed follow-up arrangements (including SMS reminder details) were also to be entered for those defendants who agreed to participate. WYP data for this study were extracted and provided to BOCSAR by ASU in May 2018 and subjected to extensive data cleaning, with edits and additions made to the data during June and July 2018. Analysis was predominantly descriptive. Additional information on plan quality and SMS message delivery were supplied by BIU.

To assess the extent to which eligible Aboriginal defendants were being identified by ACCSOs during the trial period, the WYP data were compared with data from the NSW Police Computerised Operational Policing System (COPS). These data included the number of Police-identified Aboriginal Persons of Interest (POIs) issued a final ADVO between October 2017 and April 2018. An individual was counted as Aboriginal if they had ever self-identified as Aboriginal to the police.⁸ In this dataset, an individual was counted more than once if they were issued multiple final ADVOs during the trial period (e.g. if there were multiple protected persons). This means that the actual volume of eligible Aboriginal defendants would be lower than what is estimated here. However, very few Aboriginal final ADVO recipients are likely to receive multiple final ADVOs within a seven month period, so any difference would be small.⁹

Qualitative interviews

Interviews were conducted in two phases: from mid-October to mid-November 2017 and in April 2018. A total of 50 interviews were conducted, half of which were with ACCSOs or their Regional Coordinators (RCs). All RCs, WYP ACCSOs (ACCSOs employed to deliver WYP and support other ACCSOs to deliver WYP), and ACCSOs/Senior ACCSOs from at least three courts in all four ASU regions were interviewed. Interviews were also held with the WYP QA Coordinator; ASU's Director and Program, Research, and Operations Managers; BIU staff; and members of the magistracy and Justice executives. Ten people participated in both interview phases.

Interviews were semi-structured and were used to help understand implementation processes and barriers and facilitators to implementation (see the Appendix for a sample interview schedule). Questions in the first phase were configured to the interviewee's role and experience. The scope and nature of these early interviews were limited because relatively few ACCSOs had completed WYP sessions and QA procedures were still being developed. Second phase interviews focused on documenting these procedures, changes during the review period, variation in implementation, experiences delivering planning sessions, and other issues raised during the first phase. Where appropriate, issues are attributed to ACCSOs (including Senior ACCSOs), QA staff (RCs, WYP ACCSOs, BIU trial coordinators, and ASU direct management; these interviewees directly supervised ACCSOs or program operations), or other stakeholders (this group included program developers, Magistrates, executives and managers not directly involved in program operations).¹⁰

Results

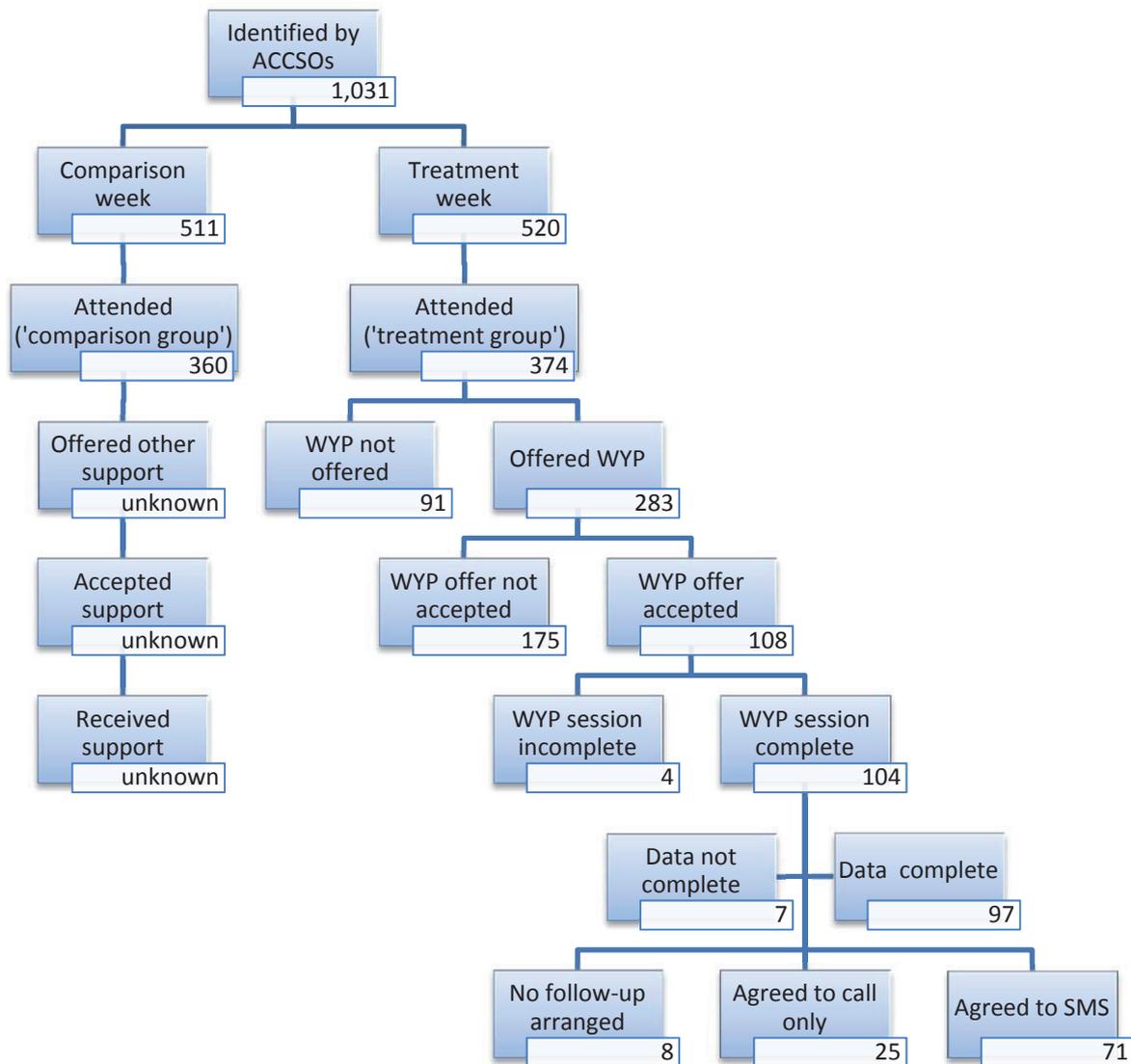
The results are presented in three sections matching the conditions necessary for implementation. The first section examines identification and engagement of eligible defendants, and specific barriers and facilitators of these components of implementation. The second examines the delivery and follow-up processes, and relevant barriers and facilitators. The third examines data collation and quality assurance processes. As a general overview of trial activity, Figure 2 summarises the number of defendants recorded at each stage over the review period.

Identification and engagement

As indicated earlier, ACCSOs were expected to access court lists one week before their expected appearance date in order to identify defendants who were potentially eligible for inclusion in the trial. During treatment weeks, ACCSOs would then approach the defendants on the day of the ADVO hearing and offer WYP (explain the program and invite them to participate in the planning session). During comparison weeks, ACCSOs would not offer WYP and would provide routine court support. All adult Aboriginal defendants issued an ADVO by the court were eligible for the trial (unless remanded in custody after their hearing). Whilst these criteria were simple and explicit, interviews revealed that the process of identifying eligible defendants was inherently complex and often challenging.

Most ACCSOs readily adopted (or continued) the practice of reviewing court lists in advance. Court lists were emailed to ACCSOs by court registries, and some WYP ACCSOs also supplemented this process by disseminating court lists to ACCSOs in their region. Court lists were also updated each morning to include any newly listed matters for the day. This process allowed ACCSOs to identify defendants listed for an ADVO matter and/or those eligible for other ASU programs (at least in cases where the defendant was already known to be Aboriginal). ACCSOs were only supposed to offer WYP to defendants with a finalised ADVO (i.e. an interim or final ADVO that was fully determined by the court, not withdrawn, and for

Figure 2. WYP trial activity



which no further court proceedings were required). However, the pre-trial period (i.e. prior to October 2017) revealed that many defendants were difficult to locate or engage after their matter had been dealt with. ACCSOs indicated that they could not be present for every hearing and in some cases needed to identify the outcomes of a hearing through other sources (including JusticeLink, court papers, or advice from court staff). Thus, the program was adapted to allow (and indeed encourage) ACCSOs to approach eligible defendants before their hearing, which is consistent with pre-existing ACCSO practice.

Identifying Aboriginal defendants provided a separate set of challenges. Court lists indicate the nature of each matter (and in some cases the offence) but do not indicate a defendant's Aboriginality. ACCSOs therefore needed to rely on many other sources, including their personal knowledge of a defendant or their family, of surnames of Aboriginal families in the local

area, of familiar faces, and even a general visual assessment of a person's likely Aboriginal background. However, they noted that this information was insufficient because (i) defendants were not necessarily from the local area, (ii) ACCSOs varied in how familiar they were with the community they serviced, and (iii) appearance alone is not always reliable. ACCSOs' primary external source was the Aboriginal Legal Service (ALS). ALS provided advice about names and directed some clients to ACCSOs. ACCSOs examined waitlists of defendants requesting ALS representation posted outside ALS offices in each court, and consulted representatives of other agencies who were present at the court on the day, including Legal Aid solicitors, Police Domestic Violence Liaison Officers (DVLO), Women's Domestic Violence Court Advocacy Service staff (WDVCAS), Community Corrections staff, and court staff. ACCSOs also pieced together indicators of Aboriginality from JusticeLink (e.g. records of previous representation by ALS), the ASU and WYP databases.

Despite the many potential sources of information, Aboriginality was often unknown prior to and sometimes after the sitting day. ACCSOs reported that asking defendants “who’s your mob” helped to identify those who were Aboriginal. Identification was therefore fundamentally tied to engagement. Still, it was difficult for ACCSOs to identify all Aboriginal defendants on their court list and/or all ADVO defendants, particularly in high volume courts where only a small proportion of defendants were Aboriginal. ‘Known’ Aboriginality was also subject to change, as some defendants thought to be Aboriginal or non-Aboriginal indicated otherwise when approached. Ultimately, 39 ACCSOs identified a total of 1,031 eligible Aboriginal ADVO defendants across 44 of the 45 courts during the review period. Using COPS data we estimate that a total of 3,204 Aboriginal POIs were issued a final ADVO at these 45 courts during this period. This suggests that ACCSOs identified at least one third (32.2%) of estimated eligible defendants.¹¹

There was considerable court-level variation between the volume of eligible defendants and the rate at which they were identified, and this can be seen in Table 1. The first column of Table 1 lists the WYP courts, ranked from highest to lowest in terms of the estimated number of Aboriginal POIs issued a final ADVO during the review period (from COPS data), which is shown in the the second column. The third column shows the number of eligible defendants that were identified by ACCSOs. The fourth column estimates the identification rate (eligible defendants as a percentage of the estimated number of Aboriginal POIs).¹² The table shows considerable variation across courts in the estimated identification rate. Identification rates were slightly higher (in aggregate) at courts with smaller estimated eligible populations.

Significant changes to implementation were made in the first months of the review period in response to initial concerns about the variability in identification and uptake across the various WYP courts. These changes included the development of QA procedures, expanded inclusion criteria, and new measures to promote uptake. Comparing October to December 2017 data with January to April 2018 data suggested these strategies had some success in increasing identification rates with no adverse impact on WYP delivery. The analysis showed that ACCSOs identified a higher proportion of eligible defendants in 2018 (35% vs. 28%) than 2017 but delivered the WYP session to the same proportion of eligible defendants in both periods (28%; see following section).

There was a general consensus among those interviewed that an exhaustive list of eligible defendants would have facilitated identification. Many ACCSOs and QA staff suggested that a consistent Aboriginal identifier on JusticeLink, or access to the Police-held list of Aboriginal defendants would have facilitated their work. Some ACCSOs were able to consult COPS through their local DVLO to check the Aboriginality of defendants on their court list. However, in most courts and for the majority of the review period ACCSOs were unable to access COPS data. Access has since been negotiated with NSW Police but the utility of this data remains unclear. Some ACCSOs and QA staff were uncertain about the viability of the COPS list, because self-identification can be fluid (defendants may identify as Aboriginal in one

Table 1. Number of Aboriginal Persons of Interest issued a final ADVO, number of defendants identified by ACCSOs, and percentage identified, by court (N=45)

Court	Aboriginal Persons of Interest issued ADVOs (n)	Defendants identified by ACCSOs (n)	Defendants identified by ACCSOs (%)	Note
1	177	80	45%	
2	168	51	30%	
3	163	47	29%	
4	149	85	57%	
5	147	25	17%	
6	143	33	23%	a
7	131	22	17%	
8	130	30	23%	
9	126	38	30%	
10	123	29	24%	
11	120	39	33%	
12	114	52	46%	
13	104	34	33%	b
14	94	31	33%	
15	93	28	30%	b
16	90	15	17%	a
17	85	22	26%	a
18	79	51	65%	a
19	79	2	3%	b
20	71	10	14%	a
21	68	47	69%	a
22	59	26	44%	
23	56	28	50%	
24	52	17	33%	
25	52	9	17%	
26	50	12	24%	a
27	48	12	25%	ab
28	42	9	21%	a
29	38	18	47%	
30	36	0	0%	ab
31	35	8	23%	
32	33	6	18%	
33	31	12	39%	a
34	26	13	50%	a
35	22	15	68%	a
36	20	11	55%	a
37	19	13	68%	a
38	19	13	68%	a
39	18	7	39%	a
40	18	2	11%	a
41	17	10	59%	a
42	17	3	18%	a
43	16	7	44%	a
44	13	5	38%	a
45	13	4	31%	a
Total	3,204	1,031	32%	a

Note. Courts are sorted by the number of POIs (descending).
a. Some defendants may have been listed in non-trial weeks.
b. Court joined trial part-way through review period.

context but not in another) and because ACCSOs also apply a different method of identification. Recent reports also suggest that ACCSOs identify a somewhat different and smaller set of defendants than are identified in the COPS data.¹³

ACCSOs reported several methods for engaging defendants. Some posted signage or signalled their presence through announcements or walking the courthouse with a visible ASU lanyard. Others reported using more targeted approaches, such as standing with a court service assisting Aboriginal defendants (e.g. ALS) and either seeking referrals or directly approaching defendants to offer ASU services. Some ACCSOs reported visiting persons in custody. Defendants were engaged prior to entering the courtroom wherever possible as initiating engagement afterwards was seen as less successful. Engagement often involved multiple attempts to locate and speak with a single individual at court.

Many court personnel attempted to facilitate engagement with ACCSOs. Some registrars and court officers directed ADVO defendants to see ACCSOs, allowed WYP materials to be displayed in the courthouse or provided private rooms to facilitate engagement and delivery of the WYP session. Magistrates' involvement was generally considered easier to seek in smaller courts as they were typically presided over by just one or two magistrates. Some magistrates directed defendants to see ACCSOs, and some had agreed to explicitly issue interim orders (to defendants with provisional ADVOs) to facilitate eligibility for WYP. One view from the magistracy was that they had limited capacity to facilitate engagement because they often do not know whether a defendant is Aboriginal. ACCSOs successfully addressed this in one court by working with court officers to notify magistrates if an eligible defendant was Aboriginal and thus eligible for ASU services, so that the magistrate could direct defendants to see the ACCSO after their hearing.¹⁴

The use of multiple engagement methods was seen to be most effective and ACCSOs were encouraged to innovate and share their experiences at regional and QA team meetings. Engagement with eligible WYP defendants, however, was complicated by competing demands on ACCSOs' time from non-ADVO Aboriginal defendants and court users, some of whom were already existing clients. While ACCSOs were directed to prioritise potential WYP clients over others eligible for ASU services, in practice this was not always possible.

All eligible defendants are meant to be recorded in the WYP database and allocated to the treatment group (WYP and any other services for which the defendant was eligible) during treatment weeks or to the comparison group (services other than WYP) during comparison weeks. Postcards explaining the program were handed to defendants to inform them of the service, and defendants who did not initially accept the offer were invited to reconsider after their matter was finalised. Once a defendant was engaged, ACCSOs would also complete the ASU client assessment form with new clients and may also do so with returning clients.

A total of 520 defendants were identified in treatment weeks, of which 374 attended court and thus entered the treatment

group. Substantial proportions of the treatment group were female (28.3%; 106/374) or aged under 25 years of age (31.6%; 115/374), just over half were issued a final rather than an interim ADVO (52.7%; 197/374) and more than half had a concurrent charge (56.2%; 210/374). ACCSOs offered WYP to 283 defendants (75.6% of the treatment group) and the remaining 91 (24.4%) were not offered WYP. A total of 108 defendants accepted the offer (28.9% of the treatment group or 38.2% of those who received an offer), and 175 (46.8% of the treatment group) did not accept the offer, meaning that they either declined or did not respond to the offer within 72 hours. A total of 360 defendants identified in the comparison weeks attended court and thus entered the comparison group. Characteristics of defendants in the comparison group were found to be similar to the treatment group, with bivariate statistical tests showing no significant difference in gender, age, concurrent charges, or ADVO type.

Table 2 shows the offer and acceptance rate of WYP for each of the courts included in the trial. Column 1 shows the court number, corresponding with Table 1. Column 2 presents the number of eligible defendants that attended court during treatment weeks and who were identified by ACCSOs, columns 3 and 4 the number and percentage of attendees who were offered WYP, and columns 5 and 6 the number and percentage of defendants who accepted WYP. As seen here there was wide variation in engagement across courts.

Despite a high level of motivation amongst ACCSOs to deliver WYP, non- or incomplete engagement was a major source of attrition. Of the eligible defendants identified by ACCSOs, one in four were not offered WYP. The interviews with ACCSOs revealed that this attrition was largely due to a shortage of time to approach defendants. ACCSOs had a narrow window within which to locate, engage, and deliver WYP. The process of engaging, assessing, completing WYP, as well as providing other services, typically took at least half an hour per client. Many ACCSOs indicated that they could not meet demand due to being occupied with other clients. Some ACCSOs noted that busier days were most challenging, particularly days where both ADVO and charge matters were listed for hearing as defendants could be eligible for a range of ASU programs. ACCSOs reported difficulties locating defendants in more complex court layouts (including those with many levels and courtrooms). Absences from court (due to outreach or leave) also resulted in non-offers.

ACCSOs did not routinely ask defendants why they had declined, but in interviews ACCSOs suggested that these defendants were generally reluctant to engage in any interaction and some defendants were specifically reluctant to discuss DV. The personal nature of the matter and the presence of the 'person in need of protection' (PINOP) sometimes necessitated a more private space than was available at the court.

The voluntary nature of WYP was seen as both a facilitator and barrier to uptake. Some defendants reportedly declined to participate because they did not want to take on any additional demands at court but it was also suggested that had the program been mandatory, this would have deterred some defendants from engaging or potentially reduced the quality of engagement.

Reflecting on defendants that were willing to engage in a general discussion but not in WYP, members of different interviewee groups noted that DV was seen as shameful by many defendants and that they may have been reluctant to discuss DV specifically. However, the DV focus of WYP was also seen as a potential facilitator of uptake, with some ACCSOs suggesting that defendants with ADVOs involving current relationships or shared children were particularly responsive.

ACCSOs' motivation to deliver WYP was seen as a pre-condition to uptake, and the unusually low uptake in one court was largely attributed to the absence of this motivation. However, ACCSO motivation alone was not sufficient to ensure uptake, given the varying levels of motivation among defendants and the program's voluntary nature. Motivational interviewing skills (MI) were identified as a likely facilitator of uptake. MI skills were not an explicit requirement or component of the original WYP training, nor of ACCSOs' existing role description. One RC noted that such skills were expected only in higher-graded positions but had also been demonstrated by some staff that had not trained in MI but had a natural ability to do this. However, on the basis of higher uptake rates among ACCSOs experienced in MI (e.g. through prior casework/social work) and the perceived benefits of MI skills, MI training was subsequently delivered to all staff in June 2018.

A critical issue for the outcome evaluation is consistency in the identification of eligible defendants and the recording of court attendance during treatment and comparison weeks. WYP data showed that overall, there was good balance across treatment and comparison weeks with regard to the identification of Aboriginal ADVO defendants, with half (50.4%) of the total 1,031 defendants identified during treatment weeks. There was also no evidence of systematic imbalance across treatment and control weeks for the majority of courts included in the trial (50% +/- 10%). WYP data indicated that the recorded court attendance rate for those identified as Aboriginal was also similar across the treatment and comparison weeks (71.9% in treatment weeks and 70.5% in comparison weeks), and further, there was reasonable balance in attendance rates for the majority of WYP courts (with most reporting rates within a 20% range of the mean).

Delivery of WYP session and follow-up

Engagement of defendants and delivery of WYP were partially overlapping, because ACCSOs were asked to deliver the first component of WYP (explain ADVO conditions along with their practical implications for the client's daily life) with defendants before offering WYP. Many ACCSOs described this as standard pre-existing ASU practice with ADVO defendants prior to WYP and so were easily able to engage defendants in this discussion during the WYP trial.¹⁵ Defendants who accepted an offer to participate in WYP would then commence the planning session. ACCSOs were supposed to offer defendants who did not agree to participate in WYP any other available services (including general court support and other specific programs), although ACCSOs were advised to prioritise WYP.

The main distinction between WYP and the services offered to the comparison group was the planning session. This session

involved identifying a reason to comply with the order and a specific obstacle to compliance, creating an 'if-then' plan to manage the obstacle and then designing an SMS reminder and schedule. Of the 108 eligible defendants who accepted an offer to participate, 104 completed the planning session and 97 had complete and valid data for all four of the plan's components (goal, motivation, obstacle, and plan). Once the planning session was complete (and ACCSOs had provided any non-WYP services to the defendant as required), ACCSOs were to schedule SMS reminders, make follow-up phone calls and revise plans in the week after the planning session (or as requested). These provisions for follow-up were the second distinguishing component of WYP and are addressed further below.

Planning sessions were supposed to be completed in-person on the day of court and this occurred for 99 of the 104 completed sessions. ACCSOs completed two sessions by phone and three in person at a later date. Although the planning session was intended to be delivered after the defendant's order was finalised, exceptions were made in some cases during the review period on the proviso that ACCSOs would re-engage the defendant and revisit their plan if the ADVO or its conditions changed. The number of occasions on which this occurred is unknown.

Many ACCSOs indicated that the public spaces in the courthouse in which they usually provided services were not conducive to the WYP session. Suggested solutions to this problem included use of dedicated ACCSO offices (where available), negotiating room space (although availability was often limited and unpredictable, particularly on AVO list days), and sometimes conducting the session outside the courthouse (which was also preferred by some defendants). However, delivery of WYP in these spaces reduced ACCSOs awareness of other defendants who may have also been potentially eligible for the trial (including their physical movements or announcements about defendants). ACCSOs indicated that many defendants benefitted from assistance with formulating or physically writing down plans and that the 'if-then' cards were well received. The plans generated tended to be brief and non-specific (e.g. If: "she calls me"; Then: "don't answer"). BIU examined planning data for evidence of best practice (including positive, measurable, time-limited goals, obstacles relating to the self, and future focused plans) and identified several high quality plans, for example:

Goal: "To get married"

If: "I get wild"; Then: "Go for a walk to my cousin's place"

A number of ACCSOs and QA staff described plan-making as being something unfamiliar to Aboriginal ADVO defendants. In that context, WYP was seen as filling an important gap, but also as potentially challenging to deliver. Training of ACCSOs included a role-play component in which they practiced the planning session with other ACCSOs. Several ACCSOs suggested that completing a plan with a defendant (rather than in role-play) demystified the process, and some ACCSOs described a growth in confidence over several occasions of completing the WYP session. Unfortunately, many ACCSOs experienced long delays between training and opportunities to deliver WYP (for

Table 2. Number of defendants allocated to the treatment group, number and percentage offered WYP, and number and percentage accepting WYP, by court (N=45)

Court	Treatment group	Offered (n)	Offered (%)	Accepted (n)	Accepted (%)	Note
19	2	2	100%	2	100%	b
35	1	1	100%	1	100%	a
40	1	1	100%	1	100%	a
44	1	1	100%	1	100%	a
36	6	6	100%	5	83%	a
29	5	5	100%	4	80%	
38	5	5	100%	4	80%	a
13	13	12	92%	8	62%	b
9	18	13	72%	9	50%	
1	33	24	73%	15	45%	
4	30	30	100%	12	40%	
33	5	5	100%	2	40%	a
34	5	5	100%	2	40%	a
43	5	5	100%	2	40%	a
2	15	8	53%	5	33%	
23	9	3	33%	3	33%	
26	3	3	100%	1	33%	a
31	3	3	100%	1	33%	
22	7	3	43%	2	29%	
8	15	11	73%	4	27%	
10	11	11	100%	3	27%	
20	4	3	75%	1	25%	a
28	4	3	75%	1	25%	a
15	9	2	22%	2	22%	b
12	17	13	76%	3	18%	
7	12	10	83%	2	17%	
41	6	4	67%	1	17%	a
14	13	8	62%	2	15%	
3	13	7	54%	2	15%	
5	16	7	44%	2	13%	
21	15	11	73%	2	13%	a
37	9	9	100%	1	11%	a
17	10	8	80%	1	10%	a
11	19	19	100%	1	5%	
18	11	8	73%	0	–	a
6	10	6	60%	0	–	a
16	3	3	100%	0	–	a
25	3	2	67%	0	–	
24	2	1	50%	0	–	
32	2	0	–	0	–	
39	1	1	100%	0	–	a
45	1	1	100%	0	–	a
42	1	0	–	0	–	a
27	0	0	–	0	–	ab
30	0	0	–	0	–	ab
Total	374	283	76%	108	29%	a

Note. Courts are sorted by the percentage accepted (descending). '–' not calculated.

a. Some defendants may have been listed in non-trial weeks.

b. Court joined trial part-way through review period.

example, ACCSOs completed their first WYP session a median of four months after completing their initial training in WYP), and thus to establish and reinforce the training material. Without such real-world practice, deviations from practice are more likely.

SMS messages and message schedules were developed for 71 defendants (of the total 104) who completed the planning session. Most (n=87) of the 104 defendants agreed to a follow-up phone call. There were no recorded follow-up provisions for eight defendants.¹⁶ Preliminary analysis using data supplied by BIU (Jenny Chalmers, personal communication, 21 September 2018) shows that the large majority of scheduled SMS messages were successfully delivered.¹⁷ However, the number of defendants who received messages is not yet known. There were few reports of participants revising their plan or seeking to cancel reminder messages, and several reports of positive client feedback regarding the SMS.

ACCSOs indicated that some defendants were reticent or unable to provide a mobile phone number for the SMS reminders. In some of these cases ACCSOs used an alternative client messaging system or their personal mobiles to support or contact clients. However, ACCSOs also said that ADVO defendants (in particular females) may be concerned about a partner seeing their reminders. Some ACCSOs made arrangements to follow-up in person with defendants who had limited phone access. Records of attempted follow-up calls were present for around half of defendants who requested one. Defendants were not easily reached, with only half of those called answering or responding to the ACCSO. Some ACCSOs noted that clients change phone numbers regularly, which could contribute to this problem.

Data collation and quality assurance procedures

WYP employed numerous data collation and quality assurance (QA) procedures to support the operation and monitoring of the trial. These were developed and refined over the review period.¹⁸ The potential for adaptation over time and place meant that QA procedures could not be systematically assessed for this study. Some QA material was recorded locally, and local adaptations to procedures for collating/checking these data were permitted. For example, ACCSOs in one region recorded Aboriginality and recruitment outcomes for all defendants on their court list (not just known Aboriginal defendants, which was the standard procedure). This method was tested in some other courts during the review period to gauge the demand for and volume of ACCSOs' work but was not always viable. Variations in ACCSOs' workflow also required some flexibility with QA timeframes.

WYP ACCSOs (ACCSOs with additional training and appointed specifically to deliver and support WYP) were responsible for monitoring and raising concerns about data entry. These staff reported that ACCSOs typically entered data with minimal error and within the appropriate timeframes. Widespread feedback indicated that data collation improved over the review period. Problems with data entry (including errors and delays) were largely resolved through informal peer support by WYP ACCSOs or by providing a second 'refresher' training session. A few reports of significant, persistent data entry issues were referred

to regional coordinators (RCs) for performance management or to the QA Coordinator for investigation and individual coaching assistance as required. QA staff noted the absence of a reliable list of eligible defendants as a barrier to QA because, without a clear sense of the volume of potentially eligible defendants at each court, it was difficult to quantify expectations for trial activity and thus explore disparities in performance.

Other issues were not performance-related. There were technical constraints that meant some reporting targets could not always be met. For example, ACCSOs were required to submit the outcome of all eligible matters by 5pm each Friday, but outcomes may not be known until the following Monday. Examples of JusticeLink data conflicting with ACCSOs' direct knowledge of matters (e.g. whether or not a defendant had attended court) were also noted. To the extent that it was up-to-date and accurate, the WYP database allowed ACCSOs to reliably identify which defendants had been allocated to the trial and which defendants could still be allocated. As the WYP database allowed only one record per defendant, ACCSOs also relied on the main ASU client database and their eligible client checklists for information about interactions with WYP participants. However, the consensus among ACCSOs and QA staff, also supported by the available data, was that the move to a shared online database had greatly simplified data entry and monitoring, and largely eliminated duplicate records.

Fortnightly half-hour QA teleconferences were held in which all regions reported on their progress and were given an opportunity to discuss implementation issues. These meetings were well attended and provided valuable insight into situations where WYP practice was deviating from the intended treatment model (e.g. sending compliance-related SMS reminders to defendants in the comparison group). Had these issues remained undetected and unaddressed they could have ultimately jeopardised the integrity of the trial. The frequency and openness of these meetings was therefore critical to implementation.

Data collation and QA for WYP added substantially to ACCSOs' existing tasks, with at-least weekly use of local checklists and the WYP database often involving accessing JusticeLink and other court files. WYP ACCSOs additionally monitored and assisted staff across their region, with RCs supervising and managing performance on WYP and all other service delivery. Increased uptake, new courts and staff, and evolving procedures, contributed to reported difficulties with the QA workload. Most difficulties were transient, but QA workloads impacted on the capacity of some staff to deliver WYP. Management also noted that trial data were insufficient for monitoring ACCSO activity (and thus adherence to identification and engagement procedures), pointing to a need for time-intensive local file reviews and analysis of services recorded in the main ASU database.

The evaluation supported QA through regular monitoring and formal reviews of trial data extracted by the QA Coordinator from the WYP database. Data cleaning by BOCSAR identified explicit anomalies in 10 percent of the supplied records. Most anomalies

were resolved within a two month period and were mostly minor, typographic and non-systematic (e.g. incorrectly recorded court appearance dates). Serious anomalies involving non-adherence to trial protocol were much less common in the data provided. These included offering WYP during comparison weeks, to ineligible defendants (e.g. those in custody or not issued a valid AVO), and defendants who had already participated in the trial.

Discussion

The purpose of this process evaluation was to assess (1) whether WYP was implemented as intended, and (2) identify barriers and facilitators in the intended implementation of WYP. Effective implementation for the purposes of this study was defined as adherence to the conditions listed in the *Aim* section of this report.

During the seven month review period, ACCSOs identified 1,031 defendants as eligible for the WYP trial across the 45 participating courts. The treatment group comprised the 374 defendants (including 106 females) who attended court during treatment weeks; 283 of these were offered WYP, of whom 108 accepted and 104 completed a WYP session. Balance in identification and delivery across treatment and comparison weeks is necessary for the outcome evaluation and was generally observed. Data and interviews with ACCSOs and QA staff suggest that implementation varied among ACCSOs but was generally followed. These results are impressive given the context of substantial barriers to implementation, detailed requirements of the evaluation design, and the diversity (e.g. prior training and work experience) of the ACCSO workforce.

The overall identification rate was less than half of the estimated eligible population (according to COPS data) for the trial. Identification rates varied widely between courts with comparable characteristics, which suggested some localised barriers to implementation.¹⁹ A critical factor affecting identification was the lack of a definitive list of names of Aboriginal defendants and thus considerable time was spent in many courts identifying potentially eligible defendants. In many cases, identification was dependent on engaging defendants. The requirement to systematically approach defendants impacted on ACCSOs' work and was challenging, as they were previously not required to do this. However, substantial improvements in identification rates were achieved during the review period due to continued efforts to increase coverage and the introduction of major program enhancements (e.g. the WYP database and QA procedures).

The engagement process was impeded by the fact that ACCSOs often spent half an hour or more with a given defendant whilst delivering WYP and other services, during which time other potentially eligible defendants may have exited the courthouse. Physical restrictions of courthouses also limited ACCSOs' ability to reach all eligible defendants, and many courts have inadequate accessible private space. Almost all defendants who accepted WYP went on to complete the planning session. Two thirds of completers agreed to SMS reminders. Messages were invariably

delivered. Relatively few completers received a follow-up call, but when feedback on plans and reminders was received it was consistently positive. Data were also fully recorded for 93 percent of completers, confirming that the components of WYP were readily completed and documented.

Dedicated QA staff, QA systems and the WYP database were seen as key facilitators of implementation, enabling prompt detection and communication about implementation issues. QA staff provided valuable support to ACCSOs with delivery and reporting procedures, as well as regular feedback to management, designers and the evaluators. QA meetings and training helped to reinforce basic practice, enhance existing skills and share innovations, and to introduce new procedures and correct the confusion that sometimes arose from changes to the program or to the trial (such as the expansion of eligibility criteria). One related limitation was that data collation and reporting efforts added to workloads and sometimes affected capacity to deliver WYP. However, close monitoring, as undertaken in the course of this evaluation, can aid implementation during the remainder of the trial, in particular by gauging the success of efforts to increase engagement and their potential impact on workload, completion rates, and trial balance.

The key facilitator of intended implementation for WYP was the widespread enthusiasm from ACCSOs and management to participate in the trial and respond to emerging challenges. The involvement of Aboriginal staff in the design and delivery of the program was a supporting factor. Program expansion and development were well monitored but nevertheless placed strains on implementation and monitoring. The review period commenced before QA systems were embedded and before the database was fully operational and up-to-date with records of trial activity. Few ACCSOs had previously been required to deliver or monitor a structured program and therefore some ACCSOs had to develop skills in administration and/or engagement. The small volume of willing defendants in many courts, however, restricted opportunities to practice and gain confidence which resulted in the program taking longer than expected to 'bed-down'.

Perhaps the most consistent barrier to implementation was the narrow window available to ACCSOs to locate and deliver WYP with voluntary clients and competing demands on ACCSOs time, especially on busy court days. ACCSOs had to balance delivery of WYP with its considerable administrative requirements while providing support to other clients and staff. These challenges were eased by teamwork among ACCSOs to manage workloads and skills/knowledge gaps, and by working collaboratively with other staff at court. Interviews also suggested broader benefits of the trial to ASU including workforce professionalisation.

Appendix

Acronyms

ACCSO	Aboriginal Client and Community Support Officer (includes Senior ACCSOs)
ADVO	Apprehended Domestic Violence Order
ALS	Aboriginal Legal Service
ASU	Aboriginal Services Unit
BIU	Behavioural Insights Unit
COPS	Computerised Operational Policing System
DV	Domestic Violence
DVLO	(Police) Domestic Violence Liaison Officer
II	Implementation Intentions
MC	Mental Contrasting
MI	Motivational Interviewing
POI	Person of Interest
RC	Regional Coordinator
QA	Quality Assurance
WYP	'What's Your Plan?'
WYP ACCSO	ACCSO providing regional QA support to WYP

Terminology

Review period	1 October 2017 – 28 April 2018
Trial period	1 October 2017 – 30 September 2019
Defendants	Persons of Interest (POIs) in ADVO matters
Clients	Defendants and others who receive WYP or other services from ASU staff
Participants	Defendants who ACCSOs identify as being eligible for the WYP trial
Completers	Participants who complete the WYP session
Treatment weeks	Court sitting weeks during which participants were to be offered WYP
Treatment group	Participants who attended court and were identified during treatment weeks
Comparison weeks	Court sitting weeks during which participants were not to be offered WYP
Comparison group	Participants who attended court and were identified during comparison weeks

Sample interview schedule

What strategies have been used to identify and engage ADVO recipients at court?

Which defendants are more/less willing to participate?

How do you typically progress through the planning session?

Which components of the planning process have been easier/harder to implement?

Is your court's infrastructure and environment conducive to delivering WYP?

What adaptations have you made (or would you make) to help you implement WYP?

Do you have the skills required to effectively deliver WYP?

What features of training were more/less effective in preparing you to deliver WYP?

Has your participation in this trial affected how you practice during comparison weeks?

How have quality assurance procedures influenced implementation?

How have external stakeholders influenced implementation?

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Notes

- 1 Section 5 of the *Crimes (Domestic and Personal Violence) Act 2007* (NSW), defines 'domestic relationship' more broadly for Aboriginal defendants to include extended family or kin.
- 2 Data collected during the pre-trial period does not form part of BOCSAR's evaluation.
- 3 During comparison weeks, ACCSOs were to continue providing routine court support to ADVO defendants. Routine practice varied; prior to the trial, some ACCSOs routinely approached ADVO defendants to explain their order while others did not.
- 4 This condition relates to implementation of the evaluation, rather than the program itself.
- 5 The 45 included courts were: Armidale, Ballina, Batemans Bay, Bourke, Brewarrina, Broken Hill, Campbelltown, Casino, Coffs Harbour, Condobolin, Coonabarabran, Coonamble, Cowra, Downing Centre, Dubbo, Forbes, Forster, Gilgandra, Gosford, Grafton, Griffith, Kempsey, Lake Cargelligo, Lismore, Macksville, Maclean, Moree, Moruya, Mt Druitt, Narrandera,

- Narromine, Newcastle, Nowra, Orange, Parkes, Tamworth, Taree, Toronto, Wagga Wagga, Walgett, Wellington, Wentworth, Wilcannia, Wollongong, and Wyong.
- 6 Under section 34(2) of the *Crimes (Domestic and Personal Violence) Act 2007* (NSW), if a court purports to continue a provisional ADVO, the ADVO is taken to be an interim ADVO made by the court at that time.
 - 7 ACCSOs allocated all eligible defendants to the trial during the review period (whether or not they attended court) to facilitate a comparison of attendance rates and recording processes in treatment and comparison weeks. After this time, ACCSOs were only required to allocate eligible defendants who attended court.
 - 8 Self-identification can be fluid; individuals may not self-identify as Aboriginal in every police-recorded contact.
 - 9 Less than 1 in 20 (4.4%) Aboriginal defendants who received a final ADVO between October 2013 and April 2014 received another final ADVO during that seven month period (analysis of Poynton, Stavrou, Marrott, & Fitzgerald's 2016 dataset).
 - 10 WYP ACCSOs also delivered WYP but are grouped here with QA staff by virtue of the additional training they received in WYP and their much greater exposure to QA processes. Some distinctions between interviewees were arbitrary, for example some stakeholders were occasionally involved in QA processes.
 - 11 The precise proportion is unknown but exceeds 32.2 percent (1,031/3,204) because a small proportion of defendants are double-counted in the denominator (i.e. the POI-based estimate). However, to the extent that the available measure is consistent across courts, court-level variation from the overall proportion may indicate higher or lower levels of identification and thus population reach.
 - 12 Defendants could become eligible for the trial during treatment or comparison weeks. A minority of courts (including only 2 of the 20 courts with the highest estimated volume of eligible defendants) also observed 'non-trial' weeks during the review period to ensure a balanced number of treatment or comparison weeks by the end of the trial period. Defendants whose court dates occurred in non-trial weeks were included in the eligible population but were not included in the trial. Other defendants in the eligible population but not in the trial were those with court dates in treatment or comparison weeks during the review period but prior to the trial commencing at their court.
 - 13 After the review period, a list of COPS-identified Aboriginal defendants was supplied to ACCSOs in a number of courts. Anecdotal feedback has been that persons identified as Aboriginal in the COPS data but otherwise unknown to ACCSOs have tended to be false positives, i.e. defendants that ACCSOs identified as non-Aboriginal (Jeremy Smith, personal communication, 12 September 2018). More systematic monitoring is required to ascertain the overlap between the two lists and the net benefit of drawing on COPS data.
 - 14 This process was introduced in some further courts after the review period. The impact of this process is not yet known but some ACCSOs have observed their magistrates making referrals, indicating some uptake of the process.
 - 15 Practice with eligible defendants in comparison weeks varied among ACCSOs. Some ACCSOs sought out defendants to complete this discussion, some ACCSOs did so reactively (i.e. if approached by an eligible defendant), and other ACCSOs indicated that they avoided contact with defendants in comparison weeks.
 - 16 Defendant-level outcomes of SMS and phone follow-up were not available when this report was written.
 - 17 This approximates the experience for the 71 defendants who agreed to receive SMS reminders. It was not possible to match the messages with these 71 defendants.
 - 18 As an example of a QA procedure, WYP ACCSOs were to send regional data to regional coordinators each week.
 - 19 The potential for geographic variation in police recording of Aboriginality was not explored in this evaluation, but if this exists this could explain some variation in identification rates between courts.

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