



# Legal Health Check: Snapshot



## What is the Legal Health Check?

The Legal Health Check was developed by the QPILCH Homeless Persons' Legal Clinic and is a:

- **Structured interview tool for pro bono lawyers** who provide legal services to disadvantaged clients;
- **Resource for community workers** to identify and prioritise the legal needs of their clients; and a
- **Menu for clients** to maximise their choice by understanding which issues the lawyer can assist with.

The Legal Health Check enables lawyers and community workers to collaborate with each other and their mutual client to provide targeted, timely and appropriate legal assistance.

## Why use a Legal Health Check?

A decade of Australian, international and HPLC research on the legal needs of people experiencing homelessness or disadvantage confirms that they :

- Have multiple, urgent and inter-related problems, including legal issues.
- 50.5% have at least 3 unaddressed legal issues.
- Only half will seek help for their legal issues, and only 6% seek help from lawyers.
- 37.5% seek help for their legal issues from **non-legal** professionals.
- Non-legal workers are a pathway to justice, and need to be equipped to appropriately refer disadvantaged clients.
- Recognition of legal issues both by clients and their community worker is limited to criminal or family law matters.
- If legal issues related to housing, health and personal security are left unaddressed, they perpetuate cycles of exclusion.
- Need to be asked the right questions, in the right way, at the right time, by the right person.

This snapshot summarises the HPLC Report: *Sharing the Menu: Perspectives and Data from the Legal Health Check*. All data and research presented in this snapshot is referenced in the report, which can be found at: [www.qpilch.org.au/lhc](http://www.qpilch.org.au/lhc)

## What is the HPLC?

The HPLC has coordinated legal assistance to people experiencing homelessness since 2002. More than 300 pro bono lawyers from 23 law firms provide outreach legal services and representation at 14 locations in Queensland. All clinics are located where clients are accessing essential services, such as accommodation and food. The HPLC has assisted more than 4000 clients with multiple legal problems, and harnesses over \$2.6m of pro bono legal services and support annually.

## ■ The Legal Health Check assumes:

- The client doesn't know what/how/who to ask about legal needs and would benefit from "diagnosis" of those needs.
- The client has multiple legal needs.
- Community workers need training, resources and support to identify and refer legal need.
- Clients and lawyers will benefit from the involvement of community workers in the process of delivering a legal service.
- Lawyers will benefit from a structured interviewing tool.

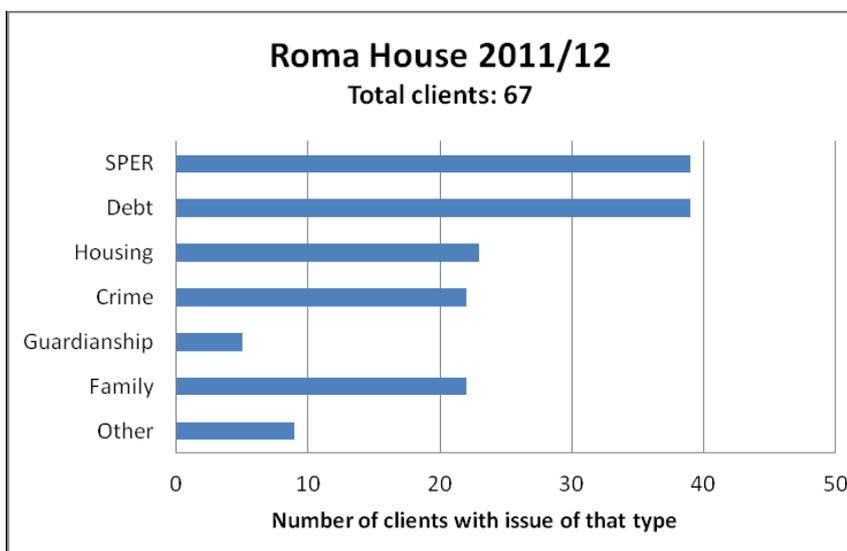
## ■ Assessing legal need

The Legal Health Check is 7 pages of 20 basic questions, in categories which echo the "safety" tier in Maslow's well-known *Hierarchy of Need*. The questions are based on the following criteria:

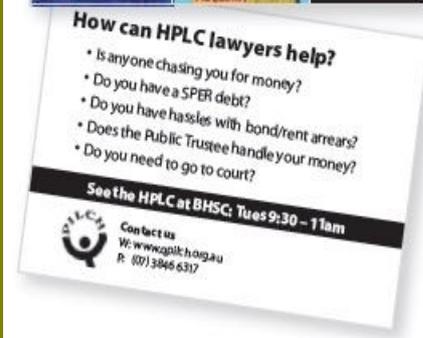
- **Representative:** Issues which are representative of their frequency in HPLC casework experience - debts, tenancy, crime and family matters;
- **Endemic:** Issues which are endemic to the experience of homelessness but which clients rarely seek help for - fines enforcement, issues surrounding alternative decision-making bodies such as the Public Trustee, and child protection issues;
- **Barriers:** Within the above matter types, specific issues which, if left unaddressed, form barriers to sustaining housing, such as tenancy blacklists, goods left behind at hostels and return of rental bond; and
- **Solutions:** Issues that the HPLC can actually assist with, either by undertaking casework or through a supportive referral (in the case of family law matters and most criminal matters). The HPLC considered it was unethical to highlight an issue, only to have it remain unaddressed, which might further compound the sense of hopelessness and helplessness pervading the "homelessness experience".

## ■ Outcomes of the Legal Health Check

67 homeless residents were assisted with 3.04 legal issues each, across 7 matter types.



How do we build a bridge between lived-disadvantage and the services of a lawyer?



How can disadvantaged clients know what a lawyer can help with if we don't show them the "legal menu"?

## ■ Collaboration with community services

The Legal Health Check has enabled the HPLC to collaborate with community workers to deliver comprehensive legal solutions to 81% of residents at Roma House [a crisis accommodation and support service operated by Mission Australia in Spring Hill Brisbane] since 2009, and is now used in many legal service settings throughout Australia.

Lawyers and community workers both appreciate the benefit of the Legal Health Check to their clients. Roma House workers have embedded some of the questions in their own assessment documents to maximise a positive referral to the visiting HPLC.

The HPLC provides training and resources to community workers on the Legal Health Check.

## ■ Using the Legal Health Check

The Manager of Roma House observes:

*So when workers [at Roma House] are having initial talks with residents around their journey and their experiences, often questions that relate directly to the Legal Health Check come up...issues around debt, or barriers with housing... upcoming court cases, [these] come up naturally in these conversations as issues they're experiencing so it's great for workers to be able to connect them with [the legal clinic] that's right here..."*

A pro bono lawyer visiting Roma House with the HPLC observes:

*Most of our homeless clients have difficulty identifying what their legal issues are. They typically associate a lawyer only with criminal or family law problems ...*

*The Legal Health Check has been an extremely useful tool in helping to identify problems, such as housing issues and SPER fines, and helping to facilitate discussions with the client on the assistance that HPLC lawyers can provide.*

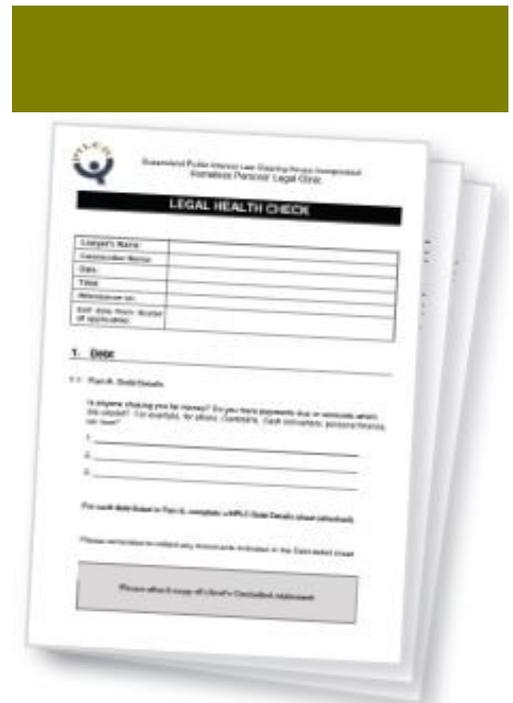
*Often these issues are placing significant stress on the client and preventing them from obtaining secure long-term housing. It continues to amaze me how helping homeless people resolve some of these issues can really make a difference."*

A client story:

Claire was at a crisis women's hostel, where she completed the Legal Health Check. In collaboration with Claire's caseworkers, the HPLC:

- Advised on the guardianship arrangements of Claire's adult child, and assisted with submissions to the Queensland Civil and Administrative Tribunal;
- negotiated an infringement notice waiver from a local council; and
- facilitated manageable arrangements for Claire's SPER fines.

Claire is now residing in more secure accommodation and was able to meet with her child for the first time in over 10 years.



## Identifying systemic concerns

By using the Legal Health Check, the HPLC identified that 65% of homeless clients had SPER fines debts, even though only 5.4% of typical HPLC clients asked about this issue. The average debt per client was almost \$5000.



QPILCH lawyers at Roma House

## HPLC Locations



## HPLC Firms

- Allens
- Corrs Chambers Westgarth
- HWL Ebsworth
- McCullough Robertson
- Herbert Smith Freehills
- Holding Redlich
- Minter Ellison
- Clayton Utz
- King & Wood Mallesons
- Ashurst
- MurphySchmidt
- DibbsBarker
- Clewett Lawyers
- Hede Byrne & Hall
- Craig Burgess
- Boulton Cleary Kern
- MacDonald Law
- Crosby Brosnan & Creen
- Walker Lawyers
- Connolly Suthers
- Townsville Community Legal Service
- Kennedy Spanner Lawyers
- MacDonnells Law Townsville

The Queensland Public Interest Law Clearing House Incorporated (QPILCH) was established in 2001 and is an independent, not-for-profit, community-based legal organisation that coordinates the provision of pro bono legal services for individuals and community groups in Queensland.



For further details about the Legal Health Check contact: [HPLCadmin@qpilch.org.au](mailto:HPLCadmin@qpilch.org.au)

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