

LawRight overview Evaluation of the LawRight Wuchopperen Health Justice Partnership and Law Yarn

Fiona Allison, Research Fellow at the Jumbunna Institute for Indigenous Education and Research based at the University of Technology, Sydney completed an 18 month evaluation of this unique Health Justice Partnership aimed at improving health and justice outcomes for Aboriginal and Torres Strait Islanders.

This overview is LawRight's summary of the evaluation findings and the full report is available at lawright.org.au. The health of Aboriginal and Torres Strait Islander people and their communities has been significantly and uniquely improved by LawRight's partnership with Wuchopperen Health Service in Cairns.

Of the 92 clients in 18/19, the evaluation analysed 77 client files where we provided help for 152 legal problems; surveyed 24 clients and 44 health staff and confirmed that:



All clients improved their health and well-being

225 health outcomes

including reduced exposure to family violence, reduced anxiety, improved connection to health services and improved social and cultural determinants of health

Most clients were helped with 3 or more legal issues, simultaneously improving their health and well-being, housing, income and legal rights.

97%

were connected to the on-site legal clinics by health professionals

86%

of clients would not have resolved the legal issue without the on-site lawyers

281

well-being outcomes including improved financial resilience, reduced family conflict, increased capacity to exercise rights, prevention of homelessness and support for victims of crime and historic injustice

75%

of clients had no prior assistance for the legal issues they were helped with

The LawRight-Wuchopperen partnership overcame individual and cultural-specific barriers of fear, lack of legal knowledge, trauma, poverty and marginalisation by increasing accessibility through:

- co-location and integration of the legal service within the health service
- culturally safe location and practices
- "one-stop-shop" for health and legal needs - seamless, integrated, early-prevention focused service delivery
- Indigenous lawyer
- recognised benefit of Law Yarn, a culturally safe, legal needs diagnostic tool developed by the project.

Background

Wuchopperen Health Service: a community controlled Aboriginal and Torres Strait Islander Health Service, located in Cairns across two campuses, with 200 staff providing 43 000 episodes of care for 7000 clients in 17/18 each year.

LawRight: an independent community legal centre improving access to justice for vulnerable people with unaddressed legal needs. A full-time and a two-day/week lawyer deliver the Wuchopperen HJP.

ATSILS: the Aboriginal and Torres Strait Islander Legal Service attends the HJP two mornings per week.

HJP: Health Justice Partnerships are collaborations that embed legal health into healthcare settings, joining the dots between the legal and social problems that make or keep people unwell. healthjustice.org.au

The Project: The Wuchopperen Health Justice Partnership grew from an on-site weekly legal clinic operated by LawRight at the Wuchopperen Health Service from January 2016. Queensland's Department of Justice and Attorney-General provided project funding to LawRight in June 2017 to deliver an HJP for 18 months, work with the community to develop a culturally appropriate legal needs diagnostic tool (later known as the Law Yarn) and have the outcomes of the project independently evaluated.

The Queensland Indigenous Family Violence Legal Service collaborated with LawRight on the project from August 2017 to September 2018, and ATSILS have collaborated with LawRight since March 2019.

The project currently provides two full-day, on-site clinics per week to Wuchopperen clients, delivering legal casework for civil (non-criminal) legal needs, together with training for health staff and community legal education for the community. King & Wood Mallesons commenced monthly on-site pro bono legal services with the project in March 2019.

Evaluation Highlights

- 1. The HJP addressed the multiple needs of vulnerable people** by focussing on civil law needs, responding to the interaction of health and legal issues, reducing Indigenous-specific barriers to accessing justice and delivering positive health and well-being outcomes.
- 2. The HJP increased the awareness for clients and health workers** of the links between and the benefits of connecting health and justice outcomes - health outcomes were enhanced by addressing the legal needs of clients and unaddressed health needs will lead to legal problems.

- 3. All clients improved their health and well-being,** according to both clients and health staff.
- 4. No other context could have attained these outcomes,** due to best-practice approaches used by the HJP including:
 - seamless, joined-up lawyer and client interactions
 - existing focus on early intervention by both health and legal service is enhanced by the presence of the legal clinic, empowering clients to make informed decisions about legal options before issues escalate and working holistically with clients
 - willingness of legal clinic to assist with non-legal, administrative issues which are barriers for clients to access justice
 - HJP addresses barriers to justice experienced by the community including complexity of need, language and physical barriers, limited knowledge of and distrust of the law
 - co-location of the service addressed barriers of confidence, money and transport
 - the strong working relationship of the Indigenous project lawyer and health staff.

- 5. Culturally-specific barriers to accessing justice experienced by Aboriginal and Torres Strait Islander communities were addressed by establishing an HJP** at an Aboriginal Community Controlled Health Organisation (ACCHO). The HJP appears to be unique in Australia for having both Aboriginal community-controlled health and legal service providers involved. The HJP's service delivery design had the following culturally-specific impacts:

- co-location with an ACCHO is symbolically significant, reinforcing self-determination and culture and more likely to deliver better outcomes for Aboriginal and Torres Strait Islander communities.
- employing a First Nations lawyer and ensuring cultural needs are met addressed culturally specific barriers including disempowerment and distrust due to colonisation and social exclusion.
- social determinants of health were significantly improved. Health problems experienced disproportionately by Indigenous communities include Post Traumatic Stress Disorder, Foetal Alcohol Syndrome Disorder, diabetes and chronic renal failure.
- community members gained an understanding of laws, systems and their rights which they are unlikely to otherwise gain given the lack of access to other legal services

- other culturally-specific impacts included improved cultural determinants of health, claiming redress for historic injustice, building the capacity of the community to exercise their rights, addressing racism and race-based social exclusion
- multiple unmet civil and family law needs were addressed, potentially reducing the over-criminalisation and social exclusion of the community
- indigenous-specific legal issues addressed include child protection, stolen wages and family kinship ties related to compensation claims, which in turn builds trust and connection
- increased understanding by a community with disproportionate involvement in the criminal justice system that relevant and impacting legal issues sit outside the criminal law.

All clients identified as either/both Aboriginal or Torres Strait Islander

Only 12% of clients spoke standard English

87.8% clients listed Centrelink benefits as main income source

86.3% of clients had received no prior legal assistance for the issues addressed

72% of clients assisted with three or more legal issues, typically housing, stolen wages, debt and domestic violence. A further 21.1% were assisted with four legal issues simultaneously

6. Law Yarn

The Law Yarn encourages clients to identify their legal needs in a culturally safe facilitated conversation with a health or legal professional. The Law Yarn uses symbols for housing, income, family and criminal issues within a graphic and narrative framework. The tool had a 100% positive response from health staff who valued the Law Yarn's

- focus on a small range of relevant areas of law, which is likely to address the complexity of the life experience of clients;
- simplicity;
- culturally safe design; and
- capacity to guide useful conversations about legal issues.

While most health staff felt confident to identify and refer the legal needs of their clients they also identified that it was important to identify the legal needs of clients and their need for further training and embedded processes to do so. 97% of clients were connected to the legal service by health staff. The Law Yarn was not rolled out to the extent anticipated by the project, given resource constraints and changes in service design.

7. Challenges

The potential for the HJP to build on the potential of Law Yarn for the benefit of health staff, grow collaborative governance and practices and reduce reliance on a single Torres Strait Islander lawyer, as well as continuing to operate and expand its core service are all resource dependent but are recommended developments.

One health worker's story

I saw a young woman, pregnant with a first child. She came to see me with her partner... I didn't get much of a chance to talk to her... I saw her on her own the next time... She ended up disclosing significant DV. She had been alienated from her community ... She wasn't speaking with her family. She was in her late teens. She had no proof of ID and was in her third trimester, with limited ante natal care ... She had no mobile phone. She had no bank card, no phone in the home.

He would monitor her all the time... He threatened to take the child off her... His parents also were going to traditionally adopt the baby. She didn't want that. So, this was the opportunity. Thankfully, the lawyer was here on that day. I was able to walk her over. I said, 'I think you have some legal options', but I didn't know what they were. She talked to the lawyer. A safety plan was put in place. The lawyer said 'phone me and I can get things that you need in place very quickly'. The lawyer gave her a form to apply for proof of age card, ensured she could get her own payments from Centrelink for the baby, applied for housing. All in one session. Then two days later... [she needed to be evacuated because he had harmed her].

She came back here. I phoned the lawyer... she got fast track payments. The baby was coming in 3 weeks. The client was amazed and very grateful. The lawyer did everything so quickly. You're not going to get that with someone off site. It was the speed ... and it was culturally appropriate ... If we didn't act right away, it wasn't going to happen. That's where you know, this has huge impacts. It means that referral has become so instantaneous, in a very small window. The victim is here without the perpetrator.

First time he's not in room. Suspicions all the way along. ... [And addressing all of these issues averted a more serious legal issue for this young woman]. When she gets to hospital to have the baby, she's 17, bruising on her arm, no income, homeless, that baby will be removed. She like others probably wouldn't even be thinking how not sorting that stuff out will lead to that.

For further details about the Wuchopperen Health Justice Partnership, please contact the following LawRight staff:

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