



LawRight

Access | Justice

Best Practice in Legal Outreach

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Acknowledgment of Country

Community Legal Centres Queensland and LawRight acknowledge the traditional owners of the land on which we are holding this presentation, the Turrbul and Jaggara people.

We pay our respects to their elders, past, present and emerging, and acknowledge the important role Aboriginal and Torres Strait Islanders continue to play in our society.

As this presentation is being viewed throughout Queensland, we also pay respect to the traditional owners of the land throughout the state and extend a warm welcome to any First Australians listening to this presentation.

We also acknowledge the importance of legal outreach to First Nations communities in rural and remote Queensland, and that Aboriginal and Torres Strait Islander peoples frequently face structural disadvantage when engaging with the justice system.



Legal Information/disclaimer

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About this webinar

Topics we'll be discussing:

- LawRight's *Best Practice Guide to Legal Outreach* project
- What do we mean by 'outreach'?
- Why we do legal outreach
- How to do legal outreach
- Skills for the outreach lawyer



About LawRight's Outreach Best Practice Project

- In 2018 LawRight was funded by QLAF to investigate Legal Outreach in the QLD Context;
- We consulted with sixteen CLC lawyers in Queensland and two in Victoria;
- We conducted a review of Australian and international literature;
- We produced a suite of resources: the *Best Practice Guide to Legal Outreach*.



What do we mean by ‘Legal Outreach’?

- making a proactive attempt to reach clients, rather than waiting for clients to come to you;
- delivering legal advice and assistance outside of a provider’s primary office;
- enhancing accessibility to the target client group; and
- collaborating with non-legal health, housing and social support services.



Why do Legal Outreach?



Provide access for vulnerable clients

- A strong link has been found between marginalisation and legal problems
- Marginalised clients are unlikely to proactively seek legal assistance
- Outreach services are effective at engaging clients with complex needs, who would not otherwise have a pathway to legal assistance.
- Outreach services offer more intensive forms of assistance for clients who lack the personal resources to help themselves



“My clients are really not capable of going out and finding legal advice, and trying to navigate the legal system when they have no knowledge of it. I think a lot more people would fall through the cracks without us”.

- Metropolitan refugee and asylum-seeker support service



Tailor legal services to a chosen demographic

- Outreach services targeted at a specific client group are effective, due to:
 - an in-depth knowledge of the backgrounds and experiences of target client groups;
 - an understanding of the kinds of problems they commonly experience;
 - experience in addressing their most common barriers to seeking legal help;
 - a well-developed best-practice response.



“It’s not a one-size-fits-all model, and I know that’s such a cliché but it’s really not”

- Metropolitan homelessness service



Be where your clients are

When people experience a legal problem, their first response isn't always to actively seeking legal advice.

The professionals most likely to be approached for help in resolving a legal matter are:

- Health
- Counselling
- Welfare
- Government services
- Trade unions
- Schools and universities



“Our approach is based around providing legal services in settings where our clients are accessing housing, and health services, and social and financial support, so those are the locations that we have our outreach clinics”.

- Metropolitan homelessness service



Intervene before problems escalate

- Outreach services prevent legal from and non-legal problems from escalating.
- By providing advice and assistance before legal problems reach a critical point, outreach services may reduce the need for more intensive and expensive intervention later on



“What we try to do is catch people before they fall off the cliff into homelessness, rather than being at the bottom of the cliff and helping people to claw their way out.

- Metropolitan homeless women’s service



Meet the needs of remote communities

- Due to Queensland's size and the vast distance between communities, a large number of people live in places without access to legal assistance.
- Remote communities have a high level of legal need.
- Many people must travel long distances to access legal support.
- Remote Aboriginal and Torres Strait Islander communities have high level of unaddressed legal need, due to geographic isolation and restricted access to services.



How to do Legal Outreach?



Understand the importance of collaboration

- Multiple complex and interconnected problems have a significant impact on the people who experience them
- legal and other issues are often intertwined, and not easily resolved by a single agency
- Non-legal support agencies are well-positioned to help clients identify and respond to their legal issues



Improve collaboration through:

- formalised communication mechanisms;
- agencies working together on projects to address
- establishing strong, well-connected networks of service providers in a local area;
- shared training and development in legal issues and referral processes



“The best way to connect clients to your service is all the face-to-face stuff. If you’re going down on the ground, in person, with a staff member every week, then that results in those community connections and those relationships, which will result in a better uptake of people accessing your service”.

- Regional to women’s services



Value multidisciplinary, holistic support

The benefits of collaborative services are well recognised. They allow for:

- a broader range of legal issues to be detected and resolved;
- a reduced burden on clients to locate and engage with multiple service providers;
- reducing the potential for referral fatigue



“One of the key reasons we moved towards [a co-location model] is that we know that we get the best outcomes when we work holistically... We wanted our legal clinics to be really integrated in those holistic services, so that we could add the legal dimension”.

- Metropolitan to women's service



Train your partner agency

Training your partner agency can:

- help them to identify the legal dimension of their clients' problems, and to provide timely and appropriate referrals
- improve their knowledge of legal services and appropriate referral practices
- demonstrates a commitment to ongoing collaboration and integration



Think about technology

- Technology-based outreach should not be viewed as a 'silver bullet' for engaging with marginalized or socially-isolated clients
- Many marginalised populations find technology difficult to use, and are uncomfortable in a digital context
- Video-based outreach diminishes the ability for a practitioner to build a rapport with a client
- Reliability?
- Face-to-face engagement with partner organisations is critical in building strong working relationships



The Outreach Lawyer



The Outreach Lawyer

A lawyer working in an outreach setting will require knowledge of:

- the relevant areas of law;
- how to work effectively with clients with complex needs;
- how to build relationships with the services they access.



Understand relevant areas of law

Outreach lawyers should have a broad understanding of the legal issues that vulnerable clients experience:

- debt;
- housing and tenancy;
- health;
- employment;
- education;
- welfare benefits and other government services;
- family violence;
- family law issues;
- criminal charges; and
- victim of crime issues



Understand multiple and compounding disadvantage

- Legal problems are not equally distributed throughout the population
- People experiencing disadvantage and marginalisation face more, and more severe, legal problems than the broader community
- There is a strong bidirectional relationship between socioeconomic disadvantage and legal problems



Who do we mean when you talk about marginalisation?

- young people (aged 24 and younger);
- older people (aged 65 and over);
- First Nations people;
- refugees and asylum-seekers;
- people experiencing family and domestic violence;
- people living with a chronic illness or disability;
- people with low or no income;
- single parents;
- people experiencing unstable housing or homelessness;
- people living in rural or remote areas;
- people with low levels of education or literacy;
- people living in institutions (such as prisons, detention centres, or nursing homes); and
- lesbian, gay, transgender or bisexual people.



“It’s not just the DV itself that makes them vulnerable, they often have literacy issues, disabilities, they’re from low socio-economic backgrounds, they have no access to technology... they’re crippled by trauma. It’s compounding vulnerabilities, it’s not just one vulnerability, it’s everything”.

- Regional to domestic violence service



Understand your clients' capability

- Be aware that clients in a outreach setting:
 - often have limited resources, personal capability, and levels of legal understanding;
 - often face pessimism or resignation about legal problems due to poor past experiences or historic injustice;
 - may become frustrated by the time taken to progress a legal matter;
 - should be empowered to make decisions about their own lives.



Understand your clients' capability

- Be flexible
- Manage resignation
- Anticipate frustration
- Build autonomy



“I think that there’s a lawyer mentality that you know best. But vulnerable people don’t have a lot of control over many aspects of their lives, and that it’s important that the lawyer acts to give them options”.

- Regional to community centre

“Be willing to be a bit flexible. Even with something like debts, don’t assume that people want them waived - it’s possible that the client actually wants to enter into a payment plan, so that they feel like they have a sense of control over some aspect of their life. It’s about giving people options, so that the law isn’t another aspect of their life where they don’t have any autonomy”.

- Metro to youth service



Communicate legal concepts carefully

Good practices include:

- asking clients to paraphrase your advice at the end of an appointment;
- regularly checking in with clients throughout the appointment to ensure their understanding;
- reiterating legal concepts;
- offering several or longer appointments;
- using resources such as factsheets and workbooks to explain complicated legal concepts.



Be culturally sensitive

“Even without individual racism, the structural racism is there within our institutions. There are the cultural barriers, there are language barriers... Even if the client could overcome all of those other issues, and with all the goodwill in the world, their experience is one of services promising outcomes and then disappearing”

- Regional to First Nations health agency



Be trauma-informed

“Trauma-informed practice is absolutely key. Training around trauma is very important, so I’d recommend that to any practitioner. You’ll often meet with clients who are befuddled, so you’ll get fragments of stories, sometimes they’re not adding up.

Sometimes people are so traumatised by their experiences that having an understanding of that, having a trauma-informed approach is definitely the key”.

- Regional to domestic violence service



Thank You

LawRight would like to thank the following organisations and individuals for consulting with us as part of our Best Practice Guide to Legal Outreach project:

- Cairns Community Legal Clinic
- Mackay Regional Community Legal Centre
- North Queensland Women's Legal Service
- Queensland Advocacy Incorporated
- Refugee and Immigration Legal Service
- Taylor Street Community Legal Centre
- Justice Connect
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