

# Qualitative evaluation of a Health Justice Partnership in inner-city Sydney: Preliminary Qualitative Findings

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## Background

The Redfern Legal Centre (RLC) provides free legal advice, services and education to disadvantaged people in New South Wales (NSW), primarily to inner-Sydney residents and the groups who advocate for them. The RLC participates in activities that reduce inequalities and defects in laws, the legal system, and administrative and social practices that impact on disadvantaged people. In 2015 the RLC established the first Health Justice Partnership (HJP) in NSW with Sydney Local Health District.

The HJP involves the employment of a solicitor at the Royal Prince Alfred Hospital (RPAH) twice per week to provide legal assistance to clients and to train hospital staff in identifying legal issues. The community solicitor is based at Drug Health Services but can provide legal support to any RPAH patient. The key purpose of the HJP is to address the social determinants of health via legal remedies. These include, among others, housing issues, fines and debt, family and child protection issues. These determinants all have the potential to impact health, especially for those clients with drug and alcohol problems.

Clients with drug and alcohol problems often have myriad health problems and complex psychosocial issues. Many experience profound social disadvantage. Compared to the general Australian population, clients receiving drug and alcohol treatment had much higher levels of unemployment (40% vs 5%), homelessness (21% vs 0.5%) and had experienced a criminal justice problem in the previous year (29% vs 0.5%) (Berends et al., 2016). Prior incarceration is particularly high for people who have injected drugs with more than half reporting prior imprisonment (Karlsson & Burns, 2018). Recently, it was found that a primary diagnosis of “social circumstances influencing health” was applied to 61% of hospital separations among a cohort of people who inject in Melbourne (Nambiar, Stoové, Hickman, & Dietze, 2017).

Problems such as housing instability and homelessness compound physical, psychiatric and substance use conditions (Baggett et al., 2013). Although individual factors such as mental illness are unlikely to be responsive to legal interventions, structural issues such as discrimination and the provision of social housing may be much more responsive to legal interventions and may be remedied if identified early (Baggett et al., 2013). For example, US research found that preventable risks factors for homelessness were identifiable in the medical notes of American veterans a median of 87-days prior to administrative classification of homelessness (Baggett et al., 2013). Legal intervention may therefore have the potential to prevent the deterioration of a client’s health if legal advice regarding tenancy and living arrangements can be provided early.

Financial stress can have significant impacts on health and well-being. Australia’s universal healthcare scheme removes significant barriers to accessing healthcare but does not eliminate them. Recently, more than one-third of 906 clients receiving assistance from a non-government community welfare agency in NSW reported difficulties accessing healthcare, typically due to cost-related barriers and almost half reported delayed or non-use of medicines because of cost (Paul et al., 2016). In addition to these pressures, external financial stresses including, credit card debt and predatory lending, can exert further strain. These pressures, however, are much more amenable to legal remedies and many may be ameliorated with good legal advice.

Family-related matters including child custody and domestic violence also influence individuals' health. Domestic violence can result in acute hospital presentations, but while this may improve the immediate care of clients, it is unlikely to resolve the underlying cause of the presentation and the client may remain vulnerable upon discharge. Legal interventions, such as Apprehended Domestic Violence Orders, can be useful for addressing ongoing violence, especially where the victim has made attempts to leave an abusive relationship. In NSW, between July 2013 to June 2014, one-in-five or fewer Apprehended Domestic Violence Orders (ADVO) were breached: 20% for final orders, 5% for provisional orders, and 9% for interim orders (Poynton, Stavrou, Marott, & Fitzgerald, 2016).

The causes of, and solutions to, domestic violence, however, are complex (Ellsberg et al., 2015) and an array of factors can influence a victim's ongoing exposure. Financial abuse and manipulation can play a role and may influence a victim's perceived need to remain in a relationship (Postmus, Hoge, Breckenridge, Sharp-Jeffs, & Chung, 2018). These issues may be further compounded for women with histories of substance use issues, where the prevalence of domestic violence tends to be very high (see for e.g. Rahman, Nithyanandam, Morely, & Day, 2016). Moreover, women with histories of substance use are more likely to have had prior contact with the law enforcement and be less trusting and, therefore, less willing to engage these services. They also tend to have greater concerns regarding Family and Community Services (FaCS) involvement (Reid et al., 2018). Likewise, greater levels of disadvantage among substance using women also places them (and their male counter-parts) at risk of financial stress due to predatory lending service contracts, which in turn may exacerbate abusive relationships and impede victims' ability to leave.

HJPs are relatively new to the Australian healthcare setting, but they have been operating in the United States (US) for some years. The most common areas of need identified by Cohen and colleagues in their 2008 study of four HJP in the US were disability-related support, public health and other government benefits, housing, family law, guardianship and immigration (Cohen et al., 2010). Areas that are also likely to benefit drug health clients. As Teufel, Maceheller, and Dausey (2014) point out there is considerable literature highlighting the impact of stress on health, but very little on how this might be addressed. This study therefore aims to provide an overview of the potential benefit of HJP, by using the case studies to assess the impact of HJPs on drug health client outcomes.

## Qualitative research overview

This section describes the qualitative components of the evaluation of the Health Justice Partnership, based at Drug Health Services in inner-city Sydney. DHS provides services to a diverse socioeconomically region which includes pockets of severe social disadvantage. Social disadvantage indicators range from adverse social, mental and physical health issues, poverty, homelessness, limited social capital and problematic drug and alcohol use (Price-Robertson, 2011). Extreme disadvantage and social exclusion have been found to be geographically concentrated and persevere through familial generations (Saunders 2007). The participants in this evaluation all experienced one or several of the social disadvantage indicators described above at the time of interview and came to see the community solicitor for a plethora of concerns such as housing issues, fines and debt, criminal charges, injury

compensation and family and child protection issues. Such concerns all have the potential to impact health, especially for clients with drug and alcohol problems.

## Methodology

Twelve qualitative, semi-structured interviews were conducted with consumers of the Health Justice Partnership. Participants were also clients of Drug Health Services and were recruited via opportunistic sampling at the opioid substitution dispensing clinic, the Possum play group and Aboriginal women's group, and via assistance from staff and peer workers who were able to suggest participants known to have made use of or consulted with the Health Justice solicitor.

Participants were made aware that partaking in the qualitative interview was voluntary and would not in any way affect their involvement with DHS or future engagement with HJP. All participants received a \$30 voucher as gratitude for their assistance. Interviews were conducted at Royal Prince Alfred Hospital's Drug Health Services (DHS) in a private room or in a nearby park, depending on the participant's preference.

Using knowledge gleaned from staff interviews and informal observations, a questioning framework was developed to guide the semi-structured interviews. The interviews lasted, on average, 30 minutes, although several interviews lasted up to one-hour and one interview was only 15 minutes in duration. All interviews were audio-recorded and professionally transcribed.

Interpretive themes were established, and transcripts coded accordingly. Ethical considerations of this research were deliberated over and approved by both the Sydney Local Health District Human Research Ethics Committee and the Aboriginal Health Medical Research Council.

The interview questions started with broad contextual themes regarding life history, drug-use and contact with DHS to allow for the interviews to progress slowly to ensure interviewees felt comfortable and able to direct the interview. This was also done to ensure that any unanticipated themes were able to be explored in the course of the interview. For instance, as part of this exploration of contexts, trust and being known in the community emerged as strong themes relating to service facilitators, which the investigators chose to explore in depth.

This section presents the findings from the interviews with consumers who have used the community solicitor. The section further describes the characteristics of their experiences with HJP, including the challenges they face in obtaining assistance for their legal concerns.

## Findings

### Contexts: General issues faced by consumers

Twelve clients were interviewed. Eight were female and four were male. The participants ranged in age between 28 and 52 years of age. Nine participants identified as Aboriginal. All the participants were currently undertaking treatment at Drug Health Services. Six participants had left school before year 10, two had finished Year 10, three had finished Year 12 and one was currently undertaking a trade certificate.

### Types of concerns the participants presented with

By far most of the clients participating in this research had seen the solicitor on numerous occasions and nine out of twelve had seen the community solicitor for more than one issue. Once a relationship was established and trust had been built, many participants reported coming back to see the solicitor for other concerns. By far the most prevailing concerns the participants in the qualitative component of the research had sought legal assistance for related to housing and involvement of child protection services. Other concerns included, among others, fines and debt, family violence and sexual assault and assistance with criminal charges (Table 1).

**Table 1: Main concern participants sought legal advice for**

Legal concern	Number of clients affected (N = 12)
Involvement of child protection services	6/12
Sexual abuse and/or family violence	2/12
Criminal charges	4/12
Debt or fines	4/12
Assistance documenting need for and obtaining social benefits	2/12
Compensation for physical health impairments	1/12
Problems with security or standard of housing	7/12

Participants were asked how they initially came into contact with the HJP. Most had heard about the HJP service from both their social network and from staff (Table 2) indicating the program has become well known in the local community.

**Table 2: Knowledge of solicitor service**

How did you hear about the solicitor	Number of clients (N = 12)
Staff members	2/12
Friends/family/network	2/12
Both Friends/family/network and staff	7/12
Redfern Legal Centre	1/12

## What works with Drug Health clients?

This section describes the specific characteristics of the HJP program that participants felt made a positive difference to them and the qualities of the relationships developed with the community solicitor. These aspects reflect what makes the service accessible and effective for this client group and the aspects the participants valued most about the service. Subsequently, service barriers and the participants' experiences with the program will be presented.

### Facilitating characteristics of the service

The qualitative data confirmed that the HJP was reaching the target population of highly disadvantaged clients. In general, the social circumstances and challenges faced by many participants were far-reaching and often contained numerous significant physical, mental and social stressors. As expected, all participants had a background of problematic substance-use and were currently receiving treatment at DHS. Participants unanimously felt that the HJP was a crucial and beneficial addition to DHS.

"A lot of people that come here are broken, and a lot are in trouble. They've got in trouble with the law or trouble with family court or something. So, I don't know about other people, but for me and a few people I know have come here – this place fixes your life up. Yeah, it has. It's made my life better, better quality of life. The staff here, and [solicitor], they're very good staff. They always look out for the person's best. [...] I just think it's a service that they need here."

Many participants initially did not know where to start or how to go about initiating change to their circumstances. Sorting out which of their concerns could be addressed with legal advice, and which was more appropriately dealt with through referrals to other services better placed to help, such as domestic violence organisations, charity organisations or Aboriginal services, were often a first step where the solicitor could assist. In most instances, the Drug Health clients did not present with a clear-cut legal concern, but rather a life story and a magnitude of current concerns and issues.

"Well, I needed help with disability allowance; I needed help with housing; I needed help with everything. My daughters went to rehab and my family fell apart so yeah, I needed help across the board really with everything, and she managed to put me in touch with people, and the right people who could help me with all of that."

"She helped me with housing, she helped me with listening. She helped me with guidance, put me in good directions for myself and for my cousin. And just a good listener as well."

As many of the participants were living in difficult social circumstances, sorting out competing priorities and providing encouragement to initiate a case or keep going when participants experienced setbacks was crucial. Many participants expressed feeling encouraged by the solicitor, as will be discussed in the following section.

## Empowerment, empathy and having an advocate

Participants noted that the solicitor was very “hands on” both practically and emotionally. It appears that once a trusted relationship was built, many consumers sought out the solicitor for emotional support and general advice unrelated to their legal concerns. In this context, many participants expressed not adhering to the official roles of staff at Drug Health Services, be they social workers, nurses or solicitors, but chose instead to seek out the staff members with whom they had rapport and trust.

“Her [HJP solicitor] personality was just amazing, very down-to-earth lady. And like I said, she just took it in her stride and gave me a lot of advice about domestic violence. Then because I kept running to her - like I said, I had no one else. And the confidentiality, her confidentiality was amazing. Like, still today, nobody’s in the know about my situation, which is really an upside. She was just very easy to - very approachable. I found her to be very approachable - because I am Aboriginal and, you know, that’s very important.”

“She [HJP solicitor] just gave me advice and stuff like that and she spoke to me a lot about the stuff that I needed to know because I don’t listen to certain people or other people. It was just good to be able to come and find someone that you can trust. She got to the point real fast and she just told you how it - it's good to know that someone else is out there to help look out for us and stuff like that, when we're on our down and out, and she helped a lot with the criminal system here; helped us get solicitors and stuff like that, that we needed for certain stuff, like certain legal stuff that we needed. She was all right. She was good.”

Having an advocate was described as an important transformative experience in that it contributed to the participants’ sense of empowerment. This aspect of the program was particularly strong in the case of William, a young man who recently had been released from prison, was on parole and participated in the methadone program at RPA. William had been charged with paying back \$8000 to Centrelink for payments he had not received. He described this experience as extremely stressful, he felt wrongly accused and disempowered as he describes: *“I've got evidence to prove everything, but I haven't got a voice”*. As money was deducted directly from his Centrelink payments, he was struggling financially. Consequently, he feared he might start doing crime again to survive financially. The case contributed to a significant worsening of his schizophrenia and depression, for which he was taking medication. This worsening of his mental health also posed a real risk of drug relapse. Meeting the solicitor, however, had made a big difference, as he now felt he was able to fight back:

“That's because he [HJP solicitor] believed in me. He made a phone call, we sat here, he made a phone call, everything. So, I spoke to my partner, stayed calm, maintain, report to my parole, keep up with my medication, and just wait for this battle. And, I'm going to fight, I'm going to fight my hardest, every step I take, every breath I'm breathing. He took time and made a phone call for me, it made a big difference. He didn't judge me by my looks, that I'm on drugs, or that I'm on methadone. He didn't if or butts me or question me, he straight away believed everything that I said. And, I



was so shocked that he did not deny me of the truth and all the proof that I had. So, it's, you know, my faith is restored.”

Many participants expressed deep gratitude and appreciation and felt that the solicitor had “gone beyond the call of duty” and fiercely advocated the benefit they saw the service provide. Likewise, participants spoke of feeling empowered by the solicitor, both by garnering optimism that things could improve, and by continuing to work creatively and progressively to assist clients to overcome difficulties that had previously been perceived as insoluble.

“She gave an incentive, you know? [To] keep going. ‘Come on now, you haven’t got time, you’ve got to do this and do that’. Sort of give you that incentive, ‘keep going, don’t give up’.”

“When I did speak to [HJP solicitor], you'd just see that she really wanted to help. She could see our situation and she wanted to help, and it was wrong of them what they were doing to us. Yeah. Again, without [HJP solicitor] help at first, it was – just to point us in the right direction to get help, to show that we have rights, and to show them that we can fight for our baby.”

Most participants appreciated the solicitor’s more supportive and less punitive approach, and many described feeling enabled to take self-responsibility in their dealings with the solicitor.

“She was like that, then she’d go, ‘come on now, pull it together’. You know, ‘your kids need to see you’. She’d give you a bit of courage.”

The more intangible types of support provided by the HJP solicitor were emotional support, hope and courage. Most respondents talked about the importance of having supportive professionals to advocate for them and help reduce their stress and anxiety.

“Given the state that I was in the day they took her [participant’s daughter] - it was a Thursday, so I went in and seen her [HJP solicitor] the next day and given the state that I was in, I wasn’t looking to trust nobody, but after sitting with her for about two hours or so, talking and explaining my side of the story and her comforting me upset and things like that, it made it so much easier to understand everything from her point of view and whatnot, and that it was wrong for them to just barge in and take her on the grounds of my brother’s criminal history and record and whatnot, so she told me I had a case and everything like that.”

As this section has shown, a vital element of the HJP was that it gave the clients a sense of hope for their future. The support helped the participants to feel less alone and gave them strength to continue fighting for their case. Other facilitating factors mentioned included a supportive, warm and empathetic atmosphere, as described in the following section.

#### Non-judgemental, welcoming atmosphere

During the interviews, all respondents reported feeling comfortable with the HJP solicitor who had a consistently positive, empathic attitude. The warm relationship between the



solicitor and the clients was emphasised repeatedly by the participants. More so, the solicitor was described as approachable, respectful and constructive.

“Yeah, it's always good to hear that from someone that's up in that legal - right in the middle of things because she [HJP solicitor] can tell you what happens or what could happen, or just comfort you in ways, and that's what [HJP solicitor] used to do, comfort us a lot.”

“Instead of looking down at you and talking down and - she'd always try and lift your spirits up.”

Having a non-judgemental attitude emerged as one of the biggest themes in the interviews, as a crucial aspect of successful engagement with this client group. This welcoming, non-judgmental atmosphere helped the clients feel comfortable disclosing their circumstances.

“She's not judgmental. She doesn't judge you. I walked in with dirty clothes and she still made me feel welcome. You can be a bum off the street and she'll still make you feel welcome.”

“Like a friend, yeah, that's it, like a friend. It was comfortable to talk to [HJP solicitor]. It was really comfortable to talk to her. She didn't look at you differently. She didn't judge you.”

Participants identified respect and empathy as meaningful components of the relationship they experienced with the solicitor. Favourable interpersonal relations were repeatedly highlighted as fundamental in enabling the conditions for positive and constructive legal processes. And above all, in the words of a participant, a solicitor who; “cares”.

“I'm not comfortable in - within myself, do you know what I mean? Like, I was with [HJP solicitor]. I can go talk to her about anything. She'll take me in her room, sit me down, and she'll talk. She'd say, "You can tell me anything." I'd say, "Yes, I know." There's trust. There's my - you know what I mean? Big trust with the [name of the case]. Yes. I trust her, that's why I done the [name of the case] with her.”

This section described how a supportive and enabling environment allows clients to engage with the HJP service and the solicitor. Feeling respected, heard and understood, and being met by a likable, friendly solicitor, as simple as it sounds, were necessary before a positive relationship could be achieved. Successful delivery of services to highly disadvantaged population groups include creating an environment that encourages individuals to feel respected and listened to, to ensure that clients return. Other facilitating aspects include easy accessibility and a flexible service, as will be described in the following section.

#### Service embedded in the everyday life of the clinic

A crucial enabler of the positive outcomes described in most interviews was the accessibility and flexibility of the HJP service. The participants explained that the ‘door was always open’ and the solicitor available over the phone whenever needed. That clients did not have to make an appointment to see the solicitor and were able to call her when necessary provided a degree of flexibility required to work effectively with disadvantaged clients.

“It was just good having someone here. Yeah, I mean she was always there, it’s not like you had to make an appointment with her, she was always there. You could just see her, I mean any time I asked if she was available, she was always available to help me.”

“She’s always there, she can always answer questions, and I mean she’d make time, she’d even make time for you, have a quick, I mean, she’d always even look out for you to see you. One time I saw her and she’d just gotten off the phone to my FaCS worker and I was going to see her at the same time, and so she was able to explain a lot of things to me, and I don’t know, she was just extremely helpful and you feel like you had that complete support network there.”

That the solicitor made herself available for informal chats facilitated a kind of ‘soft entry’ to the legal service, which allowed participants to access services and gain advice that they may not have been able to receive otherwise. The participants explained that these informal conversations often took place while standing outside the methadone clinic or participating in activities and groups run by DHS, as the women in the below quote describe:

“I was coming to the childcare, and [HJP solicitor] come in there, in the women’s group. She come in there and then she asked was anything wrong, and I told her. She said we could put in a compo, so we went and put it in.”

The fact that clients could see the solicitor without long delays or the need to further “triage”, facilitated a rapid and effective response and such flexibility and accessibility of the service helped ensure that clients actually attended the HJP.

A related aspect of the program which respondents identified as important for their ability to successfully engage in the service related to the solicitor being involved in the everyday life of the Drug Health clinic. This included partaking in the women’s group, the Aboriginal crafts group and generally being around the methadone clinic (on the client side of the counter) to chat and engage with DHS clients. This meant that when clients came to see the solicitor, they were already familiar with her and felt that she, in turn, knew of them and their life story. As this woman describes:

“When I met [HJP solicitor], she reminded me that she had seen me and [consumer’s daughter] a lot, coming here all the time, so she used to see us all the time from when [consumer’s daughter] was a baby and everything. So, she remembered us. Yeah, so you know, that was really good that she actually remembered who we were. She knew me before I even knew her.”

Other important qualities of a solicitor outlined by respondents were a capacity to be an active listener and to listen for the ‘whole story’. This also involved longer appointments where clients were able to disclose their often complex circumstances at a speed that suited them. Below is a quote from a consumer reflecting on the difference between the HJP solicitor and other similar services.

“Well it was good because people can come here and they can speak to somebody that they know and they sort of trust that they’re given the right advice, like they’re not just going into a legal aid building or something like that where they’re in a hurry and they just go, 'This is what you’ve got to do,' and then get you out. Here you can go to somebody you see every day, and I might not have been in any trouble but I could come in each day and say to [HJP solicitor], 'I need to speak to you,' and I feel like I could trust her and build that relationship, even if you haven’t done anything before but you’ve seen her here every day. And you’re bound to have said hello or something but you sort of bring that little bit of – like you know that person a bit more. Then if you just go into legal aid, you don’t know the person from a bar of soap and they tell you something and you go, 'Fuck are they telling me the truth?' are they just trying to brush me and get me out of here because they’re busy?’”

The solicitor’s embeddedness into the everyday life of the clinic showcased her approachability, willingness to help and provided the participants with a sense of equality. A related theme emerging from the interviews is the solicitor’s ability to work holistically with clients due to her knowledge of the participants and their community, as discussed in the next section.

#### Trust as the cornerstone of successful outcomes with clients

Mutual trust and honesty emerged as the most valued characteristics of the relationship between the participants and the solicitor. Participants described the solicitor as an honest, straightforward person, who was easy to talk to. Being honest and transparent was mentioned repeatedly as effective ways of engaging with clients.

“Straight up. Straight up. She was just straight up blunt with me and up front with me, so it was good.”

“She's just got that trustworthy vibe in her. She's honest. She's really honest and that's what I think we liked about her the most, that she was really honest.”

Confidentiality and consent issues are an obvious threat to clients’ willingness to disclose their stories and concern. It appears from the participants’ stories that the solicitor took great care to inform the participants of her status as exempt from the mandatory reporting requirements.

“Because you know that - she tells you straight-up, you can tell me anything, tell me anything, it's for your best interest, I'm here for your best interest, which she is. She says I can't say anything to anybody, or else I'll lose my job. You can talk to me about anything, tell me anything, and you just think wow, this is the best thing in the world. Because then she can advise you on what you tell her, you're not scared to tell her anything, because you know you can and she won't tell anybody. Then she can advise you on everything. Perfect. Of course, mandatory reporting, and people, things can get taken the wrong way, so with [HJP solicitor] you know, you don't have to worry about anything.”

Participants explained that initial willingness to consult with the solicitor was created by leveraging on other trusted relationships. This included knowing somebody who had had a

good experience or a successful legal outcome or a long run-up period in which trust had been gradually gained. In this context, the establishment of trust with participants had a ripple effect whereby other family and community members would seek out the solicitor, as illustrated below.

**“This is like a little community here. Everybody knows everybody, and they can go, matie, what do you think of [HJP solicitor]?’ I’m like, ‘She’s good, man.’ And people feel more at ease and feel more likely to trust them and tell them shit.”**

**“I know a few of my friends that dealt with her as well and she’d been such a big help. I referred my family in to see her and things like that.”**

Social networks, particularly in Aboriginal communities, expand beyond traditional boundaries of close family and were found to be hugely important for participants' willingness to engage with the solicitor. The a quote below illustrates clients experienced the solicitor as a trusted person, who is known in the community.

**“They're not going to talk, they're not going to open-up. With [HJP solicitor], a lot of us, we don't like talking to people and we don't like talking about most of our stuff but with [HJP solicitor], [HJP solicitor] helped a lot of us here. She did, she helped a lot.”**

Of course, leveraging on relationships with others can be problematic as an adverse interaction between a client and the community solicitor can erode trust across a wide social network. As such, it is of utmost importance that the community solicitor is enabled to continue to engage with all clients in a respectful and empathic manner, as trust can easily be lost. In this regard, working with disadvantaged clients might differ from other legal services, as ensuring that staff loads allow adequate time for the solicitor to establish an individual relationship with clients, is fundamental for good legal outcomes. This poses difficulties when there is a change of personnel, as the next section will discuss.

#### [Continuity of personnel to avoid retelling your story](#)

The participants unanimously reported that the solicitor was knowledgeable and professional and genuinely listened to the clients' concerns and acted upon them. Importantly participants reported that more than simply providing clients with the appropriate legal advice, she had the appropriate experience and knowledge to treat them with sensitivity without risk of re-traumatising them. This was important as many participants mentioned frustration and fear of feeling stigmatised and judged when having to retell their often complicated and difficult stories. One client vocalised:

**“I hate it how, with solicitors like that, that you meet someone and they pass you on and you’ve got to start over and repeat yourself over and over. I don’t like going through that process. You have to go through it all over again. I know they read it off the thing, but they want to hear it from you again, you know.”**

The respondents felt strongly that the service needed a dedicated solicitor and many expressed shock and grief that the community solicitor was no longer at DHS.

“It’s also good, for someone if they’re going to be here for it hopefully to be the same person, and then they know you and then it’s consistent, you can go back to them and be like oh, you know, just - or even if from my point onwards, I could just say can you please explain this to me, but just have someone here. Definitely, all the time that we have access to. It’s nice to have the same person, it’s consistent and they know you.”

An important benefit of the HJP was the building and solidification of trust between clients and the service. Clients noted that these trusted relationships take time to develop and are nurtured through continuity of care. Being able to continue to see the same solicitor throughout their case, along with the legal outcome, had strengthened participants’ trust in the HJP and legal and justice system more generally. Regardless of the underlying reason, lack of continuity of personnel, impacts on client trust and engagement.

This section has identified the characteristics of the service which participants felt facilitated engagement and were supportive for them. These included an atmosphere of respect, understanding, easy accessibility and flexibility. Moreover, specific characteristics of the solicitor were outlined as important for successful outcomes such as good listening skills, honesty, trust and professionalism. A justice program that can provide non-judgmental and compassionate care in a flexible and accessible manner appears to promote good outcomes for vulnerable clients. The interviews also highlighted several barriers impacting on client access to legal services such as past negative experiences, these are described in more detail below.

### Barriers to seeking legal assistance: mistrust and past negative experiences

Three main barriers to seeking legal advice were mentioned by participants: previous negative experiences with welfare services; limited trust in staff; and issues around accessing the service. These are described below.

During the interviews, participants often mentioned previous experiences where they had been let down, disappointed or lied to by professionals and services. The lack of respectful communication most participants had received from professionals previously made participants wary that staff might not be emphatic to ‘their side of the story’, as illustrated below:

“You can’t say nothing because if you do, you get kicked off the methadone program. Then what? Go back to drugs? You know what I mean? It’s just biting your arse, a big circle, chasing your own tail.”

“And that’s a big thing for me to say because of what happened to me, that I trust her [HJP solicitor], because trust is out the window and like, I didn’t trust the staff here, any other staff member here, even the nursing staff I didn’t trust, but I trusted [HJP solicitor].”

These past experiences were found to have a huge impact on ongoing trust and willingness to

disclose. Below is a quote from a young woman telling of her experiences with health services. In this instance, she and other women were unaware of the staffs' mandatory reporting responsibilities and consequently ended-up having their children placed in out-of-home care.

“We was going there trusting. So, there was a bit trust thing where we didn't trust no one when all our kids got taken. There was about five of us mothers that it happened to because we trusted in the women's group that we could confide in them and tell them things. I know they have a duty of care, now I get that they have a duty of care – they have to go and tell someone, but they could have come and confided in us first and said we have to do this, but they didn't do that, they just went and told on us. So, there was big trust issue. It was pretty bad when all the confidentiality got breached. It turned it into us mothers blaming each other and saying, 'Well you told on me and you told on me' and then it caused a lot of arguments and fistfights and finger blaming and people were just distraught because their kids had been taken, they didn't know where to turn to or who to see for advice.”

A large number of clients had previous or ongoing involvement with child protection services. The context of adverse experiences of authority and children being removed, was a threat to building trust and was often mentioned as a factor impacting on both clients' willingness to engage the solicitor as well as willingness to tell the whole story. Below a woman articulates how her mistrust in Family and Community Services (FaCS) lead her to not seek assistance in an instance where she needed help.

“All FaCS say is that, ‘You should have contacted us back then’. As if I would. I've seen you fellas in and out of my life - not my life personally, but my family's lives, I mean. I said, ‘I'm not that stupid to walk in and tell you guys that my brother and his partner dumped their daughter. You would have took her straight away, I'm not stupid.”

Another barrier mentioned by some participants was the limited hours where the HJP was available. Some participants' felt that it would be beneficial if the solicitor was available on a more regular basis.

“Just the days that she did work. If she would have been there more days there would've been a bit more help. Like not everyone can just attend on those days, people have problems every day of the week. So, if there was more days that she was there then that would have been more helpful.”

In order to improve social determinants of health for disadvantaged clients, the solicitor must first overcome clients' barriers, in particular, those related to mistrust of professional staff and welfare institutions in general. Given a history of negative experiences engaging with professional workers, a positive and supportive relationship with the solicitor is an important aspect of the HJP program. The following section provides more details on the types of assistance the participants had received from the solicitor and their experience of what had been useful and valuable to them.

## Experiences using the Health Justice Partnership Service

This section outlines in more details the experiences consumers had using the HJP and the types of assistance they received. Several respondents mentioned that the solicitor had helped them to feel comfortable, prepared and able to contribute with their side of the story. Helping participants prepare for what to expect also ameliorated stress and anxiety.

**“It would have been so much harder [without the HJP] because I wouldn’t have known how to do it, what to do. I wouldn’t have known where to go, what to say, what needed to be done. It was so much easier having [HJP solicitor] there, and given that it was free, it took a big load off.”**

Explaining documents, using plain language and avoiding jargon was emphasised as features that created equality and respect and maintained approachability of the solicitor. Many respondents mentioned that the verbal communication style of other legal staff and the written documents associated with their case had been very difficult to comprehend, which impacted negatively on their ability to respond to their cases. These misunderstandings further led to confusion around procedures and expectations and placed additional stress on clients. Having clarity around what to expect and what was expected of them emerged strongly as a theme around access to justice.

**“She [HJP solicitor] helped me and told me what I needed to do, to have someone represent me on the day, and I followed her instruction and she also explained to me a lot in the paperwork that I didn’t understand. [...] Yeah she explained everything to me that I didn’t understand. Then told me what I needed to do, because she doesn’t deal in criminal court. I followed all her advice and everything went fine.”**

The solicitor providing sound advice, being transparent, clear in her communication and easy to understand was identified as very important by most respondents.

**“I’d be going back to her and saying can you just explain, this is the final order, can you, I mean I have a very good understanding of it. Because when you get the final order at the courthouse, they do explain to you and your lawyer does as well. But still I’d take the paperwork to [HJP solicitor] and say, what’s your understanding of this, can you explain it to me, and she’d do that, there was no problems at all.”**

**“Everything she did - even things I wanted to do and what I wanted to say, she’d pull me up and say, ‘Look, I don’t recommend that you do that. It could lead to this way and that way’ you know, ‘and I recommend we do it this way’ and it would always come out with a good outcome.”**

As can be seen above, even in instances where clients had a criminal lawyer assigned to their case, many still relied on the HJP community solicitor to clarify issues. As described in the above sections, participants highlighted the importance of having a trusting relationship with any professionals, before they were willing to disclose their stories. As such, most participants expressed a reluctance to trust other legal services and relied on the HJP solicitor to act as a bridge between themselves and other services and professionals.



There was a recognition that the solicitor was persistent in attempting to assist her clients. Below is a participant's account of how his case working towards restoration with his daughter started going in the right direction after the solicitor was able to advise him on proactive steps to take, such as going to rehabilitation:

"We were doing what FaCS wanted and it just wasn't going anywhere, but then when I volunteered to go to rehab and all that and then got the help from these guys, and pointed in the right direction to go to the solicitors, it all worked out. (...). Because FaCS wouldn't have done it. [HJP solicitor] had to ask FaCS to do it and on what grounds and whatnot, because they were fighting against anything. They didn't want to help at all. But on the grounds that we were going to court and things like that, and with her big professional words and things like that and the letters that she sent to them, they actually put a letter through saying that yeah, they are looking forward to restoration for respite and other stages for restoration, eventually in the end. So yeah, nothing would have happened if I didn't meet [HJP solicitor]."

Being provided with comprehensible information also promoted clients' involvement in planning and decision-making regarding their life circumstances. Providing sound advice and clarity about potential outcomes made it easier for clients to understand the consequences of their choices. Below is a quote from a woman who was caught with heroin in her possession. With the advice of the HJP solicitor, she was able to navigate her available options.

"She did help me with my drug matter and did give me options there and told me there's two ways you can go about it, you can plead guilty to it and get like 25 per cent off of your charge or you can plead not guilty to it and fight it in court. But then if you're found guilty with it you'll probably get a bigger sentence or you'll probably get a worse outcome. So, it made me want to plead guilty to it early, you know, I did get caught with them and I couldn't argue that I didn't get caught with them. So, it made me think about my two options, you know, plead guilty or plead not guilty. So that was helpful. If I hadn't spoken to her, I probably would've went to court and just let it drag out. My worst thing is I flee, so I don't even go to court, I just let the man deal with it. And she told me that would lead to worse things where a warrant would be issued for my arrest and I'll be arrested on the spot. So, my biggest thing is I don't even show up to the court matter in that, so with her advice, it made me want to show up to a court matter and deal with it at hand. I pleaded guilty to it early, I got the 25 per cent discount, so they only gave me a good behaviour bond for 12 months and they made me see Corrective Services. So that was a better outcome than going in jail. I've been in the same house now for 10 years, and my biggest worry was losing my home and losing everything. Because my daughter is allowed to come on certain days to see me, so you know having that as a comfort thing was a big worry for me."

Like the woman in the above quote, several participants expressed feeling overwhelmed, disempowered, anxious and confused when it came to navigating legal matters. When asked what might have happened had they not received legal assistance, many participants indicated that they would not have taken up the case or sought justice had it not been for the

HJP solicitor's assistance. The quotes below are from two women reflecting on what might have happened, had they not had access to the HJP:

“I think we would have just left it. Just let it be, you know. So, without the help - it's been a big push to get where we are. Yeah, it would have been too hard. With legal fees and stuff, it's terrible, you can't - I'm only on the unemployed benefits, it's really not - you can't do anything. “

“I dread to think. It makes me get teary to think what would have happened to me if I didn't tap into [HJP solicitor]. Sorry. (...) I would just be - who knows, I don't even want to think about where I could be. It just takes me to bad places. “

These examples demonstrate how the HJP model facilitates good outcomes for vulnerable clients and improves equity of access to legal services for socially disadvantaged groups.

An important aspect of the HJP described in this section, is the promotion of clients' involvement in planning and decision-making regarding their life circumstances that can be facilitated by having access to comprehensible information, clarity and advice from a trusted source. Another vital aspect of the service that helped ensure positive outcomes was connecting clients with available resources, as described in the following section.

#### Facilitating clients' knowledge of and connection to resources

The participants described how the HJP assisted them to increase their knowledge of their rights and facilitated their knowledge of and connection to the resources available to them. Many participants expressed benefiting from the HJP solicitors' extensive knowledge about other services and appreciated referrals to other community organisations. The assistance the woman in the quote below initially received from the solicitor predominantly pertained to referrals to other community resources. A legal case was, however, eventually made, as the woman took out an AVO against her former partner.

“One of the ladies suggested I come and talk to the HJP solicitor, and I came to her and she referred me to an organisation that - she was absolutely fantastic. I was running to her for so many things, she was just amazing. I thought she was my saviour, [HJP solicitor], and she was helping me, probably over and above her position, because it was outside of her workplace stuff, and I was really lucky that she found me an organisation eventually who could help me also. “

The case above is a good example of clients not initially seeking advice for straightforward legal matters, but rather presenting with a complicated life story and, gradually, disclose their more complex social circumstances in step with the solicitor demonstrating herself to be both useful and trustworthy.

A related issue involves the HJP solicitor ensuring that other welfare services were held accountable. Many respondents felt that having a powerful advocate on their side helped them receive a fair outcome and ensured that other professionals and services were more knowledgeable of the rights of the clients. Some respondents told of instances where FaCS had not followed through with agreed upon actions or where police departments had

provided misinformation. In these instances, the solicitor was able to ensure that the correct information was provided or that FaCS were held accountable for their neglect, as the below quote illustrates:

**Consumer:** “We sat around the table and had a talk with FaCS and went ‘this was meant to happen’ and ‘this was meant to happen’ but nothing had ended-up happening.

**Interviewer:** So FaCS didn’t do what they were supposed to do?

**Consumer:** No, not that they were supposed to do. They did some of the things they were supposed to, but not all of the things they were meant to be doing. [HJP solicitor] helped us out with that, to actually make them get to where - what they had to do.”

Another client spoke of a similar incident where she was unaware or unsure about her rights relating to seeing her children, who had been placed in out-of-home care. In this instance, the HJP solicitor negotiated with FaCS to assure that the client resumed her visitation rights.

“To be honest, I wouldn’t even – like, how can I put it? I just sort of left it up to FaCS to do it and they just didn’t do it for you, and when she come along, she made sure, you know, there was a visit four times a year. Like I missed five years, six years straight all because no-one done it for me, and I didn’t really know how.”

The provision of ongoing practical, moral and emotional support to clients was described as a crucial positive outcome. In some instances, this type of advice related to clearing up misunderstandings as illustrated below.

"There was something that happened that caused me a lot of anxiety when I was at the methadone clinic. Someone came out saying, ‘I overheard the staff in there saying, you're not allowed to have your daughter here’, which was a complete lie anyway. But he tipped me off, and so staff in that clinic are letting other people overhear, and then people there are coming out and telling me, obviously because I'm with a baby, tipping me off, saying get out of here because they're going to call FaCS. I'm pretty much having a panic attack, and then [HJP solicitor] 's like ‘no, you can have her whenever you want. Only listen to me, don't listen to what the clinic says, I'm your solicitor. You don't have to be supervised'. She just made me feel so much better. I tell you what, that caused so much stress – oh my gosh."

The participants’ stories suggest, that the HJP was able to increase the clients’ knowledge of their rights and the choices available to them, which had a beneficial impact on their legal and health outcomes. The following section will describe in more detail some specific cases as told by the participants, which further illustrate the specific benefits of the HJP.

#### [Homelessness, debt and family-related matters](#)

Access to appropriate, affordable and secure housing can limit the risk of individuals’ being socially excluded and positively influences physical and mental health (Saunders 2017). Legal advice regarding tenancy and living arrangements had been sought by over half of the participants. Participants described how problems with housing instability and homelessness

compounded physical, psychiatric and substance-use conditions. Below is a participant's account of what might have happened to him had he not received HJP assistance:

**"I'd be dead, or in the street still. Still in the street. Still into drugs, you know?" (...)  
Yeah, it was good. Positive feedback and that. She [HJP solicitor] was great helping, that's why I'm decent, the way I am today. I've got a roof over my head and somewhere warm at night, and a place to sleep and that. Got me accommodation and got me on my feet a bit."**

As is often the case with clients from Drug Health Services, being able to secure accommodation allows them to stabilise their drug-use and often begin to minimise their use. Living with active drug-users or in areas with pervasive drug problems, on the other hand, makes it challenging for clients to remain engaged in their treatment programs and can be a significant relapse trigger. As the below participant experienced:

**"[HJP solicitor] was a lot of help. If she couldn't help me with certain things, she'd lead me in directions. And my cousin, I took him in to see [the HJP solicitor]. And she helped us and led us in directions because he was staying with me when he nearly died over there, he was homeless. He was where I was staying when I walked out of my house. So, the house was like a drug house. And I've been trying to get him back on track and he's on the methadone here. And he was living at my house for nine months and stuff and so we'd go in and see [HJP solicitor] and see what she could do."**

In the case above, the solicitor was able to ensure that the client's cousin was rehoused, which greatly stabilised the social circumstances of both the client and her cousin.

In households with children, homelessness or unstable housing is often a trigger for FaCS involvement. Additionally, unsafe or inappropriate accommodation will prevent participants from being restored with their children. In instances where children are placed in out-of-home-care, remaining in stable housing (or being moved to stable housing) is essential for restoration of children.

**"So, she actually helped out a lot. Not only that, she had helped me out with other things like my housing as well. Where I was staying, it wasn't safe and that and FaCS had said that my daughter would have no chance at all of coming home if I was residing there, so she had done me a letter for Housing and things like that."**

With the solicitor's intervention, the woman in the above quote was moved to safer housing and she is now working towards restoration of her daughter. Legal intervention in instances of homelessness likely prevents both escalation of drug-use and deterioration of health but also significantly reduces the risk of relapse and the potential removal of children into out-of-home-care.

Below is a statement from a woman who lost her home due to a sudden serious heroin relapse. After she stabilised on methadone, she sought help to secure a place to live, but debt from her previous social housing property initially prevented her from access to housing:

“I had a \$10,000 outstanding debt queue too, not maintaining my house properly. And I was in Community Housing, so they hit me with everything. To pay to replace a carpet, replace this, replace that. No consideration of wear and tear or the amount of time that I lived there. I lived there for 18 years. So, you know there's going to be like some... So, I just wasn't in a place where you had to clean the place up before you leave, I just walked out. And so, they hit me with a \$10,000 debt in the house that I was in before I walked out of. And a couple of weeks moving into that, I get an electricity bill of \$4 grand, and I hadn't even been in the house. Yeah, I got my housing done. I ended up getting the thing wiped, the \$10,000. But [HJP solicitor] was great because she gave me great insight on outstanding debts.”

In another case the assistance from the solicitor meant that the participant was able to avoid getting a criminal record. Lisa, a 28-year-old woman who had been attending Drug Health Services for many years. Lisa was also undertaking further education and hoping to secure a job upon completion of her studies. Earlier in the year, she found herself in a conflict with her partner which turned very noisy and disorderly, so the police were called to the premises.

“I'm doing Certificate 4 in Admin. I've already done 3, but I want to get 4. That would have been the worst outcome, had I been convicted, because they would have given me a criminal record. Affected me even being able to get a job, yes, so I can't have a criminal record, I don't want one. Luckily I didn't get convicted.”

In the above case, without the assistance of the HJP solicitor, Lisa's opportunity to commence employment might have been compromised, with significant consequences for her future. In a context where many of the participants face significant and compounding disadvantage, improving access to legal remedies can have clearly demonstrable benefits, as this section has illustrated.

## Conclusion Qualitative Interviews with Consumers

The aim of this aspect of the evaluation was to investigate participants' experiences of the HJP, to enhance our understanding of the HJP's specific strengths and benefits. We found that participants felt heard, respected and empowered through the process and that the HJP program goes a long way in ensuring that vulnerable groups have access to justice.

Participants reported feeling comfortable and secure due to the consistent non-judgmental approach taken by the community solicitor, an important finding considering the powerful influence fear of stigma and judgement have on disadvantaged groups' willingness to engage with services. The participants also appreciated the self-responsibility encouraged through honest communication with the HJP solicitor. There were multiple examples of increased self-efficacy and self-confidence, which participants attributed to support from the community solicitor.

The HJP solicitor role is a highly personality-driven role, as the success of the role relies on the ability to build relationships and trust with socially disadvantaged clients. Furthermore, the ability of the solicitor to take a culturally-sensitive, holistic viewpoint and deliver services that promote respectful and transparent engagement with clients was repeatedly highlighted

as crucial service facilitators. Such trust between vulnerable clients and service providers appears to be built through bridging relationships, that is other trusted services, other trusted workers, or peers in the community.

Individuals with complex needs face multiple barriers to achieving justice. Many participants described experiences of feeling stigmatised and judged in dealings with professionals and having had adverse experiences with authorities in the past. The results of this study confirmed that vulnerable clients prefer legal services that are embedded in their everyday context and perceived less stigma and fewer barriers to support services in such a model.

The degree to which the HJP was able to meet the needs of clients relied to a large extent on service delivery being offered in a flexible way, as this ensured that services suited the often unpredictable lives of clients. Soft entry points, non-threatening, indirect and informal service delivery was highlighted as vital to ensure engagement and good outcomes. Additional time, support and a level of 'hand-holding' appear to be both appropriate and necessary with disadvantaged clients.

The commonest outcome reported for participants was remaining in stable housing and receiving a fair trial in dealings with child protection services. Being relieved from debt was also often achieved. The participants' stories suggest that HJP in many instances prevented a worsening of physical/mental health and adverse social outcomes such as incarceration and relapse into problematic drug-use. Although the sample size for this qualitative component is limited, it is reasonable to assume that, in the interviews reported, the HJP was able to improve social and functional outcomes. These outcomes highlight the importance of the model in supporting this vulnerable population.

The key purpose of the HJP is to address social determinants of health via legal remedies. The results of this qualitative evaluation suggest that a program such as the HJP, able to provide non-judgmental compassionate care in a flexible and accessible manner, promote good outcomes for vulnerable clients and encourage equity in terms of access to legal services for this population.

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