

Research shows value of trust in providing legal support to marginalized communities

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Marginalized communities who distrust the legal system can benefit from access to lawyers "on their side" placed within trusted health and social care settings, according to new research by Nottingham Law

School which explores the role of trust in a Health Justice Partnership.

Health Justice Partnerships were originally pioneered in Australia and aim to improve justice and social influences on health by placing lawyers within trusted community services.

The study focuses on the newly established Bagaraybang bagaraybang mayinygalang (BBM), which works with Aboriginal community members in the Northeast New South Wales and Victoria areas of Australia who experience poor mental health and well-being. It is available on the *SSRN Electronic Journal* preprint server.

The project places lawyers from the Hume Riverina Community Legal Service at the Albury Wodonga Aboriginal Health Service (AWAHS) to provide free legal advice and assistance, and to work collaboratively with AWAHS staff to support client well-being.

Learnings from the study, which questioned clients and legal support staff, are relevant to all countries with communities who experience ongoing poverty, inequality, poor mortality rates and negative health and well-being.

With similarities to the Black Lives Matter movement, for the Aboriginal community members questioned in the study, systematic racism has meant that many of them don't trust the law and hold it responsible for their bad experiences.

The findings also showed low levels of knowledge about the law, with perceptions that its role is only when someone has "done something illegal" rather than in the protection or enforcement of rights. They also expressed concerns that in exercising their rights they risk reprisals against them by authorities.

However, building up trust was seen as key to engagement, in particular the need for lawyers to listen and "be real," and for institutions to go beyond symbolism and make genuine efforts in their practice.

Showing respect, being approachable, using culturally appropriate and understandable language, and involving the community in [decision making](#) were also seen as significant factors in building trusted relationships.

The study also revealed an appetite among the community to learn more about areas of law they did not know can help them and to utilize correct information in their community to prevent inappropriate action by them or by authorities seeking to exploit them.

This highlighted the great need not only for access to a lawyer but also the need to build legal awareness, capability, confidence, empowerment, and advocacy skills in both the Aboriginal community and among the "trusted intermediaries."

Dr. Liz Curran, lead researcher and Associate Professor of Clinical Legal Education at Nottingham law School, part of Nottingham Trent University, said, "Around the world, marginalized communities are still significantly impacted in terms of their life outcomes, and many see the law as something to distrust, and as a hinderance, rather than a help.

"The participants in this study expressed distrust in all formal institutional structures and service delivery, and this distrust will be present in all [communities](#) who face discrimination.

"The expansion of Health Justice Partnerships across the globe is vital in changing this perception and empowering people with knowledge. However, we can see from this research that the [lawyers](#) must truly understand the community they're working with, be open and

transparent, and involve their clients in their practice and decision making."

The report is the first part of a three-year annual evaluation of the project.

More information: Elizabeth Curran et al, 2023 First Research and Impact Evaluation Report of the Health Justice Partnership on Mental Health and Wellbeing (BBM)- Addressing the Torment of Powerlessness: Bagaraybang bagaraybang mayinyalang (BBM): Empowering & Alleviating: A Health Justice Partnership (HJP) of the Hume Riverina Community Legal Service (HRCLS) & Albury Wodonga Aboriginal Health Service (AWAHS) offering legal support for social & emotional well-being with Aboriginal Peoples in Northeast NSW and Victoria, *SSRN Electronic Journal* (2023). [DOI: 10.2139/ssrn.4507339](https://doi.org/10.2139/ssrn.4507339)

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