



# Lawyers & Social Workers

## Working together in community law

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# Outline

- Welfare Rights Centre Inc, Brisbane
- The Research
- Methodology
- Results
  - Positives
  - Challenges – common problems
  - What works best
- Implications for educators?
- Conclusions

# Welfare Rights Centre Inc.



- A community legal centre, providing specialist advice and advocacy in relation to social security and disability discrimination law
- 80% Social Security
- 10% Employment Services
- 10% Disability Discrimination
- Advice, advocacy and, in some matters, representation at tribunals and courts.
- Multi-disciplinary team
  - Human service workers
  - Lawyers
- Reliant on input from volunteers

# WRC Services

- Information and advice - Telephone Advice Service – 1500 advices per year
- Casework – 300 cases per year
  - Legal Advice and Representation
  - Social Work
- Community Legal Education
- Law Reform and Policy Work

# Targeted Services



- “Vulnerable” people
- Casework Guidelines:- Existence of issues which seriously negatively impact on client’s capacity to self-advocate:
  - Homeless or at risk of becoming homeless
  - Mental health condition
  - Cognitive disability
  - No income or assets
  - Affected by family violence
  - At risk of harm
  - Social isolation

# Client Profiles



- Age:
  - Majority 50-64 years
  - Under 35 only 12 % of clients
- Gender:
  - Slightly more females
- Location:
  - 30% of our clients are from regional Queensland
- ATSI:
  - 4%
- 65% identify as having a disability

# Client Issues



Facing significant barriers to social and economic inclusion, such as:

- No income or assets
- Domestic violence
- Disabilities
- Communication difficulties
- Low Education level
- Addictions
- No / insecure accommodation

# The research

- Why?
- Researcher – Tamara Walsh, Assoc. Professor at University of Queensland



# Methodology

- 5 CLCs participated
- 10 focus groups conducted with lawyers and with social workers (separately) September 2011 to February 2012
- 13 lawyers, 11 social workers, 75% female
- Range of areas of law
- Semi-structured discussions



# Results

# the positives

# Results - the positives of IDP

- Varied from CLC to CLC, however there were common themes
  - Place for both lawyers and social workers in CLCs
  - Each profession's deficiencies were supplemented by the other's strengths
  - Some said working with the other professional group had contributed to their professional development.
- However – despite overall support for each other's presence, recurrent difficulties associated with IDP



# Results

the challenges –  
common problems

# Lack of respect for, or value of, each other's roles

- Social workers felt not valued as professional in own right
- Lawyers' belief that there was nothing that social workers were doing that they could not do themselves
- Playing to stereotypes
- General ignorance as to role of social workers
- Lawyers often critical of social workers' competence, while social workers did not reciprocate

# Differing ethical and professional obligations

- Conflict of interest
  - Clear-cut rules for lawyers
  - Social workers' ethical obligation to assist a distressed person
- Whose professional obligations should be given primacy?
  - PII

# Differing professional approaches

- Definition of 'the client' differs
- Acting on client's instructions versus taking a 'best interests' approach
  - Some lawyers dismissive and disparaging of 'best interests' approach – viewed it as paternalistic
  - Also disparaging of social work practice of discussing issues broadly with client (rather than focussing only on the legal issues)



# Results

# what works best



# Clarifying roles and expectations

- Need clearly defined role boundaries
- Good communication essential
- Clear position descriptions
- Worker training to ensure role of social worker understood

# Fostering mutual respect



- Mutual respect was considered crucial
- Desire of social workers for IDP to be considered a partnership of equals
- Working conditions and pay structure
- Seeing beyond stereotypes

# Improving interpersonal relationships and communication

- 'Maturity' of team (age and continuity)
- Communication central
  - Informal chats and case meetings
  - Need to inform clients from outset re service practice of seeking advice re cases in-house

# The teamwork model



- Most preferred a teamwork approach to IDP
- Information shared freely
  - Clients told at outset
- In Centres with best relationships, client files were not shared, separate social worker insurance
- Professional autonomy (esp) for social workers
- Legal interventions considered *complementary* to holistic approach of social workers

# Implications for educators?



- Responsibility of social work and legal educators
  - Social workers learn very little about the legal system and legal reasoning
  - Law students learn little about interviewing skills or systemic advocacy

# Research conclusions



- Continuing challenge – both professions acknowledge the benefits of IDP, however the difficulties continue
- The CLC workers' observations on what works best provide pointers for how to improve IDP
- Positive feedback from clients united teams - reminder of common goal - achieving best possible client outcomes

# Marriage made in heaven or odd couple?

*Just as in some marriages the partners need each other no matter how unsatisfactory the relationship seems to be to the outsider, so...neither lawyer nor social worker can survive alone. What is needed is a partnership of lawyer and social worker which recognises, values and utilizes the training, skills and understandings each has to offer.*

Swain, P. (1989), 'From Carney to Cleveland... to Chinkapook and Cottles Bridge or lawyer and social worker... Can the marriage work?', *Journal of Social Welfare Law*, 229.

# Welfare Rights Centre Brisbane

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