

Women's Legal Centre

Legal Professionals: Good Practice When Working with Clients from Migrant and Refugee Backgrounds

This tip sheet has been developed based on the expertise of the inTouch Women's Legal Centre and consultations with clients.

Be Client-Centred When Working with Interpreters:

1	Recognise Interpretation as a Basic Need	Acknowledge that interpretation is a basic need for non-English speakers accessing the legal system or seeking support.
2	Address Interpreter Concerns	Be mindful of potential fears, such as clients refusing interpreting services due to the interpreter being a known community member. Check with your client if there is any concern or conflict regarding the service.
3	Ensure Individual Interpreters	Guarantee that each party has their dedicated interpreter to facilitate efficient communication and avoid bias. Fear of the interpreter engaging with the perpetrator may deter the client from sharing the full story.
4	Accommodate Trusted Interpreters	If a client suggests a trusted interpreter, make arrangements with the courts to enable their participation to improve engagement and preserve information accuracy and integrity.
5	Establish Interpreter Guidelines for Accuracy	Before you begin, ask the interpreter to relay everything that is said- not a summary. Present information in short segments for accurate interpretation.

Understand Clients' Perspectives:

1	Acknowledge Cultural Impact	Your client may be experiencing intersecting issues arising from their cultural background, such as complex family dynamics, dowry abuse and visa abuse . Prioritise referring your client to specialised services like an Immigration Agent for secondary consultation. Visit the Department of Social Services' website for additional information and factsheets on these topics.
2	Explain Roles and Responsibilities	Refrain from assuming your client is familiar with legal and justice system roles. Take the opportunity to clarify your role and others, such as duty lawyers. Recognise that clients from migrant and refugee backgrounds may have diverse perspectives and experiences with authorities and the justice system.
3	Clarify Jurisdiction	Explain the interplay between jurisdictions, such as how an IVO may impact family law proceedings or migration status.

Check for Understanding and Provide Clarity:

1	Verify Understanding	Be open to the possibility that clients may not fully understand information even if explained. Regularly check for comprehension and clarify as needed.
2	Address Misinformation	Consider the possibility of your client receiving misinformation from the perpetrator regarding their rights, available support options, and residency or visa status in Australia.
3	Allow Time for Processing	Give your client time to digest information and follow-up with a written summary of this information. You may need to refer your client to inTouch, a migration agent, or other support agencies after their court appearance.

Utilise a Trauma-Informed Approach:

1	Acknowledge Trauma's Impact	Understand that trauma may affect your client's emotional regulation and self-presentation, potentially causing them to appear "aggressive" or "frozen."
2	Listen Beyond Words	Pay attention to non-verbal cues as clients can often convey emotions through body language, such as trembling, lack of eye contact, or hunched posture.

Use Signposting Language in Conversations:

1	Provide Structure	Outline the conversation with a basic structure, stating what you will show or explain at the beginning. For example, you may say "I will firstly show you..." or "Now I'm going to explain ..."
2	Define Discussion Scope	Narrow down topics at the start, specifying what will or will not be discussed. For example, you may say "Today we're going to cover the different ways that your ex-partner can respond to your IVO application against him."
3	Communicate Time Expectations	Explain the time required for certain tasks and provide updates on remaining time. For example, you may say "Now that your IVO application has been submitted, you will be contacted by the Court within X days with next steps and the date of your first hearing."

Prioritise Safety:

1	Secure Communications	Check if it is safe to leave a voicemail or text message for your client as their phone activity may be monitored by the perpetrator.
2	Plan Phone Calls	Plan and agree on suitable times for phone calls. Your client may avoid picking up calls from unknown numbers.

Provide Face-to-Face Support:

1	Avoid Online Tasks	Encourage in-person support rather than directing clients to complete tasks online.
2	Directly Engage	Acknowledge the effort required for your client to attend court and provide direct engagement opportunities while they are present at court.
3	Empower With Knowledge	Equip your client with comprehensive knowledge for the next steps, such as further court dates or documents that they may need to prepare- reducing the risk of retraumatisation when engaging with other service providers
4	Avoid Assuming Support	Do not assume clients do not require further support just because other services are involved.

Who we help

Eligibility criteria for inTouch case management and legal services:

- Are women or gender non-binary clients agreeable to support from a women's service
- Are aged 18 years and older
- Reside in Victoria
- Are experiencing current or ongoing impact of family violence
- Require an in-language and/or culturally tailored family violence service response
- Require support across multiple areas and/or have complex needs.

Contact us

Details for case management referral:

- **Self-referral:** Phone: 1800 755 988 or via [website](http://www.intouch.org.au/self-referral) www.intouch.org.au/self-referral
- **Client referral:** via [website](http://www.intouch.org.au/client-referral-form): www.intouch.org.au/client-referral-form or [email](mailto:intake@intouch.org.au): intake@intouch.org.au (website referrals are preferred and should have MARAM and all relevant documents attached).
- **Legal secondary consultation:** via [website](http://www.intouch.org.au/lc-consultation) www.intouch.org.au/lc-consultation
- **Migration secondary consultation:** via [website](http://www.intouch.org.au/migration-consultation) www.intouch.org.au/migration-consultation.