

When lawyers are good for your health



**Bentham Association
Presidential Address
2018
Prof Dame Hazel Genn**



20%

2015 CAB survey of 1,000 GPs

'A Very General Practice'

Weight of non-health issues

Decreases time for health issues

Increases job stress

Increases cost to practice and NHS





Access to justice and health

**What is the
connection?**





Access to justice is a global concern

Access to justice is a basic principle of the rule of law

Without access people cannot exercise their rights, challenge discrimination, or hold decision-makers accountable

A black and white photograph with a textured, slightly grainy background. On the left side, a hand is raised, holding a wooden scale of justice. The scale has two pans hanging from a central beam. Below the scale, several other hands are reaching up towards it, some with fingers spread. The hands appear to be of various ages and are reaching from the bottom of the frame. The overall composition suggests a theme of justice, equality, and the pursuit of legal needs.

What do we know
about access to justice
and civil legal needs?

Everyday legal problems and access to justice

Everyday legal problems are **ubiquitous**

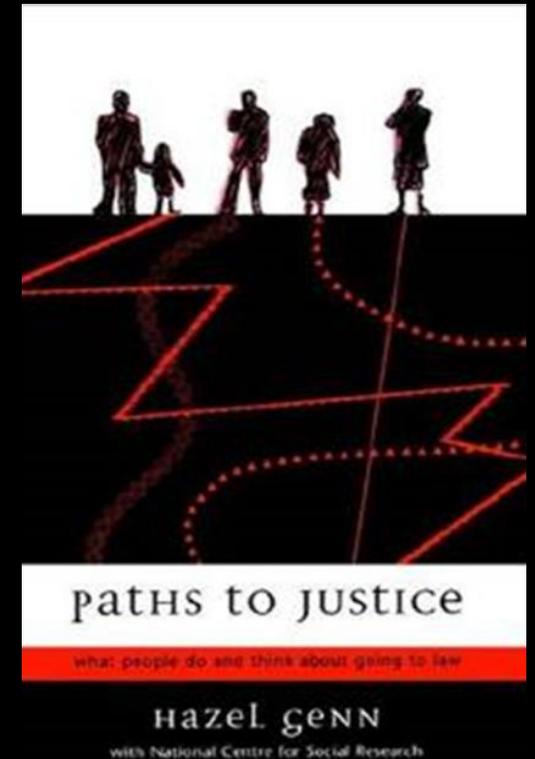
Problems tend to cluster

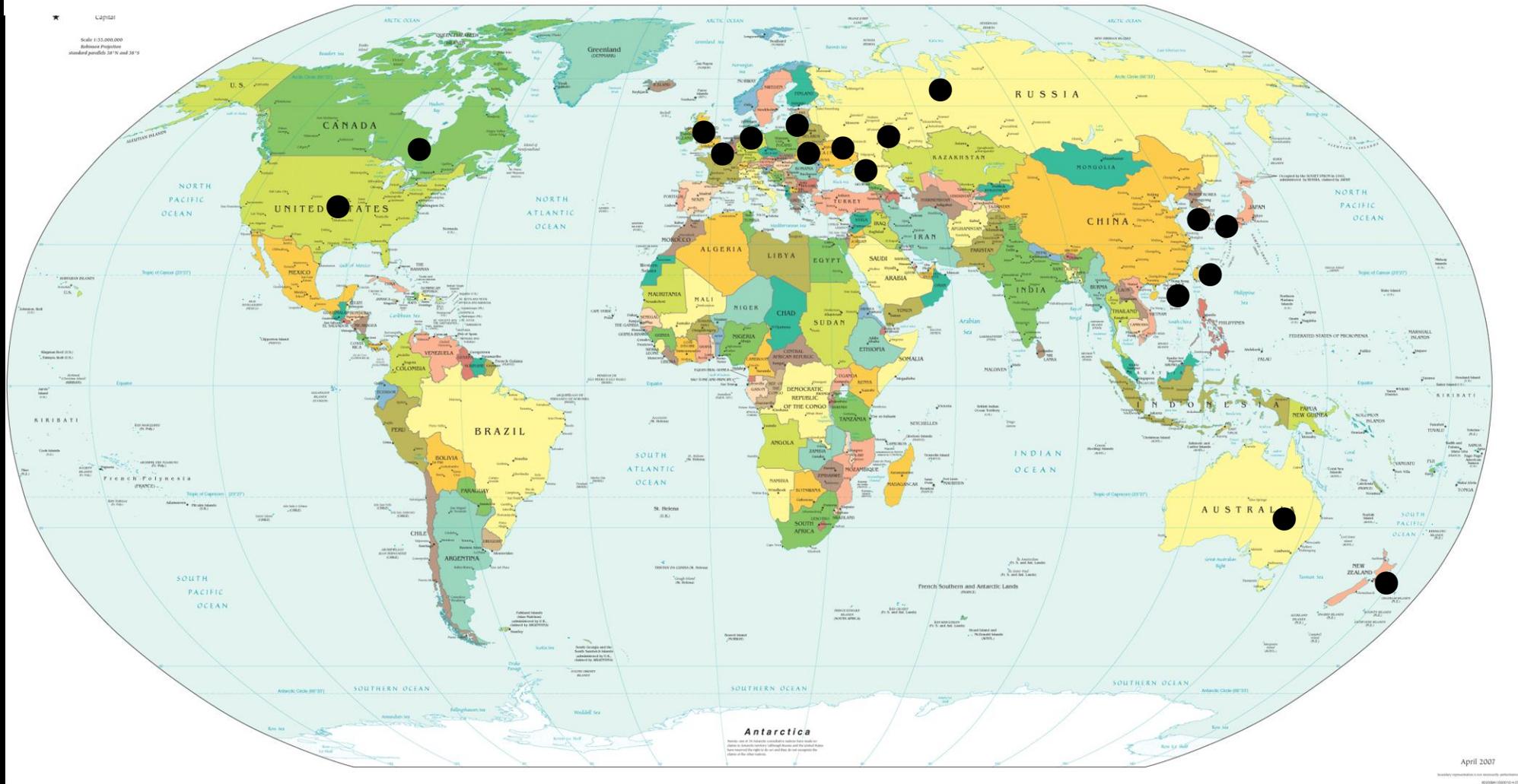
Vulnerable have more problems and do less

People need legal advice and can't get it

Often take the wrong 'path'

Vast **unmet need** for legal advice and advocacy

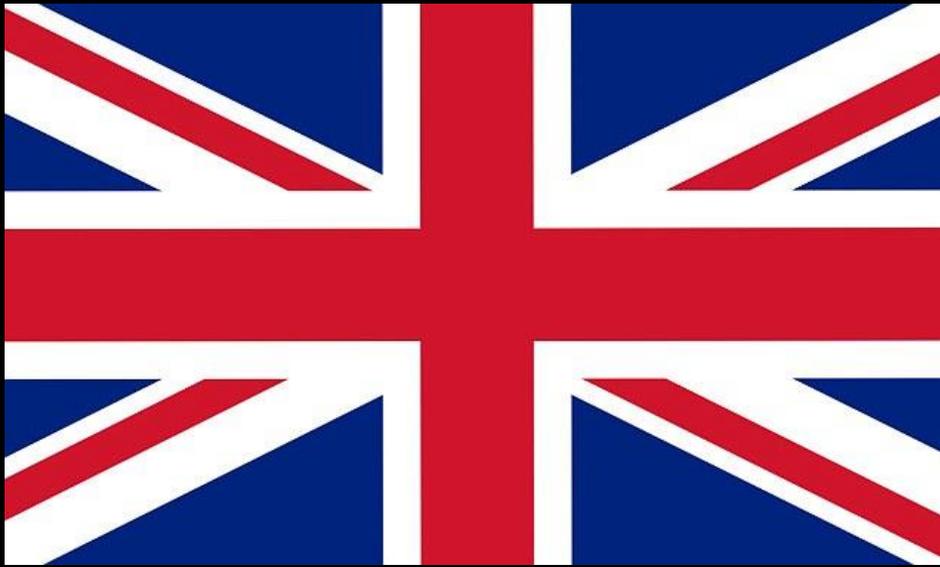




Over the past two decades at least 26 large-scale national 'legal need' surveys in 15 jurisdictions

Social and health effects





Incidence of Legal Problems

63%

**Experienced a legal problem
in the last two years**

United Kingdom

40%

**Experienced hardship as a result
of their legal problem**

Stress related illness	31%
Relocated or lost employment	18%
Relationship breakdown	10%
Problems with alcohol or drugs	5%



**2018 Global Insights
into Access to Justice**



World Justice
Project

Global Insights on Access to Justice

Findings from the World Justice Project
General Population Poll in 45 Countries

2018

General population poll in 45 countries

“With nearly half of those surveyed (47%) reporting that their legal problem led to a stress-related illness, loss of employment, or the need to relocate, this study reinforces the impact of justice issues on people’s lives.”

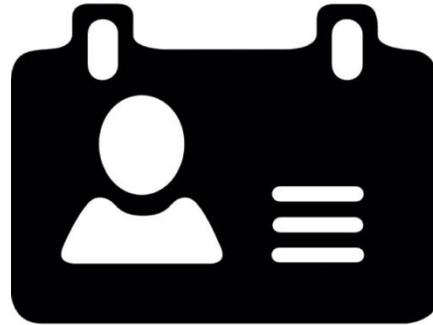
Legal problems are health problems



**Income
support**



**Housing
&
utilities**



**Employment
&
Education**



**Legal
status**



**Personal
and
family
stability**



Family
breakdown



Employment
problem



Stress &
Inability to
work



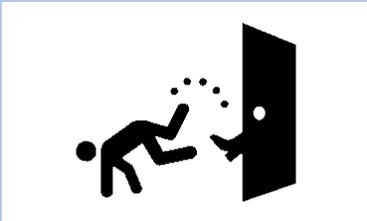
Loss of
income



Non
payment
of rent



Eviction



**How legal
problems
affect health
and cascade**



Homelessness



Health
problems



Disruption
Inability to
work



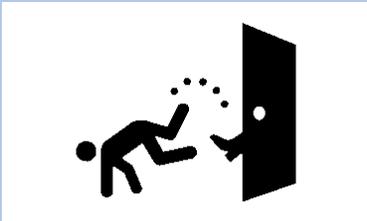
Loss of
income



Non
payment
of rent



Eviction



**How poor
health
creates legal
needs**

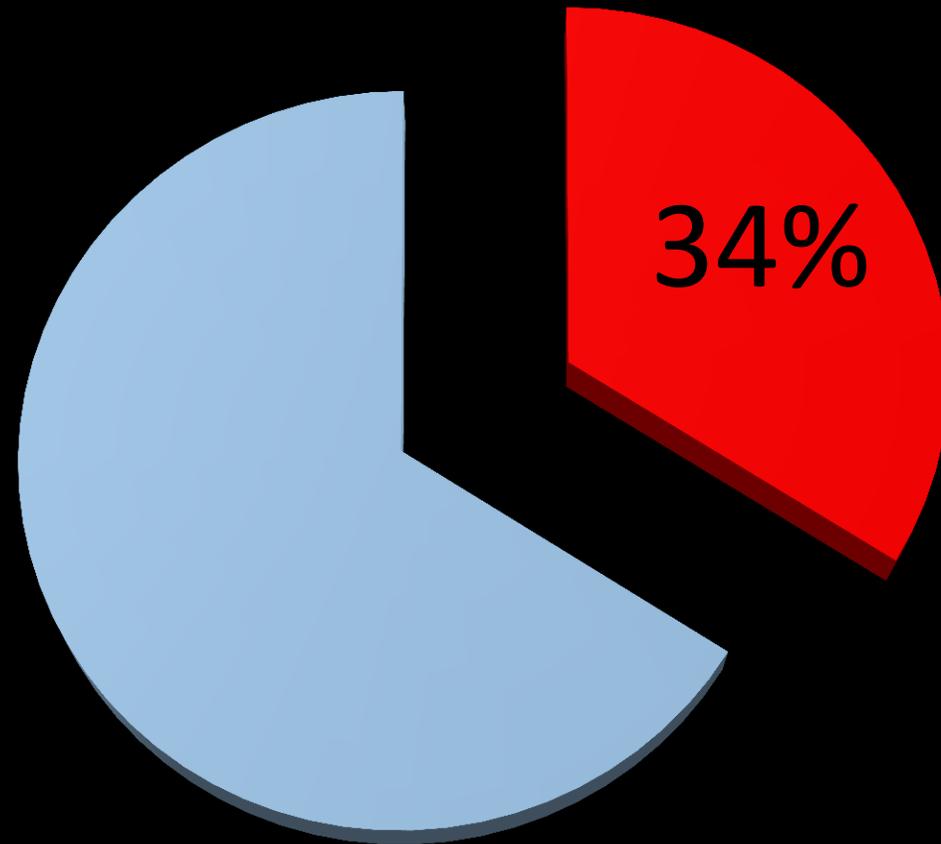
Access to legal assistance is
the
single right
that makes every other right
viable

Worse since **LASPO 2012**



“Legal Aid in its current form is no longer sustainable if the government is to reduce debt”

2010-2016 Ministry of Justice spending cut



BIRMINGHAM LAW CENTRE

RIGHTS
AL JUSTICE
LE WHO ARE
NERABLE
UTE

Advice
Quality
Care
Court
Grants
Weekend
Fund
Services

org.uk
org.uk

**SAVE
BIRMINGHAM
LAW CENTRE**



UNISON
SAVE
BIRMINGHAM
LAW CENTRE

Birmingham
against
the Cuts

UNISON
SAVE B'HAM
LAW CENTRE

UNISON
the public interest union

SAVE BIRMINGHAM
LAW CENTRE
Justice for all

UNISON campaigning
for a fairer society

50%

The downstream impact of unmet civil legal needs



**GP surgery
often first
place people
seek help**



**Does that person need
anti-depressants or do
they need to sort out
the problem with their
landlord?**



**Meanwhile in another galaxy
research into the determinants of health
confirms the legal needs story**



The biomedical model of health

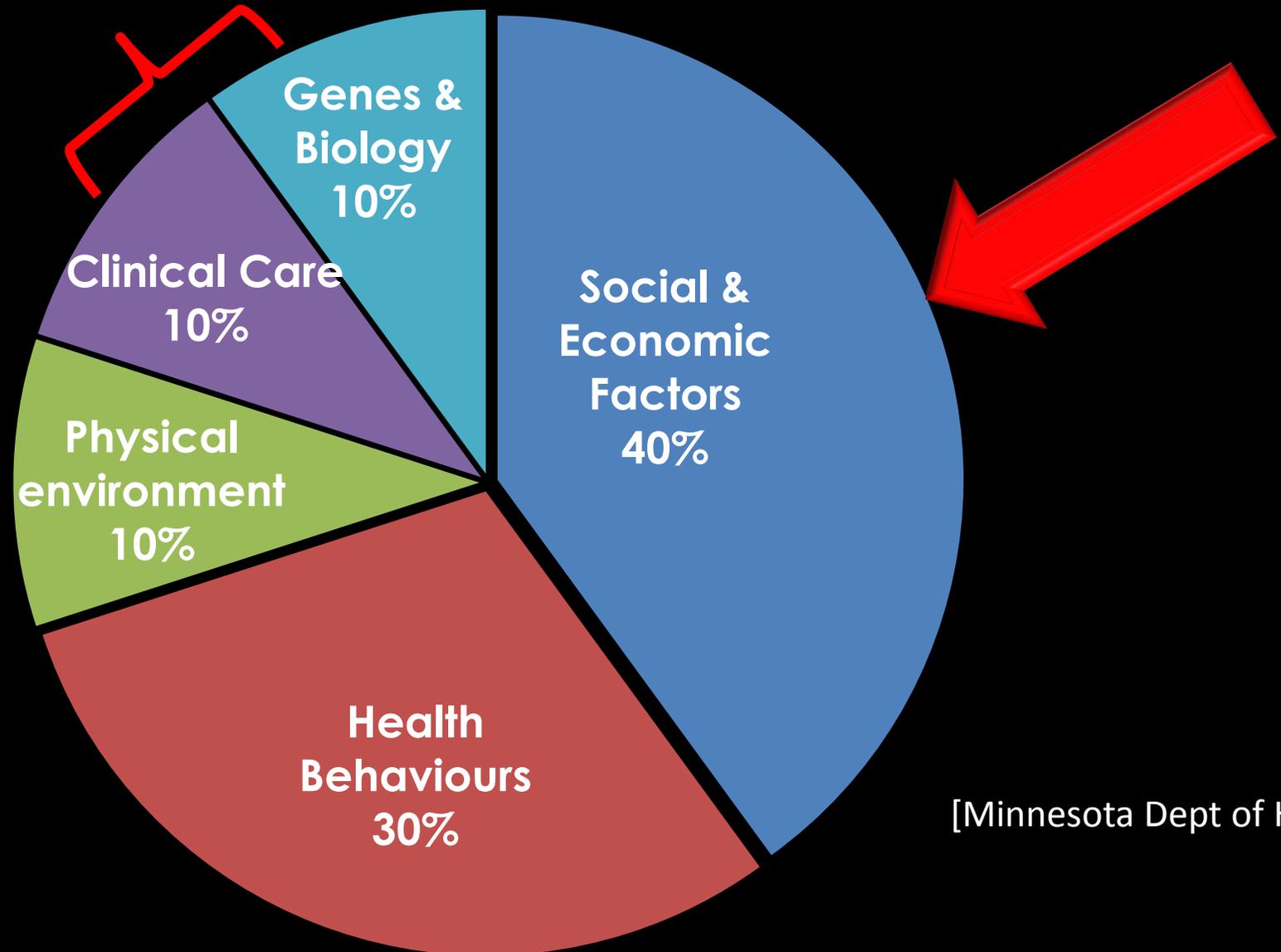


Sick



Cured

Determinants of health



[Minnesota Dept of Health 2014]



**World Health
Organization**

Social determinants of health

Circumstances in which people are born,
develop, live and age:

Income and income distribution

Early life

Education

Housing

Food security

Employment and working conditions

Unemployment and job security

Social safety net

Social inclusion and exclusion

Health services



20%

A dramatic space scene showing two Earths in the process of colliding. The Earths are shown from a perspective that highlights their curvature and the blue oceans and white clouds. At the point of contact, a brilliant yellow and white glow emanates, with two sharp, thin yellow lines extending outwards from the impact point, suggesting energy or shockwaves. The background is a deep, dark black, making the planets and the impact point stand out prominently.

A solution?
Synergy?

When worlds collide



HEALTH

Growing
focus on
'upstream'
causes

The public health parable



One partial solution?

Changing practice in two fields
Delivery of legal advice and health

Health-Justice Partnerships (Medical Legal Partnerships)

USA, Canada, Australia, UK

Integrated legal and health services
for vulnerable groups

Provide access to justice and address
social determinants of health



Health justice partnerships

Use the **trust** that people place in their doctors to connect them with the legal services they need

Develop the ability of doctors to **identify** and help **address** health-harming socio-legal problems



*Trust me I'm a
doctor*

What do they do?

Combine health and legal tools to address social problems

Train doctors to identify needs

Embed legal advice into multidisciplinary teams

Transform community health service practice



Health Justice Partnership Benefits

Solve legal issues **early**

Improve health

Relieve pressure on
health service and
providers





**Vulnerable
people
don't just
walk in the
door**



Potential links between welfare legal advice interventions and health benefits

INTERVENTION

Welfare advice on
e.g. benefits,
housing, debt,
employment, family,
elder law,
community care

**Provided in
healthcare setting**

PRIMARY OUTCOMES

Increased benefits,
more disposable
income, debt
management,
employment issues
resolved, better
housing, other
rights/entitlements
obtained

SECONDARY OUTCOMES

Reduced stress and anxiety
Improved diet
Reduced smoking/drinking
Increased independence
Increased mobility
Improved ability to manage
finances

TERTIARY OUTCOMES

Mental health
Physical health
Wellbeing
Reduced demand
for health services



Social prescribing

UCL Integrated Legal Advice Clinic

Co-located legal advice and representation for GP patients

Law students and lawyers

Educating doctors, students and community

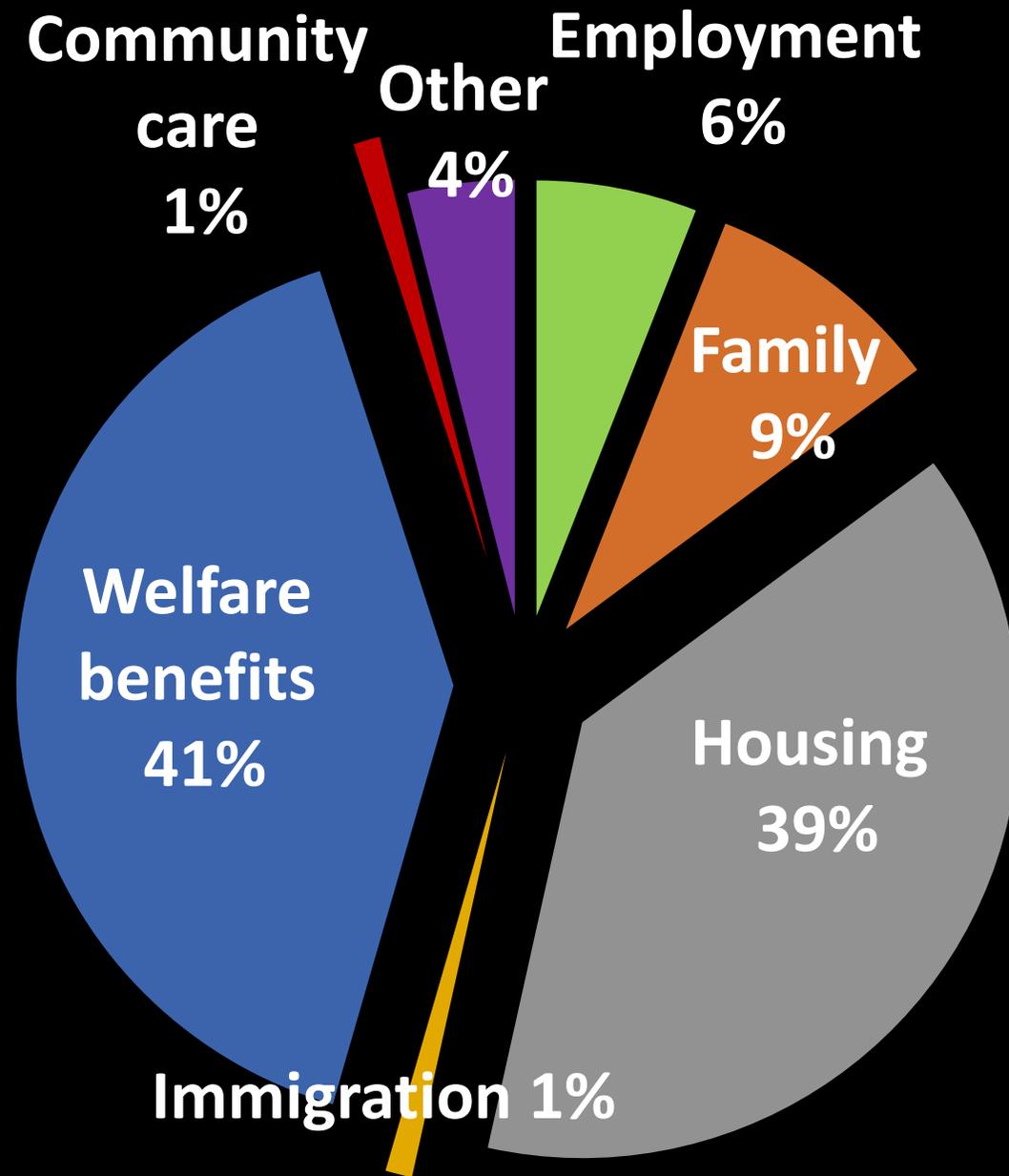
Research exploring links between legal advice and health



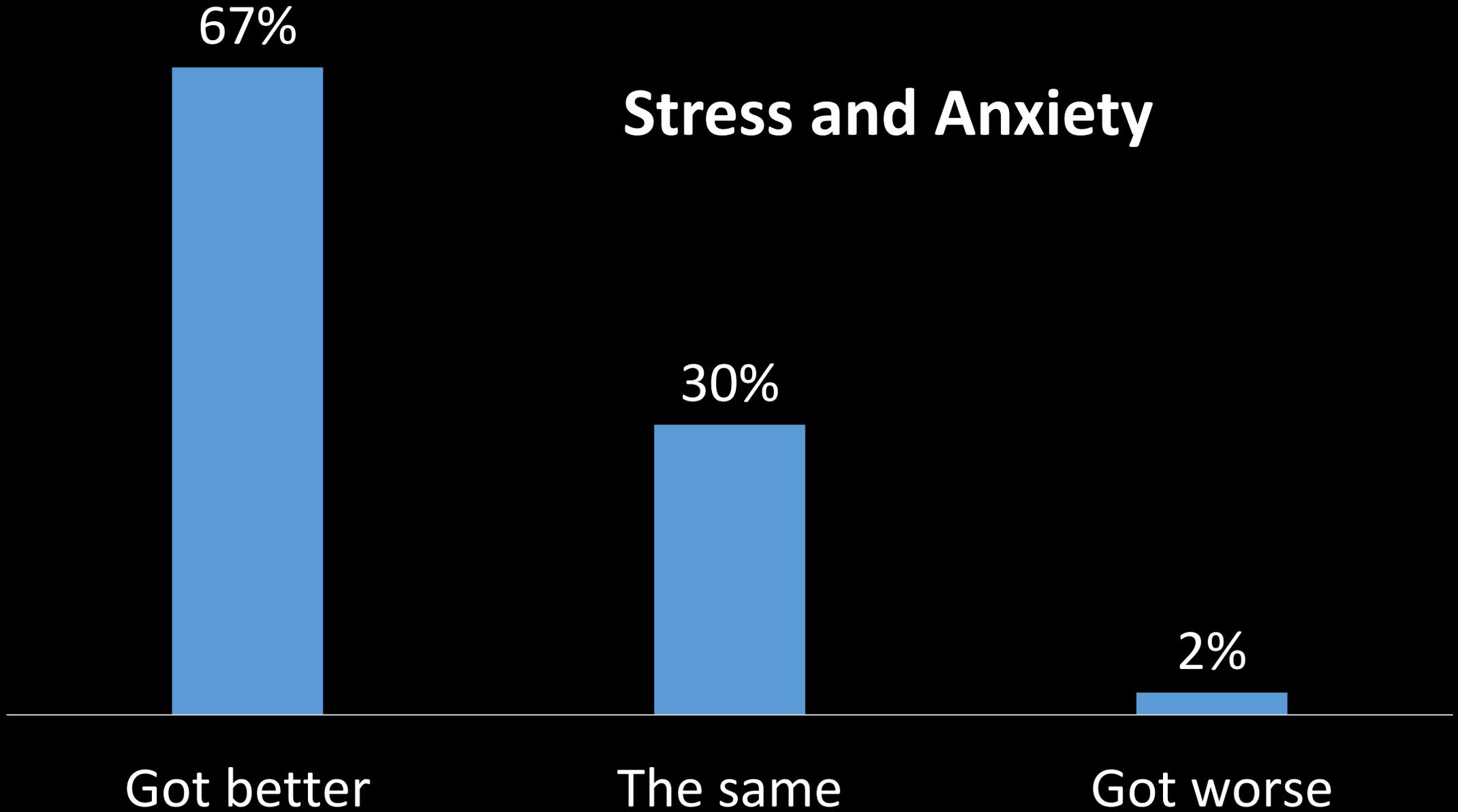
Newham East London
GP Practice

The paradigm case: Alicia, her baby and mould





Stress and Anxiety

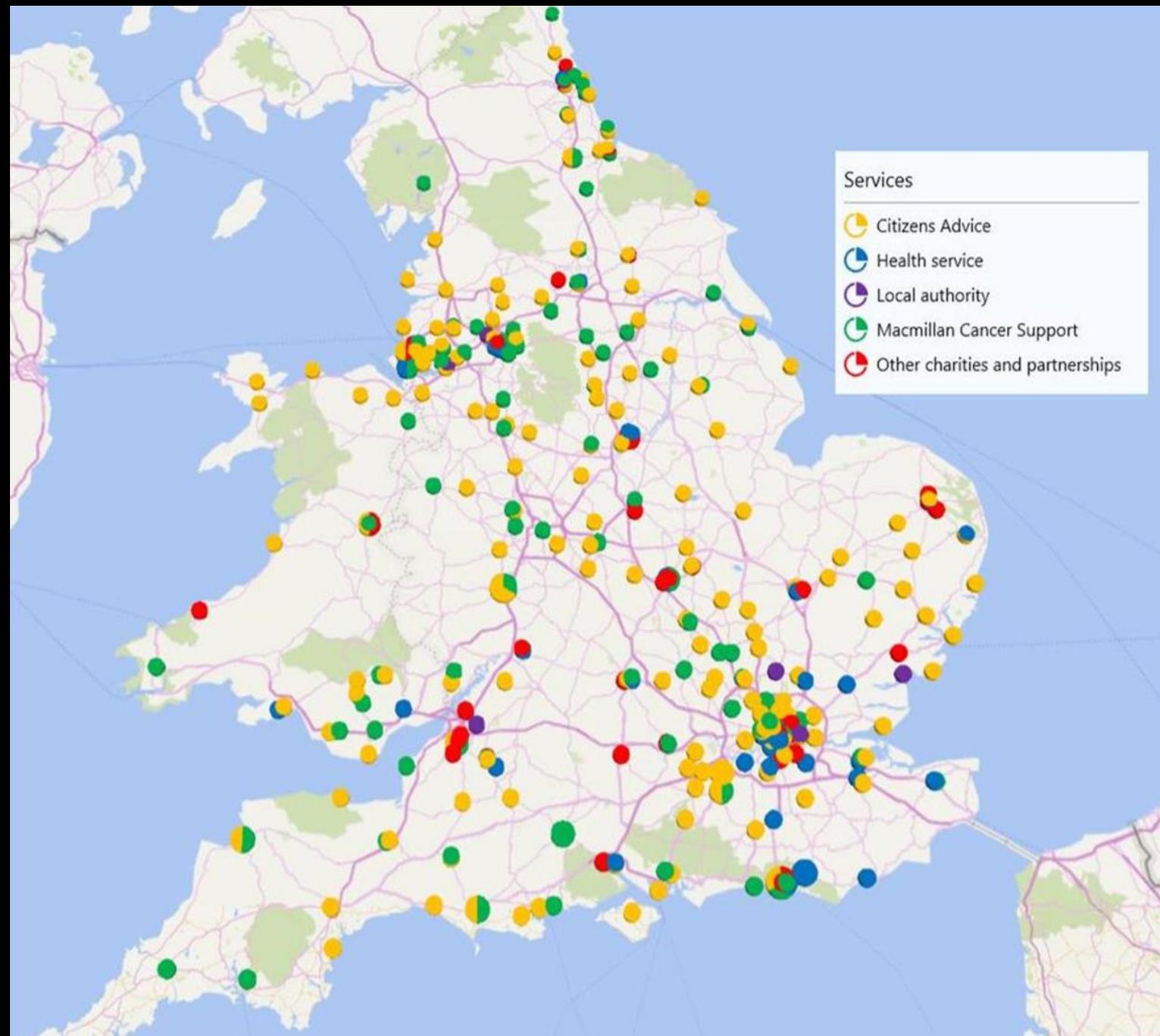


“We see a high proportion of social problems... I'd say there's a social element to at least a third of the consultations that I deal with... It's a lot easier to medicalise problems than to address social determinants... We have 10 minutes. We often have multiple problems to deal with... and sometimes it's easier to ignore a problem than to try to take it on.

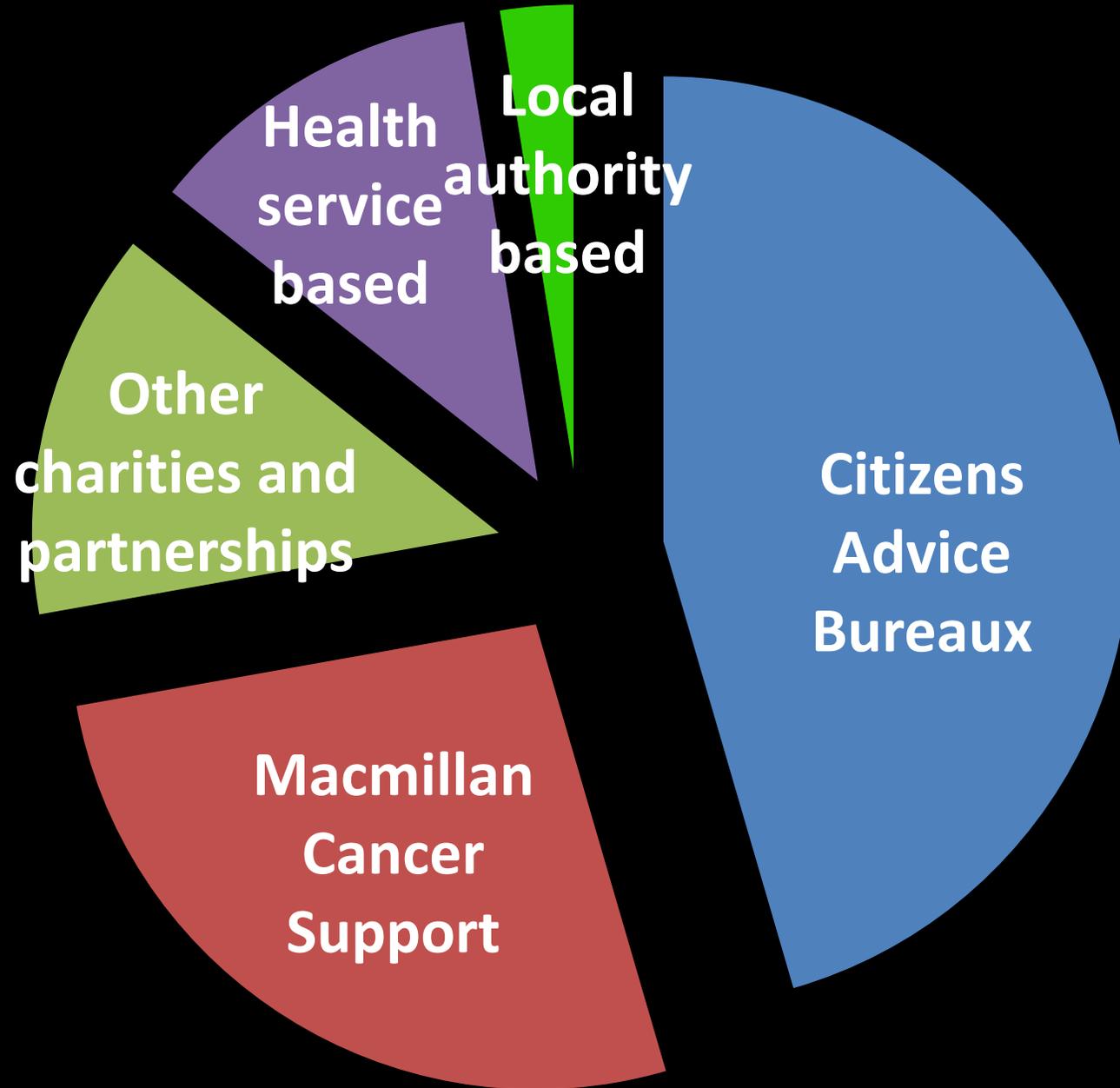
The co-location element is important... Patients are really delighted when you say ‘we've got this service and it's in the next room or it's one floor up’. Patients really like that.”

Mapping the landscape of health justice partnerships

350 services



Thanks to Sarah
Beardon for her
great work



Uncoordinated and unsustainable?

Many different models

Fragile funding

Come and go

Local initiatives

No proper evaluation

No sharing of best practice

FRAGILE

HANDLE

WITH CARE

The Challenges

Mistrust

Misunderstanding

Building relationships

Time pressures

Ethics

Information sharing



“The fact that you’re a malpractice lawyer aside, I’m going to schedule every medical test known to mankind”

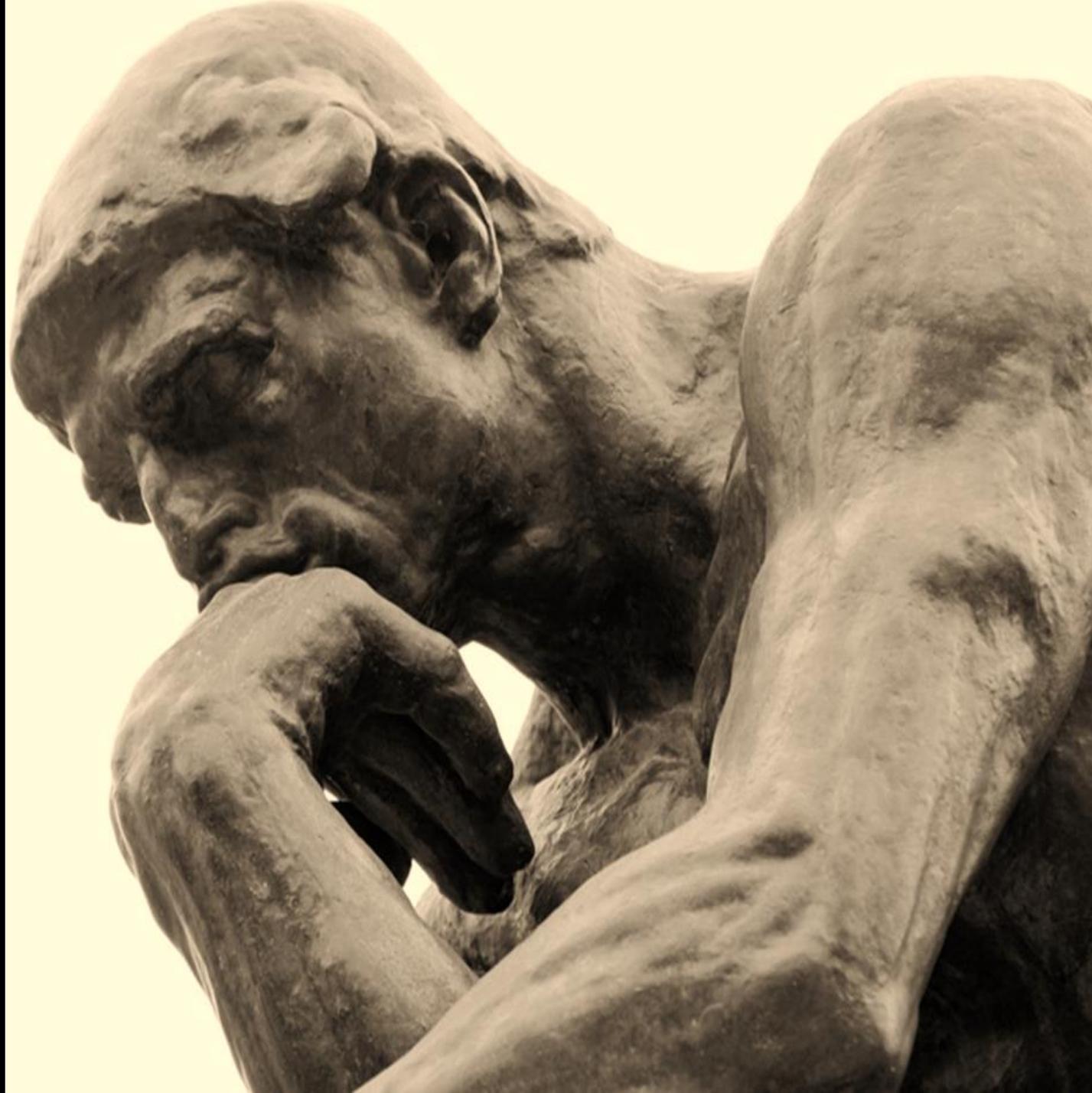
Recognising the need for legal assistance is not intuitive to health professionals



The future?



Time to rethink
traditional service
delivery models in
health and
community
legal services?



Opportunities

HJPs as 'gateway' to prevention

Enable lawyers to intervene before a crisis occurs

Equip doctors to provide more holistic service



What do we need?

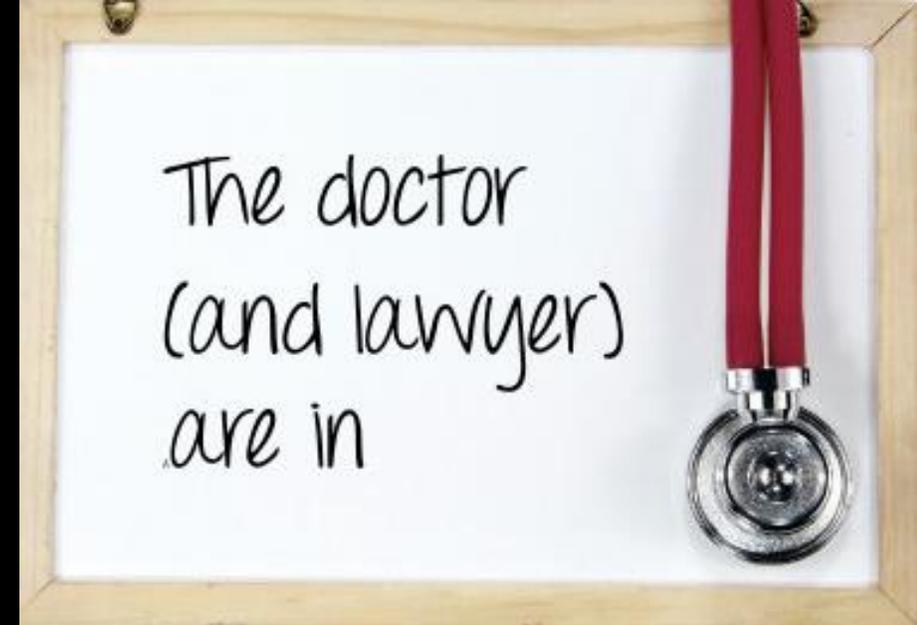
Co-ordinated policy

Focus on benefit to the citizen

Integrate legal services in health settings

Embed legal advice in care pathways

Develop robust **evidence base**





MAYOR OF LONDON

Department
of Health &
Social Care



Public Health
England

GREATER
LONDON
AUTHORITY



Ministry
of Justice



Department for
Communities and
Local Government

NHS
England

Imaginary world of cross-departmental collaboration







Scotland ahead on policy?

**50 general practices with embedded
welfare rights adviser**

**Funded by NHS and Health & Social
Care Partnerships**

Collaborative policy, practice and research
Focus on **respective contributions** of law
and clinical care to wellbeing



A UK National Centre? and International collaboration

Tessa Boyd Caine
CEO Health Justice Australia

Ellen Lawton
CEO US National Center for Medical
Legal Partnerships





Shiva Riahi
CAJ Head of Projects



Sarah Beardon
Health Research Associate



Dr Matthew Appleby
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Jacqui Kinghan
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Matthew Smerdon

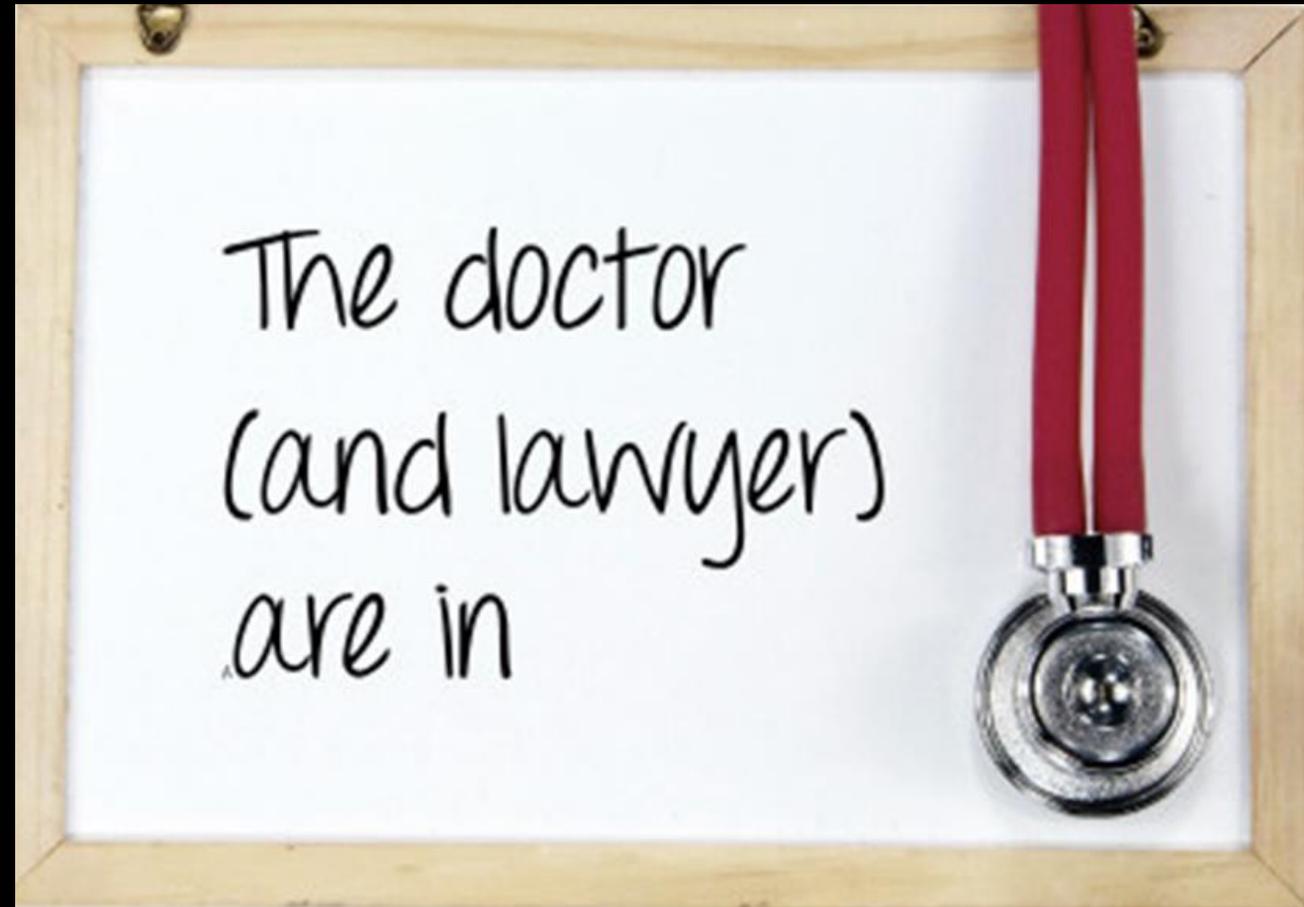
The
Legal
Education
Foundation



Martin Rushton Turner
Sponsor of MRT Trust Fellow at the
UCL Laws Health Justice Partnership

Thank
you!

Any
questions?



The Bentham House Development 2012-2018

