

# TYPES OF VULNERABILITIES



## LANGUAGE

Language barriers are a huge vulnerability faced by clients from different backgrounds who primarily speak a language other than English. Language barriers can often inhibit clear communication between the lawyer and the client. An interpreter is a useful tool to assist in breaking down these language barriers and ensures your client understands the important information you are conveying.



## PAST TRAUMA

Many clients, particularly in the context of immigration matters, have lived through indescribable and sometimes traumatic situations, such as sexual abuse, persecution or violence. This makes them vulnerable as they are often forced to relive those painful experiences during the process of seeking refuge. However, the same goes for other areas of law, where mental health or family abuse for example, may be factors.



## MENTAL OR OTHER HEALTH ISSUES

Clients may have mental health, or other health issues, which are often incidental to the matter they are seeking advice on. For example, a client may not be able to concentrate on the advice you are giving if he/she has suffered a physical injury overseas or in Australia and has not yet received adequate medical care.



## FINANCIAL ABUSE

Financial abuse is where a spouse or partner excludes the other from making financial decisions. This often includes one party controlling all bank accounts, providing the other party with a weekly 'allowance'. The majority of cases involving financial abuse are against women. It is estimated that more than 50% of cases involving domestic violence involve economic abuse.

## TIPS FOR ENGAGING WITH VULNERABLE CLIENTS

- In cases involving non-English speaking clients, be mindful that some clients may not feel comfortable with an interpreter as an interpreter is often a member of the client's community, so they may feel uncomfortable sharing their experiences.
- Be considerate that painful past trauma may make an individual hesitant to share those experiences. It is important to be particularly accommodating and allow individuals to choose the gender of their lawyer and/or interpreter.
- It is important to assess capacity of a client to ensure firstly that they are in position to be able to give you instructions and secondly that they comprehend (and can put into their own words) concepts that you have explained to them.