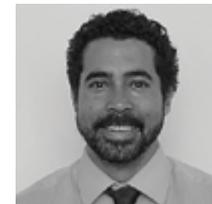


# Building rapport with First Nations clients

David Wenitong discusses the major considerations for practitioners when working with First Nations clients.



## The quality of our communication is the key in developing rapport with First Nations clients.

Quality communication has two parts. Firstly, it simply means being able to break the complexities of the legal system down into plain English and effectively provide information and advice to clients in a way the client will understand. Doing so will enable you to elicit the right information from your client.

Secondly, when building effective communication and rapport, it is imperative that practitioners have an awareness and understanding of the issues that have affected, and continue to affect, First Nations peoples.

In building rapport, an understanding of cultural nuances can help to build better relationships and trust with clients to illicit the right information.

In order to communicate effectively, it is important to avoid situations of 'gratuitous concurrence'. To put it simply, this is when a client will agree with what you say, whether they truly agree or understand what you are saying, because that is what they think you want them to say.

Diana Eades defines it as "habitually agreeing with the questioner (gratuitous concurrence) to avoid conflict or mask lack of comprehension".<sup>1</sup>

We need to remember and be aware that the style of communication that we use in our everyday conversations, and the way we are taught in schools and universities, are question-and-answer based. This is not necessarily a universal style in many cultures.

Having been educated in and working in the legal system that intrinsically comes from European tradition, our styles of communication are far removed from the traditional styles of communication used by First Nations peoples which focus more strongly on narrative and storytelling.

Also, in looking at cultural nuances, the concept of 'shame' will be relevant in some situations when taking instructions. The term 'shame' is much broader in its use than the

European definition of the term. It often arises from being singled out from the group or from particular circumstances or events.

In some cases clients may seem disengaged, or reluctant to speak openly about a situation. It is important for practitioners to understand that what they may be interpreting from a client's body language and responses could just be a result of the interview situation and embedded cultural norms.

Building rapport with your clients means acknowledging that First Nations peoples can have different communication styles and taking the time to understand that. Moving forward, it is important for the legal community to have awareness and understanding of the issues First Nations peoples have gone through.

As a member of the QLS Reconciliation and First Nations Advancement Committee, I am happy to help raise our voices and visibility in the legal system, and advocate for positive changes for First Nations peoples.

This article appears courtesy of the QLS Reconciliation and First Nations Advancement Committee. David Wenitong is an Aboriginal solicitor with the Aboriginal and Torres Strait Islander Legal Service (ATSILS), working in Central Queensland primarily in family and civil law. David has also worked as a court support officer with ATSILS and Youth Justice.

The committee's focus includes considering and reviewing legislation and foreshadowed amendments, discussing its impact on potential stakeholders, and proposing any suggested amendments to address problems. The committee also provides a forum to consider practical problems and to promote the dissemination of information to members to advance reconciliation in the wider Queensland community.

### Note

<sup>1</sup> Eades D, *Aboriginal English and the Law*, Continuing Legal Education Department, Queensland Law Society 1992, ch.3-5.



## Inaugural First Nations awards

This year saw the inaugural First Nations award categories included in the Queensland Law Society Legal Profession Awards on 9 March.

A very impressive field of applicants were nominated for the two First Nations awards, with Leah Cameron taking the honours as Queensland First Nations Lawyer of the Year and Nareeta Davis as Queensland First Nations Legal Student of the Year.

It was also pleasing to see Terrence Stedman, a Kamilaroi man from the Tingha area of New South Wales, take out two awards – the Equity Advocate Award and Community Legal Centre Member of the Year.