

THE HEALTH-HARMING LEGAL NEEDS OF THOSE LIVING WITH HIV IN AUSTRALIA

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Background:

Public health scholarship recognises that unmet legal needs have a particularly significant impact on those living with a communicable condition. Conversely, legal scholarship recognises that access to justice is adversely impacted by unmet health needs. In this domain both health and legal scholarship identify those seeking to migrate as a particularly vulnerable group with regards to the intersection of health and law. Whilst these are separate literatures, read together they describe a unique and heightened effect of unmet legal needs for those at the intersection of HIV and migration.

Methods:

This paper presents the first findings of a mixed-methods study, reporting on the first results of semi-structured qualitative interviews with 10 people living with HIV regarding their legal needs and experiences. We focus upon the legal needs and experiences of those living with HIV who also seek to migrate to Australia.

Results:

Those seeking to migrate to Australia face a wide range of legal needs. Participants mostly identified migration status matters as the primary legal issue of concern since arrival to Australia. Health issues identified included inability to access HIV treatment due to Medicare ineligibility and detrimental impacts on mental health. Referral pathways between health and legal services varied from self-referral to facilitated referrals between health practitioners and legal services. Participants in our study describe health, quality of life, testing and treatment outcomes and disparities which seem to be driven by a synergistic interaction of their condition with their unmet legal needs.

Conclusion:

The interaction between communicable disease, migration and legal needs including and beyond migration generate unjust and health-harming results for both individual and population health as well as access to justice. The linkage of health and legal services can assist to mitigate health harming impacts of unmet legal needs of migrants living with HIV in Australia.

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