

## NATIONAL PRO BONO RESOURCE CENTRE

### Pro Bono News Issue 24: Volume 5/2006

Welcome to the fifth edition for 2006 of the eNewsletter of the National Pro Bono Resource Centre (NPBRC). The Centre is affiliated with the Faculty of Law at the University of New South Wales and is funded by the Attorneys-General Departments of the Commonwealth, State and Territory governments. To access archived eNewsletters [click here](#).

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#### **1 Report from the National Access to Justice and Pro Bono Conference 2006**

242 people attended the Conference which was held in Melbourne on 11 and 12 August 2006 and feedback has been very positive. Copies of papers from the keynote speakers are available [here](#) on the Centre's website.

Post conference evaluation comments noted that the 2 most important access to justice or pro bono issues that the legal profession should pursue over the next 2 years, were:

- the need for increased national legal aid funding and
- encouraging greater participation in pro bono by the profession generally.

Other important issues identified in this process were indigenous justice, civil legal aid and the whittling away of legal rights.

The Centre would like to thank the co-hosts, the Law Council of Australia, the Australian Legal Assistance Forum and the Law Institute of Victoria, the speakers, the conference organisers, the Meeting Planners Pty Ltd and the conference sponsors, the Federal Attorney-General's Department, the Family Law Section of the Law Council of Australia, Mallesons, Baker + McKenzie, DLA Phillips Fox, Farrar Gessini and Dunn and the Victoria Law Foundation.

It is hoped that another National Access to Justice and Pro Bono conference can be held in 2 years time.

### **3 National pro bono survey – now live in SA & WA!!**

The Centre is conducting a national survey of the attitudes to pro bono work, and the amount and type of pro bono undertaken by individual solicitors, barristers and law firms across Australia. The initial stage of the project was piloted with lawyers in Queensland (see report below).

The survey has now been rolled out to lawyers in South Australia and Western Australia. If you are a lawyer in SA or WA [click here to complete the survey](#) (and be in the running to win 6 bottles of wine!).

The survey for New South Wales and Victorian lawyers will go live in October, and will be available later in the year in the ACT and Tasmania.

All practitioners are invited to participate and are encouraged to do the survey online. The survey can also be downloaded from our website and done in hard copy and mailed or faxed to the Centre. A link to the webpage will be sent by law societies to their members. The survey takes about 10 minutes to complete.

The second stage of the project will be the survey of law firms, which will commence next month in Queensland, followed by the other states and territories. The third and final stage will be the survey of barristers.

#### **Survey of QLD individual lawyers**

The Queensland survey was done in conjunction with the School of Law at the Queensland University of Technology and with financial assistance and cooperation from the Law Society of Queensland (QLS). While the sample was small, a preliminary report of the findings has been published and is available [here](#).

Some of the key findings from Queensland include:

- 79% of respondents had done pro bono work in the previous 12 months but 67% reported they had not done legal aid work during this time;
- the majority of pro bono work undertaken was in the areas of family law, crime and wills and probate;
- 58% of respondents had done more than 30 hours pro bono legal work in the previous 12 months;
- 86% of lawyers believed lawyers should do pro bono work, with ‘helping the disadvantaged’ and ‘professional responsibility’ emerging as the most common reasons with individuals identifying ‘personal satisfaction’ as their main motivator;
- Aspirational pro bono targets and a statement from the Queensland Law Society regarding lawyers’ commitment to pro bono work were supported by a majority of respondents.

### **2 NACLC and AIJA Annual Conferences**

Pro bono was on the agenda at the annual conferences of both the National Association of Community Legal Centres (NACLC) and the Australian Institute of Judicial Administration (AIJA) conferences. The CLCs’ theme was ‘Opening Closed Doors, CLCs Advancing Community Justice’; the AIJA’s theme was ‘Affordable Justice’.

At the National CLC conference Georgina Perry from Allens Arthur Robinson, Anne Cregan from Blake Dawson Waldron, David Hillard from Clayton Utz and Jane

Stratton from Gilbert + Tobin presented a well-attended session on 'Making Pro Bono Partnerships Work.'

At the AIJA conference, Centre Director John Corker presented a paper covering pro bono costs agreements, court pro bono referral schemes and self-represented litigants at a session titled 'Funding Litigation: The Challenge' A copy of presentation can be obtained from the Centre's website by clicking [here](#).

### **3 Homeless Persons' Legal Services ('HPLS') update**

Homeless Persons' Legal Services or Clinics continue to prove popular with private law firms as a way of delivering pro bono legal services. Coordinators Monica Taylor from the QPILCH HPLC and Emma Golledge from the PILCH (NSW) HPLS, gave an excellent presentation on their services at this year's NACLCL conference. They identified 2 key issues relating to the adequacy of resources: those required to maintain regular training of the private lawyers and those required for the overall coordination of the service.

#### **Queensland update**

The QPILCH HPLC has just won the National Australia Bank Volunteer Award in the Queensland Community Service and Development section of the awards which brings with it a prize of \$7000. Unfortunately funding for the coordinators position runs out in October 2006 and we hope that funding can be found to continue this important work.

#### **South Australia update**

Two new homeless person's legal clinics opened for business in July thanks to funding from the SA Department for Families and Communities. The Clinics are administered and managed by the Welfare Rights Centre (SA) Inc and, in the first stage of the project, lawyers from Minter Ellison and Thomson Playford are providing pro bono legal advice and assistance. Two further clinics are planned. For more information contact [Bill Manallack](#).

The HPLS provided by the University of Adelaide law school continues.

#### **New South Wales update**

HPLS in NSW has now received three years' funding from the NSW Public Purpose Fund. Funding provides for the Coordinator and Policy Officer positions both of which are soon to have new occupants. Emma Golledge, who has done a great job of coordinating the HPLS in NSW over the past two years has just moved to the UK and we wish her well. HPLS will welcome its new Coordinator, Elisabeth Baraka, from mid October 2006.

#### **Victoria update**

In June 2006, the HPLC opened its tenth legal outreach clinic with the support of Corrs Chambers Westgarth. The Clinic is based at the Victorian Association for the Care and Resettlement of Offenders and targets the specific legal needs of pre and post release prisoners and their families.

HPLC recently received additional recurrent funding from the Department of Justice through Victoria Legal Aid. It has also received grants from the Victoria Law Foundation and the Consumer Credit Fund for specific projects.

HPLC established a Consumer Advisory Group earlier this year. The Group is made up of eight people who are homeless or formerly homeless. The group meet on a regular basis and provide insight into best practice service delivery. In August 2006,

the Group hosted Victoria's largest homeless consumer forum, attended by the United Nations Special Rapporteur on the Right to Adequate Housing.

#### **Western Australia update**

The Attorney General approved the provision of \$25,000 seed funding, provided by the Law Society of Western Australia from the Legal Contributions Trust, for a scoping study that is currently being conducted by the Tenants Advice Service and Shelter WA.

There are a number of law firms and organisations that have been involved in, or have provided assistance to, the Homeless Persons' Legal Advice Clinic (WA) Steering Committee, including Allens Arthur Robinson, Blake Dawson Waldron, Community Housing Coalition WA Inc, Minter Ellison, Phillips Fox, Shelter WA, the Big Issue and the Tenants Advice Service. Individuals from a number of other organisations have also been involved and the Committee is actively encouraging other law firms and organisations to take part as well.

#### **4 Stolen wages seminars: Dr Elouise Cobell's visit to support PILCHs in QLD and NSW**

Dr Elouise Cobell, an elder of the Blackfeet Nation and Executive Director of the Native American Community Development Corporation is to visit Australia and speak at functions organised by QPILCH and NSW PILCH. Dr Cobell is the lead plaintiff in a class action lawsuit filed against the US Government in 1996 which seeks to have money returned that has been held in trust for 500,000 Indians and their heirs since the 19<sup>th</sup> century.

QPILCH and Caxton Legal Centre are holding a public forum *Taken on Trust: Government accountability for Indigenous trust monies*, on Thursday 5 October 2006 from 5.30pm at the Irish Club, 171 Elizabeth Street, Brisbane. Speakers include Dr Cobell, and Australian speakers Fr Frank Brennan SJ, Mr Victor Hart and Dr Ros Kidd and chaired by Justice Kate Holmes of the Queensland Court of Appeal.

Cost: \$20/ \$10 concession, light refreshments included, beverages extra. Registration by 29 September at [contact@qpilch.org.au](mailto:contact@qpilch.org.au) or call 07 3012 9773.

PILCH NSW are holding a fundraising lunch on Tuesday 10 October 2006 from 12.30pm to 2pm at Allens Arthur Robinson, cnr Hunter and Phillip Street, Sydney where Dr Cobell will speak. The cost is \$77. Registration by 3 October at [pilch@piac.asn.au](mailto:pilch@piac.asn.au) or call 02 8898 6500.

#### **5 Pro bono youth and education partnership in Canada**

Pro Bono Law Ontario (PBLO) has been working with The Advocates Society ('TAS') – a group set up to promote excellency in advocacy, for four years in a partnership to address the unmet legal needs of disadvantaged and disabled children being denied a proper education. Starting with 20 lawyers on a volunteer roster, there are now more than 1200 TAS members providing services to children and their families across Ontario. PBLO assist with the day to day administration of the project and the Justice For Children and Youth group provide legal expertise and mentorship for TAS members. TAS members have spent 'thousands of hours' on pro bono files gaining expertise in this area of law in order to assist. (Pro Bono Law Ontario Quarterly Newsletter, Summer 2006).

## **6 NPBRC Administrator position - part time - 3 days per week**

The Centre is seeking an Administrator to manage its information systems and provide assistance and support to the Director and staff at its UNSW premises. The successful applicant will have superior organisational skills, high level computer literacy and be able to exercise initiative and independent judgement. Familiarity with the legal system is an advantage. Full job description available [here](#). Click [here](#) to contact the Centre for further information.

**Applications close Friday 6 October 2006**

## **7 Subscribe/Unsubscribe**

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This newsletter and back copies are available at:

<http://www.nationalprobono.org.au/publications/index.html>.

Please forward this newsletter to anyone else you think may be interested.

## **8 Centre contact details**

National Pro Bono Resource Centre

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## **9 Australian Pro Bono Manual**

The Australian Pro Bono Manual – a Practice Guide and Resource Kit for Law Firms is on-line at [www.nationalprobono.org.au/probonomanual/](http://www.nationalprobono.org.au/probonomanual/) or can be purchased in hard copy. This manual has been compiled to enhance and encourage the provision of pro bono legal services, and provides a mixture of commentary, advice, precedents and background information.