



– National Survey –

## Report on the pro bono legal work of individual Australian Barristers

November 2008

Appendix V

Responses to survey questions – Northern Territory

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As only 4 barristers in the Northern Territory responded to the survey, this appendix simply records their responses, including any written comments.

### Section 1 – About you

1. How long have you been admitted to practice?

<b>Admitted to practice</b>	<b>No. of respondents</b>	<b>%</b>
Less than 1 year	0	0%
1-2 years	0	0%
3-5 years	0	0%
6-10 years	2	50%
11-20 years	0	0%
21-30 years	2	50%
Over 30 years	0	0%
<b>Total</b>	<b>4</b>	<b>100%</b>

2. How long have you been at the Bar?

<b>Time at the Bar</b>	<b>No. of respondents</b>	<b>%</b>
Less than 1 year	0	0%
1-2 years	1	25%
3-5 years	2	50%
6-10 years	0	0%
11-20 years	1	25%
21-30 years	0	0%
Over 30 years	0	0%
<b>Total</b>	<b>4</b>	<b>100%</b>

3. How old are you?

<b>Age</b>	<b>No. of respondents</b>	<b>%</b>
26-30	0	0%
31-40	2	50%
41-50	0	0%
51-60	2	50%
61 or over	0	0%
<b>Total</b>	<b>4</b>	<b>100%</b>

4. Are you...?

<b>Gender</b>	<b>No. of respondents</b>	<b>%</b>
Male	1	25%
Female	3	75%
<b>Total</b>	<b>4</b>	<b>100%</b>

Section 2 – About your job

1. What is your position?

<b>Position</b>	<b>No. of respondents</b>	<b>%</b>
Queen's counsel	0	0%
Senior Counsel	0	0%
Senior Junior Counsel	2	50%
Junior Counsel	2	50%
Reader	0	0%
Other	0	0%
<b>Total</b>	<b>4</b>	<b>100%</b>

2. Where are your chambers located?

<b>Location</b>	<b>No. of respondents</b>	<b>%</b>
Capital city CBD	3	75%
Capital city suburb	0	0%
Regional city or area	0	0%
Rural area	1	25%
Remote area	0	0%
<b>Total</b>	<b>4</b>	<b>100%</b>

3. In which area(s) do you practise?

Area of law	No. of respondents	%
Criminal law	3	75%
Domestic violence	3	75%
Debt	2	50%
Employment	2	50%
Personal injury	2	50%
Administrative/constitutional	1	25%
Banking /finance	1	25%
Bankruptcy	1	25%
Company/commercial	1	25%
Construction	1	25%
Discrimination	1	25%
Family law	1	25%
Housing/tenancy	1	25%
Insurance	1	25%
Intellectual property	1	25%
Litigation	1	25%
Wills/probate/estate	1	25%
Other	1	25%

Other: Native title

Section 3 – Your participation

1. In the past 12 months have you spent time doing or coordinating the provision of pro bono legal work?

Pro bono in last 12 months	No. of respondents	%
Yes	4	100%
No	0	0%
<b>Total</b>	<b>4</b>	<b>100%</b>

2. In which of the following areas of law have you done pro bono legal work in the last 12 months?

Area of law	No. of respondents	%
Criminal law	3	75%
Administrative/constitutional	1	25%
Domestic violence	1	25%
Family law	1	25%
Intellectual property	1	25%
Other	1	25%

Other: Native title

#### Section 4 – Types of pro bono legal work

1. Which of the following pro bono legal work have you done in the past 12 months?

Type of pro bono	No. of respondents	%
Provide verbal advice	4	100%
Representation before a court or a tribunal	4	100%
Drafting of documents	2	50%
Negotiation	2	50%
Provide written advice	1	25%

2. For whom was this pro bono legal work done?

Recipients of pro bono	No. of respondents	%
Individuals	4	100%
Community legal organisations	1	25%
Other not-for-profit organisations	1	25%

3. Have you volunteered legal assistance at a community organisation in the last 12 months?

<b>Volunteered at a CLC</b>	<b>No. of respondents</b>	<b>%</b>
Yes	2	50%
No	2	50%
<b>Total</b>	<b>4</b>	<b>100%</b>

4. When volunteering legal assistance at a community organisation what type of organisation was it?

<b>Type of organisation</b>	<b>No. of respondents</b>	<b>%</b>
A Community legal centre	1	50%
A not-for-profit organisation	1	50%
<b>Total</b>	<b>2</b>	<b>100%</b>

#### Section 5 – Practice issues

1. Do you keep a record of the pro bono legal work that you are doing?

<b>Record of pro bono</b>	<b>No. of respondents</b>	<b>%</b>
Yes	0	0%
No	4	100%
<b>Total</b>	<b>4</b>	<b>100%</b>

2. When you take on cases on a pro bono basis, do you take them on...?

<b>Pro bono for...</b>	<b>No. of respondents</b>	<b>%</b>
For free	3	75%
At a substantially reduced fee	0	0%
Other	1	25%

Other: Both – depending on circumstances.

## Section 6 – Amount of pro bono work

1. Can you estimate how many hours of pro bono legal work you have done in the last 12 months?

Hours of pro bono	No. of respondents	%
5 hours or less	0	0%
6-10 hours	0	0%
11-20 hours	2	50%
21-30 hours	1	25%
31-40 hours	0	0%
41-50 hours	0	0%
51-70 hours	0	0%
71-90 hours	1	25%
More than 90 hours	0	0%
<b>Total</b>	<b>4</b>	<b>100%</b>

2. Have you spent more or less time doing pro bono legal work in the past 12 months than in the previous 12 months?

More or less pro bono	No. of respondents	%
More	0	0%
Less	1	25%
No change	1	25%
Don' know	2	50%
<b>Total</b>	<b>4</b>	<b>100%</b>

3. To which extent are you satisfied, or not satisfied, with the amount of pro bono work that you have done in the past 12 months?

*Responses:*

- i. Fairly satisfied. I think all practitioners would like to do more but we also have to make a living and we have very busy practices (if we are fortunate enough).
- ii. Given that I work from a single-barrister chambers, I think my contribution is a fair amount, balanced with family and work.
- iii. Satisfied.
- iv. I am well satisfied with the amount and type of pro bono work that I have done in the past 12 months.

## Section 7 – Sources of pro bono work

1. Is your name on referral lists kept by any of the following?

<b>Name on list</b>	<b>No. of respondents</b>	<b>%</b>
Clearing house	0	0%
Bar pro bono scheme	0	0%
Court pro bono scheme	0	0%
None of the above	1	25%
Don't know	3	75%
<b>Total</b>	<b>4</b>	<b>100%</b>

2. What is the source of new pro bono matters?

<b>Source</b>	<b>No. of respondents</b>	<b>%</b>
Direct request to you from a solicitor	4	100%
Referral from courts, tribunals, or complaint handling bodies	4	100%
Direct request to you (cold call) from a potential client	3	75%
Referral by a community organisation	3	75%
Direct requests to you from a family member or friend	2	50%
Direct requests to you from existing or past clients	2	50%
Referral from another barrister	2	50%
Referral from the Bar legal assistance scheme	1	25%
Referral from an Indigenous legal organisation	1	25%

3. What percentage of pro bono matters were referred to you from your Bar's legal assistance scheme (if any)?

<b>From Bar Scheme</b>	<b>No. of respondents</b>	<b>%</b>
0%	3	75%
1-25%	1	25%
<b>Total</b>	<b>4</b>	<b>100%</b>



## Section 8 – Constraints / encouragement to pro bono

1. What gets in the way of you doing pro bono legal work?

<b>Barrier to pro bono</b>	<b>No. of respondents</b>	<b>%</b>
Lack of time	3	75%
Insufficient expertise in relevant areas of the law	2	50%
The cost of disbursements involved	1	25%
Lack of a solicitor to assist with the matter	1	25%
It's the government's responsibility to provide adequate resources	1	25%

2. What would encourage you to do more pro bono work?

<b>Encouragement</b>	<b>No. of respondents</b>	<b>%</b>
Training in areas of law that are common to pro bono matters	2	50%
Nothing	2	50%
Clearer support for pro bono work from senior members of the Bar	1	25%
A wide range of pro bono opportunities made available to me	1	25%
More recognition and visibility of the work in general	1	25%

## Section 9 – Legal Aid and “no win-no fee” work

*Legal aid and “no win-no fee” work are not considered to be pro bono legal work for the purposes of this survey.*

1. Did you do any Legal Aid work in the last 12 months?

<b>Legal Aid work</b>	<b>No. of respondents</b>	<b>%</b>
Yes	3	75%
No	1	25%
<b>Total</b>	<b>4</b>	<b>100%</b>

2. In the last 12 months, approximately what percentage of your time was for legally aided clients?

Time for Legal Aid	No. of respondents	%
0-5%	1	25%
6-10%	0	0%
11-20%	0	0%
21-50%	2	50%
Empty responses	1	25%
<b>Total</b>	<b>4</b>	<b>100%</b>

3. Is there any particular reason why you did not do any Legal Aid work?

i. No.

4. Do you have any comments that you would like to make about Legal Aid or “no win-no fee” work?

i. I personally do not take on “no win-no fee” work. If it is a matter that I think should be done on a pro bono basis I will take it on without charge. Otherwise I do not take it on.

#### Section 10 – Attitudes to pro bono legal work

1. Do you think that lawyers should do pro bono legal work?

Should lawyers do pro bono	No. of respondents	%
Yes	4	100%
No	0	0%
<b>Total</b>	<b>4</b>	<b>100%</b>

2. What are the top two reasons why lawyers should do pro bono legal work?

Reasons for doing pro bono	No. of respondents	%
To help people who are socially disadvantaged or marginalised	4	100%
To put something back into the profession	2	50%
A sense of professional responsibility	1	25%
Other	1	25%

Other: For the public good.

3. Are you aware of the National Pro Bono Aspirational Target of 35 hours per lawyer per year?

<b>Aware of Target</b>	<b>No. of respondents</b>	<b>%</b>
Yes	1	25%
No	3	75%
<b>Total</b>	<b>4</b>	<b>100%</b>