PRO BONO PRACTICES GUIDE
A national guide to the pro bono practices of 30 Australian law firms

Published by National Pro Bono Resource Centre and New South Wales Young Lawyers
PRO BONO
PRACTICES GUIDE
A national guide to the pro bono practices of 30 Australian law firms
The National Pro Bono Resource Centre (the Centre) is an independent, not-for-profit organisation that:

- encourages the provision of pro bono legal services;
- supports lawyers and law firms in the delivery of high quality pro bono legal services; and
- works with the profession and the community to match services with clients and groups most in need of assistance.

The Centre promotes and supports pro bono work by publishing information, providing opportunities for collaboration, undertaking research and promoting the exchange of ideas and information.

Its flagship publication is the Australian Pro Bono Manual, a practice guide and resource kit for law firms, available online on the Centre’s website. In 2007 the Centre introduced the National Pro Bono Aspirational Target (the Target) of 35 hours of pro bono work per lawyer per year. Today, the target covers more than 4,000 lawyers. In 2008, the Centre published the results of the national surveys on pro bono work done by solicitors, barristers and law firms, providing the first national picture of current pro bono practice and establishing a yardstick by which to measure and assess future developments.

The Centre receives financial assistance from the Commonwealth and State and Territory Attorneys-General Departments and support from the University of New South Wales, where it is based in the Law Centres Precinct in the Law Building.

NSW Young Lawyers (NSWYL) is a vibrant organisation of lawyers under 36 years of age or in the first five years of practice, and all law students. While our organisation is a division of the Law Society of NSW, we are a very distinct group of lawyers with our own energy and voice in the profession and the community. NSWYL is committed to engaging in pro bono and community services work, co-ordinated by the Executive Council. Our Pro Bono and Community Services Taskforce (Taskforce) compiled and wrote the first edition of this publication in order to inform the broader legal community about the pro bono work of our profession.

The Taskforce, like its predecessor the Community Services Committee, brings together volunteer lawyers and law students from diverse backgrounds all of whom share a common goal of using their legal and personal skills to benefit the community by improving access to justice. We encourage you to visit our website (www.younglawyers.com.au) to find out more about our organisation.
Contents

Foreword ............................................................................................................................................................. 4
Introduction .......................................................................................................................................................... 6
Methodology ....................................................................................................................................................... 7
Critically evaluating a law firm’s commitment to pro bono ............................................................................. 8
Analysis .............................................................................................................................................................. 10
The Firms ........................................................................................................................................................... 12
   Allens Arthur Robinson ............................................................................................................................ 13
   Arnold Bloch Leibler ................................................................................................................................. 17
   Baker & McKenzie ...................................................................................................................................... 21
   Blake Dawson ............................................................................................................................................. 27
   Carroll & O’Dea Lawyers .......................................................................................................................... 32
   Clayton Utz ............................................................................................................................................... 35
   Corrs Chambers Westgarth ......................................................................................................................... 42
   Deacons ....................................................................................................................................................... 48
   DLA Phillips Fox ......................................................................................................................................... 52
   Fisher Jeffries ............................................................................................................................................. 58
   Freehills ...................................................................................................................................................... 61
   Gadens ......................................................................................................................................................... 66
   Gilbert + Tobin ............................................................................................................................................ 70
   Hall & Wilcox Lawyers ............................................................................................................................... 76
   Harmers Workplace Lawyers ...................................................................................................................... 81
   Henry Davis York ....................................................................................................................................... 84
   Holding Redlich ......................................................................................................................................... 89
   Hunt & Hunt ............................................................................................................................................... 93
   HWL Ebsworth ......................................................................................................................................... 97
   Lander & Rogers ....................................................................................................................................... 100
   Mallesons Stephen Jaques ......................................................................................................................... 104
   Maurice Blackburn .................................................................................................................................... 108
   McCabe Terrill Lawyers ............................................................................................................................ 112
   McInnes Wilson Lawyers ............................................................................................................................ 115
   McKean Park .......................................................................................................................................... 119
   Middletons ............................................................................................................................................... 122
   Minter Ellison .......................................................................................................................................... 125
   PricewaterhouseCoopers ............................................................................................................................ 129
   Russell Kennedy ..................................................................................................................................... 134
   Sparke Helmore Lawyers ........................................................................................................................... 137
Foreword

The Hon Michael Kirby AC CMG
Justice of the High Court of Australia 1996–2009
Patron of NSW Young Lawyers 2001–2008
President of the Institute of Arbitrators & Mediators Australia 2009–

When I was a young lawyer, pro bono practice was haphazard, unpredictable and largely dependent on the individual inclinations of legal practitioners. I did a lot of it. But this was also somewhat accidental. Part of my brilliant campaign to be re-elected President of the Sydney University SRC rested on my early work as Honorary Solicitor for the students. The cases ranged from winning student appeals against exclusion; beating charges of fare evasion; upholding student efforts to desegregate cinemas in outback towns of New South Wales; to (later) defending conscientious objectors against the Vietnam War. My noble efforts were rewarded with re-election as SRC President and later election to the University Senate.

I discovered that pro bono work could be interesting and worthwhile. It could also help to make one’s name. Later, I accepted a lot of pro bono cases for the NSW Council for Civil Liberties. Fortunately, the senior partners of my firm, Bruce Holcombe and Roger Lakeman, brilliant lawyers, encouraged this work. They knew that it kept up my interest in law. They also supported paying back to society for the advantages they derived from a prosperous legal business.

Nowadays, pro bono work in the legal profession is more organised and on a much larger scale. It is an important part of a contemporary legal practice. The High Court avails itself of pro bono assistance in many cases. Sometimes, where a refugee applicant or some other litigant with little if any means appears to have an arguable case, the Court explores the availability of pro bono representation through the professional associations. Rarely does it prove impossible to help the needy. In an important recent case before the High Court in 2007, Roach v Electoral Commission (2007) 233 CLR 162, an Aboriginal Australian, serving a term of imprisonment, challenged the validity of federal legislation that purported to exclude all prisoners serving a term of imprisonment from participation in the federal elections. The challenge, which could otherwise probably not have been brought, was supported with pro bono assistance provided by one of the legal firms mentioned in this book. The challenge succeeded in part. I pay my tribute to the standard of presentation which the Court received of very important constitutional issues concerned with the basic rights of prisoners as electors of the Commonwealth.

Our system of justice does not really work very well in most court cases unless the parties are legally represented. In courts and tribunals, it often depends upon the availability of equality of arms. The decision of the High Court in Dietrich v The Queen (1992) 177 CLR 292 effectively ensures that, at trial, in all serious criminal charges, most accused will be competently represented. However, the same is not true of appeals. Nor is it true in civil litigation. Proper representation in such cases should not depend on charity. Yet, in many cases, it depends, in practice, on a public spirited attitude on the part of busy lawyers who are prepared to represent litigants with proper cases, so as to ensure the chance of getting justice.
I praise the members and staff of the legal firms mentioned in this book for their participation in making equal justice under law a reality in many cases where access to justice might otherwise have been denied. I praise NSW Young Lawyers and the National Pro Bono Resource Centre for their initiatives in compiling this useful book. However, we should not allow the pro bono work, described in this guide, to deflect us, as members of the legal profession in Australia, from solving the problems of access to justice more conceptually.

Access to justice is one of the great challenges that our profession faces. We must all help to put access to justice on a firmer foundation. Meantime, the availability of pro bono programs in leading firms is undoubtedly a most useful and honourable expedient. As I discovered, so many years ago, it is also fulfilling and stimulating for the participants. When the mists of time envelope the routine cases, and one thinks back on the hard fought “triumphs” of one’s past, more often than not the cases that spring to mind are those that were performed pro bono. And that teaches us the important lesson that rewards, in life, are frequently non-material and spiritual. The law is a profession concerned with a deep spiritual wellspring: the quest for equal justice under law for all.

Chambers, Sydney, 22 June 2009

www.michaelkirby.com.au
“We make a living by what we get, but we make a life by what we give.” Winston Churchill

Introduction

The young lawyer of today is the face of the profession tomorrow. She and he will determine what the public thinks of the legal profession and their faith in our legal institutions.

One determining characteristic of the legal profession and your future career is the pro bono work done for those individuals and organisations who could not otherwise obtain access to legal services.

Undertaking pro bono work enables lawyers to contribute positively to their communities and often provides immense personal satisfaction by making a difference to those less fortunate than us. For young lawyers it can provide opportunities for a ‘front line’ experience and to extend legal knowledge and skills.

All lawyers have a professional responsibility to enhance access to justice. Involvement in delivering pro bono services to the disadvantaged and/or in the public interest is an important way in which the legal profession fulfils this responsibility.

Lawyers do this in a number of ways. Many play a vital role as volunteers at community legal centres (CLCs), often as part of an evening advice session. Law students contribute as paralegals, often through law schools’ clinical legal education or student pro bono programs. Other lawyers contribute through law reform, community legal education programs and policy work.

Your commitment to social justice will have an effect on the legal profession. When law students and young lawyers voice their interest in pro bono work, law firms listen.

Many law firms already have innovative and established pro bono programs, and they do considerable amounts of pro bono work for the disadvantaged and marginalised. This guide is designed to assist you in evaluating a firm’s pro bono commitment, and to support you in your search for those potential employers that are actively engaged in the provision of pro bono work.

As the next generation of lawyers you are in a position to influence the profession’s commitment to access to justice. You have a chance to make a difference. Use it.

John Corker
Director
National Pro Bono Resource Centre

Louise Jardim
President
NSW Young Lawyers
Methodology

The first edition of the Guide was created by the Centre and NSW Young Lawyers to provide more information about the pro bono practices of large law firms in New South Wales. The Guide was distributed to all final year law students in NSW, and also handed out at career fairs. Encouraged by the positive feedback received from students, the Centre and New South Wales Young Lawyers have teamed up again to produce a national guide.

The project to compile the second edition of the Guide was initiated in 2008 with the assistance of the Centre’s social justice intern, Georgina Gill. At the end of Georgina’s internship, the project was continued by Maria Twomey, Policy and Research Officer at the Centre. Up to 50 of the largest law firms (by number of lawyers) in each State and Territory were invited to participate. For the firms that had submitted a profile for the first edition of the Guide, revised profiles were created, which firms were then asked to review and update. Firms that had not previously been contacted were provided with templates/questionnaires.

Invitations to participate were followed up with e-mails and telephone calls to encourage firms to participate in the second edition of the Guide. Some firms indicated early on that they were not in a position to participate.

This second edition of the Guide contains details of the pro bono programs of 30 law firms, including the largest firms in Australia, as well as some analysis to assist readers with an overview of the key elements of a pro bono program. Added to this, information on how to critically evaluate a law firm’s commitment to pro bono and some sample interview questions for law students were included. It is hoped that this will encourage law students, graduates and young lawyers to familiarise themselves with, and participate in, pro bono work, as well as encourage all firms to continue their commitment to pro bono. Law students, graduates and young lawyers in the job market will also be able to use this Guide as a standard reference to make an informed choice by using a firm’s pro bono practice as a criterion of distinction.

We would like to thank the following people for their contributions to this guide: Staff and Interns at the Centre for their dedicated proofreading efforts, especially Buffy Gilbert, Amy Kong and Golnaz Zahedi, Natasha Galea for getting the text ready for publication and especially the generous sponsors without whom the wide distribution of this Guide would not have been possible.
Critically evaluating a law firm’s commitment to pro bono

Why is it important to critically evaluate and understand a law firm’s commitment to pro bono? Arent’t all the large law firms doing it already? It’s true that a number of law firms demonstrate an impressive commitment to pro bono, but there are great differences between the level of commitment within firms as well as the details of their pro bono programs. It is important to understand the culture of the firm and what may be expected of you as an employee. Always look at the pro bono program as a whole.

The tips listed below can also be used as interview questions. Most law firms value law students, graduates and young lawyers who can demonstrate an interest in their community and a sense of social justice. By asking questions about the firm’s pro bono program you are not only making yourself more attractive as a potential employee, but you are also sending a message to the firm that pro bono is important to prospective employees. If you feel hesitant to enquire about a firm’s pro bono program during an interview – ask them when you get an offer. When law firms recruit you, they expect excellence in academic as well as other endeavours – you should expect nothing less from a law firm.

• **Look at the firm’s description of its pro bono program**
  Does the firm have a written pro bono policy? How do they describe their pro bono program – in specific or general terms? It is important to distinguish those firms that play lip service to providing pro bono legal services and those that actually do. Are there examples of pro bono cases or ongoing projects the firm is working on? Do they have an ongoing partnership with a community organisation? It is also important to know how the firm sources its pro bono work. Are they members of a Public Interest Law Clearing House (where applicable) or a pro bono referral scheme?

• **Look at the participation rate of the firm**
  What percentage of the firm’s lawyers is involved in pro bono work? How many hours per lawyer did they do pro bono? Are summer clerks, graduate lawyers and junior associates able to do pro bono work? A high participation rate is a good indication of a pro bono culture that reaches across the whole firm.

• **Coordination of pro bono work**
  Does the firm have a designated pro bono partner and/or a pro bono coordinator or director? Does the firm have a pro bono committee? How do they distribute and coordinate pro bono work throughout the firm?

• **Types of pro bono work**
  Look at the types of pro bono work the firm is doing. Does the firm target specific areas of legal need? What areas of law do they provide pro bono assistance in? If you are particularly passionate about an issue or you have specific skills that you may not otherwise get to use in a commercial law firm, look for firms that provide services in that area.
• **Externship and secondment opportunities**
  Does the firm offer externship or secondment opportunities to public interest or community organisations? How many lawyers can be involved in these programs? Pay attention to the other aspects of the program as well – externships are wonderful opportunities but usually offered only to a few. See if there are other ways to get involved.

• **National Pro Bono Aspirational Target**
  Is the firm a signatory to the National Pro Bono Aspirational Target (the Target) of 35 hours of pro bono work per lawyer per year? Being a signatory to the Target suggests a high level of commitment to providing pro bono services. Does the firm require all lawyers to perform a minimum number of hours of pro bono work?

• **Pro bono in billable hours and career advancement**
  In most law firms, lawyers have to meet both billable hours targets as well as financial targets. Do pro bono hours count towards the billable hours and financial targets? Is pro bono work taken into account in performance appraisals and salary reviews? Is it a factor when considering promotion?

• **Training and resources**
  Pro bono matters require skills in areas of law not familiar to a commercial lawyer. Does the firm provide training? What kind of supervision and support is available? Can support staff work on pro bono cases?

• **Recognition**
  Has the firm received awards or other public recognition for their pro bono work or community engagement? Have you read about their work in the legal press?

• **Corporate Social Responsibility**
  Pro bono work often sits alongside community partnerships, charitable donations and community service work. Does the firm have a Corporate Social Responsibility program? Is pro bono the primary focus of the firm’s program?

These tips, along with the information contained in the Guide’s firm profiles, should equip you with the appropriate tools to evaluate each firm’s commitment to pro bono, the nature of their pro bono program, and how you can make a difference in your community should you become an employee.
Analysis

This section provides an overview of the information provided by the participating firms and identifies commonalities and differences between the various programs.

Size

Of the 30 firms that provided entries for the Guide, 18 firms have 50 or less partners and up to 150 lawyers. A further seven firms reported having from 51 to 100 partners and between 150-499 lawyers on staff. Five firms reported having more than 100 partners, with two firms employing between 500-999 lawyers and three firms reporting over 1,000 lawyers on staff.

Size, however, is not necessarily an indication of a firm’s commitment to pro bono activities. The information provided by smaller firms shows that they often have active and extensive pro bono programs and long-standing relationships with community organisations.

Mandatory or Voluntary

Twenty-six firms out of 30 indicated that they have formal, written pro bono policies. None of the firms indicated that they make pro bono a mandatory requirement amongst their lawyers. Only seven of the 30 firms in the Guide are signatories to the National Pro Bono Aspirational Target.

Lawyer Participation Rate

Twenty-five of the 30 firms were able to provide figures of lawyer participation in pro bono work. High participation rates are usually an indication of a strong pro bono culture that stretches across the whole firm. The data is set out in Table 1.1 below.

<table>
<thead>
<tr>
<th>Participation Rate</th>
<th>No. of Firms</th>
</tr>
</thead>
<tbody>
<tr>
<td>71-100 %</td>
<td>9</td>
</tr>
<tr>
<td>51-70%</td>
<td>6</td>
</tr>
<tr>
<td>26-50%</td>
<td>3</td>
</tr>
<tr>
<td>0-25%</td>
<td>6</td>
</tr>
<tr>
<td>Total</td>
<td>25</td>
</tr>
</tbody>
</table>

Table 1.1 – Participation rate in pro bono

Gender

One of the issues identified by the taskforce when compiling the first edition of the Guide was an apparent gender imbalance between lawyers engaged in pro bono work, with an apparent tendency for women to be more likely to participate. For this edition, 14 firms out of 30 were able to provide statistics on gender ratio in pro bono work. Ten out of 14 firms reported an equal or near equal gender ratio in lawyers engaged in pro bono work. The other firms indicated a clear gender imbalance. One firm reported the ratio to be 80:20 in favour of female lawyers; another reported it to be 0:100 in favour of male lawyers. The other two firms indicated a 60:40 and 59:41 split in favour of female lawyers. One firm interestingly added, that whilst under 50% of the lawyers engaged in pro bono work were women, 66.4% of all pro bono work was done by women. Whilst the data does indicate some interesting imbalance in the gender ratio, it is impossible to generalise. The gender ratio numbers do not take into account whether a firm’s pro bono program or involvement with certain community organisations (women’s shelter or legal services, for example) directly impact the gender ratios of a firm.

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1 The National Pro Bono Aspirational Target (‘the Target’) was launched by the National Pro Bono Resource Centre on 26 April 2007. The Target is voluntary and encourages lawyers to perform at least 35 hours of pro bono legal work per lawyer per year. Signatories to the Target include individual solicitors, barristers, law firms, and chambers of barristers. At the time of printing, the target covered more than 4,000 lawyers across Australia.
Types of Pro Bono Work

Most of the firms provided similar types of work. All firms indicated that they provide free or discounted legal advice to individuals and not-for-profit organisations. Nineteen firms indicated that they take on other forms of pro bono work for the ‘public good’ or in the ‘public interest’. These include: Writing law reform submissions (12 firms); conducting community legal education (10 firms); and offering secondments to community legal centres (CLCs) and other community organisations (10 firms). Six firms indicated that their lawyers participate in evening advice sessions at CLCs.

Areas of Pro Bono Legal Assistance

The most common areas of pro bono legal assistance were:

- Employment/Industrial Relations
- Corporate Governance/Incorporations Law
- Property Law
- Commercial Law
- Tax Law
- Litigation
- Discrimination Law
- Environmental/Planning
- Administrative
- Human Rights
- Housing/Tenancy
- Consumer Credit & Debt

Most of the firms featured in this guide indicated that they targeted either specific areas of law or specific groups of disadvantaged or marginalised people in their pro bono and community service programs.

Ways Pro Bono Work is Taken into Account

Twenty-two firms recognised pro bono work as part of a lawyer’s billable hours, whilst all 30 firms took pro bono work into account in a lawyer’s performance appraisal. Firms that give budget recognition of pro bono hours seem to have a slightly higher average participation rate than firms that do not. The average participation rate for firms that gave billable hours credit for pro bono was 56%, whilst the average participation rate for firms that did not give billable hours credit was 46%. However, two firms that did not give billable hours credit for pro bono work had some of the highest participation rates of all the firms in the guide. This would suggest that even though budget recognition can be a good way to encourage staff to do pro bono work, a strong pro bono culture in a firm will do the same.

Community Service

In addition to providing pro bono legal services, most firms also perform some form of community service; 26 firms have a community service program and 20 firms have a ‘workplace giving’ program. A further five firms have charitable foundations, although most firms make charitable contributions as a part of their community service program.
The Firms
Allens Arthur Robinson

Head office location
Level 28, Deutsche Bank Place
Corner of Hunter & Phillip Streets
Sydney NSW 2000
(02) 9230 4000

The people
Partners – 198
Lawyers – 752
Support Staff – 975

Other office locations
Brisbane, Melbourne, Perth

Pro Bono contacts
Nicky Friedman
National Co-ordinator, Pro bono & Community Programs
(03) 9613 8338
Nicky.Friedman@aar.com.au

Employment contacts
Bryony McCormack
Graduate recruitment
(03) 9613 8085

Pro Bono Philosophy
“Our pro bono practice has two goals: to contribute to the community by helping individuals and groups that need, but cannot readily access, legal assistance and to provide opportunities for our staff to be involved in pro bono work.”

SNAPSHOT
☑ Is a signatory to the National Pro Bono Aspirational Target
☑ Has a written pro bono policy
☑ Has a pro bono coordinator or committee
☑ Pro bono work counted towards lawyers’ billable hours
☑ Pro bono taken into account in performance appraisal
☑ Has a community service program
☑ Has a workplace giving program
☐ Has a charitable foundation
Overview

Is the firm a signatory to the National Pro Bono Aspirational Target? Allens Arthur Robinsons (Allens) is a foundation signatory to the National Pro Bono Aspirational Target.

How does the firm take on pro bono work? Direct requests from community organisations, referrals from staff members, referrals from PILCH in Victoria, NSW and QLD, law society legal assistance schemes, bar assistance schemes and referrals from community legal centres.

What are the firm’s criteria for taking on pro bono work? The work must:

- establish or preserve the rights of individuals or not-for-profit organisations in need; or
- seek to further a particular public good or address an issue of broad community concern.

What are the areas of law in which the firm has provided pro bono legal assistance over the last two years? Allens’ pro bono efforts prioritise the disabled or disadvantaged, including the homeless or those with a mental illness, and those who require protection of their human rights, including refugee rights.

The firm’s pro bono work is mainly in the areas of commercial law, tax law, employment and industrial law, incorporations, property law, human rights and on homelessness issues.

Which organisations did the firm provide pro bono assistance to over the last two years? Over the last two years we have assisted around 300 community organisations and over 250 individuals. Among many others, we provided pro bono legal help to environmental organisations including Bush Heritage Australia, WWF; the Great Barrier Reef Foundation, human rights organisations including Amnesty International and the Human Rights Law Resource Centre, several community legal centres including the Kingsford Legal Centre, SCALES, refugee and immigration legal centres, women’s legal centres, and the Mental Health Legal Centre. We work with a large number of Indigenous clients through Indigenous organisations and public interest organisations including the Public Interest Advocacy Centre (PIAC). We act for a number of welfare and advocacy groups, including disability organisations, groups that work with victims of violence and children’s charities.

What are the types of pro bono work that the firm undertakes? Allens carries out pro bono work in the following ways:

- free or discounted legal work for persons or groups who do not qualify for legal aid and cannot afford legal assistance;
- free or discounted legal work for not-for-profit organisations (e.g. charitable and community organisations);
- non-fee work (regardless of whether a person is eligible for legal aid) for matters which meet public interest criteria;
- free or discounted legal work for public good or public interest (e.g. community legal education or law reform);
- secondments;
- advice nights at community legal centres;
- assistance through legal advice and representation projects conducted by the Western Australian Aboriginal Legal Service and through the Mental Health Legal Centre; and
- work at the homeless services we staff in Perth, Brisbane, Sydney and Melbourne.
What are some of the firm’s pro bono highlights?

**Prisoners’ voting rights case**

Allens acted on a pro bono basis with the Human Rights Law Resource Centre, on behalf of Vickie Roach, an Aboriginal woman who was a prisoner in the Dame Phyllis Frost Prison, in her challenge to the constitutionality of the legislation passed by the Federal Government in 2006, that purported to amend the Commonwealth Electoral Act and in so doing, deny all prisoners the right to vote in Federal elections. The High Court found that the amendments were invalid and struck down the blanket prohibition on prisoners voting.

**Mr George Forbes**

In May 2007, Australian man George Forbes was found guilty by a single Sudanese judge of the murder of a Ukrainian man whom Mr Forbes had found dead, after the man had apparently killed himself. An Allens team worked closely with several barristers, also working pro bono, and with the Department of Foreign Affairs and Trade, to assist the Australian ambassador in Sudan to help Mr Forbes. The team produced a detailed submission to the Sudanese Court of Appeal and within a week, the conviction was overturned and Mr Forbes was released.

**Recovering stolen wages**

Between 1900 and 1969, the New South Wales Government was able to control the distribution of salary and benefit income earned by many Indigenous Australians. A large percentage of the wages and some welfare entitlements owed to Aboriginal people were placed into government-run trust funds, rather than being paid to those entitled to receive them. In 2004 the NSW Government committed to repaying this money and established the Aboriginal Trust Fund Repayment Scheme to organise the repayment. Allens became involved in this project in 2006. Several partners and around 15 of our lawyers have acted and continue to act for around 25 claimants, assisting them to make applications to the scheme and to challenge unsatisfactory outcomes. Many of the clients we have assisted have obtained significantly higher amounts after our appeals on their behalf.

**Pro Bono Stats**

**What percentage of the firm’s lawyers participated in pro bono work over the last two years?** Over 60% of all lawyers and partners perform pro bono work each year.

**How many hours per lawyer were contributed to pro bono work over the last two years?** On average around 33 over the two years.

**What is the gender ratio for pro bono work undertaken?** The gender split of those who perform pro bono work at Allens is unknown.
Working Pro Bono

Does the firm allow lawyers to contribute pro bono hours to their billable targets? Yes. The pro bono work undertaken by Allens is counted as a part of lawyers’ billable or target hours and towards their annual budget.

Is pro bono work considered in performance reviews and when considering salary, bonuses or advancement? Yes, pro bono work is considered in the performance review process and pro bono work counts towards the incentive scheme.

Is training provided for lawyers undertaking pro bono matters? Yes, specialised training is provided when a particular project requires it, generally in partnership with the relevant community legal centre organising the project.

How is pro bono work encouraged within the firm? Pro bono opportunities are communicated to employees through the firm’s intranet and at induction sessions, as well as via individual requests from the senior practitioners and pro bono coordinators.

The firm encourages lawyers to undertake pro bono work by giving pro bono work the same status as work for fee-paying clients in the time recording and billing systems, by establishing a pro bono practice group, having messages of support from the Managing Partner and introductory talks to all new graduates, articled clerks, summer clerks and vacation clerks.

Is there partner supervision for lawyers undertaking pro bono matters? Yes, all Allens pro bono work done is supervised by partners.

Does the firm offer secondments for lawyers to public interest bodies? Yes, we have various secondments available to the Public Interest Law Clearing House and to other community legal centres.

What costs and disbursements does the firm cover for pro bono work? The firm will generally cover up to $300 in disbursements. Allens will assist clients to seek waivers for filing fees if appropriate.

Summer clerk pro bono opportunities

Do summer clerks have the opportunity to undertake pro bono work? Yes. If clerks are interested in working on pro bono matters or attending the homeless clinics, they are accommodated wherever possible.

Community service

What community service programs does the firm run? Allens supports a range of charitable and community activities each year.

In Sydney, the firm participates in the Learning for Life program and the LEAPs program. Lawyers from Allens’ Sydney office have the opportunity to assist children from disadvantaged schools to learn to read and/or mentor high school students within the structured framework of the LEAPs program.

Which community organisations is the firm involved with? Various organisations including Jeans for Genes Day, the Smith Family Ride Around the Bay, Learning for Life and LEAPS (Law Firms Assisting And Encouraging Promising Students).

Does the firm run a workplace giving program? Yes.

Does the firm have a charitable foundation? No.
Arnold Bloch Leibler

Head office location

Level 24 Chifley Tower
2 Chifley Square
Sydney NSW 2000
(02) 9226 7100

Other office locations

Melbourne

Pro Bono contacts

Peter Seidel
National Co-ordinator
(03) 9229 9769
pseidel@abl.com.au

Paul Rubenstein
Sydney Office Co-ordinator
(02) 9226 7100
prubenstein@abl.com.au

Pro Bono Philosophy

“A commitment to giving back to the community has always been an essential value at Arnold Bloch Leibler…The work that we do has never been and will never be regarded by the firm as the ‘after hours’ stuff…it is no mere ‘feel good’ adjunct unrelated to our core business…We do the work because it is the right thing to do and are mindful of the many intangible benefits, such that it is integral to our business plan and inextricably linked to our culture and identity as a firm.”

SNAPSHOT

☑ Is a signatory to the National Pro Bono Aspirational Target
☑ Has a written pro bono policy
☑ Has a pro bono coordinator or committee
☑ Pro bono work counted towards lawyers’ billable hours
☑ Pro bono taken into account in performance appraisal
☑ Has a community service program
☐ Has a workplace giving program
☐ Has a charitable foundation

Employment contacts

See above
Overview

Is the firm a signatory to the National Pro Bono Aspirational Target? Yes.

How does the firm take on pro bono work? Arnold Bloch Leibler receives most of their referrals through existing clients, word of mouth, client referrals, staff and PILCH.

What are the firm’s criteria for taking on pro bono work? Written policy and case by case considerations.

What are the areas of law in which the firm has provided pro bono legal assistance over the last two years? The firm does most of its pro bono work in corporate governance, taxation and human rights, for Indigenous, environmental and Jewish causes and not for profit entities.

Which organisations did the firm provide pro bono assistance to over the last two years? Burnet Institute, Australian Conservation Foundation, Greening Australia, Australian Environmental Grant Makers Network, the Climate Institute, Thamarrurr Regional Council, Voiceless, Jirrawun Arts, Jewish Holocaust Museum and Research Centre. Arnold Bloch Leibler focuses on pro bono work with the Jewish community, Indigenous Australians and environmental and cultural groups.

What are the types of pro bono work that the firm undertakes? Corporate governance advice, tax concession advice for non profit organisations, test case litigation, and human rights defences.

What are some of the firm’s pro bono highlights?

**AWU Beaconsfield Miners Relief Trust**

On 25 April 2006, a minor earthquake in the small town of Beaconsfield, Tasmania, caused the collapse of the Beaconsfield mine. One miner, Larry Knight, was killed instantly while fourteen men escaped. Todd Russell and Brant Webb were trapped nearly a kilometre below the surface, and it took 14 days of painstaking digging to free them.

In May 2006, Arnold Bloch Leibler was approached by Bill Shorten, National Secretary of the Australian Workers’ Union, to assist in the establishment of the AWU Beaconsfield Miners Relief Trust. The purpose of this trust is to provide support for the family of Larry Knight and the Beaconsfield miners. The firm prepared the necessary documentation to set up the Trust and obtained deductible gift recipient and tax concession charity status for the Trust from the Australian Taxation Office.

**Thamarrurr Regional Council**

In early 2006, a series of sensationalist and grossly unfair media reports brought to national attention some of the long-standing and deeply ingrained issues faced by the remote Northern territory township of Wadeye.

In the 1930’s, following the establishment of a Catholic mission at Wadeye (then known as Port Keats Mission), clan leaders began to lose their authority and ability to govern the centralised multi-clan community that sprang up around the mission. This loss of control was further exacerbated by the ‘protection era’ and the various Acts of Parliament that comprehensively denied autonomy to indigenous people, including those at Wadeye. Since then, the people at Wadeye have seen a growing dislocation between the old and the young and between traditional lifestyle, economy, and political structures and contemporary western influences. This dislocation has resulted in people having less control over their lives, despite more recent government demands for Indigenous people to take a greater role in planning the direction of their futures.

At Wadeye, things began to change for the better in 2003 with the establishment of the Thamarrurr Regional Council, a local government entity. Thamarrurr – a word signifying the way of life for the people in the region, and defined as the ability for the various clans to speak with one voice – merges traditional and contemporary structures of governance, and is providing stability and leadership in Wadeye.

A key priority for the Thamarrurr is to build the capacity of young people in the region in a number of ways. The most immediate focus is on education. Current data reveals that for every dollar spent on the education for a child in the Northern territory, just 43 cents is spent on the education of a child in Wadeye.
Arnold Bloch Leibler has been assisting Thamarrurr in a range of areas, including:

- investigating and, if necessary, pursuing litigation options against those responsible for the under-funding of education in the Thamarrurr region;
- assisting with corporate governance and the establishment of corporate entities for the purpose of social and economic development; and
- assisting with leasing issues, which are a priority policy issue for the Commonwealth and Northern territory Governments.

**Pro Bono Stats**

**What percentage of the firm’s lawyers participated in pro bono work over the last two years?** 80%. Each year the firm undertakes between $1.5 million and $2 million of pro bono work and community contributions. Over the last two financial years, each fee earner spent an average of 55 hours on public interest law matters per year. In the last financial year alone, 7,181 hours were spent on files opened as pro bono, public interest law matters.

**How many hours per lawyer were contributed to pro bono work over the last two years?** Arnold Bloch Leibler is a foundation signatory to the National Pro Bono Resource Centre’s Aspirational Target of 35 hours of pro bono work per lawyer per year. The firm has exceeded the Target by undertaking an average of 55 hours of pro bono work per lawyer per year.

**What percentage of lawyers undertook over 20 hours of pro bono work last year?** Approximately 80%.

**What is the gender ratio for pro bono work undertaken?** 50/50.

**Working Pro Bono**

**Does the firm allow lawyers to contribute pro bono hours to their billable targets?** Pro Bono hours are taken into account in budgetary/billable target considerations.

**Is pro bono work considered in performance reviews and when considering salary, bonuses or advancement?** Yes.

**Is training provided for lawyers undertaking pro bono matters?** Yes.

**How is pro bono work encouraged within the firm?** Pro bono work is encouraged by its prominent presence within the Arnold Bloch Leibler culture. Lawyers are constantly reminded of the pro bono practice opportunities through their intranet service, emails, bulletins and induction sessions.

**Is there partner supervision for lawyers undertaking pro bono matters?** Yes.

**Does the firm offer secondments for lawyers to public interest bodies?** Not generally.

**What costs and disbursements does the firm cover for pro bono work?** The firm provides unlimited internal disbursements for pro bono work. However, it retains a discretion whether to cover external disbursements.

**Summer clerk pro bono opportunities**

**Do summer clerks have the opportunity to undertake pro bono work?** Yes.

**What percentage of summer clerks undertook pro bono work in the past year?** Approximately 50%.
Community service

Which community organisations is the firm involved with? Current community service initiatives run by the firm include:

- Make-a-Wish Foundation
- Reconciliation Australia
- First Nation Foundation
- Yachad Accelerated Learning Project
- Australian Conservation Foundation
- Greening Australia
- Voiceless
- Stephanie Alexander Kitchen Garden Foundation
- Wantok Musik Foundation

Does the firm run a workplace giving program? Not formally.

Does the firm have a charitable foundation? No.

Firm philosophy

“A commitment to giving back to the community has always been an essential value at Arnold Bloch Leibler…The work that we do has never been and will never be regarded by the firm as the ‘after hours’ stuff…it is no mere ‘feel good’ adjunct unrelated to our core business…We do the work because it is the right thing to do and are mindful of the many intangible benefits, such that it is integral to our business plan and inextricably linked to our culture and identify as a firm.”

Future direction for pro bono: The firm has consistently been contributing outstandingly to public interest causes for the past three years. The firm expects to continue to contribute the same level of commitment into the future.
Baker & McKenzie

Head office location
Level 27, A.M.P. Centre
50 Bridge Street
Sydney NSW 2000
(02) 9225 0200

The people
Partners – 73 in Sydney, 19 in Melbourne
Lawyers – 142 in Sydney, 75 in Melbourne
Support Staff – 253 in Sydney, 91 in Melbourne

Other office locations
Melbourne

Pro Bono contacts
Jennifer McVicar
National Co-ordinator & Sydney Office Co-ordinator
Director – Pro Bono & Community Service
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Employment contacts
Hayley Pickering
Human Resources Consultant
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Pro Bono Philosophy
“Our commitment to pro bono is genuine. At Baker & Mckenzie we take the provision of pro bono legal services very seriously. We believe that the provision of pro bono legal service is a fundamental professional responsibility. As lawyers, we have a particular skills set and the best way to assist those in need is to utilise those skills. The firm devotes significant resources to ensuring we deliver high quality legal services to our clients, and to supporting our lawyers in their performance of pro bono.”

SNAPSHOT
☐ Is a signatory to the National Pro Bono Aspirational Target
☒ Has a written pro bono policy
☒ Has a pro bono coordinator or committee
☒ Pro bono work counted towards lawyers’ billable hours
☒ Pro bono taken into account in performance appraisal
☒ Has a community service program
☒ Has a workplace giving program
☐ Has a charitable foundation
Overview

Does the firm have a pro bono committee? The firm’s pro bono leadership consists of the Director - Pro Bono and Community Service and three pro bono partners, with input from the Melbourne and National Managing Partners.

Is the firm a signatory to the National Pro Bono Aspirational Target? No. The firm has an aspirational target of 50 hours per lawyer per year.

How does the firm take on pro bono work? Baker & McKenzie take referrals from the Public Interest Law Clearing Houses, Community Legal Centres, Legal Aid and from a number of charities and not-for-profit organisations with which the firm has a pro bono or community support relationship. However, the majority of Baker & McKenzie’s pro bono work is for clients referred through its Homeless Persons’ Legal Services, Cancer Patients’ Legal Service and Youth Fines Projects run in partnership with Youth Off the Streets and other charities working with youth in crisis.

What are the firm's criteria for taking on pro bono work? Baker & McKenzie act for disadvantaged or marginalised individuals, and the charities and community organisations that support those individuals. Baker & McKenzie also acts and advises in relation to issues in the public interest including public international law projects to support and uphold the rule of law.

What are the areas of law in which the firm has provided pro bono legal assistance over the last two years? The areas of greatest demand for Baker & McKenzie’s pro bono work are:

- public international law/rule of law;
- fines;
- corporate and associated legal work for charities and not-for profits, including IP advice and obtaining Deductible Gift Recipient status;
- powers of attorney/early access to superannuation; and
- housing/tenancy issues.

Which organisations did the firm provide pro bono assistance to over the last two years? Baker & McKenzie’s key pro bono projects are:

- Homeless Persons’ Legal Services (through PILCHs in NSW and Vic)
- Father Chris Riley’s Youth Off the Streets through our Youth Fines Project
- The Peter MacCallum Cancer Centre through our Cancer Patients’ Legal Service
- The UN Commission for Legal Empowerment of the Poor and the Public International Law and Policy Group through our Public International Law/Rule of Law projects
- Law reform initiatives with Youth Off the Streets, Peter MacCallum Cancer Centre and the Salvation Army.
- We have also acted for a large number of charities and community organisations including the Salvation Army, Mission Australia, Ronald McDonald House Charities, WWF, United Nations Development Programme, the Benevolent Society and the Victor Chang Cardiac Research Institute.

What are the types of pro bono work that the firm undertakes? Baker & McKenzie carries out pro bono work in the following ways:

- free legal work for persons or groups who do not qualify for legal aid and cannot afford legal assistance;
- free legal work for non-profit organisations (e.g. charitable and community organisations);
- non-fee work (regardless of whether a person can get legal aid) for matters which meet public interest criteria;
- free legal work for public good or public interest (e.g. community legal education or law reform); and
- through various projects (e.g. Homeless Persons’ Legal Service).
What is an example of ongoing pro bono work that is undertaken by the firm? Since 2006, Baker & McKenzie has partnered with Father Chris Riley’s Youth Off The Streets (YOTS) to assist the homeless youth in their care to manage and clear their fines. Clients are referred by the various YOTS facilities and are assigned a Baker & McKenzie lawyer who works in conjunction with a YOTS caseworker to work with the clients to have their outstanding fines debt cleared. We have successfully acted for a large number of fines clients, and continue to do so. Our experience with these matters has naturally expanded into advocacy/law reform work, which is ongoing.

What are some of the firm’s pro bono highlights? Due to our unique global reach, our lawyers have the opportunity to participate in exciting public international law/rule of law projects for our global pro bono partners, including the Public International Law and Policy Group and the United Nations Commission on Legal Empowerment of the Poor.

Pro Bono Stats
What percentage of the firm’s lawyers participated in pro bono work over the last two years? 80%.

How many hours per lawyer were contributed to pro bono work over the last two years? Just over 31 hours per lawyer per year.

What percentage of lawyers undertook over 20 hours of pro bono work last year? Approximately 35%.

What is the gender ratio for pro bono work undertaken? The gender ratio of those who perform pro bono work at Baker & McKenzie is 60% female and 40% male.

Working Pro Bono
Does the firm allow lawyers to contribute pro bono hours to their billable targets? All pro bono work counts towards an individual lawyer’s hours budget.

Is pro bono work considered in performance reviews and when considering salary, bonuses or advancement? All lawyers are assessed on pro bono work as part of their performance reviews and pro bono work is factored into bonus entitlements.

Is training provided for lawyers undertaking pro bono matters? Great emphasis is placed on supervision, support and training. Key features of Baker & McKenzie’s pro bono program are that all pro bono matters are supervised by a senior, experienced lawyer, frequent training sessions are held and team work and mentoring are encouraged.

How is pro bono work encouraged within the firm? Baker & McKenzie offer a diverse array of pro bono opportunities requiring differing levels of experience, skill and time commitment. This ensures that every lawyer has the opportunity to perform pro bono work. Lawyers are given the opportunity to undertake large or small matters, for charities, the homeless, cancer patients or street kids, or undertake challenging research and analysis tasks to support the rule of law. Baker & McKenzie states that pro bono is a part of the infrastructure of the firm, with a clearly communicated expectation from the National Managing Partner that all lawyers should work on at least one pro bono matter each year. Participation in pro bono work is encouraged through regular staff briefings, dedicated intranet pages, firm inductions, ad hoc communications, weekly staff newsletters and is reported on during practice group retreats. All lawyers who perform pro bono work are recognised annually, with all lawyers who meet the Firm’s 50 hour aspirational target receiving special Pro Bono Champions Awards from the Managing Partner at an Annual Celebration of the firm’s pro bono achievements.

Is there partner supervision for lawyers undertaking pro bono matters? All pro bono matters are supervised either by the firm’s Director of Pro Bono & Community Service, a Partner or another senior, experienced lawyer.
PRO BONO PRACTICES GUIDE

Does the firm offer secondments for lawyers to public interest bodies? No. Baker & McKenzie’s focus is on providing a breadth of diverse pro bono opportunities within the firm.

What costs and disbursements does the firm cover for pro bono work? The firm meets disbursements for pro bono work and while this is unlimited in some cases, prior approval must be sought from the Pro Bono Director and Managing Partner.

Summer clerk pro bono opportunities

Do summer clerks have the opportunity to undertake pro bono work? Yes. Summer clerks have the option of doing a rotation through the pro bono department for part of their clerkship and all clerks can become involved in pro bono matters either within their practice group or through one of our pro bono programs. All summer clerks also have the opportunity to have direct contact with pro bono clients.

What percentage of summer clerks undertook pro bono work in the past year? Approximately 95%. Whilst summer clerk participation in pro bono is strenuously encouraged and supported, it’s not mandatory.

Community service

What community service programs does the firm run? Community Service is undertaken through the following programs:

- Lawyers Encouraging and Assisting Promising Students (LEAPS) Mentoring Program for high school students;
- Reach Out And Read! Primary School Reading Program;
- Willing & Able Mentoring Program for law students with disabilities;
- Pen Pal Program with rural, remote primary schools;
- Asylum Seekers English Language Assistance Program;
- Fund-Raising Committee;
- community awareness seminars; and
- workplace giving.

Baker & McKenzie’s policy is grounded in the belief that every member of Baker & McKenzie – lawyer and non-lawyer alike – has the energy, enthusiasm, ability and compassion to help those in need. Accordingly, their Community Service program is designed to provide all staff with the opportunity to participate in meaningful, rewarding community service activities that can fit in with work and personal priorities and allow staff to use their skills to benefit those in need.

Baker & McKenzie was the first Australian firm to formalise Community Service Programs, and has played a leading role in sharing our knowledge and programs with other firms, government departments and corporates, so that the legal and business community can work collaboratively to make a difference in the community.

Which community organisations is the firm involved with?

- NSW Department of Education (youth mentoring, literacy and pen pal programs)
- Willing & Able Mentoring Program
- Asylum Seekers Centre
- Special Olympics Australia
- Youth Off the Streets
- Salvation Army
- GO Fund

Does the firm run a workplace giving program? Yes, staff have the option of having donations to the charity of their choice deducted directly from their pre-tax income.

Does the firm have a charitable foundation? No.
Firm philosophy

“Our commitment to pro bono is genuine. At Baker & McKenzie we take the provision of pro bono legal services very seriously. We believe that the provision of pro bono legal service is a fundamental professional responsibility. As lawyers, we have a particular skills set and the best way to assist those in need is to utilise those skills. The firm devotes significant resources to ensuring we deliver high quality legal services to our clients, and to supporting our lawyers in their performance of pro bono.

Being a successful corporate lawyer and making a difference should not be mutually exclusive concepts, so we equip our lawyers with the support and mentoring needed to ensure that they can make pro bono and community service a part of their professional lives.

Every lawyer has been set an aspirational target of 50 hours per year on pro bono. This is not a mandatory requirement. The greater emphasis is on encouraging participation, and learning and developing as a lawyer throughout the process. However, it is an expectation that all lawyers participate in at least one pro bono matter each year.

All pro bono work counts towards our lawyers’ billable hours budget and is also relevant in performance assessment, including bonuses where applicable.

Great emphasis is placed on supervision, support and training. All pro bono matters are supervised by a senior, experienced lawyer; frequent training sessions are held and teaming and mentoring are a key feature of most pro bono matters. We have built up experience and resources in many areas of law covered by our pro bono program, so you never need to be confined by your comfort zone and perceived skills set. Trust that you have the intelligence and resources to navigate a range of issues that can have a dramatic positive impact in our community.

A fantastic ‘side effect’ of pro bono is that it provides our lawyers with the opportunity to acquire and accelerate the development of key legal skills, and gain exposure to interesting, cutting-edge areas of law.

Feedback from young lawyers in particular has indicated that they regard the skills they are acquiring and developing through their pro bono participation as directly relevant and referable to their commercial practice. For a junior lawyer, working on a pro bono matter early in your career is quite likely to be your first opportunity to meet with your client and act on their instructions with relative autonomy whilst still working in a highly resourced and supportive environment.”

**Future direction for pro bono:** Our focus for 2009 and beyond is to consolidate our existing pro bono initiatives and focussing on continuing to deliver high quality legal services to both our charity/not-for-profit clients, and our individual clients as Australia responds to the challenges of a changing economy. In addition we are keen to explore further opportunities for law reform. Through our pro bono program, we are exposed to a high volume of disadvantaged clients with very specific legal issues, particularly cancer patients and the homeless. We are therefore in a unique position to be able to observe the operation and effect of the legal system on these client groups, draw conclusions about the equity of this and consider how the legal system could be improved to deliver equitable outcomes for these sectors within our community. Lobbying for reform of inequitable laws or policies is a powerful way of extending our assistance beyond our immediate clients to all affected members of the community.
“The Insider”

Rhys Bortignon
Associate

“Baker & McKenzie has an active and varied pro bono program which allows all lawyers, no matter their experience level, to participate.

I have participated in the Homeless Persons’ Legal Service program which involved me providing legal advice and representation on matters such as tenancy, pawn broking and general consumer matters. I found this work to be both challenging and rewarding.

In addition, being a member of a global firm, we are able to participate in public international law projects undertaken by Baker & McKenzie offices internationally. Under this program I participated in the drafting of a report for the Public International Law & Policy Group for a developing jurisdiction as it undertook a review of its constitution in the lead-up to democratic elections.

Through my participation in pro bono I have gained numerous skills which have been of direct benefit to my professional career.”
Blake Dawson

Head office location

Level 36 Grosvenor Place
225 George Street
Sydney NSW 2000
(02) 9258 6000

The people

Partners – 91
Lawyers – 251
Support Staff – 499

Other office locations

Adelaide, Brisbane, Canberra, Melbourne, Perth

Pro Bono contacts

Anne Cregan
National Pro Bono Partner
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Amelia-Jane Davis
Sydney and National Pro Bono Co-ordinator
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Employment contacts

Liz Henry
People Development Consultant
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Pro Bono Philosophy

“Pro bono work is part of a lawyer’s professional obligation and should therefore be part of our lawyers’ day-to-day practice. It also enables us to use our skills and experience to give back to the community of which we are a part.”

SNAPSHOT

☑ Is a signatory to the National Pro Bono Aspirational Target
☑ Has a written pro bono policy
☑ Has a pro bono coordinator or committee
☑ Pro bono work counted towards lawyers’ billable hours
☑ Pro bono taken into account in performance appraisal
☑ Has a community service program
☑ Has a workplace giving program
☐ Has a charitable foundation
Overview

Is the firm a signatory to the National Pro Bono Aspirational Target? Yes, Blake Dawson became a foundation signatory to the Target in 2007.

How does the firm take on pro bono work? Direct requests from community legal centres, direct requests from Legal Aid or the public, referrals from staff members, the Aboriginal Legal Service and referrals from our not-for-profit clients.

What are the firm’s criteria for taking on pro bono work? The firm undertakes pro bono work for the following:
- people who are disadvantaged or marginalised;
- organisations assisting people who are disadvantaged or marginalised; and
- work for the public good on matters of broad public or community concern.

What are the areas of law in which the firm has provided legal assistance over the last two years? The firm does pro bono work in all areas in which it has expertise, including employment and industrial law, taxation, intellectual property, property law, litigation, corporations law, including incorporation advice, and other areas in which the firm practices. The firm also undertakes pro bono projects in areas of legal need such as victim’s compensation matters in NSW and wills and estate for people with intellectual disabilities, mental illness and their carers.

Which organisations did the firm provide pro bono assistance to over the last two years? During the last financial year alone, Blake Dawson acted in-house for 489 people and organisations. Organisations included the Intellectual Disability Rights Service, Lou’s Place, The Exodus Foundation, the Northern Territory Aboriginal Justice Agency (Katherine, NT), Habitat for Humanity NSW and many more.

What are the types of pro bono work that the firm undertakes? Blake Dawson carries out pro bono work in the following ways:
- secondments to community legal centres and welfare organisations;
- acting in major legal projects and test case litigation as well as day to day matters;
- legal opinions and advice to individuals and not-for-profit organisations;
- drafting of contracts and other documents;
- law and policy reform;
- community legal education;
- research and negotiation on behalf of pro bono clients;
- legal clinics at welfare organisations run both by Blake Dawson (in Sydney) and through PILCH (in Brisbane and Melbourne); and
- provision of the wider resources of the firm to support community organisations, including the provision of meeting rooms, training, library support and administrative support.

What is an example of ongoing pro bono work that is undertaken by the firm? Our program of pro bono secondments enables the firm to establish and maintain strong links with a range of community legal and welfare organisations which are best placed to identify the cases and issues which would benefit most from our assistance.

Our secondees gain valuable skills and experience which assists us to better service our pro bono clients. Currently we have lawyers on secondment to:
- Intellectual Disability Rights Service, Redfern;
- Lou’s Place in Kings Cross, Sydney;
- The Exodus Foundation in Ashfield, Sydney;
- North Australian Aboriginal Justice Agency, Katherine;
- Youthlaw Young Peoples Legal Advice and Rights Service, Melbourne;
- Homeless Persons’ Legal Clinics in Brisbane and Melbourne.
**What are some of the firm’s pro bono highlights?** Our pro bono program is about providing access to legal services for individuals in need as well as assisting in test cases which change the law.

Blake Dawson has acted in victim’s compensation matters for dozens of clients over the last six years. The cases we receive are complex: people who have suffered years of domestic violence or have been subject to a series of sexual assaults or matters where the act of violence could not be proven beyond reasonable doubt in a criminal trial.

For many of our clients, compensation can be a secondary issue. What is most important is that the Tribunal believes what has happened to them and acknowledges the violence they have suffered and its effect on their lives.

One of our clients was the victim of serious domestic violence. Her former partner assaulted her on many occasions and locked her in their house. When she finally separated from him he tracked her down and several times he climbed through the window and assaulted her with their children awake in the room next door.

In the last encounter, he knocked our client unconscious, broke her eye socket, cheekbone and jaw. Her seven-year-old son had to contact the police and call an ambulance, believing his mother was dead.

Our client claimed victim’s compensation. The maximum compensation available is $50,000, but unless claimants have been sexually assaulted, the only way they will get more than about $12,000 is if they can prove they have suffered a psychological injury which is severely disabling. A psychological injury of that kind carries compensation of $30,000–$50,000. The Victim’s Compensation Tribunal takes a narrow view of what is required for an injury to be ‘severely disabling’. Unless the person is, in effect, housebound and unable to function in all aspects of their life, generally they won’t be awarded compensation in this category.

The psychological effects on our client were severe. As a result of the assaults, she suffered significant agoraphobia, depression, anxiety and post-traumatic stress disorder. She found it difficult to be motivated in any aspect of her life. She ceased all contact with friends and family and could not work. She had children though, and could not cease to function. She would steel herself to take her children to school, would order takeaway (as she could not organise herself to shop or cook) and kept her children (if not her house) clean.

The Victims Compensation Tribunal found that our client was not severely disabled by the assaults since she could care for her children. They awarded her $10,000 for her physical injuries. To our client, the Tribunal’s finding was an insult. She felt they did not believe her when she told them about the effect the assaults had had on her life. Her own recovery received a significant setback.

The client’s appeal was difficult because, although we considered our client to be severely disabled, there was evidence she could function to a degree in some aspects of her life. We argued that, given that the Tribunal could award a range of damages from $30,000–$50,000, Parliament intended a range of psychological disability to be compensated within the category, not just a total inability to function, and that our client’s psychological injury was, in fact, severely disabling.

The client’s appeal was successful and she was awarded $32,000. But the real reward has not been financial. When we rang to tell her she was overwhelmed. She repeated many times: “thank you for making them believe me”. Her caseworker has since advised us that her recovery has taken a great leap forward. For the first time since the final assault, she has started to regain her self-confidence. She intends to use the money to pay for a tutor for her youngest child whose schooling has been badly affected both by the violence and by its effect on her mother.

We are now assisting her children to make victim’s compensation claims on their own behalf.

**Pro Bono Stats**

**What percentage of the firm’s lawyers participated in pro bono work over the last two years?** 87% of the firm’s lawyers participated in pro bono work.
How many hours per lawyer were contributed to pro bono work over the last two years? The firm exceeded the National Pro Bono Resource Centre target of an average of 35 hours of pro bono work per lawyer per year in the first year of the target.

What percentage of lawyers undertook over 20 hours of pro bono work last year? Approximately 30% of lawyers undertook over 20 hours of pro bono in the last financial year.

Working Pro Bono

Does the firm allow lawyers to contribute pro bono hours to their billable targets? Yes. Pro bono work is supervised and credited in the same way as for commercial matters, and pro bono work done by Blake Dawson's lawyers is counted as part of lawyers' billable hours and utilisation and goes towards their annual budget as for commercial matters.

Is pro bono work considered in performance reviews and when considering salary, bonuses or advancement? Yes, work performed on pro bono matters forms part of the appraisal process for lawyers with time spent working on pro bono matters counted towards the firm’s Performance Related Pay calculations. Lawyers are asked in their appraisals about their contribution to meeting the National Pro Bono Aspirational Target.

Is training provided for lawyers undertaking pro bono matters? Yes. Training is open to lawyers from all practice groups. The pro bono program seeks to identify gaps in the availability of legal services and address those gaps by developing knowledge and expertise through training. Lawyers have been trained in matters including:

- running defended apprehended violence order hearings;
- complex victims compensation matters;
- drafting wills for people with intellectual disability and/or mental illness and their carers.

How is pro bono work encouraged within the firm? All lawyers are encouraged to become involved in pro bono work from the time they commence with the firm. Lawyers are engaged in providing the range of legal services from advice to acting in litigation and transactional work to law and policy reform. In line with the firm’s philosophy that pro bono work is part of its lawyers’ professional responsibility, pro bono work is supervised and credited in the same way as for commercial matters. The firm’s pro bono program is governed by formal policies, guidelines and procedures. The policy is communicated to members of Blake Dawson via the intranet, internal articles and reporting, firm briefings and on induction to Blake Dawson.

Is there partner supervision for lawyers undertaking pro bono matters? Yes, all pro bono matters are supervised by a partner.

Does the firm offer secondments for lawyers to public interest bodies? Yes. Blake Dawson lawyers from the Sydney office are able to attend secondments at Lou’s Place, The Exodus Foundation, the Intellectual Disability Rights Service and the Northern Territory Aboriginal Justice Agency (Katherine, NT).

What costs and disbursements does the firm cover for pro bono work? In almost all matters Blake Dawson meets external disbursements for pro bono work. Internal disbursements are not charged in pro bono matters. If the client (particularly where the client is an organisation) can pay disbursements, Blake Dawson will ask the client to pay.

Summer clerk pro bono opportunities

Do summer clerks have the opportunity to undertake pro bono work? Summer clerks are strongly encouraged to undertake pro bono work, as are all our lawyers. In Sydney and Melbourne each summer clerk has the opportunity to spend at least one day on secondment with a pro bono secondee. Summer clerks then remain involved in follow-up work for the clients they meet while on secondment.
As pro bono work is an integral part of our practice, summer clerks are involved in the pro bono matters being conducted in the teams in which they are placed on rotation. Over summer we run community education, law reform and policy projects with community legal centres. Summer clerks have the opportunity to be involved in these projects and to do a rotation in the pro bono group.

What percentage of summer clerks undertook pro bono work in the past year? Over 90% of summer clerks undertook pro bono work in the past year.

Community service

What community service programs does the firm run? Blake Dawson has a formal Volunteering and Charitable Donations Policy as part of its broader Corporate Social Responsibility Policy. This is administered by the Charitable Donations and Volunteering Committee. To maximise the benefit of our community program we give preference to organisations whose purposes and objectives are complementary to the aims of our pro bono program, programs with ongoing impact and organisations where we can maximise the impact of our relationship by providing assistance at a number of levels including pro bono legal assistance, skilled volunteering and financial support.

Does the firm run a workplace giving program? Yes - our workplace giving program allows staff to make donations to a number of not-for-profit organisations through salary sacrificing and Blake Dawson will match the staff’s donation dollar for dollar to double the benefit.

Firm philosophy

“The Insider”

Andrea Ho

Summer Clerk 2007-2008

“During my clerkship at Blake Dawson in the summer of 2007-08, I spent a rotation in the pro bono group. During my rotation, I worked with a range of lawyers from different groups across the firm, all of whom undertook pro bono matters.

The highlight of my rotation was working with lawyers and fellow clerks on a high profile coronial inquest – something which I never thought a commercial law firm would be involved in! I was amazed at how enthusiastic the lawyers were about taking on pro bono work. My involvement with the matter also allowed me to experience firsthand the satisfaction that comes from working for a pro bono client.

Apart from working on the coronial inquest, I also conducted research during my rotation for a number of not-for-profit community organisations.

We were also fortunate in being given the opportunity during our clerkships to shadow a lawyer at a community legal centre or welfare organisation that Blake Dawson provides a secondee to. This opportunity to become involved in pro bono work from such an early stage in our careers is a testament to Blake Dawson’s commitment to pro bono work.”
Carroll & O’Dea Lawyers

(New South Wales only)

Head office location

Level 18
111 Elizabeth Street
Sydney NSW 2000
(02) 9291 7100
(02) 9221 1117

The people

Partners – 11
Lawyers – 45
Support Staff – 69

Other office locations

Newcastle, Parramatta, Wollongong

Pro Bono contacts

Michael O’Dea
Pro Bono Coordinator
(02) 9291 7100

Pro Bono Philosophy

“Carroll & O’Dea Lawyers appreciate that sometimes good legal advice is out of reach of those who really need it and we are keen to stem that problem, where we can. Our philosophy is that we provide pro bono advice in those areas of law where we are strongest and we’d recommend another firm also committed to pro bono work in those areas we couldn’t.

We are committed to the concept of access to justice and pro bono work contributes to a fulfilment of that commitment.”

SNAPSHOT

☐ Is a signatory to the National Pro Bono Aspirational Target
☐ Has a written pro bono policy
☐ Has a pro bono coordinator or committee
☐ Pro bono work counted towards lawyers’ billable hours
☐ Pro bono taken into account in performance appraisal
☐ Has a community service program
☐ Has a workplace giving program
☐ Has a charitable foundation
Overview

Is the firm a signatory to the National Pro Bono Aspirational Target? No.

How does the firm take on pro bono work? Any request for the firm to take on pro bono work will be assessed by the pro bono coordinator and should we have the legal skill set to match the need and issue in question, we will most certainly consider taking on the matter in a pro bono arrangement.

What are the areas of law in which the firm has provided pro bono legal assistance over the last two years? Compensation law, property law, employment law, commercial litigation and governance law especially for the not-for-profit sector.

Which organisations did the firm provide pro bono assistance to over the last two years? The firm has a long history of working with not-for-profit organisations on whose boards we are represented. We take numerous references from PILCH, the Law Society and other pro bono organisations.

What are the types of pro bono work that the firm undertakes? We take on pro bono work which is in line with our legal skills set.

What is an example of ongoing pro bono work that is undertaken by the firm? We are represented on a number of not-for-profit charity boards: we have advised on a number of leases; we have advised on organisational structures.

What are some of the firm’s pro bono highlights? A feeling of contribution in assisting worthy causes or people in need.

Pro Bono Stats

What percentage of the firm’s lawyers participated in pro bono work over the last two years? 20%

How many hours per lawyer were contributed to pro bono work over the last two years? 21.5 hours per lawyer, for a total of 1,200 hours.

What percentage of lawyers undertook over 20 hours of pro bono work last year? 20%.

What is the gender ratio for pro bono work undertaken? The gender ratio is not measured by the firm.

Working Pro Bono

Does the firm allow lawyers to contribute pro bono hours to their billable targets? Yes.

Is pro bono work considered in performance reviews and when considering salary, bonuses or advancement? Yes.

Is training provided for lawyers undertaking pro bono matters? No.

How is pro bono work encouraged within the firm? The pro bono coordinator regularly encourages solicitors, be they partners or senior associates or young solicitors, to identify a pro bono initiative they themselves would like to be involved in. Alternatively, the pro bono coordinator suggests a pro bono initiative which the solicitor may be interested in exploring and becoming involved in.

Is there partner supervision for lawyers undertaking pro bono matters? Yes.

Does the firm offer secondments for lawyers to public interest bodies? No.

What costs and disbursements does the firm cover for pro bono work? The firm seeks to recover incurred disbursements only where appropriate.
SUMMER CLERK PRO BONO OPPORTUNITIES

Do summer clerks have the opportunity to undertake pro bono work? The firm does not take on summer clerks.

COMMUNITY SERVICE

Which community organisations is the firm involved with? PILCH, Seven Hills Legal Centre, Women’s Employment Rights Project and a number of other charities that are aligned with the religious orders and communities in Australia.

Does the firm run a workplace giving program? Fundraising through the social committee.

Does the firm have a charitable foundation? No.

FIRM PHILOSOPHY

“Carroll & O’Dea Lawyers appreciate that sometimes good legal advice is out of reach of those who really need it and we are keen to stem that problem, where we can.

Our philosophy is that we provide pro bono advice in those areas of laws where we are strongest and we’d recommend another firm also committed to pro bono work in those areas we couldn’t. We are committed to the concept of access to justice and pro bono work contributes to a fulfilment of that commitment.”

Future direction for pro bono: As an ongoing commitment to our pro bono work we are constantly encouraging our solicitors to become involved in this area of legal practice. We do so not only for their personal development, but as a contribution of the firm to the profession and society as a whole.

“The Insider”

Mark De Carvalho
Solicitor

“Although the work we do as lawyers does have an impact on society, it is sometimes hard to see and realise that impact. The opportunities offered by the pro bono work, however, reveal and highlight this impact in a more tangible way. Sitting on the board of a not-for-profit organisation, where legal opinion as well as strategic advice is sought before a final decision is taken, makes one realise that the work of a lawyer exists both in the formal file load, but also, and just as importantly in pro bono activities such as the ones offered by the firm. I’d strongly recommend to any lawyer to take advantage of these opportunities.”
Clayton Utz

Head office location
Level 19-35
1 O’Connell Street
Sydney NSW 2000
(02) 9353 4000

The people
Partners – 108 (213 nationally)
Lawyers – 556 (1,117 nationally)

Other office locations
Brisbane, Canberra, Darwin, Melbourne, Perth

Pro Bono contacts
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National Co-ordinator
Pro Bono Partner
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Belinda Wilson
Sydney Office Co-ordinator
Pro Bono Senior Associate
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belindawilson@claytonutz.com

Employment contacts
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HR Adviser
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oo’brien@claytonutz.com

Pro Bono Philosophy
“Pro bono legal work, both for people who cannot obtain legal aid and cannot afford legal advice or representation, and for not-for-profit organisations which support marginalised and disadvantaged people, is a fundamental part of being a lawyer at Clayton Utz.”

SNAPSHOT
☑ Is a signatory to the National Pro Bono Aspirational Target
☑ Has a written pro bono policy
☑ Has a pro bono coordinator or committee
☑ Pro bono work counted towards lawyers’ billable hours
☑ Pro bono taken into account in performance appraisal
☑ Has a community service program
☑ Has a workplace giving program
☑ Has a charitable foundation
Overview

Is the firm a signatory to the National Pro Bono Aspirational Target? Clayton Utz is a Foundation Signatory to the National Pro Bono Aspirational Target. In the financial year ending 30 June 2008, Clayton Utz achieved an average of 37.5 hours of pro bono work per solicitor. In the calendar year ending 31 December 2008, Clayton Utz averaged more than 40 hours of pro bono work per lawyer.

How does the firm take on pro bono work? Clayton Utz receives most of its pro bono work from direct requests from community organisations, referrals from community legal centres, and referrals from other organisations such as Legal Aid, the Anti-Discrimination Board and from the Australian Human Rights Commission.

What are the firm’s criteria for taking on pro bono work? As a guideline, the firm does not ordinarily accept work on behalf of individuals who earn more than $40 000 per annum, and families who earn more than $60,000 per annum. Pro bono clients must also have $30,000 or less in net assets (excluding the individual’s principal place of residence and superannuation).

In calculating the number of hours we spend doing pro bono work, Clayton Utz specifically excludes free work undertaken for business development purposes, private educational institutions, commercial clients or employees of Clayton Utz, their families or acquaintances.

Pro bono assistance is not available to religious organisations in relation to their core religious activities. However, essentially secular community activities conducted by a religious organisation can be considered for pro bono assistance.

What are the areas of law in which the firm has provided pro bono legal assistance over the last two years? Clayton Utz’s pro bono efforts target financially disadvantaged people who are unable to obtain Legal Aid, and the not-for-profit organisations and charitable bodies which support these people. We have a particular focus on acting for individuals, and for providing pro bono legal services in remote and regional Australia.

The firm does most of its pro bono work in New South Wales in the following areas:

- discrimination law;
- victims compensation;
- employment/industrial law;
- incorporation of associations;
- applications to the Aboriginal Trust Fund Repayment Scheme;
- coronial inquests;
- legal issues affecting people who are homeless;
- micro financing; and
- corporate governance, fundraising and tax law for not-for-profit organisations.

Many of the matters conducted are for individuals/organisations in regional and remote communities.

Which organisations did the firm provide pro bono assistance to over the last two years? In 2008, Clayton Utz provided pro bono support to more than 250 not-for-profit organisations which provide services to disadvantaged people.

What are the types of pro bono work that the firm undertakes? Clayton Utz carries out pro bono work in the following ways:

- free legal advice and representation;
- external legal clinics;
- secondments; and
- community legal education.
What is an example of ongoing pro bono work that is undertaken by the firm? Clayton Utz runs a legal clinic at Our Place, a support centre in Enmore for people who are homeless or living in boarding houses. The legal clinic operates every Friday morning, and is staffed by Clayton Utz solicitors, who volunteer to be rostered on to attend the clinic. Clients are given free legal advice and assistance with various legal problems at the clinic, and where more in-depth follow-up work is required to resolve the problem; the solicitors take the matter back to the office and act for the client under the Clayton Utz Pro Bono Scheme.

We have a number of ongoing pro bono projects. We actively seek referrals from community organisations and legal centres in relation to those projects, and we provide ongoing training to our solicitors involved in working on those matters.

The type of work conducted for clients at the Our Place clinic is varied and includes the setting up of debt payment plans, advice and representation in victim’s compensation and tenancy and guardianship matters. Solicitors have also presented legal workshops to clients on a range of topics.

What are some of the firm’s pro bono highlights? In November 2008, we provided our 250,000th hour of pro bono legal service since we formalised our pro bono practice in July 1997.

In 2004, we were the only law firm invited to appear before the Senate Inquiry into proposed amendments to the Disability Discrimination Amendment Bill 2003, which would have removed disability discrimination protection for people addicted to drugs. Our submissions highlighted the legal flaws in the proposal and the potentially harmful consequences for affected individuals. These submissions were informed by our experience in acting for a client on a methadone treatment program who had suffered discrimination at the hands of his employer. The Senate Committee ultimately rejected the proposed amendments.

We were also part of the legal team that appeared for Mr Mallard in the High Court in Mallard v The Queen. Mr Mallard was convicted of murder in 1995 and sentenced to 30 years imprisonment. In November 2005 the High Court quashed the conviction, finding that the prosecution failed to disclose evidence of significant forensic value, causing a substantial miscarriage of justice. Mr Mallard was released from gaol after almost 12 years, and has received substantial compensation. The Police and DPP’s conduct in the matter were the subject of a 2008 report by the WA Corruption and Crime Commission.

We have had numerous victims compensation success stories where we were able to obtain compensation for our clients. To take an example, we recently acted for an Aboriginal woman from Walgett concerning the domestic violence she was subjected to by her former partner. The violence, which occurred over an 18 year period, involved punching, biting and hitting with a baseball bat and death threats, and resulted in our client being hospitalised on numerous occasions. After meeting and taking instructions from our client in Walgett, we were able to provide Victims Services with a comprehensive statutory declaration from the client detailing the violent incidents, as well as police, court and medical records. Based on our submissions, Victims Services found that the violence caused our client to suffer from a chronic psychological disorder that was severely disabling, and made an award for the maximum category of compensation.

Pro Bono Stats

What percentage of the firm’s lawyers participated in pro bono work over the last two years? More than 80% of Clayton Utz lawyers engaged in pro bono work over this period.

How many hours per lawyer were contributed to pro bono work over the last two years? Clayton Utz formalised its pro bono program in 1997. Since then, the firm has acted in more than 4,000 pro bono matters, and contributed more than a quarter of a million hours of pro bono work. In 2008 we provided 37,000 hours of pro bono assistance, at an average of over 40 hours per FTE lawyer.

What percentage of lawyers undertook over 20 hours of pro bono work last year? 46% of lawyers performed more than 20 hours of pro bono work last year.

What is the gender ratio for pro bono work undertaken? Male and female lawyers are represented equally in the firm’s pro bono work.
Working Pro Bono

Does the firm allow lawyers to contribute pro bono hours to their billable targets? Yes.

Is pro bono work considered in performance reviews and when considering salary, bonuses or advancement? Pro bono work is recognised as part of each solicitor’s professional performance and is a specific criteria in assessment for promotion to Senior Associate or Partner.

Is training provided for lawyers undertaking pro bono matters? In circumstances where the firm has implemented a new pro bono project that requires lawyers to develop particular skills (for example, victims compensation or tenancy matters), we provide additional training for solicitors interested in getting involved. Otherwise, where the matter fits within one of our existing commercial practice areas, we try to match pro bono matters with lawyers who have a particular expertise in the relevant area.

How is pro bono work encouraged within the firm? The pro bono policy is communicated to the firm through the Intranet, internal articles/reporting and regular newsletters and on induction into the firm.

Is there partner supervision for lawyers undertaking pro bono matters? Solicitors undertaking pro bono matters are supervised either by a partner in their practice area, or alternatively by the Clayton Utz Pro Bono Partner, David Hillard.

Does the firm offer secondments for lawyers to public interest bodies? Yes. Clayton Utz has offered a number of secondments under the Pro Bono scheme, some on an ad hoc basis to fill an urgent need, and others on an ongoing basis with partner organisations. Some examples of Clayton Utz secondments include:

- regular secondments to the Kimberley Community Legal Services in Western Australia, where Clayton Utz secondees have the opportunity to participate in the provision of outreach legal services to remote Aboriginal communities throughout the Kimberley region;
- secondments to the NSW Disability Discrimination Legal Centre, Geraldton Resource Centre, the Human Rights Law Resource Centre in Melbourne, the Youth Law Centre ACT, and the Aboriginal and Torres Strait Islander Legal Service (Qld South) in Brisbane.

What costs and disbursements does the firm cover for pro bono work? Clayton Utz will cover all internal disbursements (e.g. phone and fax charges) and $150 of external disbursements (e.g. counsel fees, court filing fees) incurred on each pro bono file.

Summer clerk pro bono opportunities

Do summer clerks have the opportunity to undertake pro bono work? Yes. Previous summer clerks have been given the opportunity to select Pro Bono as a rotation, allowing them to spend six weeks working exclusively on pro bono matters.

Other summer clerks have worked on pro bono matters as a part of the work they performed whilst on rotation in a particular practice area. We have also sent summer clerks on short secondments to public interest bodies/organisations to provide those organisations with extra legal support.

What percentage of summer clerks undertook pro bono work in the past year? Most of our summer clerks were involved in pro bono work.

Community service

What community service programs does the firm run? Our ‘Community Connect’ program provides opportunities for all partners and staff to become involved with the community through the provision of volunteering opportunities and fundraising initiatives. Our community involvement focuses on encouraging reading in children and young people.

Through the Clayton Utz Foundation, the firm provides financial grants to those charities who have a connection with Clayton Utz. Those charities may be pro bono clients, community partners or charities actively supported by a Clayton Utz partner or employee. The Foundation committed over $1 million in 48 grants to 42 charities in the 2008 financial year.
Each office has a committee which co-ordinates volunteer programs for all partners and staff to participate in. In addition to pro bono legal work opportunities, there are many other programs which do not require legal knowledge. All partners and staff are entitled to one Community Leave Day each year to participate in volunteer work outside the office, above and beyond pro bono legal work. Each office also regularly runs fundraising drives for specific charities which all partners and staff are encouraged to support.

Clayton Utz communicates its Community Service policy through its intranet, on induction to the firm, regular Community Connect e-newsletters, Community Connect Reports, and regular staff briefings held in each office.

Which community organisations is the firm involved with? The firm has established community partnerships with a number of charities such as Ardoch Youth Foundation, Daystar Foundation, UnitingCare Burnside, Adult Multicultural Education Services and Indij Readers.

Does the firm run a workplace giving program? Yes. All Clayton Utz employees and partners are encouraged to donate to the workplace giving program. Money raised in this way is used to fund grants to charities

Does the firm have a charitable foundation? Yes. In December 2003, the firm launched the Clayton Utz Foundation.

Firm philosophy

“Pro bono legal work, both for people who cannot obtain legal aid and cannot afford legal advice or representation, and for the not-for-profit organisations which support marginalised and disadvantaged people, is a fundamental part of being a lawyer at Clayton Utz.”

Future direction for pro bono: Onwards and upwards. Our pro bono practice involves more legal work than CU performs for any single commercial client of the firm.

“The Insider”

Louise Cox
Senior Associate

“When an opportunity arose in April 2008 to work in pro bono full time for just over four months, I jumped at it. I filled in as the Sydney Pro Bono Co-ordinator from April to August 2008, as part of the maternity leave cover for Belinda Wilson. Since joining the firm at the start of 2005, I have always had at least one pro bono file and found the work very varied and interesting. As a commercial litigator generally working on very large cases, it was fantastic being able to work on small matters that made a difference.

During my role as Pro Bono Co-ordinator, I worked on a variety of different matters, from assisting people with victims compensation claims to discrimination claims. The role was very hands on and involved interacting with a lot of junior solicitors around the firm about the pro bono files they were assisting on and helping them make decisions on next steps.

I particularly enjoyed providing advice in relation to discrimination claims. These claims were based on various different types of discrimination such as disability, pregnancy and race. A lot of them arose in the employment context and I found it amazing that in 2008, many of our clients (who are amongst the lowest paid workers in society) had to leave their employment (that they could not afford to leave) on the basis of discrimination. It was extremely rewarding being able to assist these clients seek recourse through the Australian Human Rights Commission and the Anti-Discrimination Board. Without pro bono assistance, they would not have had any option but to leave their employment. In many cases, the client was not looking for monetary compensation but merely an apology and training for the employer to ensure that the same thing did not happen to anyone else.
The role of the Sydney Pro Bono Co-ordinator is a very varied one and in addition to assisting with and managing individual legal matters, I also had the opportunity to meet with a number of charities which Clayton Utz provides pro bono services to. It was great to meet people who were enthusiastic about the cause they represented and to steer them in the right direction and match them to an appropriate lawyer within the firm to help with their legal needs. These needs varied from corporate structure advice to the steps that needed to be taken in order to obtain a licence for fundraising campaigns.

I also had the opportunity to co-ordinate the weekly legal clinic which Clayton Utz provides at Our Place, a community drop-in centre in Enmore. I attended every Monday morning for about 12 weeks and enjoyed working with the clients there to assist them with tenancy issues, financial management orders, applications for the release of superannuation funds on the grounds of hardship, to name a few. It was also great to work with junior solicitors and to watch them take responsibility for moving the matters forward. I really felt that we were helping the people who needed it most at the ground level.”

Alexandra Grey
Solicitor

“I nominated myself to our Pro Bono team in order to expand the types of work I was doing, and to enjoy greater client interaction. I was immediately allocated a very interesting Aboriginal Trust Fund Repayments Scheme matter, in which we represent an elderly woman from regional NSW. Clayton Utz is running a number of similar matters under ATFRS, and has closely followed and assisted my work.

ATFRS aims to repay wages that were withheld from indigenous workers, mainly in the period pre-1960. In these cases, wages and some government endowments were paid into trust accounts instead of to indigenous workers. Most were poorly recorded and never released. The wages in these trust funds have now been indexed over many years, which means that in some circumstances repayment can make a real contribution to an applicant’s life.

One of the obstacles faced by my client in making her application is the fact that records of contributions to the trust fund were generally of a very poor standard, and many of those that were kept have been lost over time. After I prepared a thorough chronology of my client’s history, the ATFRS was able to corroborate certain dates and places from their access to archived records. However, they couldn’t confirm if any amount was held on trust. We are now putting on oral evidence, through a statutory declaration, so the final result is yet to come.

It’s been a great matter in terms of developing client communication skills, drafting skills and learning legal processes. I’ve also had a fascinating insight into the life of my client, who has kept a lot of her own records. She has shared stories of the joys of her life in regional NSW and her sense of a developing indigenous identity, but also of her experience of utter racism within the community and State systems.

We chatted recently and she told me that working on this matter has been a weight off her shoulders. I’ve been pleased that this process has given a voice to many of her experiences. It has given me the opportunity to help her navigate the application process.

Clayton Utz also organises a group of solicitors to attend a weekly legal clinic, Our Place, at a community drop-in centre in Enmore. I’ve been there a few times now, and have been referred clients through this process. Their matters are disparate, and my files have allowed me to learn more about superannuation, income tax, mental health, and access to medical records. We have an enthusiastic network among the solicitors at Clayton Utz, mainly at the junior level, to assist each other with the Our Place matters.”
Garth Williams
Solicitor

“Clayton Utz’s pro bono program is a feature of the firm of which I am very proud. All members of the firm are part of the pro bono team and together we have performed over 250,000 hours of pro bono work - which is more than any other firm in Australia.

I strongly believe that as members of the legal profession we all have a duty of service, that is, we have a responsibility to share our legal knowledge with those in the community who need representation but cannot afford to pay for it. I know that Clayton Utz shares this perspective.

In August 2007 Clayton Utz established a legal clinic at Our Place, a homeless persons drop-in centre in Sydney’s inner west. Each week, Clayton Utz sends a team of solicitors to Our Place to assist clients with their various legal problems. This is a program which I have been involved in over the last two years and have found very rewarding. At Our Place we advise clients on everyday legal issues such as dealing with fines, handling disputes with landlords and debt recovery. It’s practical legal work which makes a real difference to the lives of our clients.

Clayton Utz’s pro bono practice is an antidote to the culture of hyper specialisation which has become a reality in commercial law firms. I have worked on a diversity of pro bono matters from criminal law and fines matters, to guardianship issues and an action for false imprisonment. As well as offering a diversity of challenging work, pro bono also affords lawyers considerable autonomy. At Clayton Utz young lawyers often have the day to day carriage of pro bono matters. There are opportunities to make appearances in court, proof witnesses and prepare affidavits and manage relationships with clients. The experience I have gained through my pro bono work has made me a better professional and a better lawyer, and this has had a direct application back to my commercial work.

A great deal of energy is invested in improving the way we deliver pro bono legal services. Clayton Utz works in partnership with Legal Aid, Aboriginal and Torres Strait Islander Legal Services and community legal centres to identify gaps in the provision of pro bono legal services which we can fill. Recent initiatives include representing parties in coronial inquiries and working with the Aboriginal community on Groote Eylandt.”
Pro Bono Practices guide
Corrs Chambers Westgarth

Head office location
Governor Philip Tower
1 Farrer Place
Sydney NSW 2000
(02) 9210 6500

The people
Partners – 49
Lawyers – 121
Support Staff – 75

Other office locations
Melbourne, Brisbane, Perth

Pro Bono contacts
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Melissa Brunning
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Employment contacts
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Pro Bono Philosophy
“We recognise the importance of contributing to the community and facilitating access to justice. We feel that it is our responsibility to ensure that legal services are available not only to those who can afford us, but to those that cannot, to those who are disenfranchised and to those who have genuine legal issues of a public interest nature that need to be pursued, even if those issues are unpopular or politically sensitive.”

SNAPSHOT
- Is a signatory to the National Pro Bono Aspirational Target
- Has a written pro bono policy
- Has a pro bono coordinator or committee
- Pro bono work counted towards lawyers’ billable hours
- Pro bono taken into account in performance appraisal
- Has a community service program
- Has a workplace giving program
- Has a charitable foundation
Overview

Is the firm a signatory to the National Pro Bono Aspirational Target? Yes.

How does the firm take on pro bono work? PILCH (NSW) referrals, direct requests from community organisations and direct approaches in court.

What are the firm’s criteria for taking on pro bono work? Corrs Chambers Westgarth (Corrs) provides pro bono services to a range of community groups and non-profit organisations and accepts referrals from CLCs, PILCH, other law firms and members of the legal profession. The firm does not usually represent clients in litigious matters outside the Sydney CBD, but may consider requests to perform such work.

What are the areas of law in which the firm has provided pro bono legal assistance over the last two years? Mainly in employment and industrial law but also public interest areas, incorporations of associations, commercial tax, defamation, environment and planning and property and professional regulation.

Which organisations did the firm provide pro bono assistance to over the last two years? Homeless Persons Legal Service Bondi, Redfern Legal Centre, Inner City Legal Centre, Marrickville Childrens Legal Service, Catholic Archdiocese of Sydney and Inspire Foundation.

What are the types of pro bono work that the firm undertakes? Corrs carries out pro bono work in the following ways:

- work performed on a pro bono basis for those persons who do not quality for Legal Aid and cannot afford legal assistance;
- substantially reduced fees for those persons or groups who do not quality for Legal Aid and cannot afford legal assistance;
- work for not-for-profit organisations
- non-fee work for matters in the public interest;
- work performed for the public good or in the public interest; and
- secondments to various public interest organisations.

What is an example of ongoing pro bono work that is undertaken by the firm? Corrs provides services as part of the Homeless Persons Legal Service in NSW. HPLS operates on a partnership model with PILCH member firms and provides free legal advice and casework to individuals at a number of crisis and welfare agencies which provide other direct services (such as accommodation, food) to people experiencing homelessness or who are at risk of homelessness.

As part of the Corrs Sydney HPLS Program, Corrs lawyers are seconded to the Public Interest Advocacy Centre and staff a free legal clinic at Norman Andrews House, which is a drop in centre in Bondi. The clinic operates one lunch time a week and Corrs lawyers meet with clients and provide advice. A range of legal issues are dealt with at the clinic including social security issues, fines and victims compensation.

What are some of the firm’s pro bono highlights? Corrs acted for two immigrants (SZFDV from India and SZATV from Ukraine) who were appealing to the High Court for judicial review of decisions of the Minister for Immigration to refuse them refugee status. These decisions had been upheld by the Refugee Review Tribunal, the Federal Magistrates Court of Australia and the Federal Court of Australia.

In deciding the appeals, the High Court confirmed that the “internal relocation principle”, which allows for refugee status applications to be considered in terms of whether it is reasonable, in the sense of practicable, for the applicant for refugee status to relocate within his or her country of nationality, is recognised in Australian law. The High Court made clear that what is reasonable depends on “the particular circumstances of the applicant for refugee status and the impact upon that person of relocation of the place of residence within the country of nationality”.

The High Court’s application of the internal relocation principle resulted in different outcomes for each applicant. SZATV is a Ukrainian national who claimed he was persecuted as a result of his work as a journalist, during which he expressed political views and reported on government corruption. The Refugee Review Tribunal had determined SZATV would not have a well founded fear of persecution if he relocated within the Ukraine and stopped expressing his political views. The High Court determined the RRT fell into error
in finding the applicant could relocate and live “discreetly” as it side-stepped consideration of what was reasonable in the particular circumstances.

The High Court dismissed SZFDV’s appeal on the basis that the RRT had in fact made valid findings in regards to possible relocation to another region within his country of origin, India. The High Court held it was open to the Tribunal to find that the applicant could safely relocate within India and that it would not be unreasonable to expect him to do so.

**Pro Bono Stats**

**What percentage of the firm’s lawyers participated in pro bono work over the last two years?** For the 2007/08 financial year, 85% of fee earners nationally participated in pro bono work.

**How many hours per lawyer were contributed to pro bono work over the last two years?** For the 2007/08 financial year, amongst those who undertook pro bono work across the firm nationally, the average contribution was 60.6 hours per lawyer.

**What percentage of lawyers undertook over 20 hours of pro bono work last year?** 38% on a national basis.

**What is the gender ratio for pro bono work undertaken?** 48% of female and 52% of male staff nationally undertake pro bono work. 66.4% of total pro bono work undertaken is completed by females.

**Working Pro Bono**

**Does the firm allow lawyers to contribute pro bono hours to their billable targets?** Yes, the pro bono work undertaken by Corrs lawyers contributes to their billable targets and it is also offset in annual budgets.

**Is pro bono work considered in performance reviews and when considering salary, bonuses or advancement?** Yes, contribution to the firm’s Giving Back program (which includes pro bono work) is considered in Corrs’ staff performance reviews.

**Is training provided for lawyers undertaking pro bono matters?** Yes, a range of seminars are held by the firm and a guide has been created for use by lawyers undertaking pro bono work.

**How is pro bono work encouraged within the firm?** Corrs’ pro bono policy is available to all staff via the intranet. Pro bono work allocated to lawyers in the same manner as commercial matters and time spent on pro bono work is counted as billable hours for each lawyer. The firm believes that their lawyers do not require any encouragement to participate in pro bono work because they have a strong ethos that drives the pro bono program to support the ideal that lawyers have a professional responsibility to undertake pro bono work.

**Is there partner supervision for lawyers undertaking pro bono matters?** Yes.

**Does the firm offer secondments for lawyers to public interest bodies?** Yes, Corrs provides secondment opportunities to a number of public interest bodies. Lawyers have the opportunity to attend the Homeless Persons Legal Service Bondi one lunch time every four weeks. There are also permanent secondment opportunities for lawyers to be seconded to Redfern Legal Centre and Inner City Legal Centre one half day each week. There is also the opportunity to undertake a one day per week secondment to the Marrickville Children’s Legal Centre.

Corrs also has a permanent secondee to the Public Interest Law Clearing House NSW who mainly handles referrals to member firms. Corrs has, in the past, provided secondees to the Catholic Archdiocese of Sydney to assist in organising major events, such as World Youth Day.

**What costs and disbursements does the firm cover for pro bono work?** Corrs does not charge for legal services for matters that meet pro bono criteria. Unless otherwise agreed, Corrs only charges for out of pocket expenses actually incurred (for example court fees).
Summer clerk pro bono opportunities

Do summer clerks have the opportunity to undertake pro bono work? Yes, summer clerks are actively involved in the firm’s Giving Back program. The 2007/08 Corrs summer clerks were each given the opportunity to shadow a Corrs lawyer on their pro bono secondments. They were also invited to attend a talk by a homeless man speaking about his experiences with life on the street and interaction with the legal and justice system and were also supervised by senior solicitors in preparing a pocket guide of pro bono legal topics for use by Corrs lawyers on an ongoing basis.

What percentage of summer clerks undertook pro bono work in the past year? 100%.

Community service

What community service programs does the firm run? Corrs encourages its staff to undertake community service. The current priority areas are homeless persons and youth and disadvantaged groups. The firm anticipates an increase in the amount of community service work which will be performed by staff in the next 12 months. While there is no formal policy, the community services aspect of the firm is coordinated by the National Pro Bono Partner together with the National Co-ordinator. Additionally, disbursements and costs associated with community service work are met by the firm. Currently, graduates and most lawyers are involved in community services work.

Which community organisations is the firm involved with? MS Society, Salvation Army, Habitat for Humanity, RSPCA, Red Cross, The Cancer Council, Australia for UNHCR, Kids Helpline and Oxfam Community Aid Abroad.

Staff from the firm are also involved in the Daystar Literary Buddies program. This program involves Corrs staff being teamed with a student from a school identified by the Department of Education as being one that would benefit from mentoring by corporate organisations. Letters are exchanged between the “buddies” on a monthly basis.

The Literary Buddy Program aims to improve the literacy skills of students, to assist students in their mental development and to engage students in a creative, personal and meaningful program.

Does the firm run a workplace giving program? Yes. The Workplace Giving program enables staff to make a tax deductible charitable donation from their salaries. The program assists charities to raise funds using a low cost fundraising method and provides them with regular income.

Does the firm have a charitable foundation? No.

Firm philosophy

As an organisation, we recognise the importance of contributing to the community and facilitating access to justice. We feel that it is our responsibility to ensure that legal services are available not only to those that can afford us, but to those that cannot; to those who are disenfranchised and to those who have genuine legal issues of a public interest nature that need to be pursued, even if those issues are unpopular or politically sensitive.

From a staff development point of view, our people are exposed to a broader range of experiences. Through their involvement in pro bono work, our lawyers and support staff gain a better understanding of the way in which the law impacts on people’s lives.

Future direction for pro bono: The firm is looking to increase its pro bono activities in the next 12 months by increasing pro bono hours, particularly by way of referral from a number of sources including PILCH, the Law Society Referral Scheme and other community organisations.
“The Insider”

Tom Johnston
Lawyer

“Most young lawyers these days have a leaning towards undertaking pro bono work within their firms. I was no different and chose Corrs as the firm to work for, based on a combination of its firm culture and the contribution it makes to the world beyond our office. During my time here, I have had many opportunities to participate in a wide range of pro bono initiatives and have been involved in the following programs:

**Homeless Persons' Legal Service**

Our lawyers attend Norman Andrews House in Bondi once a week to provide advice and representation for homeless people. I attend with a senior lawyer and graduate/clerk every month. We give advice on a wide range of areas including social security law, credit/debt, discrimination, fines, housing, guardianship, employment and family law. Over 50 members of staff have been involved in the program to date. Like most of them, I enjoy the client contact, exposure to different areas of law and the chance to help people who are often at their last resort in seeking legal advice;

**Giving Back Committees**

I am a member of the NSW Giving Back committee which meets to discuss the various programs, initiatives and fundraising. The members of the committee are from all levels within the firm, both fee-earners and support staff. We are responsible for promoting our programs and hold firm-wide launches for them throughout the year. Members of the committee are also responsible for gauging the level of interest from a particular peer or work group within the firm and communicating this to the Committee. The national Giving Back Committee meets regularly by videoconference to discuss its projects and objectives;

**Public Interest Law Clearing House (PILCH)**

We source a great deal of our matters from PILCH and support them financially and through the ‘donation’ of a permanent secondee. I was seconded to PILCH for 6 months in 2008 and thoroughly enjoyed the opportunity to assess, manage and refer individual and not-for-profit clients to other PILCH member firms and barristers throughout Sydney. It was a brilliant experience as I was constantly engaging with desperate and deserving clients, other secondees, Legal Aid, the Law Society, the Bar Association and the Courts. As a firm, we also host functions for PILCH and contribute to their fundraisers such as the trivia night and ‘Walk for Justice’. We have recently established a PILCH sub-committee at Corrs in order to assess and take on more referrals;

**Daystar Literary Buddies Program**

Over 30 Corrs employees write monthly letters to primary school children from a school selected by the Department of Education. It helps the students develop their writing skills, confidence, and general knowledge. The students recently came in to our offices for the end of year party to meet their respective ‘big buddies’, ask more questions in person and have lunch. After initially telling me my letters were sub-par, my student recently exclaimed in fluoro texta that I was his new best friend;

**Giving Back Program**

All Corrs employees can nominate an amount to donate to a charity from a selected list on a weekly or monthly basis;

**MS Swim-a-thon**

Earlier this year I participated with Corrs employees in this 24 hour fundraiser. We raised just short of $20,000 and had a ball at around 4am on the deck of the Homebush Olympic pool;
**Other initiatives**

Earlier this year, our paralegals assisted the National Children’s and Youth Law Centre by drafting responses for its LawMail database. We are again looking to involve this year’s summer clerks in a similar project. Further, last year’s summer clerks researched various areas of law relating to our HPLS program and from that, compiled a thorough pocket guide for all HPLS lawyers to use at the clinic.

Over the last year our Giving Back program has developed enormously. The firm made a conscious decision to provide more direct access advice and representation and thereby offer staff a greater opportunity to assist with the people and organisations that need it most. Personally, I have had a great deal of satisfaction from my involvement with pro bono and look forward to expanding the assistance we provide to the greater community.”
Deacons

Head office location

Grosvenor Place
225 George Street
Sydney NSW 2000
(02) 9330 8000

The people

Partners – 55
Lawyers – 170
Support Staff – 207

Other office locations

Brisbane, Canberra, Melbourne, Perth

Pro Bono contacts

Mitchell Mathas
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mitchell.mathas@deacons.com.au

Employment contact

Scott Diprose
Human Resources Manager
scott.diprose@deacons.com.au
GPO Box 3872
Sydney NSW
(02) 9330 8000
Fax: (02) 9330 8111
Overview

Is the firm a signatory to the National Pro Bono Aspirational Target? No.

How does the firm take on pro bono work? The firm gains most of its pro bono work from staff members, direct requests from individuals and direct requests from community organisations.

What are the firm’s criteria for taking on pro bono work? Based on the merits of the matter and the resources available, Deacons undertakes pro bono work in the following circumstances:

- when a matter comes within the firm’s definition of a pro bono matter;
- if the firm has appropriate skills and capacity to undertake the matter and to see it through to its conclusion;
- when there is no other appropriate avenue or assistance available to the client; and
- when there is no conflict of interest.

What are the areas of law in which the firm has provided pro bono legal assistance over the last two years? The firm devotes most of its pro bono work to transactional assistance to not-for-profits in the areas of:

- corporate governance;
- commercial/taxation;
- employment;
- representation at inquests when no other assistance is available;
- leases; and
- environment and planning.

Which organisations did the firm provide pro bono assistance to over the last two years? The firm has provided pro bono assistance to a wide range of not-for-profit and charitable organisations over the last two years including (from its Sydney Office):

- Children’s Cancer Institute
- Australia for Medical Research
- Tenant’s Union
- International Committee of the Red Cross
- Topo Foundation
- The Shepherd Centre
- Nelune Foundation
- Beyondblue
- Oncology Children’s Foundation
- Brotherhood Chalkidikis “Aristoteses”
- De Quincey Company
- The Pain Management Research Institute
- Eastern Respite Brisbane, Canberra, Melbourne, Perth
- NSW Jewish Board of Deputies
What are the types of pro bono work that the firm undertakes? Deacons carry out pro bono work by offering free or discounted:
- legal opinions, advice, research and negotiation;
- legal drafting of documents;
- involvement in law and legal policy reform and community legal education;
- provision of premises;
- IT support;
- secretarial/paralegal assistance;
- secondments; and
- advice nights at community legal centres.

What is an example of ongoing pro bono work that is undertaken by the firm? Deacons’ key pro bono projects are many and varied. This year Deacons have started to staff a homeless persons’ legal centre that operates each Monday morning from the Wayside Chapel.

What are some of the firm’s pro bono highlights? We have staffed a Homeless Persons Legal Service in partnership with the Wayside Chapel since August 2007.

Pro Bono Stats

What percentage of the firm’s lawyers participated in pro bono work over the last two years? Approximately 25% of lawyers in the firm.

Working Pro Bono

Does the firm allow lawyers to contribute pro bono hours to their billable targets? Yes. Pro bono work is encouraged by counting it toward lawyers’ annual budgets.

Is pro bono work considered in performance reviews and when considering salary, bonuses or advancement? Pro bono work is encouraged. It is considered to be the same as full fee paying work and is also regarded as a non financial contribution to the firm for remuneration purposes.

Is training provided for lawyers undertaking pro bono matters? Yes, in those cases where pro bono work falls outside of core competencies.

How is pro bono work encouraged within the firm? Pro bono opportunities are communicated to employees through the firm’s intranet, internal memorandum, internal publications and occasional firm/company briefings. It is a mandatory part of the firm’s induction program.

Is there partner supervision for lawyers undertaking pro bono matters? Pro bono work is coordinated by a National Coordinator of pro bono work, plus State Coordinators in each city office who manage most issues on an office basis. Each pro bono matter is supervised by a partner who has expertise in the area of law relevant to the delivery of the pro bono service.

Does the firm offer secondments for lawyers to public interest bodies? Yes. Secondments are provided on a case by case basis.

What costs and disbursements does the firm cover for pro bono work? The Sydney Deacons office cover unlimited internal disbursements (e.g. photocopying, faxes, telephone calls), but does not generally cover external disbursements (e.g. counsel fees, court filing fees).

For litigious matters, the firm would normally only engage counsel who are prepared to act on a similar pro bono basis and ensure such counsel was available at the time the firm first accepted the pro bono work.

Where the client does not have sufficient financial resources to pay any or all of the internal and external disbursements, the co-ordinator may seek other assistance for funding disbursements. For instance, the Law Society of New South Wales maintains a Disbursement Fund and Legal Aid is sometimes payable for the payment of disbursements if the matter is taken on a pro bono basis.
Summer clerk pro bono opportunities
Do summer clerks have the opportunity to undertake pro bono work? Yes.

Community service
What community service programs does the firm run? All aspects of Deacons’ community service program, including involvement with community organisations and workplace giving, are presently being reviewed.

Does the firm have a charitable foundation? No.

Firm philosophy
“It gives access to legal services to many disadvantaged and marginalised sectors of the community and promotes a fairer, more equitable society.”

Future direction for pro bono: The firm is looking to increase the amount of pro bono work it performs during the next 12 months. Deacons have recently started staffing a homeless persons legal service in Sydney and will be considering whether similar arrangements can be put in place in other cities. The firm also wishes to consider means of providing pro bono assistance outside of major capital cities.
DLA Phillips Fox

Sydney office location

201 Elizabeth Street
Sydney NSW 2000
(02) 9286 8000

The people

Partners – 165
Lawyers – 614
Support Staff – 604

Other office locations

Adelaide, Auckland, Brisbane, Canberra,
Melbourne, Perth, Wellington.
DLA Piper offices are located throughout
Europe, Asia, North America and the Middle East

Pro Bono contacts

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National Pro Bono Director
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Paola Fasan
Sydney Office Co-ordinator
Pro Bono Coordinator
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Employment contacts

Senka Coulton
Human Resources Manager
(02) 9286 8190
Senka.Coulton@dlaphillipsfox.com

Pro Bono Philosophy

“DLA Phillips Fox regards pro bono as an important aspect of a lawyer’s professional responsibility and professional development… Through the provision of pro bono services, Phillips Fox aims to increase community awareness of legal and human rights. Phillips Fox seeks to provide pro bono services in a manner which emphasises education and empowerment and results in long-term change in our community.”

SNAPSHOT

☑ Is a signatory to the National Pro Bono Aspirational Target
☑ Has a written pro bono policy
☑ Has a pro bono coordinator or committee
☑ Pro bono work counted towards lawyers’ billable hours
☑ Pro bono taken into account in performance appraisal
☑ Has a community service program
☑ Has a workplace giving program
☐ Has a charitable foundation
Overview

Is the firm a signatory to the National Pro Bono Aspirational Target? Yes. However, in line with the firm’s objective to maintain a ‘best practise’ pro bono program, DLA Phillips Fox has adopted a target of 50 hours of pro bono per lawyer, which is a higher target than that advocated by the National Pro Bono Resource Centre.

How does the firm take on pro bono work? DLA Phillips Fox receives most of their referrals from:

- Community legal centres;
- Public Interest Law Clearing Houses;
- Law Society Pro Bono Referral Scheme;
- Outreach services established by the firm to access pro bono matters;
- Existing clients; and
- Other law firms.

What are the firm’s criteria for taking on pro bono work? The firm undertakes pro bono work in the following circumstances:

- access to justice matters (individuals) are typically assessed by reference to means and merit;
- public interest matters are assessed on merit;
- charities and not-for-profit organisations with public interest objectives;
- all matters are taken on only in circumstances where the firm has the expertise and capacity to provide excellent service levels; and
- matters are taken only if there is no other more appropriate form of assistance available to the client, such as Legal Aid.

What are the areas of law in which the firm provided pro bono legal assistance over the last two years? DLA Phillips Fox has a focus on Human Rights and Environmental Protection. Within these focus areas the firm has undertaken pro bono work in relation to:

- death penalty matters for Australians arrested overseas
- criminal prosecutions;
- extraditions;
- prisoners rights;
- Indigenous cultural rights;
- protection (the R2P Doctrine);
- micro-lending;
- the Victorian Charter of Rights and Responsibilities;
- homelessness;
- violence against women including domestic violence and sexual slavery;
- climate change;
- animal protection;
- conservation.
Which organisations did the firm provide pro bono assistance to over the last two years? The firm acts for approximately 200 charities and non-profits including Austcare, Amnesty, Fred Hollows Foundation, the Red Cross, Oxfam, Habitat for Humanity, Reprieve, Wesley Mission and many others. The firm is currently involved in the following pro bono projects:

- The Women’s Domestic Violence Court Assistance Scheme at Newtown Local Court in partnership with Marrickville and Waringa Baya legal centres;
- Homeless Persons Legal Clinics at Newtown Mission (NSW), Hanover and Koonung (Vic), Pindari (Qld), Otara (South Auckland) and Westside (Adelaide);
- Arts Law Telephone Advice Service in partnership with the Arts Law Centre of Australia;
- Cooperative Legal Service Delivery Model in partnership with the Legal Aid Commission and various service providers in the Orange/Bathurst area, to improve access to legal services in regional NSW;
- access to justice project with the Huntington’s Disease Association;
- Outreach Access Community Legal Education Program in partnership with TAFE NSW;
- Pro Bono Animal Law Service with the Public Interest Law Clearing House and Redfern Legal Centre.
- Austcare Protection Chapter in partnership with Austcare and others;
- Artists in the Black project in partnership with the Arts Law Centre of Australia to protect the legal rights of indigenous artists; and
- Pro Bono Winter and Summer Clerkship programs.

What are the types of pro bono work that the firm undertakes? DLA Phillips Fox carries out pro bono work in the following ways:

- case work for individuals and not-for-profit organisations;
- outreach projects such as the Homeless Persons Legal Clinic;
- law reform and policy development;
- pro bono secondments to Community Legal Centres and not-for-profit organisations; and
- Community Legal Education.

What is an example of ongoing pro bono work that is undertaken by the firm? DLA Phillips Fox has recently seconded pro bono lawyers to the Arts Law Centre, the Human Rights Law Resource Centre, the Environment Defenders Office, the Cape York Land Council, the Aboriginal Legal Service, Redfern Legal Centre and others. Lawyers seconded to the Arts Law Centre travelled to various remote indigenous communities in Western Australia and the Northern Territory to provide advice to indigenous artists.

What are some of the firm’s pro bono highlights? Last November one of the firm’s lawyers travelled to Geneva to appear and give evidence to the United Nations Committee Against Torture as part of the shadow reporting procedure on Australia’s compliance with the Convention Against Torture. Our Pro Bono Human Rights Lawyer was recently in Buenos Aires, Argentina, advising on the implementation of the Optional Protocol to the Convention Against Torture. The firm has recently assisted the Fred Hollows Foundation to establish new eye hospitals in Fiji and Timor Leste. The firm provides substantial legal assistance to Austcare in deploying protection officers to work with United Nations operations overseas.
Pro Bono Stats

What percentage of the firm’s lawyers participated in pro bono work over the last year? During the past 12 months 77% of our lawyers worked on a pro bono matter or project.

How many hours per lawyer were contributed to pro bono work over the last year? During the past 12 months, DLA Phillips Fox lawyers undertook an average of approximately 30 hours of pro bono work per lawyer.

What percentage of lawyers undertook over 20 hours of pro bono work last year? DLA Phillips Fox does not collect this data. There is no cap placed on the number of pro bono hours that a lawyer may perform.

What is the gender ratio for pro bono work undertaken? All DLA Phillips Fox lawyers are given the opportunity to participate in pro bono work, however participation is not mandatory and is always voluntary. DLA Phillips Fox does not have any evidence to suggest that there is a gender imbalance in participation in pro bono at this firm, and therefore does not report gender participation rates. Further, reporting of gender ratios are likely to be misleading or misinterpreted, since such ratios may be impacted by a firm’s participation in certain projects which require or preference participation by one gender over another, such as the women’s domestic violence court scheme, for example.

Working Pro Bono

Does the firm allow lawyers to contribute pro bono hours to their billable targets? Pro bono work is given the same recognition as full-fee legal work.

Is pro bono work considered in performance reviews and when considering salary, bonuses or advancement? Yes, pro bono is built into the formal review process for all lawyers and is therefore relevant to salary, bonuses and advancement.

Is training provided for lawyers undertaking pro bono matters? DLA Phillips Fox regularly provides its lawyers with training in areas of law relevant to pro bono practice.

How is pro bono work encouraged within the firm? DLA Phillips Fox has asked each of its lawyers to adopt a personal target to undertake at least 50 hours of pro bono work each year. The firm also encourages increased involvement in pro bono work by dedicating resources to building projects in areas where legal assistance is most needed. All lawyers are given the opportunity to participate in meaningful pro bono work and the firm encourages its lawyers to do pro bono work in areas that they feel passionate about.

DLA Phillips Fox communicates its pro bono opportunities through its induction program and on an ongoing basis by email and on the firm’s intranet.

Is there partner supervision for lawyers undertaking pro bono matters? Every pro bono matter is supervised by a partner. Pro bono matters are treated in exactly the same way as any other matter within the firm.

Does the firm offer secondments for lawyers to public interest bodies? Yes, pro bono secondments to Community Legal Centres and not-for-profit organisations are offered.

What costs and disbursements does the firm cover for pro bono work? DLA Phillips Fox will cover unlimited internal disbursements. External disbursements are covered at the discretion of the firm.

Summer clerk pro bono opportunities

Do summer clerks have the opportunity to undertake pro bono work? Yes. All summer clerks have the opportunity to participate in the firm’s ongoing pro bono projects. Typically the firm also provides specific pro bono projects for summer clerks and summer clerks may also elect to spend one rotation working full-time within the firm’s pro bono practice.

What percentage of summer clerks undertook pro bono work in the past year? Last year all summer clerks participated in pro bono work.
Community service

What community service programs does the firm run? DLA Phillips Fox has a formal written community service policy. It encourages its employees to participate in community service activities by providing them with 2 days paid community service leave each year.

The firm’s community services activities are implemented under its Community Care scheme. The primary motivation behind the Community Care program is to make an impact on and achieve outcomes for the most disadvantaged individuals in the community. DLA Phillip Fox’s approach is to develop corporate partnerships with like-minded organisations. The firm’s Community Care Manager works closely with a number of community organisations to provide a range of opportunities for staff to participate in meaningful community service initiatives.

The primary focus of the firm’s community service program is on supporting initiatives that help people to help themselves, and therefore bring about enduring change. DLA Phillips Fox has put this philosophy into practice through the following initiatives:

- developing local office relationships with organisations that provide support to the homeless, the elderly, the disabled and children;
- supporting organisations that work to eliminate poverty in our region and educate children in our region; and
- supporting natural disaster relief in our region.

Which community organisations is the firm involved with? The firm has many community partners including Wesley Mission, Austcare, Variety, Starlight Foundation, Starship Foundation, Oxfam, Mater Foundation, Smith Family, St Vincent de Paul, Red Cross and many others.

Does the firm run a workplace giving program? Yes. The firm provides staff with pre-tax workplace giving pay roll deduction. The firm matches staff donations for certain firm-supported fundraising campaigns.

Does the firm have a charitable foundation? The firm regularly makes financial donations to charities and non-profits. In recent years the firm has donated more than $250,000 to a number of charities, including Austcare, Care Australia, Wesley Mission and others.

Firm philosophy

“DLA Phillips Fox regards pro bono as an important aspect of a lawyer’s professional responsibility and professional development...Through the provision of pro bono services, Phillips Fox aims to increase community awareness of legal and human rights. Phillips Fox seeks to provide pro bono services in a manner which emphasises education and empowerment and results in long-term change in our community...DLA Phillips Fox demonstrates our commitment to the firm’s core values of integrity, respect and recognition, high achievement and community. Pro bono is a mechanism through which those core values can be put into practice.”

Future direction for pro bono: DLA Phillips Fox will continue to build its pro bono practice in its focus areas. It aims to increase pro bono hours across the firm and the pro bono team will work with lawyers to build opportunities for lawyers to undertake pro bono work in areas that they feel passionately about.
“The Insider”

Amelia Dixon  
Solicitor

“I commenced as a Summer Clerk with DLA Phillip Fox in 2006 and as a Graduate during 2007. I believe, as a lawyer, I have a fundamental moral obligation to utilise my legal skills to benefit society through participating in pro bono work. DLA Phillip Fox has supported and encouraged me in actively pursuing this sentiment by providing numerous opportunities to work on a variety of significant and interesting pro bono matters. During my time with our firm I have worked for a number of different clients including Medecins Sans Frontieres, ICARE, an international child sponsorship charity and the co-ordinating body of The Homeless Persons’ Legal Service (HPLS), the Public Interest Law Clearing House. Participating in the Homeless Persons Legal Clinic involves attending a local homeless shelter and providing face to face advice to clients. Through the firm’s pro bono practice I have also acted for a number of Defendants in criminal proceedings arising from the APEC protests, mentored a 15-year-old high school student as part of a collaborative mentoring program between DLA Phillip Fox and the New South Wales Department of Education and have been involved in the preparation of a Federal Court Native Title Application. Through participating in our firm’s pro bono scheme, I have attended a number of client events including a tour of Medecins Sans Frontieres’s ‘Refugee Camp in Your City’, which allowed me to gain a greater understanding and appreciation of the work of Medecins Sans Frontieres and the importance of the pro bono legal services provided by DLA Phillip Fox to such organisations.

DLA Phillip Fox encourages its lawyers to undertake pro bono work and, as a result, most lawyers in my team have their own pro bono matters. DLA Phillip Fox is supportive of building pro bono work into your normal legal practice as pro bono is treated the same as billable work and counts towards your personal budget. All Graduates with our firm have the opportunity to participate in pro bono work, with one Graduate recently taking up a pro bono secondment to the Aboriginal Legal Service for 6 months. The Graduate program at DLA Phillip Fox involves undertaking 3 x 8 month rotations and I have selected to be placed in the firm’s pro bono practice on a full-time basis for my third rotation. The pro bono activities and opportunities provided through our firm’s pro bono scheme reflect the dedication and enthusiasm of DLA Phillip Fox in promoting and fostering this important aspect of legal practice.”
Fisher Jeffries

Head office location

Levels 1 & 2
19 Gouger Street
Adelaide, SA 5000
(08) 8233 0600

The people

Partners – 15
Lawyers – 25
Support Staff – 40

Other office locations

Fisher Jeffries is part of the Gadens Lawyers National Practice, with offices in Sydney, Melbourne, Brisbane, Perth and Port Moresby

Pro Bono contacts

Nicholas Linke
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nlinke@fisherjeffries.com.au

Employment contacts

Nicholas Linke
Contact details as above

Pro Bono Philosophy

“Mindful of the challenges that face others less fortunate in our community, we support a variety of South Australian not-for-profit organisations through the provision of pro bono legal services.”

SNAPSHOT

- Is a signatory to the National Pro Bono Aspirational Target
- Has a written pro bono policy
- Has a pro bono coordinator or committee
- Pro bono work counted towards lawyers’ billable hours
- Pro bono taken into account in performance appraisal
- Has a community service program
- Has a workplace giving program
- Has a charitable foundation
Overview

Is the firm a signatory to the National Pro Bono Aspirational Target? Not yet but working on it.

How does the firm take on pro bono work? The firm provides pro bono legal services on a weekly basis to women at Catherine House through the Welfare Rights Centre Inc’s Homeless Legal Clinic. Catherine House Inc provides emergency housing to women over 21, unaccompanied by children, who are affected by homelessness.

Fisher Jeffries is the pro bono Honorary Law Firm for the Adelaide Youth Orchestra Inc.

The firm also performs ad hoc pro bono work including work through the Australian Business Arts Foundation’s AdviceBank scheme.

What are the firm’s criteria for taking on pro bono work? The firm has no set criteria for taking on pro bono work, decisions are made on a case by case basis.

What are the areas of law in which the firm provided pro bono legal assistance over the last two years? Debt recovery, family law, criminal law.

Which organisations did the firm provide pro bono assistance to over the last two years? Catherine House Inc., Adelaide Youth Orchestra Inc., Border Project Inc., GateEight Inc., CraftSouth Inc., Ladykillers Inc., some individuals

What are the types of pro bono work that the firm undertakes? Pro bono work is mostly in the nature of assisting the women at Catherine House to:

• recover debts;
• deal with government agencies such as Centrelink and Housing SA;
• enter into payment arrangements in respect of fines or other debts;
• negotiate early release of superannuation benefits;
• appear before the Guardianship Board;
• deal with the Residential Tenancies Tribunal.

Fisher Jeffries also does a considerable amount of corporate and compliance work for arts organisations and other not-for-profits that cannot afford legal services.

What is an example of ongoing pro bono work that is undertaken by the firm? As previously stated, Fisher Jeffries provides pro bono legal services on a weekly basis to women at Catherine House. Two solicitors attend at Catherine House for 2 hours every week to run the legal clinic and meet with clients. Fisher Jeffries also regularly deals with Adelaide Youth Orchestra Inc.’s issues and legal work on an ongoing basis as its Honorary Solicitors.

What are some of the firm’s pro bono highlights? The highlights are achieving little wins, usually the recovery of money, for women at Catherine House Inc. and realising what these wins mean for the self-confidence of these women and as a step in the rebuilding of their lives.

Pro Bono Stats

What percentage of the firm’s lawyers participated in pro bono work over the last two years? 20%.

How many hours per lawyer were contributed to pro bono work over the last two years? About 20 hours on average over the firm.

What percentage of lawyers undertook over 20 hours of pro bono work last year? 100% of lawyers that participated in providing pro bono legal services undertook over 20 hours of pro bono work last year.

What is the gender ratio for pro bono work undertaken? 50% female, 50% male.

Working Pro Bono

Does the firm allow lawyers to contribute pro bono hours to their billable targets? Not yet.

Is pro bono work considered in performance reviews and when considering salary, bonuses or
advancement? Yes.

Is training provided for lawyers undertaking pro bono matters? Yes but the training provided is minimal at this stage.

How is pro bono work encouraged within the firm? Pro bono work is encouraged actively within the firm.

Is there partner supervision for lawyers undertaking pro bono matters? Yes. The Pro Bono partner is available to settle work, steer matters and co-ordinate work.

Does the firm offer secondments for lawyers to public interest bodies? Not yet.

What costs and disbursements does the firm cover for pro bono work? The firm covers most disbursements for pro bono work.

Summer clerk pro bono opportunities

Do summer clerks have the opportunity to undertake pro bono work? Yes. Summer clerks are encouraged to participate in pro bono work by attending weekly legal clinics at Catherine House with a more experienced practitioner.

What percentage of summer clerks undertook pro bono work in the past year? 50%.

Community service

Which community organisations is the firm involved with? Catherine House Inc., Adelaide Youth Orchestra Inc.

Does the firm run a workplace giving program? The firm has a monthly charity drive with money going to charities as selected by staff.

Does the firm have a charitable foundation? No, but the firm is currently looking at creating its own charitable foundation.

Firm philosophy

Future direction for pro bono: Commitment to the target, formal policy, more involvement, and more engagement with all solicitors.

“The Insider”

Nicholas Linke
Staff Partner

Nicholas is the Staff Partner at Fisher Jeffries and co-ordinates its pro bono activities.

Nicholas was admitted to practice in 1994 and practices in contentious insurance and employment law and general commercial litigation.

Nicholas leads the firm initiative to join the Welfare Rights Centre Inc’s Homeless Legal Clinic which has been operating successfully at Catherine House Inc. for nearly 2 years. Nicholas also co-ordinates the pro bono legal work for the Adelaide Youth Orchestra Inc.

Nicholas is a member of the Committee (and Treasurer) of JusticeLink SA Inc., the newly created South Australian PILCH. South Australia until now has been the only mainland State or Territory without such an entity.

Nicholas sits on the board of The Big Book Club Inc. and has a keen interest in the arts, co-ordinating ad hoc pro bono legal advice on behalf of the firm through the Australian Business Arts Foundation’s “adviceBank” and generally on behalf of other arts organisations.
Freehills

Head office location
MLC Centre
19 Martin Place
Sydney NSW 2000
(02) 9225 5000

The people
Partners – 98 (Sydney)
Lawyers – 314
Support Staff – 389

Other office locations in Australia
Brisbane, Melbourne, Perth

Pro Bono contacts
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Pro Bono Counsel
Executive Director Freehills Foundation
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annette.bain@freehills.com

Employment contacts
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National Resourcing Manager
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Fax (03) 9288 1567
nick.grant@freehills.com

Pro Bono Philosophy
“At Freehills we consider it to be our professional responsibility to undertake pro bono work. But at the end of the day, our lawyers do pro bono work because they want to.”

SNAPSHOT

- Is a signatory to the National Pro Bono Aspirational Target
- Has a written pro bono policy
- Has a pro bono coordinator or committee
- Pro bono work counted towards lawyers’ billable hours
- Pro bono taken into account in performance appraisal
- Has a community service program
- Has a workplace giving program
- Has a charitable foundation
Overview

Is the firm a signatory to the National Pro Bono Aspirational Target? No.

How does the firm take on pro bono work? Freehills receives the majority of its referrals from staff members’ community involvement, existing pro bono clients, charities and community legal centres. Freehills has set up the Freehills Foundation to coordinate our pro bono and community practice within the firm.

What are the firm’s criteria for taking on pro bono work? Freehills considers the following when deciding whether to take on a pro bono matter:

- whether the matter is in the public interest;
- whether there is a reasonable and practical alternative source of legal assistance available; and
- whether the matter involves the provision of legal services to either a disadvantaged person or an organisation promoting public interest objectives.

What are the areas of law in which the firm provided pro bono legal assistance over the last two years? Freehills has provided pro bono work in the following areas:

- litigation;
- charity law (including governance, structuring and taxation);
- employment/industrial law;
- environmental law;
- corporate law;
- intellectual property;
- commercial/tax law;
- discrimination;
- victims compensation claims;
- fines;
- Aboriginal trust fund claims;
- property;
- mental health; and
- homelessness.

Which organisations did the firm provide pro bono assistance to over the last two years? In the last financial year, Freehills assisted over 648 organisations and individuals in-house, with an additional 2000 clients helped through our Shopfront and secondments.

What are the types of pro bono work that the firm undertakes? Freehills provides legal advice and casework, advocacy, solicitor secondments, advice sessions at legal clinics, seminars and law reform submissions on social justice issues.

What is an example of ongoing pro bono work that is undertaken by the firm?

**Homeless Persons Legal Service (HPLS), Brisbane**

Our HPLS clinic was established by Freehills and the Queensland Public Interest Law Clearing House (QPILCH) in 2002, and is co-ordinated by QPILCH. HPLS provides legal advice to people who are homeless or at risk of becoming homeless. The main areas of law involved are debt, welfare, fines and housing.

HPLS delivers its services from six different locations around Brisbane. For six months of the year Freehills provides three volunteers to HPLS at Mission Australia Café One every Thursday from 9am to 11am. Volunteer solicitors provide legal advice on a once-off or ongoing basis.

**Aboriginal Trust Fund Repayment Scheme (ATFRS)**

In December 2004, the NSW Government announced that it would establish an Aboriginal Trust Fund Repayment Scheme to repatriate wages and other money put into Aboriginal Trust Funds between 1900 and 1968, but never repaid.

Since this time, Freehills (through Public Interest Law Clearing House NSW) has been assisting claimants to prepare claims and evidence to be lodged with the ATFRS. To date, four claims with which we have
assisted have been finalised and one long standing direct claim is soon to be finalised. Freehills has achieved
satisfying results for these clients.

Freehills has also assisted the Public Interest Advocacy Centre with its June 2008 submission to the ATFRS
internal review of the Scheme on the subject of how to deal with the many descendent claims and associated
conflict issues soon to confront the Scheme.

Indigenous business support

Freehills agrees with prominent indigenous leader Noel Pearson that the engagement of indigenous
communities in the ‘real economy’ is a crucial ingredient to the end of welfare dependence. Examples of
how Freehills is currently helping to promote indigenous enterprise include:

- the establishment of the Australian Indigenous Minority Supplier (AIMS), which seeks to encourage
Australian companies to engage indigenous companies in their supply chain;
- the incorporation of an organisation that facilitates the employment of indigenous workers with
mining companies in a manner which accommodates both the traditional needs of the workers and
the operational needs of the mining companies; and
- the establishment of other corporate entities for the furtherance of indigenous enterprises.

What are some of the firm’s pro bono highlights?

The Shopfront Youth Legal Centre

The Shopfront is the product of a partnership between Freehills, The Salvation Army and Mission Australia.
Established in 1993, the Shopfront is in its 15th year of operation and has handled over 7,000 matters.
Solicitors and legal support staff at The Shopfront are employed by Freehills and deliver legal services to
people under the age of 25 on a pro bono basis. The solicitors assist clients in a wide range of matters that
affect young people such as employment law, child protection and criminal charges.

Jane Sanders, Principle Solicitor and Special Counsel at Freehills, was recently awarded the 2008 Justice
Medal by the Law and Justice Foundation of NSW.

New Enterprise Incentive Scheme Business Law Clinic

The New Enterprise Incentive Scheme (NEIS) is a Federal Government program that assists unemployed
people to bring their small business ideas to fruition. NEIS provides training and income support to selected
applicants.

Combining their expertise and resources, Freehills, Mission Australia and Fairfax Media operate the NEIS
Business Law Clinic. The clinic assists approximately 40 NEIS participants annually with matters relating to
their businesses. Typically legal advice is given in the areas of contract and intellectual property, and in
relation to pursuing a claim.

Mental Health Legal Clinic (MHLC), Melbourne

Located on Collins Street in Melbourne, MHLC provides free and confidential legal advice to those who
have experienced mental illness or have had contact with mental health services. It does this via a telephone
advice line which operates between 3pm and 5pm on Mondays, Wednesdays and Fridays and two nights
per week between 6.30 and 8.30pm.Since January this year Freehills lawyers have attended the MHLC and
provided advice to those using the telephone night service advice line.

Pro Bono Stats

What percentage of the firm’s lawyers participated in pro bono work over the last two years? In the
2007/2008 financial year, 49.1% of the firm’s lawyers performed pro bono work. Pro bono work is fairly
evenly spread among lawyers of all ranks.

How many hours per lawyer were contributed to pro bono work over the last two years? The firm’s
total pro bono hours for the last financial year averaged out at 32.2 hours per lawyer.

What percentage of lawyers undertook over 20 hours of pro bono work last year? In the 2007/2008
financial year 19.3% of Freehills lawyers completed over 20 hours of pro bono work.

**What is the gender ratio for pro bono work undertaken?** Of all fee earners who worked on pro bono matters in the 2007/2008 financial year, 53.5% were female and 46.5% male.

**Working Pro Bono**

Does the firm allow lawyers to contribute pro bono hours to their billable targets? Yes.

Is pro bono work considered in performance reviews and when considering salary, bonuses or advancement? Pro bono work is billable and is included in biannual performance reviews.

Is training provided for lawyers undertaking pro bono matters? Freehills provides training where additional knowledge is required. Recently, training has been provided for lawyers undertaking fines matters and running claims before the Victim’s Compensation Tribunal for The Shopfront.

How is pro bono work encouraged within the firm? Freehills considers pro bono work to be an integral part of our practice. This message is communicated through the induction process, staff training, the firm’s intranet and is actively promoted by the Freehills Foundation.

Is there partner supervision for lawyers undertaking pro bono matters? Yes.

**Does the firm offer secondments for lawyers to public interest bodies?** Freehills solicitors in Sydney are offered secondments at:

- Kingsford Legal Centre
- PILCH NSW
- The Shopfront Youth Legal Centre
- Women’s Legal Service NSW

What costs and disbursements does the firm cover for pro bono work? Generally:

- all internal disbursements are carried by the firm; and
- external disbursements are decided on a case-by-case basis.

**Summer clerk pro bono opportunities**

Do summer clerks have the opportunity to undertake pro bono work? Yes. Summer clerks are offered the opportunity to undertake a research task or assist on a pro bono matter.

**What percentage of summer clerks undertook pro bono work in the past year?** Data not available.

**Community service**

What community service programs does the firm run? Freehills has a written community practice policy. The firm encourages participation by offering legal and non-legal staff members a Volunteer Day, which is a day of paid leave to be taken when participating in a staff volunteering event. Current community service initiatives run by the firm include:

- Student mentoring program with Macquarie Fields High School
- Workplace Giving Program
- Gift matching of staff fundraising
- Small grants scheme for organisations at which staff volunteer

Which community organisations are the firm involved with? Freehills in Sydney has signature partnerships with The Shopfront Youth Legal Centre, United Way Sydney, Come in Centre, The Hunger Project, Botanic Gardens Trust Foundation and Company B.

Does the firm run a workplace giving program? Yes.

**Does the firm have a charitable foundation?** Freehills Foundation is not a separate entity.
Firm philosophy

“At Freehills we consider it to be our professional responsibility to undertake pro bono work. But at the end of the day, our lawyers do pro bono work because they want to.”

Future direction for pro bono: Freehills is looking to:
- increase the number of lawyers who do pro bono;
- continue to increase average hours of pro bono work per lawyer per year;
- build our national program;
- measure impact of the firm’s pro bono strategy; and
- develop global commitment to pro bono work.

“The Insider”

Brooke Massender
Senior Associate

“I am a Senior Associate in Freehills’ commercial litigation group. I have been fortunate to have had the opportunity to be actively involved with a range of pro bono matters.

Two years ago my supervising partner encouraged and supported my application for a secondment to The Shopfront Youth Legal Centre, run by Freehills in partnership with The Salvation Army and Mission Australia. The Shopfront is a legal service for disadvantaged young people who are typically under 25, homeless and/or drug or alcohol affected and/or dealing with mental illness. The six month secondment involved the provision of legal advice and representation in a variety of criminal law, debt, family law and victim’s compensation matters.

I gained excellent advocacy experience through daily court appearances in the Local Court and District Court for criminal matters – including mentions, bail applications, applications under the Mental Health (Criminal Proceedings) Act 1990, defended hearings, pleas and sentencing.

Another beneficial aspect of the secondment relevant to building professional confidence was the opportunity to liaise with police, prosecutors, youth workers, health care professionals and rehabilitation services to ensure holistic client care.

Since returning to Freehills I have built upon my experiences at the Shopfront and have continued to be involved in assisting with victims compensation claims. Claims before the Victims Compensation Tribunal typically involve client interviews, telephone advice and collation of evidence in respect to victim’s compensation matters involving domestic violence and sexual abuse. We have been able to gradually extend this assistance to the point where over 10 solicitors are now assisting with claims in house.

I have always been encouraged to take on pro bono matters and give them equal attention alongside commercial work. Notably I have been involved with a series of claims before the Aboriginal Trust Fund Repayment Scheme. My involvement began with a request to provide ongoing pro bono advice and preparing submissions for a government inquiry in relation to unpaid Aboriginal wages held in trust. Since then we have represented a number of clients with claims before the Aboriginal Trust Fund Repayment Scheme. These claims typically involve collating evidence, taking statutory declarations and making submissions to the scheme.

I am also actively involved with the work of the Freehills Foundation in the community. Freehills encourages this involvement by allowing me to spend significant amounts of time co-ordinating volunteer opportunities and other community based projects. I consider the pro bono work and community activities of the Freehills Foundation to be a significant aspect of my role at Freehills.”
Gadens

Head office location
Level 13, Skygarden Building
77 Castlereagh Street
Sydney NSW 2000
(02) 9931 4999

The people
Partners – 30
Lawyers – 87
Paralegals - 76
Support Staff – 114

Other office locations
Adelaide, Brisbane, Cairns, Melbourne,
Perth, Papua New Guinea

Pro Bono contacts
Paul Brown
Partner
(02) 9931 4748
pbrown@nsw.gadens.com.au

Pro Bono Philosophy
“We recognise our role in the community and our ability as a substantial and influential organisation to make a real difference. We support our staff to provide a tangible benefit in whatever field about which they feel passionate. For us it is entirely about what we do, not what we say.”

SNAPSHOT
☐ Is a signatory to the National Pro Bono Aspirational Target
✓ Has a written pro bono policy
✓ Has a pro bono coordinator or committee
☐ Pro bono work counted towards lawyers’ billable hours
✓ Pro bono taken into account in performance appraisal
✓ Has a community service program
☐ Has a workplace giving program
☐ Has a charitable foundation

Employment contacts
Jane Skinner
Director, People and Culture
Overview

Is the firm a signatory to the National Pro Bono Aspirational Target? No.

How does the firm take on pro bono work? Gadens does not have a national pro bono co-ordinator. Each office determines what pro bono projects it will undertake on a case by case basis and independent of the other offices. Gadens receives most of their pro bono work from:

- referrals from staff members;
- direct requests from individuals; and
- direct requests from community organisations.

What are the firm’s criteria for taking on pro bono work? Gadens encourage their lawyers to bring in opportunities for pro bono work that they feel passionate about and for organisations they specifically would like to work with. Gadens then assesses the availability of resources and prospective outcome of each matter before taking on a pro bono case. The lawyer’s reasons as to why they wish to undertake the pro bono work in question is also considered.

What are the areas of law in which the firm has provided pro bono legal assistance over the last two years? Gadens does not target or prioritise particular areas for its pro bono work. Instead, it strives to provide legal assistance in as many areas as possible. The committee is currently reviewing this position in relation to our membership of PILCH.

The firm currently does most of its pro bono work in the following areas:

- commercial/tax;
- environmental planning;
- incorporation of associations; and
- Worker’s Rights.

Which organisations did the firm provide pro bono assistance to over the last two years? Cell and Gene Trust, Rainbow Club, United Way, Sydney Institute of Marine Science, Australian Youth Orchestra, Pacific Opera, HALC.

What are the types of pro bono work that the firm undertakes? Gadens carries out pro bono work in the following ways:

- free or discounted legal services for persons or groups who do not qualify for legal aid and cannot afford legal assistance;
- work done for non-profit organisations (e.g. charitable and community organisations);
- non-fee work (regardless of whether a person can get legal aid) for matters which meet public interest criteria; and
- secondment (HALC).

What is an example of ongoing pro bono work that is undertaken by the firm? Currently, Gadens’ are providing ongoing legal services to the Cell and Gene Trust. One of our lawyers is working 4 hours a fortnight at HALC and we have an agreement with Sydney Institute of Marine Science to undertake pro bono work for an agreed amount.

What are some of the firm’s pro bono highlights? The establishment of the Cell and Gene Trust and our ongoing support of this medical research foundation.

Pro Bono Stats

What percentage of the firm’s lawyers participated in pro bono work over the last two years? No stats are available at this time – they will be made available in the future.

Working Pro Bono

Does the firm allow lawyers to contribute pro bono hours to their billable targets? Lawyers are measured according to their total contribution including billable hours, knowledge sharing, business development and firm contribution. Pro Bono work is recognised as a part of the lawyers’ overall contribution.
Is pro bono work considered in performance reviews and when considering salary, bonuses or advancement? Yes, see above.

Is training provided for lawyers undertaking pro bono matters? No training is currently provided for pro bono work exclusively; however we are in the process of developing more rigorous procedures and protocols around this topic.

How is pro bono work encouraged within the firm? Pro bono work is not singularly advertised throughout the firm. Instead, opportunities for pro bono work are communicated through the intranet or directly by partners or the HR manager.

Is there partner supervision for lawyers undertaking pro bono matters? The usual supervision is applied.

Does the firm offer secondments for lawyers to public interest bodies? Yes.

What costs and disbursements does the firm cover for pro bono work? The firm meets internal disbursements for pro bono work with no set limits, but does not meet external disbursements.

Summer clerk pro bono opportunities
Do summer clerks have the opportunity to undertake pro bono work? If pro bono work is available during their time at Gadens as a summer clerk.

What percentage of summer clerks undertook pro bono work in the past year? Whilst the summer clerks did not undertake pro bono legal work this year they were involved in assisting JobSupport, a not-for-profit organisation that seeks to place, train and maintain people with intellectual disabilities into quality jobs within the regular workforce. JobSupport has placed 2 employees at Gadens and the firm wanted to help them to raise their profile within the community. During their time at Gadens, the clerks organised a fundraising event to help raise both money and awareness for JobSupport. They were successful in raising over $5,000 for the organisation.

Community service
What community service programs does the firm run? Gadens has a formal, written community service policy. Gadens run a closely co-ordinated community involvement program with the umbrella charity United Way, involving corporate assistance in addition to voluntary help and donations by salary deduction from our staff which is matched by the partners. Gadens Community Service Program is called the Third Dimension. All staff are encouraged to participate in the Third Dimension program as the program is not limited to only legal professional staff or pro bono work.

Gadens’ commitment to the community extends to Papua New Guinea, where support for Susu Mamas, a non-government organisation that provides health care services and education to the local community on infant and maternal health and nutrition is provided.

Gadens also supports the fight against HIV/AIDS in Papua New Guinea through its involvement on the Advisory Council to the Asia Pacific Business Coalition on HIV/AIDS. This program was initiated by Hon. Alexander Downer, Minister for Foreign Affairs and also has the support of the Clinton Foundation. This year Gadens sponsored the launch of the Pacific Friends of the Global Fund with Ausaid and the Lowy Foundation. Our chairman of partners is a founding member of the Pacific Friends.

Gadens lawyers played a pivotal role in the launch of the Cell and Gene Trust, a charity that supports cell and gene therapy research, through the provision of pro bono work and financial support. Gadens maintained support to the Cell and Gene Trust throughout 2007 and 08, with financial support and members of staff as founders of the Cell and Gene Trust.

As part of Gadens’ Charity Bonanza in 2007-8, Gadens pledged $1,000 for each Partner and staff member to go to a nominated charity or charities of their choice in this financial year. This provided an opportunity for staff to directly support charities whose work they have a personal connection with.
**Firm philosophy**

“We recognise our role in the community and our ability as a substantial and influential organisation to make a real difference. We support our staff to provide a tangible benefit in whatever field about which they feel passionate. For us, it is entirely about what we do, not what we say.”

**Future direction for pro bono:** The firm will continue its support for those who wish to undertake pro bono work and encourage staff to bring their ideas and interests into their work at Gadens. Our Third Dimension program remains pivotal in connecting all our staff to opportunities to engage with the arts, community and environment.

**“The Insider”**

**Lucy Gray**  
HALC (HIV/AIDS Legal Centre)

“I am a lawyer and I practise at the centre.

The main project I am working on at the moment is setting up a night service for the office to have volunteer solicitors come in one night a week and give legal advice. I am managing this project as well as trying to recruit solicitors and then train them up once we have finalised the details. I also have been with the centre so long that the volunteers and new staff members are able to ask me for advice on client file and centre operations.

I am hoping once the night service is set up to start giving legal advice, marketing and managing the service. Then once it is off and running I want to get more involved with policy work and also case work where I can. Examples of case work in which I would like to be involved are drafting wills and powers of attorney which require little face time with the client so they can be managed in the time I am able to spend at the centre.

The centre’s main practice areas are administrative law, migration and refugee work, wills, powers of attorney and discrimination claims. My focus areas have been on administrative and discrimination and health policy cases.

With the time Gadens has given me I have been able to have meetings with different supporters to try and organise the night service. I was previously the treasurer of the organisation and used some of this time to do the books. I have also been able to conduct client interviews and help in some cases.”

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**Does the firm run a workplace giving program?** Yes.

**Does the firm have a charitable foundation?** No.
Gilbert + Tobin

Head office location
Sydney office location
2 Park Street
Sydney NSW 2000
(02) 9263 4111

The people
Partners – 50
Lawyers – 145

Pro Bono contacts
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Employment contacts
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Pro Bono Philosophy
“Our legal system exists for the good governance and betterment of our society. As lawyers we are in every sense the housekeepers of our legal system and it falls on us to ensure that it is just and equitable, and that everyone in our society has access to legal representation and advice.”

SNAPSHOT
☐ Is a signatory to the National Pro Bono Aspirational Target
☐ Has a written pro bono policy
☐ Has a pro bono coordinator or committee
☐ Pro bono work counted towards lawyers’ billable hours
☐ Pro bono taken into account in performance appraisal
☐ Has a community service program
☐ Has a workplace giving program
☐ Has a charitable foundation
Overview

Is the firm a signatory to the National Pro Bono Aspirational Target? Yes.

How does the firm take on pro bono work? Gilbert + Tobin (G+T) receives the vast majority of its pro bono referrals from Community Legal Centres and the Legal Aid Commission as well as requests from other community or existing organisational pro bono clients.

What are the firm's criteria for taking on pro bono work? G+T carries out pro bono work for people who are marginalised and disadvantaged and organisations representing such people. G+T assesses eligibility for pro bono assistance according to the following criteria:

- means - income, benefits, sources of financial support, assets;
- personal circumstances - vulnerability, marginalised/disadvantaged person or organisation that works with such people;
- area of law - whether G+T has expertise;
- duplication of services - G+T will not take on matters where legal aid has been granted or where another solicitor is already acting; and
- merit.

What are the areas of law in which the firm has provided pro bono legal assistance over the last two years? G+T’s pro bono work is carried out in a number of areas but we have a particular focus on Indigenous legal need. The firm does most of its pro bono work in the following areas:

- administrative law
- association incorporation
- commercial/tax law
- constitutional law
- consumer/trade practices law
- litigation
- employment law
- refugee law
- privacy law
- property law
- public utilities and services; and
- intellectual property
- victims compensation work
- apprehended violence orders
- human rights law
- discrimination law
- guardianship law

Which organisations did the firm provide pro bono assistance to over the last two years? G+T provided assistance to scores of organisations over the past 2 years including Medecins Sans Frontieres, People With Disabilities (Inc), Australian Indigenous Leadership Corporation, Yothu Yindi Foundation, Dhariwaa Elders Group, Parkinsons Australia, Unifem and the Fred Hollows Foundation.

What are the types of pro bono work that the firm undertakes? G+T carries out pro bono work in the following ways:

- advice and representation in a range of areas including litigation, corporate governance, intellectual property and regulatory law;
- submissions work;
- policy work; and
- community legal education.
PRO BONO PRACTICES GUIDE

What is an example of ongoing pro bono work that is undertaken by the firm? In addition to ongoing case work G+T staff a number of rosters:

• Staffing Redfern Legal Centre’s Domestic Violence Court Assistance Scheme at Downing Centre Local Court (weekly) to represent women seeking AVOs in an attempt to escape violence
• Homeless Persons Legal Service at Matthew Talbot Hostel (weekly)
• Outreach in Wyong
• Refugee work
• Aboriginal Stolen Wages work
• Providing advice to the residents of South West Sydney through Marrickville Legal Centre evening advice roster
• Providing general corporate, commercial and tax advice and representation to scores of community organisations
• Acting for indigenous communities of the Northern Territory and the Kimberley on a range of issues including land claims, and
• Acting for victims of violent crimes in their claims for compensation.

What are some of the firm’s pro bono highlights?

• Representing a young indigenous man with a mild intellectual disability in a communication to the United Nations Human Rights Commission (UNHRC) for breaches by the Federal Government of our client’s civil and political rights under the International Covenant on Civil & Political Rights (ICCPR) whilst incarcerated in an adult prison as a juvenile. The UNHRC found that the Federal Government had breached its obligations under the ICCPR as it failed to treat our client humanely and to protect him as a juvenile. A second chapter of the case came in December 2007 when G+T lawyers successfully applied for an urgent writ of habeas corpus – the first to be granted in NSW in many years – to obtain our client’s early release on parole due to an error by the NSW Parole Authority. The NSW Supreme Court agreed with our interpretation of the Crimes (Administration of Sentences) Act 1999 and released our client immediately.

• A longstanding asylum seeker client was granted refugee status by the Refugee Review Tribunal (RRT). Our client was finally recognised by the RRT as being a political activist, and entitled to protection from persecution on the basis of his political opinion. For over 30 years our client had been involved in politics. Many people our client had worked with were killed and their property was destroyed. Political activists of our client’s position and background continued to face a real risk of persecution. Our client went through a long process to have his status recognised, including 3 sets of Refugee Review Tribunal hearings and judicial reviews by both the Federal Magistrate’s Court and the Federal Court. Our client was finally successful before the Refugee Review Tribunal in 2008.

• G+T lawyers acted for an 85-year-old man who was forced out of his home by his son and daughter-in-law who proceeded to change the locks at the property. The son and daughter-in-law proceeded to seek guardianship orders against our client so they could take control of his affairs. G+T represented our client at the Guardianship Tribunal hearing and successfully opposed the order. Our lawyers also liaised with the local police to ensure the son and daughter-in-law were removed from the home and our client could safely return to his house.

• G+T lawyers were successful before the Aboriginal Trust Fund Repayment Scheme (ATFRS) Panel for an indigenous client who was removed from her family and put into institutional care by the Aborigines Protection Board (APB). Our client was sent to work on private farms undertaking domestic duties upon turning 15 years of age. G+T lawyers presented evidence that the APB failed to pay out from Trust money rightfully owed to our client as wages which her employer deposited into the APB trust account. The ATFRS had previously denied our client had any money owing. G+T appeared before the ATFRS Panel and our client was successful in being awarded lost wages in the sum of $20,000.
Pro Bono Stats

What percentage of the firm’s lawyers participated in pro bono work over the last two years? Although there is no mandatory requirement for participation in the pro bono, the firm has an 80% participation rate among its lawyers.

How many hours per lawyer were contributed to pro bono work over the last two years? In 2007/2008 G+T undertook more than 11,500 hours of pro bono work.

Working Pro Bono

Does the firm allow lawyers to contribute pro bono hours to their billable targets? No, but the contribution is considered in other ways.

Is pro bono work considered in performance reviews and when considering salary, bonuses or advancement? All lawyers are assessed on their pro bono activities in written performance reviews.

Is training provided for lawyers undertaking pro bono matters? Lawyers undertaking pro bono work are trained by the pro bono team and other experts if the work is not within our lawyers’ existing area of expertise.

How is pro bono work encouraged within the firm? The firm encourages lawyers to undertake pro bono work in a number of ways. It is very much part of the culture and participation is expected. High performers in pro bono are rewarded with the opportunity to attend the Garma festival, Australia’s leading Indigenous Cultural Festival in Arnhem land and the annual celebratory pro bono dinner.

Is there partner supervision for lawyers undertaking pro bono matters? All lawyers undertaking pro bono work at G+T are supervised by a partner in their group or by the pro bono partner.

Does the firm offer secondments for lawyers to public interest bodies? Opportunities exist to participate in a variety of secondments to PILCH, indigenous land councils and other organisations in the community sector.

What costs and disbursements does the firm cover for pro bono work? Costs agreements in litigious matters are set up so that the firm charges fees and reserves the right to waive them. This is necessary to recover costs from the other side in litigation if successful. Clients may be asked to cover disbursements depending on their means; however we seek external funding for disbursements where available.

In non-litigious matters, the firm does not charge fees but may recover some disbursements depending on the means of the client. Where possible, G+T attempts to recover disbursements from other sources and often meets them itself.

Summer clerk pro bono opportunities

Do summer clerks have the opportunity to undertake pro bono work? Yes. Clerks are able to undertake a rotation in the pro bono group or undertake pro bono work in other sections of the firm.

What percentage of summer clerks undertook pro bono work in the past year? Almost all.
Community service

**What community service programs does the firm run?** G+T has a strong commitment to partnering with community organisations to bring about lasting change in response to real needs. Our community programs build on our long-standing connections to Aboriginal & Torres Strait Islander Australians and our commitment to working alongside them.

Our Reconciliation Action Plan, *Growing Together*, outlines a framework for a set of community programs including:

- an Indigenous Employment Strategy for both lawyers and operations staff;
- a youth program targeted at Aboriginal & Torres Strait Islander high school students delivered in conjunction with Tranby College and UTS:Education; and
- Shifting Perspectives – an internal education program giving staff the opportunity to engage with Aboriginal & Torres Strait Islander people and learn about their histories and contemporary circumstances.

In addition, staff are encouraged to propose community partnerships for the firm’s support each year through our Getting it Together program. We currently support two community partnerships developed by our staff, namely:

- Football United – using football as ‘social glue’ to provide young people and their families who arrive on refugee and humanitarian visas with a new Australian community to call home; and
- Well Suited – in conjunction with Job Futures, G+T staff will deliver a personal clothing and support service for disadvantaged women job seekers.

**Does the firm run a workplace giving program?** No, G+T focuses on giving through staff nominated fundraising opportunities as they arise. For example, Christmas donations and trivia night fundraising.

**Does the firm have a charitable foundation?** No, we focus on the provision of pro bono legal and other services.

Firm philosophy

“Our legal system exists for the good governance and betterment of our society. As lawyers we are in every sense the housekeepers of our legal system and it falls on us to ensure that it is just and equitable, and that everyone in our society has access to legal representation and advice.

We at G+T are in the privileged position of having the resources to provide access to legal services for people who would otherwise be locked out of the justice system. We can empower our clients by helping them to understand the justice system and making it a tool they can use themselves. Our pro bono practice is part of our contribution to the betterment of our community and it is very important to us.”

“The Insider”

Elnaz Nikibin
Lawyer

“Since I joined Gilbert + Tobin, I have had the opportunity to participate in a variety of pro bono programs available at the firm. My involvement in pro bono developed early on at G+T through my summer clerkship, my paralegal role and now my graduate position at the firm.

As a summer clerk I was exposed to many pro bono matters and was able to participate in the Aurora Native Title Internship which enabled me to travel to Perth and work at a native title representative body with the support of the firm. I am now one of many lawyers who is listed on the Homeless Persons Legal Service Roster at the Mathew Talbott Hostel and the Redfern Legal Centre Domestic Violence Scheme...
Roster at the Downing Centre. Under these rosters, I have been able to work in a variety of areas to assist specific vulnerable groups including general debt, Department of Housing, administrative law, and domestic violence disputes.

Through G+T’s relationship with various organisations, I have also been able to focus on particular pro bono areas including native title, refugee, disability discrimination and human rights reform work. This included the opportunity to assist an Aboriginal group in NSW with their attempts to gain land rights to particular camping areas in NSW. I was also given the opportunity to assist an Australian human rights organisation with their written and oral submissions to the Commonwealth Senate Enquiry into the effectiveness of the Sex Discrimination Act 1984 (Cth). Generally, the pro bono work I have done so far has been quite broad which is intentional as I have attempted to get exposure in a wide range of pro bono matters.

My pro bono work at the firm has always been supported by my peers and I have received much guidance from the pro bono team, which consists of a pro bono Partner and two full time lawyers. I consider my pro bono work valuable to me and the firm and it has helped me develop many skills that I have even been able to use in my day-to-day work. Since I have begun pro bono work, I have learnt that there are many matters that I have the opportunity to get involved in, and learn from, and it is as simple as putting my hand up or keeping my eye out for pro bono work that comes to the firm.”

**Stuart Brady**  
**Lawyer**

“\[I’m a junior lawyer at Gilbert + Tobin in the litigation group. Despite the fact that I have only been here for some 9 months I have been involved with a wide range of pro bono work, from refugee matters to assisting the homeless with legal issues at Mathew Talbot Hostel. I’ve been encouraged from all sides to participate in pro bono work and have found it highly rewarding.

I have acted on several applications for judicial review of decisions of the Refugee Review Tribunal, representing clients who are held in Villawood Immigration Detention Centre and are seeking asylum in Australia. We recently had a favourable string of outcomes for one client in the Federal Magistrates Court, Federal Court, High Court and then in the Refugee Review Tribunal. She was granted a Permanent Protection Visa and is now being assisted to integrate into the community after her release from Villawood. The work for asylum seekers is very rewarding in terms of the result for the client and also gives a huge amount of experience in running matters in court and briefing counsel.

I also attend the Mathew Talbot hostel as part of the Homeless Persons Legal Service roster. Most of the homeless men who I have assisted live at Mathew Talbot or are living on the streets. The legal issues vary from client to client but many have problems with fines for travelling on public transportation without a ticket or fines for other minor infringements. These minor infringements can become very large problems for someone with no fixed address or income and they present a real barrier to any homeless person from re-entering housing and society generally. I have assisted several homeless people in setting up payment plans with the State Debt Recovery Office and in making other applications to various state offices.

My experience with pro-bono work at G + T has been very positive and encouraging. The firm has a strong commitment to pro-bono and I have never been short of support for the pro-bono work that I have undertaken, whether from the pro-bono team and pro-bono partner or from other senior lawyers and partners.”
Hall & Wilcox Lawyers (Victoria only)

Melbourne Office location
Level 30 Bourke Place
600 Bourke Street
Melbourne VIC 3000

The people
Partners – 25
Lawyers – 75
Support Staff – 101

Pro Bono contacts
Matt McDonald
Partner
(03) 9603 3564
matt.mcdonald@hallandwilcox.com.au

Pro Bono Philosophy
“We are committed to fostering and encouraging pro bono work and to developing a coordinated and meaningful pro bono practice, with recognition of time spent by fee earners on pro bono matters. We recognise there is a compelling unmet need for pro bono legal services in our community. We recognise and embrace the obligation we have as members of the legal profession to contribute to our community through pro bono work.”

SNAPSHOT
☑️ Is a signatory to the National Pro Bono Aspirational Target
☑️ Has a written pro bono policy
☑️ Has a pro bono coordinator or committee
☑️ Pro bono work counted towards lawyers’ billable hours
☑️ Pro bono taken into account in performance appraisal
☑️ Has a community service program
☐ Has a workplace giving program
☐ Has a charitable foundation

Employment contacts
Miranda Cawse
HR Advisor
(03) 9603 3418
Miranda.cawse@hallandwilcox.com.au
Overview

Is the firm a signatory to the National Pro Bono Aspirational Target? No.

How does the firm take on pro bono work? Hall & Wilcox is a member of PILCH (Public Interest Law Clearing House) which provides us with a steady flow of challenging and compelling pro bono referrals. Hall & Wilcox also receives a significant volume of ‘legal wishes’ as a result of its partnership with goodcompany (www.goodcompany.com.au).

Hall & Wilcox also encourages its people who are engaged with worthy causes to utilise the resources of our pro bono practice to support those causes.

Hall & Wilcox has also fostered close, on-going relationships with a number of inspirational community organisations to whom it provides pro bono legal services and other assistance, which include:

• The Choir of Hard Knocks
• Prince Henry's Institute
• Australian Huntington's Disease Association

What are the firm’s criteria for taking on pro bono work? Any requests for pro bono assistance (whether from community legal centres, organisations, fee earners or otherwise) are directed to the Pro Bono Committee for consideration, approval and implementation.

The emphasis of the firm’s pro bono practice is generally on community-based charitable and not-for-profit organisations rather than individuals. Any proposals received by the Pro Bono Committee will be evaluated by reference to the following criteria:

• whether the client or matter falls within the Victorian Attorney General’s definition of “pro bono”;
• the merits of the matter and the potential public benefit as compared to the resources required;
• the capacity or ability of the organisation to pay legal fees;
• whether there is any potential conflict of interest (legal or commercial) with existing clients;
• whether the work falls within the professional expertise of the firm;
• whether there are sufficient resources available at the time to undertake the work;
• whether a fee earner with suitable expertise is willing to undertake the work;
• whether or not Legal Aid is available or has been unreasonably denied; and
• any other relevant matter.

What are the areas of law in which the firm has provided pro bono legal assistance over the last two years? Hall & Wilcox has undertaken pro bono work in just about every practice area of the firm, including:

• Corporate and Commercial;
• Dispute Resolution and Litigation;
• Employment and Workplace Relations;
• Family Business and Wealth Management;
• Financial Services;
• Insurance;
• IP and Technology;
• Property;
• Superannuation; and
• Taxation.
PRO BONO PRACTICES GUIDE

Which organisations did the firm provide pro bono assistance to over the last two years?

- PILCH;
- goodcompany;
- The Choir of Hard Knocks;
- Prince Henry's Institute;
- Australian Huntington's Disease Association;
- Association for Children with a Disability;
- TADVIC Cooperative Ltd;
- Action for Community Living Inc;
- Eastern Volunteer Resource Centre;
- Interchange Inner-East; and
- Anex.

What are the types of pro bono work that the firm undertakes? Hall & Wilcox undertakes all types of pro bono work that fit within our practice areas as listed above.

What is an example of ongoing pro bono work that is undertaken by the firm? We conduct pro bono work on an ongoing basis for:

- PILCH;
- goodcompany;
- The Choir of Hard Knocks;
- Prince Henry's Institute; and
- Australian Huntington's Disease Association.

What are some of the firm’s pro bono highlights? Facilitating many aspects of the Choir of Hard Knocks was definitely a highlight of the pro bono practice and every opportunity to complete pro bono work is rewarding and enriching.

Pro Bono Stats

What percentage of the firm’s lawyers participated in pro bono work over the last two years? 40%.

How many hours per lawyer were contributed to pro bono work over the last two years? 30.

What percentage of lawyers undertook over 20 hours of pro bono work last year? Approximately 40%.

What is the gender ratio for pro bono work undertaken? Approximately 52% female and 48% male.

Working Pro Bono

Does the firm allow lawyers to contribute pro bono hours to their billable targets? Yes. All fee earners wishing to undertake pro bono work are encouraged to do so and are given due recognition. Time spent on pro bono matters is included within lawyers’ financial performance relative to budget. In addition, contributions made to the pro bono practice are celebrated in the quarterly Hall & Wilcox Pro Bono Report.

Is pro bono work considered in performance reviews and when considering salary, bonuses or advancement? Yes. Fee earners at Hall & Wilcox are encouraged to become involved in pro bono work and are asked to provide details of any pro bono work undertaken on their performance review forms. Pro bono work is included within the analysis of the fee earner's financial performance which is also taken into consideration during performance reviews and when considering career advancement.

Is training provided for lawyers undertaking pro bono matters? Pro bono files are treated like any other files and the lawyers doing pro bono work receive the same high levels of supervision, training and mentoring from partners and senior lawyers. Pro bono specific training is also available through PILCH.
How is pro bono work encouraged within the firm? We recognise that having a pro bono practice of substance is personally and professionally enriching for willing contributors. We are serious about our commitment to our pro bono practice. We demonstrate this commitment by:

- including time spent on pro bono matters within lawyers’ financial performance relative to budget;
- celebrating great moments and outstanding efforts in our pro bono practice; and
- ensuring that pro bono clients’ work is a priority, rather than an afterthought.

Is there partner supervision for lawyers undertaking pro bono matters? Yes, always.

Does the firm offer secondments for lawyers to public interest bodies? No, but we are having discussions with PILCH about doing so in the future.

What costs and disbursements does the firm cover for pro bono work? In most cases, we cover all costs and most disbursements.

Summer clerk pro bono opportunities

Do summer clerks have the opportunity to undertake pro bono work? Yes, wherever possible.

What percentage of summer clerks undertook pro bono work in the past year? Approximately 50%.

Community service

What community service programs does the firm run? Hall & Wilcox is closely involved with goodcompany and provides it with free office space. Goodcompany connects skilled professionals with charitable organisations in need of pro bono assistance, matching those who’d like to help with those who need their skills. Our people are encouraged to get involved with goodcompany and many have.

We are currently examining opportunities to form partnerships with local schools, community legal centres and other community organisations.

Which community organisations is the firm involved with? Hall & Wilcox is involved with:

- PILCH;
- goodcompany;
- RecLink including the Choir of Hard Knocks;
- Prince Henry’s Institute; and
- Australian Huntington’s Disease Association.

While Hall & Wilcox also recognises the time it gives in supporting not-for-profit organisations is of great value, it also appreciates the monetary support required by these organisations in order to continue their work. As such, Hall & Wilcox supports a number of charities, including Cancer Council Australia and Berry Street Victoria.

Does the firm run a workplace giving program? No.

Does the firm have a charitable foundation? No.
Firm philosophy

Future direction for pro bono: We are committed to fostering and encouraging pro bono work and to developing a coordinated and meaningful pro bono practice, with recognition of time spent by fee earners on pro bono matters. We recognise there is a compelling unmet need for pro bono legal services in our community. We recognise and embrace the obligation we have as members of the legal profession to contribute to our community through pro bono work.

There are exciting times ahead for our pro bono practice. By the time this information is published we expect to have formed new partnerships with a community organisation and a community legal service provider. We know that when the tremendous energy and altruism of our people is given the firm’s support and resources, we can achieve great things.

“The Insider”

Iona Goodwin
Lawyer - Employment team

“I have been involved in several pro bono matters since I joined Hall & Wilcox in 2007. Being involved in this type of work is fulfilling and rewarding. The pro bono files Hall & Wilcox takes on involve good quality, interesting work. They are often quite challenging and involve complex legal issues. Hall & Wilcox has a strong commitment to pro bono work, and the firm shows its support in many ways, including ensuring that all the time we spend on a pro bono file is included in our financial contribution. We are also taught that pro bono clients are as important as any other client and that they are entitled to the same level of service.”
Harmers Workplace Lawyers

Sydney office location

Level 28
31 Market Street
Sydney NSW 2000
(02) 9267 4322

The people

Partners – 7
Lawyers (including paralegal staff) – 29
Support Staff – 29

Other office locations

Brisbane, Melbourne

Pro Bono contacts

Jenny Inness
National and Sydney Co-ordinator
(02) 9267 4322
jenny.inness@harmers.com.au

Pro Bono Philosophy

“Harmers considers that the legal profession has a moral and a social responsibility to provide what assistance it can to persons otherwise unable to access representation.”

SNAPSHOT

☐ Is a signatory to the National Pro Bono Aspirational Target
☐ Has a written pro bono policy
☐ Has a pro bono coordinator or committee
☐ Pro bono work counted towards lawyers’ billable hours
☐ Pro bono taken into account in performance appraisal
☐ Has a community service program
☐ Has a workplace giving program
☐ Has a charitable foundation

Employment contacts

Susan Murphy
National HR Manager
susan.murphy@harmers.com.au
Overview

Is the firm a signatory to the National Pro Bono Aspirational Target? No.

How does the firm take on pro bono work? Harmers receive most of their referrals from the Public Interest Law Clearing House (PILCH), the Law Society of NSW, other law firms and by word of mouth.

What are the firm’s criteria for taking on pro bono work? The firm undertakes pro bono work in the following circumstances:
- if the matter is in the public interest;
- if the matter has reasonable merits;
- if the client has insufficient financial resources;
- if the matter is unable to be readily conducted by other representatives at an affordable cost;
- if Harmers has available resources; and
- if the matter provides an opportunity for training.

What are the areas of law in which the firm has provided pro bono legal assistance over the last two years?
- employment advice, including advice on separation management;
- industrial relations, including advice on State and Federal industrial instruments and the question of whether clients are constitutional corporations;
- preparation of employment contracts;
- human rights, including discrimination and harassment in the workplace.

What are the types of pro bono work that the firm undertakes? Harmers carry out pro bono work in the following ways:
- lawyers from Harmers undertake volunteer work at Kingsford Legal Centre;
- lawyers from Harmers provide advice and representation to a variety of non-profit community organisations and individual clients on a pro bono basis.

Pro Bono Stats

What percentage of the firm’s lawyers participated in pro bono work over the last two years? 66%.

How many hours per lawyer were contributed to pro bono work over the last two years? 19 hours per lawyer.

What percentage of lawyers undertook over 20 hours of pro bono work last year? 30%.

Working Pro Bono

Does the firm allow lawyers to contribute pro bono hours to their billable targets? Yes.

Is pro bono work considered in performance reviews and when considering salary, bonuses or advancement? Yes. Pro bono work is taken into account during performance appraisals.

Is training provided for lawyers undertaking pro bono matters? Yes, training is provided as part of the firm’s induction sessions.

How is pro bono work encouraged within the firm? Lawyers at Harmers are encouraged to take part in pro bono work consistently with Harmers principles of undertaking worthwhile pursuits in furtherance of fairness in the workplace. Pro bono work is communicated to staff via induction sessions and regular reports from the Pro Bono Committee at team meetings.

Is there partner supervision for lawyers undertaking pro bono matters? Yes.

Does the firm offer secondments for lawyers to public interest bodies? Subject to capacity, secondment opportunities will be considered.

What costs and disbursements does the firm cover for pro bono work? As a general practice, Harmers does not cover internal or external disbursements when undertaking pro bono work, however this practice is assessed on a case by case basis.
Summer clerk pro bono opportunities

Do summer clerks have the opportunity to undertake pro bono work? Yes.

Firm philosophy

Future direction for pro bono: The provision of pro bono assistance is an important feature of Harmers ongoing guiding principles, which include achieving fair outcomes in the workplace for all. Harmers recognise that employment can give rise to cases of gross injustice and human rights abuse. Given the legal expertise and resources which Harmers can utilise, we are in a position to redress many cases of injustice which may be under-serviced by other legal representatives.

“The Insider”

Brad Buffoni
Solicitor

“Harmers is not only very supportive of staff wishing to work on pro bono matters but actively promotes us getting involved. There is a Pro Bono Committee in place who regularly meet to monitor work being done and to assist in allocation of matters referred from PILCH and also those who may approach our firm directly. I have been at Harmers since shortly after the firm’s inception and this has been the attitude since day one. Pro bono work has not only provided me with some of my more interesting legal experiences but some of my most personally fulfilling matters.

A particular matter that always stands out whenever someone asks me a question on not only pro bono work but why I practice law, is that of a very intelligent country woman (having won university prizes and awards) who (post the age of 30) had saddled up her two horses and gone riding through New South Wales and Queensland … for four years. On returning from the ride she worked in a small town for a company where she was given exemplary employment reviews, nominated as Best Employee of the Year, given pay increases and was a community spirited and committed person. During her annual leave she worked for a second company, with the permission of her first employer. Unfortunately, at the second job, she had a falling out with a major client of the first employer, who said he’d have her sacked form her first job, which subsequently did in fact occur. The first employer said she had been sacked for performance issues. However there had been no counselling or no warnings about any performance issues. She suffered hurt, humiliation, became depressed, required medication, could not face people from her town, and was suicidal. This matter became more interesting with issues of secret recordings and perjury, amongst other things.

We were successful in this case, and have since received letters and a video thanking us for saving her life. She says she is now a different person, back on her feet, holding her head up, enrolled in a computer course at Tech, and her health has vastly improved.

This work is rewarding in many ways.”
Henry Davis York

Sydney office location

44 Martin Place
Sydney NSW 2000
(02) 9947 6000

The people

Partners –50
Lawyers – 154
Support Staff – 78

Pro Bono contacts

Melanie Tully
Pro Bono Coordinator
(02) 9957 6129
melanie_tully@hdy.com.au

Kathy Merrick
Pro Bono Partner
(02) 9947 6129
kathy_merrick@hdy.com.au

Pro Bono Philosophy

“Community responsibility; opportunities for skill development.”

SNAPSHOT

☑ Is a signatory to the National Pro Bono Aspirational Target
☑ Has a written pro bono policy
☑ Has a pro bono coordinator or committee
☑ Pro bono work counted towards lawyers’ billable hours
☑ Pro bono taken into account in performance appraisal
☐ Has a community service program
☐ Has a workplace giving program
☐ Has a charitable foundation

Employment contacts

Jane Pickles
Human Resources Coordinator
(02) 9947 6400
Overview

Is the firm a signatory to the National Pro Bono Aspirational Target? Yes.

How does the firm take on pro bono work? Henry Davis York receives most of its pro bono work through referrals from the Public Interest Law Clearing House (PILCH) (NSW), referrals from staff members and direct requests from community organisations.

What are the firm’s criteria for taking on pro bono work? Henry Davis York generally takes on pro bono work where the matter:

- does not involve a conflict of interest;
- falls within Henry Davis York’s area of expertise;
- raises issues of broad public concern, or particularly impacts on disadvantaged or marginalised groups; or
- is one in which a client under a disadvantage would suffer serious consequences
- And where the client:
- cannot afford legal representation without experiencing financial hardship; or
- is a non profit organisation which works for the public good or for the benefit of members of the community who are disadvantaged or marginalised.

The firm is able to represent clients outside the Sydney area, subject to capacity.

What are the areas of law in which the firm provided pro bono legal assistance over the last two years? The firm does most of its pro bono work in the following areas:

- administrative issues;
- incorporation of associations;
- civil litigation;
- commercial/tax law;
- consumer/trade practices;
- defamation;
- discrimination;
- employment/industrial;
- environmental and planning;
- immigration; and
- privacy.

Which organisations did the firm provide pro bono assistance to over the last two years? Organisations include: Homeless Persons Legal Service, Homicide Victims Support Group, Jane McGrath Foundation, and Northern Rivers Community Legal Centre.

What are the types of pro bono work that the firm undertakes? Henry Davis York’s pro bono work comprises the provision of free and discounted legal advice, participation in programs such as the Homeless Persons Legal Service, Homicide Victims Support Group, Northern Rivers Cooperative Legal Services Delivery Program and advice sessions at community legal centres. Lawyers and staff from the firm also provide non-legal community support in the form of mentoring to high school students (Lawyers Encouraging and Assisting Promising Students) and a reading program to primary school students (Reach Out And Read).

What is an example of ongoing pro bono work that is undertaken by the firm? Henry Davis York is currently focusing on assistance to the Homicide Victims Support Group, which provides counselling and other services to families and friends affected by homicide. The partnership provides clients with access to pro bono legal services, particularly for those participating in coronial inquests, as well as assisting with a broader range of legal issues such as wills and compensation for family members. This partnership was awarded the Law and Justice Foundation’s National Pro Bono Partnership Award for 2007.
What are some of the firm’s pro bono highlights? Highlights over the previous year include: assisting an elderly volunteer to be reinstated as a member of an association; assisting with the incorporation of several not-for-profit groups; assisting a refugee applicant with a Court appeal which has allowed him to now obtain a protection visa; and assisting a homeless client obtain a grant under a will.

Pro Bono Stats

What percentage of the firm’s lawyers participated in pro bono work over the last two years? Pro bono work at Henry Davis York is voluntary, however, around 75% of lawyers across the firm performed pro bono work in the 2007/2008 year.

How many hours per lawyer were contributed to pro bono work over the last two years? Lawyers contributed an average of 50 hours per lawyer over the last two years.

What percentage of lawyers undertook over 20 hours of pro bono work last year? 38% of lawyers undertook over 20 hours of pro bono work in the last financial year.

What is the gender ratio for pro bono work undertaken? The gender divide of lawyers who undertake pro bono work is 59% for female lawyers and 41% for male lawyers.

Working Pro Bono

Does the firm allow lawyers to contribute pro bono hours to their billable targets? Yes. All lawyers who perform pro bono work receive credit against their billable hours’ budget.

Is pro bono work considered in performance reviews and when considering salary, bonuses or advancement? Yes. Henry Davis York has a separate section in the lawyers’ annual review process which specifically relates to pro bono work.

Is training provided for lawyers undertaking pro bono matters? Yes. Henry Davis York provides training to assist lawyers on matters which are outside the usual areas of expertise.

How is pro bono work encouraged within the firm? Pro bono work is encouraged and communicated to staff through the intranet, occasional briefings and on induction to the firm.

Is there partner supervision for lawyers undertaking pro bono matters? Lawyers are supervised by partners for each pro bono matter conducted at the firm.

Does the firm offer secondments for lawyers to public interest bodies? Yes. The firm has seconded a lawyer to PILCH (NSW).

What costs and disbursements does the firm cover for pro bono work? Henry Davis York will generally meet all costs and disbursements. However, where there is demonstrated capacity to pay, the firm may request payment for disbursements. Henry Davis York aims to recover costs from the opposing party in any litigious matters, therefore a costs agreement will be implemented when the client is first retained.

Summer clerk pro bono opportunities

Do summer clerks have the opportunity to undertake pro bono work? Yes.

What percentage of summer clerks undertook pro bono work in the past year? 50% of summer clerks undertook pro bono work in the last year.
Community service

What community service programs does the firm run? Henry Davis York does not have a formal, written community service policy.

Does the firm run a workplace giving program? No.

Does the firm have a charitable foundation? No.

Firm philosophy

“Community responsibility; opportunities for skill development.”

Future direction for pro bono: The firm is looking to increase its pro bono activities in the next 12 months by developing and participating in new projects for delivery of pro bono legal assistance.

“The Insider”

Haley McEwen
Solicitor

“I am the co-ordinator for HDY’s involvement in The Homeless Persons’ Legal Service (HPLS) …I help to manage the training and rosters for participating lawyers, to open and close client files, to review advices and to liaise with our partner law firm and the co-ordinating body of HPLS, the Public Interest Advocacy Centre.

I have been involved with pro bono work and HPLS in particular since I commenced as a graduate lawyer with the firm in 2004. Since that time, the team of lawyers involved in HPLS has increased significantly. From my experience, lawyers are increasingly keen to become involved in pro bono work and show a long-term commitment to specific pro bono activities.

HDY grants budgetary relief for all pro bono work and encourages those involved in pro bono matters to record all time as if it were billable and of the same priority as fee-paying clients. This approach enables individuals’ contributions to be acknowledged in work-flow management systems and annual reviews and significantly, emphasises the importance of performing pro bono work in a timely and professional manner.

H DY encourages firm-wide participation and supports individuals who are involved in bono matters. In return, the ongoing training, networking opportunities and exposure to a broader client base and issues than they ordinarily encounter with fee-paying clients greatly increases lawyers’ knowledge of social justice issues, experience in dealing with broader legal issues and potential to use individual cases to promote law reform and develop policy in certain areas.”

Fiona Everett
Senior Associate

“In late 2005, Henry Davis York Lawyers established a Pro Bono program with the Homicide Victims Support Group (HVSG). In August 2007, I took over as the co-ordinator of the HDY/HVSG program and prior to that, I was an active participant in the program.

The HVSG provides counselling and support services to individuals and families affected by the death of a loved one as a result of homicide. Our program was initially developed to provide for Pro Bono legal services to clients of the HVSG when preparing for, and appearing at, coronial inquests into the death of a loved one. However, the nature of the work has since extended to all areas of law including estate administration, providing information about the criminal justice system (including the appeal process and sentencing offenders), liaising with the New South Wales Police Service, deaths in custody and assisting clients with claims for victim compensation.
The fundamental premise of the program is to provide assistance to individuals and families who have been referred to us by the HVSG to obtain legal assistance which would otherwise not be an available resource without significant financial hardship. We have observed that many families have a very high level of commitment to discovering the cause and manner of the death of their loved one but often do not have available the necessary resources. There are also many other complex areas of law that can arise as a result of the sudden death of a person that can be terribly confusing and overwhelming to individuals and families that are still trying to come to terms with the loss.

The HDY/HVSG program has provided us with an opportunity to work with these families and individuals, together with the HVSG counsellors, to provide Pro Bono legal services to clients of the HVSG. We have also developed a panel of counsel who have expressed interest in participating in the program on a Pro Bono basis which will be of real assistance to the individuals and families referred to us by the HVSG.

To date, the program has allowed HDY to provide assistance to our clients with some very difficult issues, both legal and emotional. HDY encourages firm-wide participation and supports all individuals who are involved in the HDY/HVSG Pro Bono program.”
Holding Redlich

Office locations

Sydney
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Sydney NSW 2001
(02) 8083 0388

Brisbane
Level 1, 300 Queen Street
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Melbourne
350 William Street
Melbourne VIC 3000
(03) 9321 9999

The people

Partners – 48
Lawyers – 130
Support Staff – 155

Pro Bono contacts

Linda Rubinstein
National Pro Bono Manager
(03) 9321 9854
Linda.Rubinstein@holdingredlich.com.au

Pro Bono Philosophy

“It is our belief that law firms have a role in society which extends beyond providing legal services and generating fees. Through provision of pro bono legal services and other support we seek to contribute to the creation of a better, fairer society.”

SNAPSHOT

☐ Is a signatory to the National Pro Bono Aspirational Target

☒ Has a written pro bono policy

☒ Has a pro bono coordinator or committee

☐ Pro bono work counted towards lawyers’ billable hours

☐ Pro bono taken into account in performance appraisal

☐ Has a community service program

☒ Has a workplace giving program

☒ Has a charitable foundation

Employment contact

Helen Ayres
National Human Resources Manager
350 William Street
Melbourne VIC 3000
(03) 9321 9711
clerkships@holdingredlich.com.au

89
Overview

Is the firm a signatory to the National Pro Bono Aspirational Target? No, but Holding Redlich has allocated a specified percentage of the firm’s annual turnover to its pro bono or public interest work.

How does the firm take on pro bono work? Holding Redlich accepts referrals from the Public Interest Law Clearing House (PILCH) and from direct contacts.

What are the firm’s criteria for taking on pro bono work? The firm undertakes pro bono work in the following circumstances:

- for a client who would not otherwise have access to justice and whose case has legal merit;
- in matters which involve significant issues of public interest;
- for non profit organisations working to promote human rights, social justice and/or the arts; and
- only if the firm has the skills to ensure that the work is done to a high standard.

What are the areas of law in which the firm provided pro bono legal assistance over the last two years? Discrimination and employment law, credit disputes, media and entertainment law, intellectual property, property and leasing, and administrative law.

Which organisations did the firm provide pro bono assistance to over the last two years?

- Arts Law Centre
- People’s Inquiry into Detention
- Express Media
- Human Rights Arts and Film Festival
- Rockdale Community Services
- WAYS Youth Services
- Quest for Life Foundation
- GetUp
- Mymurra Pty Ltd
- DES Action
- Wiran Aboriginal Corporation
- Asylum Seekers Centre
- Reproductive Choice Australia
- Youth Off the Streets
- Great Community Transport Inc.
- IWDA
- La Mama Theatre
- Kids Under Cover
- North West Clans Aboriginal Corporation
- Amnesty International
- Fitzroy Legal Centre
- InfoXchange
- Radio 3CR
- Brisbane Youth Services
- Alola Foundation
- VicRelief+Foodbank
- Rawcus Theatre Company
- Kurdish Association of Victoria
- Bawingana Aboriginal Corporation
- DEAC
- Refugee and Immigration Legal Centre
- Victorian Aboriginal Child Care Agency
- Rainforest Rescue
What are the types of pro bono work that the firm undertakes? We advise community organisations in relation to contractual, IP, tax and employment issues. We also advise and represent individuals in a wide range of matters.

What is an example of ongoing pro bono work that is undertaken by the firm? Much of the work with the organisations listed above is ongoing. The firm also acts for individuals on a pro bono basis with most referrals coming from our ongoing relationship with PILCH in each state and with specialist and general community legal centres.

What are some of the firm’s pro bono highlights?
  • Representing Amnesty International in an amicus curiae intervention on human rights grounds in the trial of Jack Thomas on terrorism charges.
  • Assisting in securing the release and acceptance into Australia of Burmese refugees.
  • Recovering an elderly woman’s life savings lost through a property investment scheme in which she had been advised by an accountant not licensed to give this advice.
  • Conducting the legal review of the reports of the People’s Inquiry into Detention.

Pro Bono Stats
What percentage of the firm’s lawyers participated in pro bono work over the last two years? Around 70%.

Working Pro Bono
Does the firm allow lawyers to contribute pro bono hours to their billable targets? No.
Is pro bono work considered in performance reviews and when considering salary, bonuses or advancement? Pro bono work is recorded and is taken into account in lawyers’ performance reviews.
Is training provided for lawyers undertaking pro bono matters? Ongoing training is relevant to paid and pro bono work.
How is pro bono work encouraged within the firm? Pro bono opportunities are communicated to employees through a monthly email report, which provides updates on pro bono work currently being undertaken by the firm.
Is there partner supervision for lawyers undertaking pro bono matters? Yes.
Does the firm offer secondments for lawyers to public interest bodies? No.
What costs and disbursements does the firm cover for pro bono work? The firm covers unlimited internal disbursements. However, it does not cover external disbursements other than by specific agreement.

Community service
Does the firm run a workplace giving program? Yes.
Does the firm have a charitable foundation? The Holding Redlich Social Justice Fund is a sub-fund of the Melbourne Community Foundation. Staff contributions are matched by partners, with funds going to support projects in Melbourne, Sydney and Brisbane working to assist disadvantaged young people with education, training, employment, housing and health.
“The Insider”

Linda Rubinstein
National Pro Bono Manager

“For young lawyers, in particular, the experience of working with pro bono clients does a huge amount to broaden their horizons and give additional meaning to the skills which they acquire in commercial practice. We acted for the iconic LaMama Theatre in its purchase of the building it has occupied for 30 years, which meant we got really involved in the community campaign to raise the $1.7 million required – an unusual and exciting element of a property transaction.

Holding Redlich lawyers have the opportunity to work for a large number of community organisations and also to advise and represent individuals facing a range of difficulties: repossession of houses purchased on predatory credit terms; deportation from Australia; discrimination in the workplace or in the community; denial of human rights under terrorism legislation.

The largest matter in 2008 was our cases on behalf of the Bawinanga Aboriginal Corporation and two traditional land owners in a constitutional challenge to the Government’s intervention into NT Indigenous communities. A large number of lawyers from different departments worked on this, with one graduate accompanying a partner to Maningrida to consult with the clients and three young lawyers attending the High Court hearings in Canberra.”
Hunt & Hunt

Head office location
Level 13, Gateway
1 Macquarie Place
Circular Quay NSW 2000
(02) 9391 3000

The people
Partners – 55
Lawyers – 89
Support Staff – 200

Other office locations
Melbourne, Brisbane, Adelaide, Perth, Hobart,
Darwin, Newcastle, Eastwood

Pro Bono contacts
John Kell
Partner
National and Sydney Office Co-ordinator
(02) 9391 3163
jkell@hunthunt.com.au

Pro Bono Philosophy
“Hunt & Hunt has a long history of providing
pro bono assistance to disadvantaged or
marginalised individuals and the community
and not-for-profit organisations that support
them. We actively encourage our lawyers to
engage in pro bono work. ”

SNAPSHOT

☐ Is a signatory to the National Pro Bono
Aspirational Target

☑ Has a written pro bono policy

☑ Has a pro bono coordinator or committee

☐ Pro bono work counted towards lawyers’
billable hours

☑ Pro bono taken into account in performance
appraisal

☑ Has a community service program

☐ Has a workplace giving program

☑ Has a charitable foundation

Employment contacts
human_resources@hunthunt.com.au
Overview

Is the firm a signatory to the National Pro Bono Aspirational Target? No.

How does the firm take on pro bono work? Hunt & Hunt receives most of their referrals from an established network of contacts and clients.

What are the firm’s criteria for taking on pro bono work? The firm undertakes pro bono work in the following circumstances:
- where the matter satisfies the firm’s definition of a pro bono matter;
- where it has the appropriate skills and capacity to undertake the matter – and to see it through to its conclusion;
- where there is no other appropriate avenue of assistance available to the individual or organisation in need; and
- if there is no conflict of interest.

What are the areas of law in which the firm provided pro bono legal assistance over the last two years? Commercial; Property; Insurance.

Which organisations did the firm provide pro bono assistance to over the last two years? Hunt & Hunt carries out pro bono work for:
- community legal centres
- non profit organisations
- individuals on a case-by-case basis; and
- Indigenous groups.

What are the types of pro bono work that the firm undertakes? Hunt & Hunt’s current pro bono activities include acting for disability discrimination complainants and board representation for not-for-profit organisations.

What is an example of ongoing pro bono work that is undertaken by the firm? Each of Hunt & Hunt’s nine offices has associations with local community legal centres and some offices are members of the Public Interest Law Clearing House (PILCH).

What are some of the firm’s pro bono highlights? Hunt & Hunt has acted for 7 years in the Heather Osland case. In August 2008 The High Court held by a majority of 5 to 1 that Heather Osland had been denied natural justice by the Court of Appeal. The issues before the High Court were:

1. Had the government waived legal professional privilege in a document known as “the joint advice” when it released a press statement disclosing the conclusions of the joint advice; and
2. Had the Court of Appeal denied Heather natural justice by deciding that there was no public interest in releasing the joint advice without even reading it.

The High Court decided that privilege had not been waived but the Court of Appeal should have reviewed the joint advice before deciding whether it should be released under the Freedom of Information Act.

The result of the decision is that Nieva and Heather will be heading back to the Court of Appeal. The Government was ordered to pay Hunt & Hunt’s costs of the High Court appeal.

Pro Bono Stats

What percentage of the firm’s lawyers participated in pro bono work over the last two years? At any moment, approximately 5% of Hunt & Hunt’s lawyers are engaged in pro bono work. Hunt & Hunt does not target its pro bono work at any groups in a strategic way. Rather, they respond to the needs of individuals and groups on a case-by-case basis, and offer their services when they have the resources necessary to respond.
Working Pro Bono

Does the firm allow lawyers to contribute pro bono hours to their billable targets? No.

Is pro bono work considered in performance reviews and when considering salary, bonuses or advancement? Yes.

Is training provided for lawyers undertaking pro bono matters? We would not undertake pro bono matters where the necessary skills did not already exist.

How is pro bono work encouraged within the firm? Hunt & Hunt encourages pro bono work amongst its lawyers by monitoring the interest of staff members in pro bono work. When they have expressed a desire to become involved in pro bono activities, the firm will assess how the staff member can best become involved. The firm promotes its pro bono activities internally, primarily via the firm’s intranet.

Is there partner supervision for lawyers undertaking pro bono matters? Yes, always.

Does the firm offer secondments for lawyers to public interest bodies? Not at this stage but we would consider it at a relevant time.

What costs and disbursements does the firm cover for pro bono work? The firm does not cover internal or external disbursements for pro bono matters.

Summer clerk pro bono opportunities

Hunt & Hunt do not have a Summer clerk program.

Community service

What community service programs does the firm run? While Hunt & Hunt does not have a formal community service policy, the firm is currently involved in several community service initiatives particularly in the areas of education and welfare. For instance, in 2007, through Victor Kelly (Partner), Hunt & Hunt was named Honorary Lawyers to Clean Up Australia, the nation’s largest community-based environmental event. Similarly, Catherine Logan (Partner) is the Company Secretary of the Financial Markets Foundation for Children, a benevolent institution that provides grants for medical research into children’s health issues.

Which community organisations is the firm involved with? Clean Up Australia and Financial Markets Foundation for Children.

Does the firm run a workplace giving program? No.

Does the firm have a charitable foundation? Yes.

Firm philosophy

“Hunt & Hunt has a long history of providing pro bono assistance to disadvantaged or marginalised individuals and the community and not-for-profit organisations that support them. We actively encourage our lawyers to engage in pro bono work.”

Future direction for pro bono: The firm’s Executive is reviewing the implementation of our Pro bono policy. This Policy will formalise and centralise many pro bono activities in the firm.
“The Insider”

John Sinisgalli
The Long Walk Trust

John Sinisgalli, a partner at Hunt & Hunt, has acted as pro bono legal adviser to the Long Walk Trust, providing legal advice on a range of issues - establishing the Trust, corporate structure, partnership arrangements, employment and IP advice, and assisting with tax deductibility status.

The Long Walk is a charity inspired by former AFL great and Aboriginal activist Michael Long’s walk to Canberra in 2004. Over the past four years, The Long Walk has highlighted issues that are important to Indigenous Australians through an event for people of all ages, values, beliefs, religions and cultures.

I find the pro bono work I have done for The Long Walk and for other charities very satisfying and rewarding as it is an opportunity to contribute knowledge and skills to a worthwhile cause. It’s interesting work and I have met some truly inspiring and committed people during my involvement with this charity. I recommend that all lawyers do what they can to assist where possible.
HWL Ebsworth

Head office location
Level 14, Australia Square
264 - 278 George Street
Sydney NSW 2000
(02) 9334 8555

The people
Partners – 98
Lawyers – 214
Support Staff – 204

Other office locations
Brisbane, Melbourne, Norwest

Pro Bono contacts
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Employment contacts
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Pro Bono Philosophy
“HWL Ebsworth’s pro bono program focuses on assisting the most marginalised and disadvantaged members of our community. We have always had a commitment to acting with integrity and being a good corporate citizen. We recognise that one of the most valuable contributions a law firm can make to the community is the provision of high quality pro bono legal assistance.”

SNAPSHOT
☐ Is a signatory to the National Pro Bono Aspirational Target
☑ Has a written pro bono policy
☑ Has a pro bono coordinator or committee
☐ Pro bono work counted towards lawyers’ billable hours
☑ Pro bono taken into account in performance appraisal
☑ Has a community service program
☐ Has a workplace giving program
☐ Has a charitable foundation
Overview

Is the firm a signatory to the National Pro Bono Aspirational Target? No.

How does the firm take on pro bono work? Referrals from CLCs, Legal Aid, Public Interest Law Clearing House (PILCH) and the like as well as direct referral from individuals and organisations.

What are the firm’s criteria for taking on pro bono work? Subject to conflict and capacity, HWL Ebsworth provides pro bono assistance to marginalised or disadvantaged people who cannot afford legal services, non-profit organisations working on behalf of these groups, and in matters of broad public concern. The firm does not have a strict means test but does assess a potential client’s financial circumstances.

What are the areas of law in which the firm provided pro bono legal assistance over the last two years? The pro bono work undertaken by lawyers of the firm has covered a wide range of areas, including fines and debts, unfair contracts, employment, consumer credit, and corporate and tax advice for not-for-profit organisations.

Which organisations did the firm provide pro bono assistance to over the last two years? HWL Ebsworth lawyers have provided legal assistance in a variety of areas for both individuals and organisation. The firm also takes part in a number of projects including:

- Homeless Persons Legal Service;
- Predatory Lending Project, which assists people at risk of losing their homes because of loans from sub-prime lenders; and
- Stolen Wages project, which assists indigenous clients recover unpaid wages and benefits held by the Aboriginal Welfare Board.

What are the types of pro bono work that the firm undertakes? HWL Ebsworth offers pro bono legal assistance at no cost or at a substantially reduced fee. It provides most of the assistance in-house.

What is an example of ongoing pro bono work that is undertaken by the firm? As part of the Homeless Persons Legal Service we provide advice at a drop-in centre called The Station Ltd, which is located near Wynyard train station in Sydney.

Working Pro Bono

Does the firm allow lawyers to contribute pro bono hours to their billable targets? Not directly, but pro bono hours are recorded and taken into account when assessing a lawyer’s financial performance.

Is pro bono work considered in performance reviews and when considering salary, bonuses or advancement? Participation in pro bono work is considered as part of performance reviews.

Is training provided for lawyers undertaking pro bono matters? Lawyers are encouraged to attend training for pro bono projects in areas of law outside their usual practice.

How is pro bono work encouraged within the firm? All lawyers are encouraged to participate in the program through internal promotion of pro bono activities and opportunities.

Is there partner supervision for lawyers undertaking pro bono matters? Yes.

Does the firm offer secondments for lawyers to public interest bodies? No.

What costs and disbursements does the firm cover for pro bono work? HWL Ebsworth assesses the client’s ability to pay third party disbursements. In appropriate cases the firm will pay for disbursements on behalf of individuals. HWL Ebsworth usually requires institutional pro bono clients to pay third party disbursements.

The firm enters into contingency fee agreements with many of its pro bono clients in litigious matters. This means it charges pro bono clients the amount they can recover from the other party, but only if they are successful in the litigation.
Community service
What community service programs does the firm run? HWL Ebsworth participates in the Law Firms Encouraging and Assisting Promising Students (LEAPS) program, which aims to increase students’ engagement in learning, break down stereotypes and broaden students’ experiences. This is achieved through “shadowing” a mentoring staff member at work, interactive group sessions and team-building excursions.
Which community organisations is the firm involved with? The Cancer Council, The Movember Foundation, Children’s Medical Research Foundation, Australian Lung Foundation, Adults Surviving Child Abuse (ASCA).
Does the firm run a workplace giving program? No.
Does the firm have a charitable foundation? No.
Firm philosophy
“HWL Ebsworth’s pro bono program focuses on assisting the most marginalised and disadvantaged members of our community. We have always had a commitment to acting with integrity and being a good corporate citizen. We recognise that one of the most valuable contributions a law firm can make to the community is the provision of high quality pro bono legal assistance.”
Future direction for pro bono: HWL Ebsworth aims to consolidate and strengthen the existing pro bono program across all its offices and involve a wider range of lawyers in pro bono work.
Lander & Rogers

Head office location
Level 12, Bourke Place
600 Bourke Street
Melbourne VIC 3000
(03) 9672 9111

The people
Partners – 43
Lawyers – 90
Support Staff – 142

Other office locations
Sydney

Pro Bono contacts
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Pro Bono Co-ordinator
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Employment contacts
Jorja Hicks
HR Advisor
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jhicks@landers.com.au

Pro Bono Philosophy
“We believe our privileged professional standing confers a responsibility and strong desire to contribute to the betterment of the community. We are committed to developing a culture and business which supports the undertaking of pro bono work and other similar initiatives in the community.”

SNAPSHOT
☑ Is a signatory to the National Pro Bono Aspirational Target
☑ Has a written pro bono policy
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☐ Has a charitable foundation
Overview

Is the firm a signatory to the National Pro Bono Aspirational Target? No.

How does the firm take on pro bono work? The firm’s pro bono work is referred from the Public Interest Law Clearing House (PILCH), the Human Rights Law Resource Centre (HRLRC), Community Legal Centres or directly from organisations and individuals.

What are the firm’s criteria for taking on pro bono work? Our firm is interested in matters of access to justice, social inclusion as well as working with our community. For this reason we have identified the areas where we can prioritise our contribution as being with individuals or organisations whose work focuses on (i) indigenous Australians, (ii) Human Rights (iii) the marginalised whether due to homelessness, socio-economic considerations or mental illness. We also determine our work by consideration of questions of public interest and access to justice, individuals without means to access legal advice in line with our Pro Bono Policy.

What are the areas of law in which the firm provided pro bono legal assistance over the last two years?

- litigation
- property law
- employment and workplace advice
- family law
- Human Rights Charter work
- corporate and commercial advice
- Sentencing Act and Victims of Crime compensation
- secondments

Which organisations did the firm provide pro bono assistance to over the last two years?

- Community Legal Centres
- Neighbourhood Houses
- International humanitarian aid organisations
- Housing organisations
- Not for profit organisations concerned with: social justice or promoting social change; indigenous and family violence protection; homelessness; refugees; people in crisis; people working to protect the environment and representing death row prisoners.

What are the types of pro bono work that the firm undertakes?

- Litigious work
- Leasing and commercial property
- Commercial work – trademark/intellectual property, contractual work, fundraising and sponsorship advice, privacy issues; DGR status and corporate governance advice
- Administrative appeals
- Family
- Workplace relations and employment advice – unfair dismissal, discrimination, reviewing policies and procedures, Occupational Health & Safety
- Policy submissions and reports to Government and Senate Committees
- Sentencing Act and Victims of Crime compensation

What is an example of ongoing pro bono work that is undertaken by the firm? We have a number of ongoing pro bono commitments which enable lawyers to form close relationships with pro bono partners. In Sydney: once a month we attend Redfern Legal Centre for a ½ day assisting clients of the Centre. In Melbourne: we are participating in a monthly Seniors Rights Victoria Outreach legal clinic based in the Western suburbs advising the elderly of their legal rights. We are also participating in a monthly advocacy project run by the Mental Health Legal Centre.

What are some of the firm’s pro bono highlights? Highlights of our program include making a difference to our clients, building strong relationships with them and getting to know the work they perform in our
PRO BONO PRACTICES GUIDE

community through secondments, voluntary work and legal work. In the last year we have particularly enjoyed deepening our relationship with the Human Rights Law Resource Centre initially by way of two secondments and since these also through referral work. Our work has led to us contributing to high level human rights discourse through submissions to Senate Committees, attendance of a volunteer solicitor in Geneva at the 42nd Session of the UN CESCR, reporting with the HRLRC delegation and has also seen a positive outcome in a discrimination matter which has made a real difference to the lives of children with autism in our community.

Pro Bono Stats
What percentage of the firm’s lawyers participated in pro bono work over the last two years? 61%.
How many hours per lawyer were contributed to pro bono work over the last two years? 31.1 hours.
What percentage of lawyers undertook over 20 hours of pro bono work last year? 23% - of these 58% were female and 42% male.
What is the gender ratio for pro bono work undertaken? 51% male, 49% female.

Working Pro Bono
Does the firm allow lawyers to contribute pro bono hours to their billable targets? Yes. All our pro bono work is the same as billable work and therefore contributes directly to billable targets.
Is pro bono work considered in performance reviews and when considering salary, bonuses or advancement? Yes.
Is training provided for lawyers undertaking pro bono matters? Training is provided in specific areas for example volunteer legal work, otherwise the pro bono work we do is work at which we are already skilled.
How is pro bono work encouraged within the firm? The firm considers pro bono work to be an important part of a lawyer’s professional life and encourages lawyers to take on pro bono work. Each lawyer is briefed on the pro bono program during their welcome to the firm. Each practice group has a pro bono budget which forms part of its financial targets. On a weekly basis pro bono activities, achievements and opportunities to participate are highlighted on the intranet, by email newsletter and by email. Recognition of outstanding contributions to pro bono work at the firm is provided through an annual pro bono award.
Is there partner supervision for lawyers undertaking pro bono matters? Yes.
Does the firm offer secondments for lawyers to public interest bodies? Yes.
What costs and disbursements does the firm cover for pro bono work? The firm provides all professional services free, we do not ordinarily pay for disbursements although this position is reviewed when it is considered to be contrary to the interests of justice not to do so.

Summer clerk pro bono opportunities
Do summer clerks have the opportunity to undertake pro bono work? Yes. Summer clerks may participate in our pro bono work and have done research work and or assisted with legal work in the past.
What percentage of summer clerks undertook pro bono work in the past year? All were given a research task to complete as part of their clerkship which was used by us to provide a report to a pro bono client.

Community service
What community service programs does the firm run? In Melbourne we participate in the Brotherhood St Laurence’s Breakfast Club each Tuesday morning during the school term. We also are involved with the Sacred Heart Mission, in particular sourcing and packing Christmas Hampers for its clients. In the last 2 years the firm has contributed over 600 hampers. In Sydney we pack and deliver Christmas Hampers for Josephite Community Aid. The firm welcomes staff engagement and encourages staff to contribute and
involve themselves in community organisations where possible. This includes providing rooms for meetings of community organisations and opportunities for fundraising.

**Which community organisations is the firm involved with?** Brotherhood St Laurence, Sacred Heart Mission, Reclink, Community Legal Centres, Josephite Community Aid.

**Does the firm run a workplace giving program?** Yes.

**Does the firm have a charitable foundation?** No.

**Firm philosophy**

“We believe our privileged professional standing confers a responsibility and strong desire to contribute to the betterment of the community. We are committed to developing a culture and business which supports the undertaking of pro bono work and other similar initiatives in the community.”

**Future direction for pro bono:** We are looking to expand our pro bono practice in our Sydney office and continue to build and sustain meaningful pro bono contributions firm wide.

**“The Insider”**

**Megan Fitzgerald**

Lawyer, General Insurance Melbourne

“Since my articles at Lander & Rogers I have been fortunate to have been involved in a wide range of pro bono work. During the interviewing process for articles I discussed my voluntary work, acting for victims of sexual assault at a suburban CLC, and was told that the firm would be happy to support my continued involvement in that work. The firm supported me leaving early on Monday afternoons to attend at the CLC and also allowed me to undertake file work during business hours. When I decided that I was no longer able to attend the CLC, the firm allowed me to continue acting for a number of my clients, and provided supervision of those matters. Several of those files remain active today.

I also work on a number of pro bono files that have been referred to me while at Landers. The pro bono work that I do provides variety to my practice, allows me to develop broader legal skills and provides a sense of satisfaction that I am using my privileged position, education and skills to assist people who would not otherwise be able to access legal assistance.

I have also been a member of the Pro Bono Committee since starting at the firm, and have found great joy in my involvement with Committee initiatives like the Breakfast Club, which is run by the Brotherhood of St Laurence. Each Tuesday morning, Landers sends volunteers to Fitzroy to help serve breakfast to kids living in and around the Gertrude Street Housing Commission apartments. While the kids get the benefit of a healthy breakfast, a bit of help with their homework or a run around the basketball court with some unfit, uncoordinated lawyers, we get to break out of our corporate gear and experience the sort of joy that can only come from spilling pancake batter, learning to colour inside the lines or battling six year olds in hard fought Connect Four tournaments.

Pro bono at Landers is varied and there is scope to be involved in a range of ways. The Committee runs regular learning and development sessions which provide opportunities to those of us involved in community organisations to introduce the work we do to the firm and recruit the support of other like-minded colleagues. Support for the work we do comes from the top of the firm, both in a practical and budgetary sense. My experience of pro bono work at Landers has been enormously positive and I believe it has benefitted me far more than any benefit my pro bono clients have received.”
Mallesons Stephen Jaques

Head office location
Level 61, Governor Phillip Tower
1 Farrer Place
Sydney NSW 2001
(02) 9296 2000

The people
Partners – 200
Lawyers – 1025

Other office locations
Brisbane, Canberra, Melbourne, Perth

Pro Bono contacts
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Employment contacts
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Head of Resourcing, Remuneration & Benefits
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Rebecca.perry@mallesons.com

Pro Bono Philosophy
“Providing pro bono legal advice to disadvantaged individuals, charities and not for profit organisations is at the heart of the Mallesons in the Community program. But the support goes further, it is multi level using the skills of lawyers and non-lawyers. Mallesons donate money and volunteer with charities and not for profit organisations.”

SNAPSHOT
- Is a signatory to the National Pro Bono Aspirational Target
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- Has a community service program
- Has a workplace giving program
- Has a charitable foundation
Overview

Is the firm a signatory to the National Pro Bono Aspirational Target? No.

How does the firm take on pro bono work? Mallesons Stephen Jaques (Mallesons) receive most of their pro bono work through direct requests from community legal centres, direct requests from the public and referrals from staff members.

What are the firm’s criteria for taking on pro bono work? The firm undertakes pro bono work for:
- people who are disadvantaged or marginalised who cannot access legal aid;
- organisations assisting people who are disadvantaged or marginalised; and
- the public good on matters for children and the youth.

What are the areas of law in which the firm provided pro bono legal assistance over the last two years? Mallesons’ Sydney office has a particular focus on issues affecting:
- children, the youth and disadvantaged individuals;
- non profit organisations that assist the needy and disadvantaged; and
- matters of public interest that affect a significant number of people.

The firm does most of its pro bono work in the following areas:
- youth related legal issues such as adoption, housing, crime and family law;
- debt and social security; and
- victim compensation.

Which organisations did the firm provide pro bono assistance to over the last two years? National Children’s and Youth Law Centre, Australian Red Cross, AIDS Trust, Department of Community Services Early Intervention Program, Sydney Downing Centre Duty Solicitor Scheme, and Ted Noffs Foundation.

What are the types of pro bono work that the firm undertakes?
- legal representation in court cases;
- support for the National Children’s & Youth Law Centre, including rotating 3 month secondments.
- free legal advice to not-for-profit organisations such as the Australian Red Cross and the AIDS Trust.
- free legal assistance in regard to complex tendering processes for the Department of Community Services Early Prevention Program.
- participation in the Sydney Downing Centre Duty Solicitor Scheme providing legal advice, referrals and representation to those who are unrepresented.
- partnership with the Ted Noffs Foundation to provide a free legal service for 14 to 21 year olds in Sydney.

What are some examples of ongoing pro bono work that is undertaken by the firm? Key pro bono projects currently undertaken by the firm are:
- ASK! A legal service for Youth in the Randwick and Parramatta areas;
- secondments to the National Children’s & Youth Law Centre; and
- legal representation for two Barnardo’s cases in the NSW Supreme Court.

What are some of the firm’s pro bono highlights? The National Children’s and Youth Law Centre (NCYLC) is one of Mallesons’ key pro bono partners.

In order to provide young people with relevant legal data, the NCYLC publishes information on its Lawstuff website, and also provides guidance to users on their individual legal queries through its Lawmail program. Users’ questions are distributed to participating lawyers in the NCYLC’s Cyber Volunteering Program, who read and respond to enquiries via the internet.

Mallesons has not only helped the NCYLC to promote its Cyber Project, but has also assisted the centre in expanding the project itself, with the past year seeing the Cyber Project being extended to all Mallesons offices Australia-wide. This is not only the firm’s first national project undertaken with a community legal centre, but also involves our partnering with a number of clients, such as Telstra and the Australian National
University.

Mallesons’ involvement in the Cyber Volunteering Program has been a great success. To date the 76 participating solicitors have responded to almost 400 legal queries, providing information and advice regarding a diverse range of legal issues including family law, violence, employment law and police powers. Volunteers are asked a range of questions including: “Can the law force me back if I run away from home?” or “Do I have the right to choose which parent I will live with when my mum gets remarried?” The responses provide the guidance that young people who are eager to have a say in what happens in their lives so desperately need.

Pro Bono Stats

What percentage of the firm’s lawyers participated in pro bono work over the last two years? In 2006 over 62% of the firm’s lawyers volunteered their time towards approximately 350 pro bono cases.

Working Pro Bono

Does the firm allow lawyers to contribute pro bono hours to their billable targets? Pro bono work is part of the firm’s lawyers’ professional responsibility. Pro bono work is supervised and credited in the same way as commercial matters, meaning that pro bono work is counted as part of lawyers’ billable or target hours.

Is pro bono work considered in performance reviews and when considering salary, bonuses or advancement? Yes.

How is pro bono work encouraged within the firm? Pro bono work is encouraged as part of a lawyers’ professional responsibility.

Is there partner supervision for lawyers undertaking pro bono matters? Yes. Pro bono work is supervised in the same way as commercial matters.

Does the firm offer secondments for lawyers to public interest bodies? Yes.

What costs and disbursements does the firm cover for pro bono work? Internal disbursements are not charged in pro bono matters. External disbursements are to be met by the client. However, Mallesons will assist in identifying a barrister who will act pro bono or on a Legal Aid grant.

Community Service

What community service programs does the firm run? As a firm Mallesons has defined its specific charitable targets as being to:

- help alleviate poverty and improve community welfare
- help children and young people at risk.

Their community program is underpinned by partnerships with not-for-profit organisations that have initiatives in these areas. Australia-wide their community partners are the Australian Red Cross and The Smith Family.

Their state specific community partners are: Abused Child Trust, Barnardos Australia, Melbourne Affordable Housing, National Children’s & Youth Law Centre, Ted Noffs Foundation, Urban Seed.

Mallesons has a formal Volunteering and Charitable Donations Policy as part of its “Mallesons in the Community” initiative.

Which community organisations is the firm involved with? Nearly 600 of the firm’s staff volunteer in their own time to such organisations as CARE’s Clean Water for School’s Project, Telecross and the Australian Business and Community Network.

Does the firm run a workplace giving program? Yes. In 2006 the firm donated $703,000 to 37 charities and community organisations through its Workplace Giving program.

Does the firm have a charitable foundation? No, but Mallesons has an annual grants program that provides additional financial support to charitable projects or causes.
Firm philosophy

“Providing pro bono legal advice to disadvantaged individuals, charities and not for profit organisations is at the heart of the Mallesons in the Community program. But the support goes further, it is multi level using the skills of lawyers and non-lawyers. Mallesons donate money and volunteer with charities and not for profit organisations.”
Maurice Blackburn

Head office location
Level 10 456 Lonsdale Street
Melbourne VIC 3000
(02) 96052700

The people
Partners – 25
Lawyers – 114
Support Staff – 265

Other office locations
Sydney, Parramatta, Newcastle, Wollongong,
Dandenong, Geelong, Reservoir, Ringwood,
Sunshine, Traralgon, Canberra, Brisbane, Cairns,
Gold Coast, Sunshine Coast, Rockhampton,
Browns Plains, Southport, Strathpine

Pro Bono contacts
Anne Gooley
Principal
National Co-ordinator
(03) 9605 2730
agooley@mauriceblackburn.com.au

Ben Slade
Managing Principal NSW
Sydney Office Co-ordinator
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bslade@mauriceblackburn.com.au

Employment contacts
Claire Brown
Human Resource Manager
(03) 9605 2799
cbrown@mauriceblackburn.com.au

Pro Bono Philosophy
“The firm’s philosophy and approach is one of constant evolution in that, we continue to expand our corporate and social responsibility programs by developing policy and projects that not only enable the contribution of our lawyers specific legal expertise but which also allows staff direct involvement in worthy community organisations.”

SNAPSHOT
- Is a signatory to the National Pro Bono Aspirational Target
- Has a written pro bono policy
- Has a pro bono coordinator or committee
- Pro bono work counted towards lawyers’ billable hours
- Pro bono taken into account in performance appraisal
- Has a community service program
- Has a workplace giving program
- Has a charitable foundation
Overview

Is the firm a signatory to the National Pro Bono Aspirational Target? No.

How does the firm take on pro bono work? Maurice Blackburn receives most of its pro bono work through referrals from barristers, referrals from staff members and direct requests from community organisations.

What are the firm’s criteria for taking on pro bono work? Cases will be selected on the basis that they:

• seek to further a particular public good;
• correct a perceived injustice; or
• otherwise address issues which are of broad community concern.

What are the areas of law in which the firm provided pro bono legal assistance over the last two years? Maurice Blackburn’s pro bono efforts target human rights groups, environment and consumer organisations. The firm does most of its pro bono work in the following areas:

• administrative;
• consumer/trade practices;
• discrimination;
• employment/industrial; and
• tort/negligence.

Which organisations did the firm provide pro bono assistance to over the last two years? Aidwatch.

What are the types of pro bono work that the firm undertakes? Maurice Blackburn carries out pro bono work through:

• the provision of free or discounted legal advice to persons or groups who do not qualify for legal aid and cannot afford legal assistance;
• participation in law reform projects and community legal education; and
• participation in advice nights at community legal centres.

What is an example of ongoing pro bono work that is undertaken by the firm? The firms’ key pro bono projects are:

• conducting public interest litigation on behalf of refugees;
• defending an unlawfully detained Australian resident and persons with adverse security assessments; and
• acting for environmental and consumer organisations.

What are some of the firm’s pro bono highlights?

• Assisting two detainees obtain compensation for their treatment in detention.
• Acting for Aidwatch in overturning the decision of the Taxation Office to deny Aidwatch charity status. (This decision is subject to appeal)

Working Pro Bono

Does the firm allow lawyers to contribute pro bono hours to their billable targets? Yes.

Is pro bono work considered in performance reviews and when considering salary, bonuses or advancement? Yes.

Is training provided for lawyers undertaking pro bono matters? Yes, informally.

How is pro bono work encouraged within the firm? Maurice Blackburn encourages pro bono work by counting it as part of the lawyers’ billable or target hours. By appointing a Principal to head its public interest litigation practice we send a message to our staff and clients that this work is valued by the firm. Pro bono opportunities are communicated to employees through the firm’s staff bulletins and will be placed on our web site.

Is there partner supervision for lawyers undertaking pro bono matters? Yes.

Does the firm offer secondments for lawyers to public interest bodies? No.
What costs and disbursements does the firm cover for pro bono work? Maurice Blackburn undertakes this work for no cost or reduced cost to the client. Where a matter is litigious the firm will enter into a conditional costs agreement with the client so that the firm can recover costs if the proceedings are successful. Barristers who are engaged to perform work will be engaged on the same terms. Maurice Blackburn will generally bear the costs of disbursements.

Summer clerk pro bono opportunities
Do summer clerks have the opportunity to undertake pro bono work? Yes.

Community service
What community service programs does the firm run? Maurice Blackburn has a community service program called the Corporate Social Responsibility Program. This program encompasses developing policy and projects for direct Maurice Blackburn involvement in worthy organisations as part of our commitment to local communities.

Maurice Blackburn believes that being involved in community projects around the country is a great way to demonstrate the firm’s community spirit and how we can make a sustainable difference to people who are disadvantaged.

Which community organisations is the firm involved with? Hanover, Australian Multicultural Educational Services, Australian Childhood Foundation (Victoria), Young People In Nursing Homes National Alliance, (NSW), Refugee Claimant Support Centre (Queensland).

Does the firm run a workplace giving program? Maurice Blackburn offers staff the opportunity to volunteer, undertake pro bono work and participate in community and fundraising events. This also involves donating time and goods.

Does the firm have a charitable foundation? No.

Firm philosophy
Future direction for pro bono: Maurice Blackburn is looking to increase its public interest litigation over the next 12 months.
“The Insider”

Anne Gooley
Public Interest Litigation Principal

“Maurice Blackburn has a long history of providing pro bono assistance and involvement in worthy community organisations as part of our commitment to local communities. Focus groups were conducted to gain an understanding of what community activities we believed were worthy of official Maurice Blackburn involvement. As a result, a number of our offices have chosen their charitable organisations. By way of example, the Melbourne office chose the Hanover Welfare Group for its corporate social responsibilities program. Hanover provides accommodation and support for the homeless and those in need of crisis accommodation.

The firm and staff have found this experience to be fulfilling and rewarding as well as humbling. In fact our experience in no small way has contributed to the firm’s philosophy and policy formulation, by refining and expanding our social and community involvement. Staff involvement is constantly recognised on the firm’s intranet and in the CEO Newsletter.

The firm’s philosophy and approach is one of constant evolution in that, we continue to expand our corporate and social responsibility programs by developing policy and projects that not only enable the contribution of our lawyers specific legal expertise but which also allows staff direct involvement in worthy community organisations.”
McCabe Terrill Lawyers

Head Office Location

Level 14
130 Elizabeth Street
Sydney NSW 2000

The people

Partners – 11
Lawyers – 42
Support Staff – 29

Other office locations

Melbourne

Pro Bono contacts

Michael Taylor
(02) 9265 3219

Terry McCabe
(02) 9265 3202

Employment contacts

Patricia Hughes
(02) 9265 3296

Pro Bono Philosophy

“McCabe Terrill Lawyers is committed to an active pro bono program. Its activities are not limited to the provision of legal services, but aims to contribute to the community and direct our services where they are most needed. All staff at McCabe Terrill are encouraged to become involved in pro bono activities and lawyers are offered the opportunity to participate in the provision of free legal services.”

SNAPSHOT

☐ Is a signatory to the National Pro Bono Aspirational Target

☐ Has a written pro bono policy

☑ Has a pro bono coordinator or committee

☑ Pro bono work counted towards lawyers’ billable hours

☑ Pro bono taken into account in performance appraisal

☑ Has a community service program

☐ Has a workplace giving program

☐ Has a charitable foundation
Overview

Is the firm a signatory to the National Pro Bono Aspirational Target? No.

How does the firm take on pro bono work? Referral and appointment to Legal Aid panel.

What are the firm's criteria for taking on pro bono work? By approval of the pro bono committee, which considers each case based on its merits.

What are the areas of law in which the firm provided pro bono legal assistance over the last two years? Provision of free general legal advice via Inner City Legal Centre, family law, civil litigation.

Which organisations did the firm provide pro bono assistance to over the last two years? Inner City Legal Centre.

What are the types of pro bono work that the firm undertakes? The firm takes on all types of pro bono work.

What is an example of ongoing pro bono work that is undertaken by the firm? Free legal advice given at the Inner City Legal Centre.

Pro Bono Stats

What percentage of the firm’s lawyers participated in pro bono work over the last two years? Between 10% - 15% (varied).

How many hours per lawyer were contributed to pro bono work over the last two years? Varied, between 10 – 100 hours per year depending upon the person.

What percentage of lawyers undertook over 20 hours of pro bono work last year? 5%.

What is the gender ratio for pro bono work undertaken? 20% male 80% female.

Working Pro Bono

Does the firm allow lawyers to contribute pro bono hours to their billable targets? Yes.

Is pro bono work considered in performance reviews and when considering salary, bonuses or advancement? Yes.

Is training provided for lawyers undertaking pro bono matters? Yes.

How is pro bono work encouraged within the firm? All professionals are encouraged to participate in provision of pro bono legal work and participation in the provision of free legal advice at ICLC nights. All non-professional staff are encouraged to come to pro bono committee meetings.

Is there partner supervision for lawyers undertaking pro bono matters? Yes.

Does the firm offer secondments for lawyers to public interest bodies? No but the firm would consider it. The firm has previously offered to take on a government employed lawyer from East Timor on a secondment basis.

What costs and disbursements does the firm cover for pro bono work? The firm does not charge for pro bono work.

Summer clerk pro bono opportunities

Do summer clerks have the opportunity to undertake pro bono work? Yes. 2009 is the first year that the firm has taken on summer clerks and pro bono work was undertaken by several summer clerks.

What percentage of summer clerks undertook pro bono work in the past year? 50%.

Community service

What community service programs does the firm run? Advice sessions at the Inner City Legal Centre.

Which community organisations is the firm involved with? The Inner City Legal Centre.
Does the firm run a workplace giving program? No.
Does the firm have a charitable foundation? The firm does not have a charitable foundation but contributes to several. In 2008 the firm’s fund raising activities were directed towards Movember, The Cancer Council, The CranioMaxillo Foundation and The Black Dog Institute. The firm also donates a portion of its fees generated for several corporate clients to charitable institutions.

Firm philosophy

Future direction for pro bono: McCabe Terrill Lawyers are committed to an active pro bono program. Our Pro Bono Committee has at its core an intention to assist (for no fee) those which would not ordinarily have our services or any legal services available to them. The driving ethos behind the Pro Bono Committee is to recognise the position of privilege we, as a firm, enjoy within the broader community.

Our Pro Bono activities are not limited to the provision of legal services. We aim to contribute to the community when we are able to provide assistance and direct our services to where it is most needed: from ordinary charity fund-raising to technical (computer) expertise and equipment. The Committee consists of solicitors as well as support and technical staff. The matters we are involved in range from supporting the homeless, to migration law advocacy and legal advice to community groups, indigenous groups and not for profit sporting clubs.
McInnes Wilson Lawyers (Queensland only)

Head office location
Level 14, Central Plaza 1
345 Queen Street
Brisbane QLD 4001
P O Box 1089
Brisbane QLD 4001

The people
Partners – 19
Lawyers – 73
Support / Shared Services Staff – 120

Other office locations
Maroochydore, Southport

Pro Bono contacts
Travis Luk
Solicitor
Brendan McGrath
Solicitor

Pro Bono Philosophy
“Over its 30 year history, McInnes Wilson Lawyers has been committed to making meaningful contributions in the community as well as conducting a professional, ethical and viable business.”

SNAPSHOT
☐ Is a signatory to the National Pro Bono Aspirational Target
☐ Has a written pro bono policy
✓ Has a pro bono coordinator or committee
✓ Pro bono work counted towards lawyers’ billable hours
✓ Pro bono taken into account in performance appraisal
✓ Has a community service program
✓ Has a workplace giving program
☐ Has a charitable foundation

Employment contacts
Rebecca Michalak
Director of People, Performance and Organisational Development
recruitment@mcw.com.au
PRO BONO PRACTICES GUIDE

Overview

Is the firm a signatory to the National Pro Bono Aspirational Target? The firm is not currently a signatory to the Target.

How does the firm take on pro bono work? In conjunction with the committee, the Chief Executive Partner as Chairman decides which pro bono opportunities are most suited to our firm.

What are the firm’s criteria for taking on pro bono work? There are no formalised criteria on which pro bono opportunities are assessed. The Chairman and committee assess each opportunity on an individual basis in terms of fit with the firm and our capability to adequately resource its requirements.

What are the areas of law in which the firm provided pro bono legal assistance over the last two years?

- Consumer Debts and Bankruptcy
- Fines and Infringement Notices
- Social Security Issues i.e Centrelink
- Housing and Tenancy Issues
- Guardianship and Administration Issues
- Criminal Law and referrals
- Family Law and referrals
- Advice to not for profit entities

Which organisations did the firm provide pro bono assistance to over the last two years?

- Queensland Public Interest Law Clearing House’s (QPILCH) Homeless Persons Legal Clinic (a non-profit community based legal organisation)
- Queensland Homicide Victim’s Support Group
- the Brain Injury Foundation.
- Little Angels School of Hope
- A Brighter Future Charity (Children with Cerebral Palsy)
- Various members of the Not for Profit Network

What are the types of pro bono work that the firm undertakes? Through the Queensland Public Interest Law Clearing House’s (QPILCH) Homeless Persons Legal Clinic (a non-profit community based legal organisation), McInnes Wilson Lawyers provides pro-bono legal assistance to, and advocacy on behalf of, people who are homeless or at risk of homelessness.

Lawyers of the firm also donate their time and expertise to assist a range of committees, charities and associations, including Queensland Homicide Victim’s Support Group and the Brain Injury Foundation.

In addition, the firm offers legal services to assist not-for-profit organisations in their set up and ongoing services. For example, we have advised on suitable structures for not-for-profit entities including for Little Angels School of Hope (an offshore orphanage in Africa) and A Brighter Future Charity (Children with Cerebral Palsy).

As a member of the Not for Profit Network, we often take on minor legal issues for members on a pro bono basis as the circumstance arises. For example, pro bono work on member constitutions, merger or separation of state and federal bodies, IP issues and international affiliations with their counterparts overseas.

What is an example of ongoing pro bono work that is undertaken by the firm? Through the Queensland Public Interest Law Clearing House’s (QPILCH) Homeless Persons Legal Clinic (a non-profit community based legal organisation), McInnes Wilson Lawyers provides pro-bono legal assistance to, and advocacy on behalf of, people who are homeless or at risk of homelessness. The Clinic aims to use the law to reduce unfair and unjust treatment of homeless people, to construct sustainable pathways out of homelessness, and to promote fundamental human rights.
McInnes Wilson Lawyers solicitors and law clerks are required to attend the clinic in accordance with a rotating roster coordinated with McCullough Robertson Lawyers (ie MCW weekly visits for 6 weeks, MR weekly visits for 6 weeks, rotating), with a significant number of additional hours spent on follow up file work and maintenance.

Two of the firm’s lawyers attend the clinic each Friday as per the established roster to run the clinic. They then manage the file until the next week when two new lawyers take over the clinic. The pro bono committee coordinates the files and roster, and also run some files on a permanent basis (for example, when McCullough Robertson have a conflict of interest). The committee manage the file load (approximately 30 files at any one time) and supervise all work.

What are some of the firm’s pro bono highlights? Many of the clients we assist are often in very dire circumstances and the legal issues they require advice on (eg minor debts, family issues, minor criminal charges) have the potentially serious ramifications such as bankruptcy or homelessness. It is a highlight to be directly involved in assisting these clients to achieve a positive outcome that will have a significant impact on their lives.

Pro Bono Stats
What percentage of the firm’s lawyers participated in pro bono work over the last two years? 80%.
How many hours per lawyer were contributed to pro bono work over the last two years? Approximately 10 hours per lawyer per week over the last two years.
What percentage of lawyers undertook over 20 hours of pro bono work last year? These figures are unavailable.
What is the gender ratio for pro bono work undertaken? 50/50.

Working Pro Bono
Does the firm allow lawyers to contribute pro bono hours to their billable targets? Yes.
Is pro bono work considered in performance reviews and when considering salary, bonuses or advancement? Yes, participation in pro bono work is a key performance indicator for many lawyers.
Is training provided for lawyers undertaking pro bono matters? Yes.
How is pro bono work encouraged within the firm? Included in chargeable units so pro bono work is technically chargeable which means lawyers doing pro bono work can reach the requisite billable unit quota doing pro bono work;
• Travel to the clinic paid for by the firm;
• Firm gives volunteer lawyers time off for the clinic and to do follow up work;
• Pro bono work is an optional KPI for professional staff.
Is there partner supervision for lawyers undertaking pro bono matters? As Chairman, the Chief Executive Partner oversees the firm’s entire pro bono program. Individual partner also manage the volunteer lawyers who attend the clinic each week and oversees the pro bono work they are involved with.
Does the firm offer secondments for lawyers to public interest bodies? The firm hasn’t in the past offered secondments to public interest bodies.
What costs and disbursements does the firm cover for pro bono work?
• Travel to and from the clinic;
• Hosting pro bono meetings, seminars, lunches and breakfasts;
• Any costs associated with our involvement with the clinic will be met by the firm subject to approval by the Chairman.
PRO BONO PRACTICES GUIDE

Summer clerk pro bono opportunities
Do summer clerks have the opportunity to undertake pro bono work? Yes. We generally attempt to roster all summer clerks to the legal clinic during their time with the firm.
What percentage of summer clerks undertook pro bono work in the past year? 90 – 100%.

Community service
What community service programs does the firm run? The firm encourages staff to become involved with the charities it provides pro bono legal services to, including the Homeless Persons Legal Clinic supervised by QPILCH, Queensland Homicide Victims Support Group, the Brain Injury Foundation. The firm also coordinates and encourages staff to donate regularly to Red Cross Blood Drives.

Every year, the firm volunteers staff to work on the Prince Charles Hospital Foundation stand throughout the RNA Show. Added to this, the firm sponsors a child through the World Vision program.

Which community organisations is the firm involved with? Homeless Persons Legal Clinic supervised by QPILCH, Queensland Homicide Victims Support Group, the Brain Injury Foundation, Red Cross, Prince Charles Hospital Foundation.

Does the firm run a workplace giving program? Every week, staff donate to a charitable cause in return for wearing casual clothes on Friday. Generally a different charity is chosen each week; the firm will match these staff donations on occasion.

For example, staff recently raised over $600 for the Royal Children’s Hospital Foundation, a donation which the firm then matched to make a total of just over $1,200 for the Foundation.

Does the firm have a charitable foundation? As above, the firm is involved with a number of charitable causes.

Firm philosophy
“Over its 30 year history, McInnes Wilson Lawyers has been committed to making meaningful contributions in the community as well as conducting a professional, ethical and viable business.”

Future direction for pro bono: The firm will continue to actively encourage participation in its pro bono initiatives and will look to take on additional opportunities where they can be balanced with the existing commitments of our lawyers and resources.

“The Insider”

Brendan McGrath
Pro Bono Committee Coordinator

Brendan McGrath is one of the coordinators of the firm’s pro bono committee. He joined the firm in 2007 as a law clerk before being admitted as a solicitor. He now practices in the firm’s commercial division advising on a range of commercial transactions.
**McKean Park**

**Melbourne office location**
Level 11  
575 Bourke Street  
Melbourne VIC 3001

**The people**
Partners – 8  
Lawyers – 11  
Support Staff – 17

**Pro Bono contacts**
**Mark Flynn**  
Partner  
mark.flynn@mckeanpark.com.au

**Employment contacts**
**Leanne Heron**  
Practice Administrator  
leanne.heron@mckeanpark.com.au

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**Pro Bono Philosophy**

“As the firm continues to expand, our future commitment to pro bono work and the community will follow.”

**SNAPSHOT**

- Is a signatory to the National Pro Bono Aspirational Target
- Has a written pro bono policy
- Has a pro bono coordinator or committee
- Pro bono work counted towards lawyers’ billable hours
- Pro bono taken into account in performance appraisal
- Has a community service program
- Has a workplace giving program
- Has a charitable foundation
Overview

Is the firm a signatory to the National Pro Bono Aspirational Target? No.

How does the firm take on pro bono work? Several of our senior lawyers undertake pro bono work. Details of each matter are presented to the Equity Partners for approval.

What are the firm’s criteria for taking on pro bono work? Each request is assessed on an individual basis, taking into consideration the type of work, time involved and the needs of the individual/organisation work is undertaken for.

What are the areas of law in which the firm provided pro bono legal assistance over the last two years? Litigation, leases, building contracts, administrative law, general advice.

Which organisations did the firm provide pro bono assistance to over the last two years? Community Centres and Clubs, charities and individuals who are unable to afford or manage legal matters.

What are the types of pro bono work that the firm undertakes? McKean Park undertakes:

• free consultations to legal referral services each month (2 or 3 per month),
• acting as honorary lawyer to swimming clubs, children’s centres, community financial services and various charitable organisations, and
• representing disadvantaged individuals.

What is an example of ongoing pro bono work that is undertaken by the firm? One lawyer undertakes all the work for a community arts centre. The work involved leases, building and other contracts, hiring agreements, advice and negotiations.

What are some of the firm’s pro bono highlights? The highlight for our firm is the ongoing commitment of our senior lawyers to pro bono work.

Pro Bono Stats

What percentage of the firm’s lawyers participated in pro bono work over the last two years? 25%.

How many hours per lawyer were contributed to pro bono work over the last two years? We have 5 senior lawyers committed on a weekly basis to pro bono work. Each would contribute at least two hours per week.

What percentage of lawyers undertook over 20 hours of pro bono work last year? 25%.

What is the gender ratio for pro bono work undertaken? At present, only male staff undertake pro bono work.

Working Pro Bono

Does the firm allow lawyers to contribute pro bono hours to their billable targets? No.

Is pro bono work considered in performance reviews and when considering salary, bonuses or advancement? Yes.

Is training provided for lawyers undertaking pro bono matters? Training is not necessary as senior lawyers undertake all pro bono work and in all cases are specialists in their particular fields of law.

How is pro bono work encouraged within the firm? All lawyers are encouraged to undertake pro bono but it is up to the individual.

Is there partner supervision for lawyers undertaking pro bono matters? Yes.

Does the firm offer secondments for lawyers to public interest bodies? No.

What costs and disbursements does the firm cover for pro bono work? Each is assessed on an individual basis – some small disbursements would be covered.
Summer clerk pro bono opportunities
McKean Park did not employ summer clerks last year.

Community service
What community service programs does the firm run? None at present.
Which community organisations is the firm involved with? Community banks, community groups, clubs and service organisations.
Does the firm run a workplace giving program? Yes.
Does the firm have a charitable foundation? No.

Firm philosophy
Future direction for pro bono: As the firm continues to expand, our commitment to pro bono work and the community will follow.
Middletons

Head office location
Level 26, 52 Martin Place  
Sydney NSW 2000  
(02) 9513 2300

The people
Partners – 58
Lawyers – 233
Support Staff – 196

Other office locations
Melbourne

Pro Bono contacts

Toby Blyth
National Pro Bono Coordinator  
(02) 9513 2485  
toby.blyth@middletons.com

Employment contacts

Ms Sarah Kiernan  
Human Resources Manager

Pro Bono philosophy
“We believe we have a responsibility to give back to the community. In addition to the community involvement of individual partners and staff, Middletons makes a firm contribution through our formal pro bono scheme and through contributions to various charitable causes. For us, pro bono is not marketing; it is just what we do. We don’t do it because we have to – we do it because we want to. ”

SNAPSHOT

☐ Is a signatory to the National Pro Bono Aspirational Target
☐ Has a written pro bono policy
☐ Has a pro bono coordinator or committee
☐ Pro bono work counted towards lawyers’ billable hours
☐ Pro bono taken into account in performance appraisal
☐ Has a community service program
☐ Has a workplace giving program
☐ Has a charitable foundation
Overview

Is the firm a signatory to the National Pro Bono Aspirational Target? No.

How does the firm take on pro bono work? Middletons receive most of its referrals from PILCH (NSW and Victoria), and other clients associated with the firm.

What are the firm’s criteria for taking on pro bono work? The firm undertakes pro bono work cases that are:
- charitable/public/environmental/human rights based; or
- on the individual merits of the case or for individuals who are unable to afford representation.

What are the areas of law in which the firm provided pro bono legal assistance over the last two years? Firmwide with the exception of criminal, family and immigration matters.

Which organisations did the firm provide pro bono assistance to over the last two years? Oxfam, numerous NGOs and NFPs and Aboriginal Arts and cultural organisations.

What are the types of pro bono work that the firm undertakes? Provision of advice; and acting for clients in disputes and litigation.

What is an example of ongoing pro bono work that is undertaken by the firm? Middletons is a partner and sponsor of Oxfam Australia. Middletons has a formal 3 year relationship with Gippsland Community Legal service, a regional Victorian CLC, to which Middletons provides traditional pro bono support as well as broader business assistance. Middletons also provides ongoing advice to a number of NFPs.

Working Pro Bono

Does the firm allow lawyers to contribute pro bono hours to their billable targets? Yes.

Is pro bono work considered in performance reviews and when considering salary, bonuses or advancement? Yes.

Is training provided for lawyers undertaking pro bono matters? Yes.

How is pro bono work encouraged within the firm? The firm communicates pro bono opportunities to employees through induction sessions and word of mouth.

Is there partner supervision for lawyers undertaking pro bono matters? Yes.

What costs and disbursements does the firm cover for pro bono work? Middletons cover unlimited internal disbursements (e.g. photocopying, faxes, telephone calls) but do not cover external disbursements (e.g. counsel fees, court filing fees).

Summer clerk pro bono opportunities

Do summer clerks have the opportunity to undertake pro bono work? Yes.

Community service

What community service programs does the firm run? Middletons has a formal community service policy.

Which community organisations is the firm involved with? Pro bono is part of a wider range of programs which include a work place giving program for staff and opportunities to be involved with external organisations such as Oxfam.

Does the firm run a workplace giving program? Yes.

Does the firm have a charitable foundation? No.
“The Insider”

Becki Tam
Special Counsel

“I get a great buzz out of doing pro bono as it is my chance to engage with charities and the less advantaged and assist them by providing a service that they would not otherwise be able to obtain or afford.

I have the opportunity to work with diverse community organisations and not for profits and interact with decision makers, policy makers and philanthropists who are involved in a broad range of social, cultural and community-based issues.

It is fascinating work, even from the perspective of finding a solution for a client whose resources are otherwise stretched or limited. I also really enjoy training and mentoring more junior lawyers who work with me on these matters. So, the rewards are numerous!”
Minter Ellison

Head office location
Aurora Place, 88 Phillip Street
Sydney NSW 2000
(02) 9921 8888

The people
Partners – 284
Lawyers – 1,035
Support Staff – 1,031

Other office locations
Adelaide, Brisbane, Canberra, Darwin, Gold Coast, Melbourne, Perth

Pro Bono contacts
Anton Hermann
National Director, Pro Bono & Community Investment
(03) 8608 2767
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Employment contacts
Felicity Marando
Human Resources Consultant
felicity.marando@minterellison.com

Pro Bono Philosophy
“We seek to target assistance towards people experiencing social disadvantage – particularly young people, families and people who are homeless or at risk of homelessness or poverty.”

SNAPSHOT
☐ Is a signatory to the National Pro Bono Aspirational Target
☐ Has a written pro bono policy
☐ Has a pro bono coordinator or committee
☐ Pro bono work counted towards lawyers’ billable hours
☐ Pro bono taken into account in performance appraisal
☐ Has a community service program
☐ Has a workplace giving program
☐ Has a charitable foundation
Overview

Is the firm a signatory to the National Pro Bono Aspirational Target? No.

How does the firm take on pro bono work? The firm mainly receives pro bono referrals from State-based Public Interest Law Clearing Houses (PILCHs) and direct referrals from non-profit organisations.

What are the firm’s criteria for taking on pro bono work? Minter Ellison’s pro bono efforts target disadvantaged youth, the alleviation of poverty, homelessness and access to justice.

What are the areas of law in which the firm provided pro bono legal assistance over the last two years? The firm does most of its pro bono work in the following areas:

- housing/tenancy;
- fines;
- victims compensation;
- debt;
- public interest law;
- commercial/tax issues for non-profits; and
- incorporation of associations.

Which organisations did the firm provide pro bono assistance to over the last two years? A wide variety of non-profits. Our primary pro bono partnership is with the State-based PILCHs.

What are the types of pro bono work that the firm undertakes? Provision of free legal advice, secondments and outreach legal clinics.

What is an example of ongoing pro bono work that is undertaken by the firm? Minter Ellison’s key pro bono projects are:

- Indigenous Outreach Clinics (in partnership with Darebin Community Legal Centre, Melbourne)
- Claymore Legal Counselling & Referral Service (in partnership with Macarthur Legal Centre, Sydney)
- PILCH projects.

What are some of the firm’s pro bono highlights? See above. Adoption of a national pro bono policy in 2003 has had a major influence on the growth of pro bono within the firm.

Pro Bono Stats

What percentage of the firm’s lawyers participated in pro bono work over the last two years? In the 2007/08 year, the percentage of Minter Ellison lawyers who performed pro bono work was 54%. Pro bono work is voluntary.
Working Pro Bono

Does the firm allow lawyers to contribute pro bono hours to their billable targets? Minter Ellison recognises the hours spent on pro bono work as part of the lawyers’ billable target hours.

Is pro bono work considered in performance reviews and when considering salary, bonuses or advancement? Yes, see above.

Is training provided for lawyers undertaking pro bono matters? Yes, particularly through our involvement in the Homeless Persons’ Legal Clinic/Service.

How is pro bono work encouraged within the firm? The firm’s pro bono policy is communicated to members of the firm through the intranet, internal articles, occasional firm briefings and on induction to the firm.

Is there partner supervision for lawyers undertaking pro bono matters? Yes, partners and/or senior lawyers supervise.

Does the firm offer secondments for lawyers to public interest bodies? Yes – mainly via PILCH.

What costs and disbursements does the firm cover for pro bono work? Generally, the firm does not charge pro bono clients a fee. Disbursements are discussed with clients on a case-by-case basis and set out in the client agreement.

Summer clerk pro bono opportunities

Do summer clerks have the opportunity to undertake pro bono work? Yes.

Community service

What community service programs does the firm run? Minter Ellison has a formal, written community service policy. The firm’s Pro Bono and Community Investment Policy encourages our people to take a broad view of how lawyers and support staff can provide a range of assistance to not-for-profit organisations and their clients.

Minter Ellison has had a close partnership with various State high schools across Australia and was a founding member of the Australian Business and Community Network.

Which community organisations is the firm involved with? See above.

Does the firm run a workplace giving program? Yes.

Does the firm have a charitable foundation? No.

Firm philosophy

“We seek to target assistance towards people experiencing social disadvantage – particularly young people, families and people who are homeless or at risk of homelessness or poverty.”
“The Insider”

Samantha Stuart
Lawyer

“I have been attending a legal referral centre fortnightly during office hours for two years. The partners and senior members of my group are extremely supportive of my attendance at the centre and I have never been in a situation where I have been asked not to attend one of my scheduled mornings. I receive budget relief for the time spent at the centre and for any time spent on work relating to the centre as well as reimbursement of travel expenses (the centre is about one hour from our city office).

Personally, attending the centre gives me so much pleasure in knowing that I am helping people who need it most. Outer Western Sydney is often a community which is forgotten and they really do appreciate when someone takes the time to go into the community and listen to their concerns. It can often be a long hard road to help people make a difference in their lives, but each little step that we take together with the client to get there gives you a feeling that cannot be compared to anything in the corporate environment – it is a true and honest feeling that you are making a difference to that person right there in front of you. This an incredible feeling.

The work we carry out varies and includes issues such as tenancy, debt, housing, sexual assault, bankruptcy and family law advice. We provide as much advice as possible at the centre, however we often need to refer our clients to appropriate legal or social services. Our aim though is to make the experience of seeing a solicitor as easy and non-confronting as possible for the client so if we can manage the issue by just making a couple of telephone calls rather than rushing to Court we will.

I strongly encourage the participation of all lawyers, senior lawyers and partners in pro bono and community work. As a large corporate firm, I think we have a responsibility to help people less fortunate than ourselves and use the skills that we all have to help all, not just those who can afford it. I am extremely appreciative of the support I have received during my time of being part of the community investment program and I really encourage all in the firm to give their staff the opportunities I have had.”
PricewaterhouseCoopers

Office location
Darling Park Tower 2
201 Sussex Street,
Sydney NSW 2000
(02) 8266 6666

The people
Legal Transactions and
Disputes team
Partners – 4
Lawyers – 35
Support Staff – 11

Pro Bono contacts
Shameela Karunakaran
Pro Bono Co-ordinator
Associate
Legal Transactions and Disputes
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Employment contacts
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Human Capital
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Pro Bono Philosophy
“The Legal Transactions and Services team within PricewaterhouseCoopers is committed to serving the community by supporting the disadvantaged and marginalised members of our community as well as matters of significant public interest. We will meet this commitment by providing legal services for free or for a substantially reduced fee for matters which meet the guidelines. Our commitment is parallel to the PricewaterhouseCoopers Foundation.”

SNAPSHOT
☐ Is a signatory to the National Pro Bono Aspirational Target
☐ Has a written pro bono policy
☐ Has a pro bono coordinator or committee
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☐ Has a community service program
☐ Has a workplace giving program
☐ Has a charitable foundation
Overview

Is the firm a signatory to the National Pro Bono Aspirational Target? No.

How does the firm take on pro bono work? PricewaterhouseCoopers, through its Foundation, provides skilled resources to assist its Charity Partners improve their service delivery to the community. This is known as ‘Strategic Capacity Building’.

The Legal Transactions and Services team does both Strategic Capacity Building with the Charity Partners as well as pro bono work for non-Charity Partners.

The Legal Transactions and Disputes team receives most of its pro bono work for non-Charity Partners from PILCH (NSW) referrals.

What are the firm’s criteria for taking on pro bono work? Once a pro bono referral has been accepted by the Legal Transactions and Disputes team, the Partner in the relevant work group will determine capacity and willingness to take on the work.

Pro bono work taken on by the Legal Transactions and Disputes team for non-Charity Partners must fit within the following pro bono policy criteria:

• people who can demonstrate a need for legal assistance and do not qualify for Legal Aid, but who do not have the financial resources to meet the full cost of a lawyer’s services without significant financial hardship;
• non-profit organisations which act in the interests of disadvantaged or marginalised members of society, or which work for the public good; or
• public interest matters of broad community concern, which would not otherwise be pursued.

What are the areas of law in which the firm provided pro bono legal assistance over the last two years? The Legal Transactions and Disputes team provides pro bono assistance in the following areas of law:

• corporate and commercial;
• property;
• commercial and regulatory litigation; and
• employment.

Which organisations did the firm provide pro bono assistance to over the last two years? The Legal Transactions and Disputes team has undertaken Strategic Capacity Building work with the Charity Partners and has also provided pro bono assistance to various non-profit organisations.

What are the types of pro bono work that the firm undertakes? The Legal Transactions and Disputes team carries out pro bono work such as:

• drafting documents;
• reviewing compliance issues;
• advising on various commercial, property or employment law related issues; and
• dispute resolution.

What is an example of ongoing pro bono work that is undertaken by the firm? Some recent Capacity Building engagements undertaken through the PricewaterhouseCoopers Foundation include:

• Australian Red Cross – process mapping and improvements
• Youth Off the Streets – business and strategy planning
• Guide Dogs Australia – employment workshops
• Landcare Australia – audit
• WWF – support for Earth Hour, including project management and legal support
• Urban Seed – tax clinics
• Starlight Children’s Foundation Australia – risk policy and procedures
The Legal Transactions and Disputes team provides ongoing honorary advice to various non-profit organisations, including the Returned and Services League of Australia Ltd (NSW Branch), the RSL Welfare & Benevolent Institution, the Australian Forces Overseas Fund and the Ian Thorpe Fountain for Youth.

**What are some of the firm’s pro bono highlights?** In the financial year 2007-08, 37 Strategic Capacity Building projects were undertaken with various Charity Partners, with a total scheduled rate value of $3.86m. The PricewaterhouseCoopers Foundation provided $1.5m of funding for these Strategic Capacity Building projects. PricewaterhouseCoopers spent a total of 18,419 hours on both Strategic Capacity Building work with Charity Partners and Non-Strategic Capacity Building work for other non-profit organisations.

The Legal Transactions and Disputes team’s pro bono highlights include the pro bono assistance which it provides to a non-profit organisation which supports and inspires disadvantaged children through the power of music. In the financial year 08, the Legal Transactions and Disputes team spent approximately 639 hours on a range of pro bono work.

**Pro Bono Stats**

**What percentage of the firm’s lawyers participated in pro bono work over the last two years?** Pro bono work is not compulsory, but it is undertaken by about 30% of the lawyers in the Legal Transactions and Disputes team.

**How many hours per lawyer were contributed to pro bono work over the last two years?** Approximately 16 hours was contributed to pro bono work per lawyer, per year, in the Legal Transactions and Disputes team.

**What percentage of lawyers undertook over 20 hours of pro bono work last year?** Approximately 20% of lawyers in the Legal Transactions and Disputes team undertook over 20 hours of pro bono work last year.

**What is the gender ratio for pro bono work undertaken?** The gender divide of the lawyers who undertake pro bono work is even.

**Working Pro Bono**

Does the firm allow lawyers to contribute pro bono hours to their billable targets? Yes.

Is pro bono work considered in performance reviews and when considering salary, bonuses or advancement? Lawyers in the Legal Transactions and Disputes team may include pro bono work in their annual review, and may obtain recognition for pro bono work undertaken. Pro bono work is not considered specifically in relation to salary, bonuses or advancement.

Is training provided for lawyers undertaking pro bono matters? Specific training is not provided for lawyers in the Legal Transactions and Disputes team in relation to pro bono work, however, all pro bono work is undertaken under the supervision of a Partner or other senior lawyer.

How is pro bono work encouraged within the firm? Pro bono work is supported and encouraged through the firm, particularly with Strategic Capacity Building work done with the Charity Partners. The Legal Transactions and Disputes team encourages pro bono work by taking on pro bono matters and communicating its pro bono opportunities within the team.

Is there partner supervision for lawyers undertaking pro bono matters? Yes there is either partner supervision or supervision by another senior lawyer for lawyers undertaking pro bono matters.

Does the firm offer secondments for lawyers to public interest bodies? No.
PRO BONO PRACTICES GUIDE

What costs and disbursements does the firm cover for pro bono work? The PricewaterhouseCoopers Foundation provided $1.5m funding for Strategic Capacity Building engagements in the financial year 08 and in the financial year 09, the same amount of funding has been budgeted. Many Strategic Capacity Building assignments were undertaken with the Charity Partners financially contributing to the assignment to reflect a more commercial arrangement. For some pre-approved Strategic Capacity Building engagements, the Charity Partner may provide up to 30% of the scheduled rates, the Foundation may provide up to 30% which means that the service team undertaking the work may receive up to a 60% recovery to the service team.

The costs of other pro bono work undertaken by the Legal Transactions and Disputes team for non-Charity Partners is borne by the team.

Summer clerk pro bono opportunities

Do summer clerks have the opportunity to undertake pro bono work? Yes.

What percentage of summer clerks undertook pro bono work in the past year? Approximately 20%

Community service

What community service programs does the firm run? Through the PricewaterhouseCoopers Foundation, staff are allocated one day per financial year for involvement in volunteering activities (i.e. tree planting, hamper packing, entertaining children in hospitals etc).

Which community organisations is the firm involved with? The PricewaterhouseCoopers Foundation has 23 Charity Partners:
- Anglicare
- Australian Red Cross
- beyondblue
- Camp Quality
- Guide Dogs Australia
- Heart Foundation
- Landcare
- Leukaemia Foundation
- Mission Australia
- National Breast Cancer Foundation
- Reach
- Save the Children
- Starlight Children’s Foundation
- The Cancer Council
- The Salvation Army
- The Smith Family
- Urban Seed
- World Vision
- WWF Australia
- Youth Off The Streets
- Fred Hollows Foundation
- Juvenile Diabetes research Foundation
- Opportunity International

Does the firm run a workplace giving program? Yes, all donations made by staff through the People Giving program are matched by the firm, dollar for dollar.

Does the firm have a charitable foundation? Yes, the PricewaterhouseCoopers Foundation.
Firm philosophy

“PricewaterhouseCoopers has a long-term interest in the sustainability of the communities in which we live and work. Through the PwC Foundation we are taking a strategic and focussed approach to the way we utilise our skills and expertise in the community. We call this PwC Capacity Building. Our key focus is developing deeper links with our 23 Charity Partners and understanding how best to support their business needs.

“The Legal Transactions and Services team within PricewaterhouseCoopers is committed to serving the community by supporting the disadvantaged and marginalised members of our community as well as matters of significant public interest. We will meet this commitment by providing legal services for free or for a substantially reduced fee for matters which meet the guidelines. Our commitment is parallel to the PricewaterhouseCoopers Foundation.”

Future direction for pro bono: The Legal Transactions and Services team wish to focus on Capacity Building projects with the PricewaterhouseCoopers Foundation and its Charity Partners as well as continuing to take on pro bono matters for non-Charity Partners.

“The Insider”

Shameela Karunakaran
Legal Transactions and Disputes
Solicitor and Pro Bono Coordinator

“Taking part in pro bono matters and community activities is supported and encouraged by partners and staff within the firm. Staff enjoy participating in pro bono matters and various community activities to make a sustainable difference within the community.

The PricewaterhouseCoopers Foundation has done and continues to do an excellent job in developing sustainable and impactful partnerships with its 23 Charity Partners and developing our staff as responsible leaders. PricewaterhouseCoopers was the winner of the 2008 BRW ANZ Award for “Excellence in Community Practices”. Whilst the Foundation is not about getting recognition for its work with its Charity Partners and contribution to the community, it is great to get external recognition for what has been built over the last few years.

One of the best aspects of my work life here at PricewaterhouseCoopers is my involvement in the Foundation and my role as the Pro Bono Coordinator for the Legal Transactions and Disputes team. Recently, the Legal Transactions and Disputes team in conjunction with Landcare Australia, spent a day planting trees in Mona Vale. On Friday, 10 October 2008, the Legal Transactions and Disputes team is hosting a ‘Wear Blue’ Day and a ‘Blue Morning Tea’ to raise awareness about depression and the work of beyondblue.

It inspires me to know that our Partners and my colleagues care about the broader social issues and are keen to work with the non profit sector to contribute to social change.”
Russell Kennedy (Victoria only)

Head office location
Level 12
469 La Trobe Street
Melbourne VIC 3000

The people
Partners – 27
Lawyers – 53

Other office locations
Affiliate firms in:
Adelaide: Lynch Meyer
Sydney: Kemp Strang
Brisbane: Thynne & Macartney

Pro Bono contacts
Victor Harcourt
(03) 9609 1639
vharcourt@rk.com.au

Employment contacts
Damian Zahra
HR Manager
dzahra@rk.com.au

Renee Sherry
HR Officer
rsherry@rk.com.au

Emily Barcelona
Human Resources Administration Assistant
ebarcelona@rk.com.au

Goli Nazeran
Graduate Recruitment / Learning & Development Officer
gnazeran@rk.com.au

Pro Bono Philosophy
“Russell Kennedy is committed to the concept of Corporate Social Responsibility, reflected through our pro bono program, our involvement in many community initiatives and our pursuit of sustainability in the way we do things.

We recognise that there are individuals and organisations that work for the public good who cannot afford the services of a professional lawyer. Pro bono work provides a practical means by which Russell Kennedy engages with and contributes to the community, and advances access to justice.”

SNAPSHOT
☐ Is a signatory to the National Pro Bono Aspirational Target
☐ Has a written pro bono policy
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☐ Pro bono work counted towards lawyers’ billable hours
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☐ Has a community service program
☐ Has a workplace giving program
☐ Has a charitable foundation
Overview

Is the firm a signatory to the National Pro Bono Aspirational Target? No. However Russell Kennedy exceeds the Victorian State Government pro bono target of 15% of all State Government fees billed at the firm.

How does the firm take on pro bono work? The firm accepts pro bono work via direct referrals and via pro bono schemes such as Law Institute of Victoria Legal Assistance Scheme (LIVLAS), Public Interest Law Clearing House (PILCH) as well as Community Legal Centres.

What are the firm’s criteria for taking on pro bono work? Following an assessment, the firm will take on a pro bono case if:
- the client has no other access to the courts and the legal system
- the client’s case raises a wider issue of public interest
- it is in the provision of free legal advice for community legal education and/or law reform
- the legal advice or representation is for a charitable or community organisation

What are the areas of law in which the firm provided pro bono legal assistance over the last two years?
- Coronial inquests
- Immigration
- Employment and Industrial Relations
- Equal Opportunity
- Commercial law
- Administrative law
- Discrimination
- Litigation

Which organisations did the firm provide pro bono assistance to over the last two years? A range of not-for-profits and individuals.

What are the types of pro bono work that the firm undertakes? The firm provides legal assistance and representation to pro bono clients.

What is an example of ongoing pro bono work that is undertaken by the firm? Recent examples of pro bono work undertaken by the firm include acting for two separate families (of the deceased) in coronial inquests. One involved the suicide of a mentally ill person and the other involved the death of two people in a rooming house fire.

Russell Kennedy has also been involved in assisting Victorian bush fire victims with legal advice in wills and estates, property issues including lost title searches, and employment law considerations working in collaboration with the Law Institute of Victoria Legal Assistance Scheme (LIVLAS) and the Public Interest Law Clearing House (PILCH).

What are some of the firm’s pro bono highlights? Russell Kennedy has assisted in a number of significant pro bono matters including assisting in overcoming the exclusion of junior females from playing Australian Rules Football at a junior level.

Pro Bono Stats

What percentage of the firm’s lawyers participated in pro bono work over the last two years? 25% in 2007/08.

How many hours per lawyer were contributed to pro bono work over the last two years? 25 hours per lawyer in 2007/08.

What percentage of lawyers undertook over 20 hours of pro bono work last year? 12% in 2008

What is the gender ratio for pro bono work undertaken? 50% male/female.
PRO BONO PRACTICES GUIDE

Working Pro Bono

Does the firm allow lawyers to contribute pro bono hours to their billable targets? Yes, Russell Kennedy allows this.

Is pro bono work considered in performance reviews and when considering salary, bonuses or advancement? Yes.

Is training provided for lawyers undertaking pro bono matters? Yes, by the principal who coordinates the pro bono program.

How is pro bono work encouraged within the firm? Pro bono work is encouraged throughout the firm via the committee, via internal reports/articles, via our website and by direct referral by the principal coordinating the program.

Is there partner supervision for lawyers undertaking pro bono matters? Yes, particularly for junior lawyers.

Does the firm offer secondments for lawyers to public interest bodies? Yes, Russell Kennedy’s most recent pro bono secondment was the provision of a solicitor to PILCH in 2008 for a period of three months.

What costs and disbursements does the firm cover for pro bono work? Disbursements are assessed on a case by case basis.

Summer clerk pro bono opportunities

Do summer clerks have the opportunity to undertake pro bono work? Yes.

What percentage of summer clerks undertook pro bono work in the past year? 50% in 2008.

Community service

What community service programs does the firm run? The firm encourages staff to become involved in a number of community service programs including a blood donation group.

Which community organisations is the firm involved with? In recent years, Russell Kennedy staff have provided services to a variety of community organisations including Vision Australia, Australian Red Cross, Xanana Technical Training Trust, Greening Australia, Council for Aboriginal Reconciliation, Leukaemia Foundation of Victoria, National Gallery Society of Victoria, Ivanhoe Grammar School and the Royal Australasian College of Surgeons.

Does the firm run a workplace giving program? Russell Kennedy has a ‘casual clothes Friday’ once a month whereby staff make a donation to a nominated cause. The charities are recommended by staff members and in 2009 include Ronald McDonald House, Epilepsy Foundation of Victoria, Beyond Blue, The James MacReady-Bryan Foundation, Royal Womens Hospital Neonatal Intensive Care Unit and the Berry Street Christmas Appeal.

The firm also participates and donates on fundraising days such as Jeans for Genes Day and Daffodil Day, Red Nose Day as well as making donations to fundraising efforts such as the Make A Wish Foundation annual dinner.

Does the firm have a charitable foundation? Russell Kennedy facilitates the sponsorship of Emily R and her community though the Santo Chimaltenango Project (World Vision). Emily was born in Guatemala and is 2 years and 8 months old.
Sparke Helmore Lawyers

Head office location
321 Kent Street
Sydney NSW 2000
(02) 9373 3555

The people
Partners – 56
Lawyers – 240
Support Staff – 334

Other office locations
Adelaide, Brisbane, Canberra, Melbourne, Newcastle,
Perth, Sydney, Upper Hunter

Pro Bono contacts
Michael Rosenfeld
National Co-ordinator
Pro Bono & Community Programs Director
Special Counsel, Public Interest & Charity Law
(02) 4924 7673 or (02) 9373 3526
michael.rosenfeld@sparke.com.au
share@sparke.com.au

Pro Bono Philosophy
“Through our national community engagement scheme (‘SHARE’), we facilitate access to justice with our pro bono practice and expertise, we embrace our responsibility to the broader community through our community partnerships and programs, and we give encouragement to people through mentoring and employment initiatives. We see all these activities to be an integral part of our professional corporate social responsibility as a national law firm.”

SNAPSHOT
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☑ Has a workplace giving program
☐ Has a charitable foundation

Employment contacts
Elizabeth Neely
Resourcing Consultant
(02) 4924 7221
Elizabeth is responsible for coordinating recruitment nationally.

Jessica Commins
HR Coordinator - Graduate & Summer Clerkships
(02) 9260 2524
Jessica is responsible for coordinating the Graduate Recruitment Program and Clerkships nationally. All university sponsorship enquiries should also be directed to Jessica.
Overview

Is the firm a signatory to the National Pro Bono Aspirational Target? No.

How does the firm take on pro bono work? Sparke Helmore obtains its pro bono work from three main sources: direct requests from non-profit community organisations, partners and senior legal staff who have links with such organisations, and referrals from Community Legal Centres. In addition the firm also sources pro bono work from:

- PILCH (NSW) referrals;
- referrals from other law firms;
- direct requests from individuals;
- direct requests from community organisations; and
- referrals from Courts.

What are the firm’s criteria for taking on pro bono work? Sparke Helmore provides pro bono legal assistance to non profit community associations and companies and to low income or disadvantaged individuals who do not qualify for Legal Aid. The assistance sought must be within a practice area of the firm, must facilitate access to justice for the organisation or individual concerned, and may need to satisfy a public interest criterion. The firm may also contribute to legal education projects, law reform and policy work, on issues which are of importance to a specific community or for broader public benefit. Sparke Helmore’s policy for pro bono legal assistance includes a merits and means test and a thorough check for conflicts of interest.

What are the areas of law in which the firm provided pro bono legal assistance over the last two years? Each request for pro bono work is considered on a case-by-case basis. Predominantly, the firm has performed pro bono work in the following areas:

- public interest law;
- charity and non-profit law;
- dispute resolution and litigation;
- workplace relations and safety;
- property, environment and planning; and
- administrative law.

Which organisations did the firm provide pro bono assistance to over the last two years? A range of non-profit community groups, charities, and foundations benefit from our Legal Assistance Program. For example, Sparke Helmore has pro bono relationships with such organisations as ActionAid Australia (formerly Austcare), The Australian Employers Network on Disability, Life Without Barriers, nib Foundation, Hunter Community Foundation, Hunter Region SLSA Helicopter Rescue Service and Hunter Medical Research Institute.

What are the types of pro bono work that the firm undertakes? Sparke Helmore carries out pro bono by providing:

- no-fee or reduced-fee legal advice and advocacy;
- support for community projects that require legal services;
- assistance to Community Legal Centres and advocacy organisations;
- community legal education; and
- law reform and policy work.
What is an example of ongoing pro bono work that is undertaken by the firm? ActionAid Australia (formerly Austcare) - Sparke Helmore is a corporate member of ActionAid Australia and has joined its ‘Protection Chapter’. The ActionAid Australia Protection Chapter provides financial, professional and pro bono contributions to ActionAid Australia’s ‘PROTECT NOW’ program, which aims to enhance ActionAid Australia’s ability to rapidly deploy protection officers to help displaced persons and refugees wherever they are needed. Sparke Helmore is one of four law firms involved as founding members of the Chapter. Through this relationship, the firm has provided pro bono legal assistance to ActionAid Australia in charity, corporate, employment and contract law and continues to accept requests on a case by case basis.

Co-operative Legal Service Delivery (CLSD) Project - Sparke Helmore is participating as Pro Bono Partner in an innovative project called CLSD. The aim of CLSD is to encourage a regionally-based approach to community legal service delivery in NSW by building durable networks between key legal services and community organisations. It is hoped that through the CLSD network, community co-operation and co-ordination will be enhanced, and access to legal referral, information, and justice facilitated for the disadvantaged. As Pro Bono Partner for the Newcastle/Hunter Region CLSD, Sparke Helmore hosts CLSD meetings, CLSD seminars to enhance knowledge of the community legal sector, and considers requests for pro bono legal assistance through the program. More than 80 community organisations are now part of the CLSD network and participation has been an effective way for the firm to link-in with the community in a tangible and productive way.

What are some of the firm’s pro bono highlights? Our Legal Assistance Program offers many highlights for us and our SHARE scheme. We value every opportunity to contribute to people and communities through the provision of pro bono legal assistance.

One past highlight was our partnership with Mission Australia, in conjunction with other stakeholders, to pilot a holistic law and welfare advocacy service catering to the disadvantaged in Newcastle and the Hunter region of New South Wales (NSW). Partly funded by a grant to Mission Australia from the Law & Justice Foundation of NSW, and with pro bono legal assistance from Sparke Helmore, the Hunter Homelessness Law and Advocacy Service (HHLAS) was the first of its type in regional NSW. HHLAS provided pro bono legal advice and referral, support and advocacy services, to people who were economically and socially disadvantaged, with a particular focus on people who were homeless or at risk of homelessness. Monthly legal clinics were operated in Newcastle, Port Stephens and the Upper Hunter regions.

A more recent example was Sparke Helmore’s provision of pro bono assistance following the devastating bushfires in Victoria. The firm was able to advise on a range of procurement related matters on a pro bono basis for the newly established Victorian Bushfire Reconstruction and Recovery Authority. Decisions needed to be made regarding how the Authority would approach the procurement for infrastructure and capital works, as well as goods and services, associated with the significant reconstruction effort in order to ensure transparency, accountability and compliance with the Authority’s statutory obligations.

Pro Bono Stats

At Sparke Helmore, we value client outcomes from our pro bono work, and don’t routinely use hours, per lawyer contributions, or gender ratio measures to assess the efficacy or distribution of our Legal Assistance Program activities. Our pro bono culture is about meeting pro bono need where we can and allocating pro bono opportunities to those lawyers and staff with the best expertise and capacity to provide high level client service and outcomes.
Working Pro Bono

Does the firm allow lawyers to contribute pro bono hours to their billable targets? Yes. At Sparke Helmore, pro bono work is not mandatory for the firm’s lawyers. However, the firm encourages its lawyers to undertake pro bono work by counting the work as part of lawyers’ billable hours and by recognising their community contribution in staff appraisal processes.

Is pro bono work considered in performance reviews and when considering salary, bonuses or advancement? Yes it is considered along with a range of other contributions in assessing performance.

Is training provided for lawyers undertaking pro bono matters? Lawyers performing pro bono work receive the support of the firm’s Pro Bono & Community Programs Director while they undertake their pro bono work. To make pro bono work easier, pro bono intake administration is centralised so lawyers can focus their energies on their pro bono advice and advocacy when allocated pro bono work.

How is pro bono work encouraged within the firm? Pro bono opportunities are promoted via e-mail, through the firm’s intranet, and by direct liaison. Sometimes, firm briefings are conducted to feature pro bono and community program opportunities. The firm is always also open to receiving feedback from those participating in pro bono work on how procedures may be improved or what types of pro bono work the firm’s lawyers would like to do.

Is there partner supervision for lawyers undertaking pro bono matters? Lawyers performing pro bono work are supervised in the same way as any other work.

Does the firm offer secondments for lawyers to public interest bodies? We don’t offer block secondments to public interest bodies at present. However, we do support regular volunteering opportunities to advice clinics operated by community legal centres.

What costs and disbursements does the firm cover for pro bono work? Sparke Helmore provides both no-fee or reduced-fee pro bono legal assistance.

In matters that are litigated, the firm’s pro bono policy permits assistance to be provided under a conditional costs agreement for the recovery of costs in successful matters.

Sparke Helmore does not normally charge for internal disbursements and, depending on the client’s matter and means, external disbursements up to $500 may be subsidised by the firm through ‘Disbursement Relief’.

Summer clerk pro bono opportunities

Do summer clerks have the opportunity to undertake pro bono work? Summer clerks have the same opportunity to participate in pro bono work and suitable community service activities as any other staff at Sparke Helmore. Pro bono opportunities are dependant on pro bono matters being referred to the practice group in which they are working and their supervisor seeking their input on the work required.

What percentage of summer clerks undertook pro bono work in the past year? This data is unavailable.
Community service
Sparke Helmore launched its community assistance scheme in August 2004. The scheme is called ‘SHARE’, an acronym that stands for ‘Sparke Helmore’s Assistance, Responsibility & Encouragement’.

The scheme enables the firm to focus on the ongoing needs of the communities in which Sparke Helmore operates, creating opportunities for its lawyers and other staff to assist where the firm has both the resources and capacity to do so.

Through SHARE, Sparke Helmore:

• Provides ‘Assistance’ through its Legal Assistance Program – enhancing access to justice through pro bono legal services for people and non-profit community organisations that satisfy acceptance criteria specified in the firm’s pro bono policy;

• Embraces its ‘Responsibility’ through its Community Endeavours Program – providing assistance to non-profit community organisations via workplace giving and charitable fundraising, the sharing of the firm’s expertise and resources for community projects, and the hosting of community events;

• Provides ‘Encouragement’ through the Nick Meagher Developing People Program - participating in mentoring programs and work placement programs that enhance equity and opportunity in the workplace.

What community service programs does the firm run? Sparke Helmore engages with the community beyond traditional pro bono work through the Community Endeavours Program and Developing People Program of ‘SHARE’, the firm’s community assistance scheme. The firm encourages participation in these programs by regularly promoting opportunities and acknowledging time dedicated by lawyers and other staff in achieving program outcomes.

Community Endeavours Program
This program channels the firm’s expertise, resources and people to assist charities with their community activities and fundraising. This is achieved through workplace giving, donations and sponsorships, and special in-house projects and fundraising events where staff and lawyers roll up their sleeves and volunteer their time and skills. An example is the firm’s sponsorship of an annual triathlon in the Hunter region of NSW to benefit the Hunter Medical Research Institute. Through practical assistance like this, Sparke Helmore makes a difference for community groups and the firm learns more about these organisations and their good work. Sparke Helmore has community partnerships with organisations like The Spastic Centre of NSW, ActionAid Australia, Clean Up Australia, The Australian Employers’ Network on Disability, and beyondblue: the national depression initiative.

Nick Meagher Developing People Program
Through this program, Sparke Helmore embraces a range of mentoring initiatives (e.g., ‘Lucy’ Mentoring for women) and work placement programs (e.g., “Stepping into Law”) for law students with a disability. These activities enable Sparke Helmore’s people to contribute to a person’s life and development through positive, empowering relationships, which is a strong feature of Sparke Helmore’s workplace culture. In contributing in this way, the firm remembers the legacy of its late Chairman, Nick Meagher, who contributed so much to the legal profession and the broader community.

Which community organisations is the firm involved with? See above.

Does the firm run a workplace giving program? Yes.

Does the firm have a charitable foundation? No.
Firm philosophy

“Through our national community engagement scheme (‘SHARE’), we facilitate access to justice with our pro bono practice and expertise, we embrace our responsibility to the broader community through our community partnerships and programs, and we give encouragement to people through mentoring and employment initiatives. We see all these activities to be an integral part of our professional and corporate social responsibility as a national law firm. With this philosophy, Sparke Helmore brings the same professionalism, energy, insight and collaboration to its pro bono and community programs as it does all its activities. In doing so, we not only assist people and groups that are in need in our community, but also enrich our own lives with fulfilling and meaningful experiences at work.”

Future direction for pro bono: Sparke Helmore has a strategic plan for its SHARE scheme. The plan, which has been promoted through the firm’s intranet and internal briefings, endeavours to increase the scope of Sparke Helmore’s pro bono and community program activities and enhance the nature of the firm’s community partnerships throughout Australia. We evaluate our programs regularly and we are always looking for new opportunities to help make the scheme a reality for more people within the firm.

“The Insider”

Michael Rosenfeld
Pro Bono & Community Programs Director

“I started doing a pro bono role at Sparke Helmore on a part-time basis a few years ago while managing a busy litigation practice. At the time, I didn’t realise it would eventually lead to a national and full-time role in which I direct the firm’s pro bono and community program activities. I have always had a strong interest in social justice and public policy issues and this role has allowed me to embrace that and to help others to give back to the community in ways that they find rewarding. It’s a demanding and very busy area in the firm that provides a lot of satisfaction, especially when the outcomes of our pro bono and community work become evident. Our community engagement scheme, ‘SHARE’, is all about extending ourselves professionally and personally, in helping others who may not have otherwise been able to benefit from the expertise and resources we apply everyday in providing our legal services throughout Australia. Our scheme has been operating for almost 5 years and we are now implementing several program enhancements to reinforce our commitment and make even more opportunities available to our people to make a difference in the communities in which we operate.”
This national guide focuses on the pro bono work undertaken by 30 Australian law firms. In response to increasing interest from young lawyers and law students, it has been developed to provide up-to-date information about the structured and organised programs and community services offered by these firms.

Profiles of these firms, their pro bono philosophy, and the range of opportunities they offer for pro bono and community service work are detailed along with ‘insider’ comments from lawyers within the firms.