



NATIONAL **PRO BONO** RESOURCE CENTRE

**WORKING TOGETHER:
MULTI-TIERED PRO BONO RELATIONSHIPS
BETWEEN LAW FIRMS AND COMMUNITY LEGAL
ORGANISATIONS**

JUNE 2003

Acknowledgements

Edited by Jill Anderson for the National Pro Bono Resource Centre

The National Pro Bono Resource Centre would like to thank Mallesons Stephen Jaques' employees from the Sydney and Melbourne centres for their contribution to this Paper. In particular, we wish to thank Jemma Bailey, Ishtar Vij and Susan Kantor, who assisted in the project design, in conducting and collating interviews and with preliminary drafting of the Paper and Jane Farnsworth, Mallesons' National Pro Bono Coordinator, for facilitating and supervising their involvement.

We would also like to thank all of the firms and organisations with projects cited in this Paper for offering their time and experiences to this study.



Working together: multi-tiered pro bono relationships between law firms and community legal organisations

Introduction

The growth of pro bono in the last decade has been accompanied by a noticeable extension of pro bono beyond the provision of advice, assistance and representation to the client. Law firms are increasingly offering more than specialist skills and advice. They are building 'multi-tiered relationships' with their pro bono partners in the community, particularly community legal centres.

This Paper explains what multi-tiered relationships might involve and demonstrates their operation through a variety of case studies. The Paper focuses on multi-tiered relationships between law firms and community organisations, especially community legal centres, Indigenous legal organisations and public interest law clearing houses. It is intended to inform community groups about the variety of legal and non-legal assistance that may be available from law firms and to identify additional pro bono opportunities for firms. It may also provide ideas for corporate legal departments and individual lawyers.

Multi-tiered pro bono assistance

For the purposes of this Paper, pro bono is defined as including all forms of advice or assistance that promote access to justice for low income or disadvantaged people and groups in the community. This includes lawyers using their specific legal skills and training to provide advice and representation for individual clients, as well as firms providing legal and non-legal assistance to community organisations that facilitate the provision of legal services to disadvantaged people.

Legal assistance

A multi-tiered pro bono relationship might include the following forms of legal assistance:

- *providing legal advice and representation to clients* referred by the community legal service, including litigating on their behalf
- *providing legal advice and/or assistance to a community legal service in respect of a particular client matter*, including undertaking legal research or drafting documents
- *researching and drafting law reform submissions* and other policy documents
- *undertaking other legal research*
- *full-time, part-time or sessional secondments* of staff to community legal services and *short-term locum secondments*
- *preparing or updating community and other legal education materials*, such as fact sheets and training materials

- *advising and/or drafting work in relation to internal management issues* of community organisations (for example, taxation, incorporation and organisational structures, employment law, tenancy law, intellectual property, privacy or occupational health and safety)
- *providing training* to community organisations (for example, on changes to tax law or industrial relations issues) or to staff of community legal services (for example, on changes to personal injury law)
- *mentoring arrangements* between senior law firm staff and solicitors at community legal services
- *support for co-counsel arrangements*, for example an experienced litigator undertaking a discrimination matter at hearing level with the community legal service solicitor as co-counsel
- *encouraging legal staff to volunteer at community legal centres* (for example, by organising rosters of staff volunteers, providing billable hours credit, city parking, travel allowance or taking staff members' volunteer service into account in performance appraisals) and
- *working with the service to promote particular law reform proposals*, for example, jointly meeting with a government working party.

Non-legal assistance

In addition, multi-tiered pro bono relationships might involve forms of non-legal assistance such as:

- *administrative services*, including word processing (for example, transcribing tapes for a community legal service) and photocopying (for example, photocopying training manuals, induction manuals, Appeal Books)
- *accounting and book keeping services*
- *information technology services*, including access to precedents and advice on IT issues, developing data bases and intranet systems
- *assistance with design and/or publication and printing* of hard copy or on-line resources and materials including reports, newsletters, brochures or business cards
- *mail-outs*, for example, mailing out a Centre's Annual Report
- *human resource management advice and assistance*, for example, revising personnel manuals
- *secondment of non-legal staff*, including on a part-time or occasional basis
- *training for administrative staff*
- *access to law firm facilities* such as rooms, equipment and catering, for meetings, conferences and training seminars
- *donations by the firm or individual staff* including cash donations to support the service or a particular position in it or for specific activities such as holding conferences, paying for conference attendance or for the translation of CLE materials and donations of equipment such as computers or furniture
- *access to library resources* including the on-line library resources of the firm and research by librarians
- *assistance with fundraising events and conferences* including providing premises and administrative support, hosting events, organising speakers and designing and printing invitations and brochures, and

- *assisting in the management of the service* through membership of the service's Board or Management Committee.

Benefits of multi-tiered relationships

Overseas and Australian developments demonstrate that multi-tiered relationships provide opportunities and benefits both for the recipients of the assistance and the law firms involved.

Multi-tiered programs have been operating in North America, the United Kingdom and Australia for a number of years. For example, Allen & Overy, in their pro bono partnership with the Royal Courts of Justice Advice Bureau in London, provide legal assistance and also assistance with printing, marketing, technology and fundraising services. Although dealing only with legal work, the Pro Bono Protocol developed by the UK Bar Pro Bono Group and the Solicitors Pro Bono Group encourages lawyers to undertake pro bono work through a pro bono organisation, the not-for-profit sector, or through both.

As more firms increase their pro bono activity in Australia, there is a growing appreciation of what might be possible – in relation both to legal and non-legal assistance. The development of relationships between particular firms and community organisations has led to enhanced understanding by each of the other's needs and capacities. Both have started to think of a variety of ways in which the law firm can assist the organisation – in the same way that many law firms endeavour to meet a variety of their commercial clients' needs.

The benefits of these relationships to community organisations are clear. The provision of wide-ranging legal assistance by firms allows organisations to extend their legal practices, as well as community legal education and law reform activities. In addition, where firms are able to take away the burden of the organisation's own legal problems (such as leases, employment matters, organisational structure and the like), the organisation is better able to focus on its core objectives.

Further benefits flow from the provision of non-legal assistance to community organisations. As Patricia Brennan from Top End Women's Community Legal Service in the Northern Territory comments, access to a resource base, such as photocopying facilities and on-line libraries, means that the community legal centres themselves are able to provide better quality assistance to a larger number of people.

For law firms, pro bono relationships offer opportunities for different sections of a firm to be involved in pro bono efforts, including, for example, lawyers in areas such as finance, property and intellectual property. Similarly, multi-tiered relationships give a firm's non-lawyers the chance to participate in pro bono in areas such as marketing, IT, human resources and library services. Assistance of this non-legal kind can have a very real impact upon the ability of a centre or organisation to perform its functions. Firms also benefit from being able to provide structured pro bono experiences for staff who may in addition gain a range of desirable skills and knowledge, especially when specific training is provided.

As a result of the multiple points of contact, pro bono partnerships tend to create a closer and more familiar connection between parties, leading to greater trust. In this context, the community organisation may be more inclined to request assistance, the law firm may become more responsive to the needs of the community organisation and the staff at the law firm may be more likely to contribute. This familiarity leads to ideas and new projects. As the case studies illustrate, some projects have required law firms to acquire new skills and expertise and their community partners have been able to assist in providing training.

Case Studies

In this section we present 13 case studies of multi-tiered relationships between law firms and community legal centres, Indigenous legal services or other community services. It is important to note that these are just some examples of current multi-tiered relationships. There are a number more in place or proposed. In particular we describe only one of the three Public Interest Law Clearing Houses. The relationships described are not necessarily exclusive - the community legal services involved may receive assistance from, and have relationships with, a number of firms.

- 1 First Stop Legal and Referral Service for Young People AND Clayton Utz**
- 2 Fitzroy Legal Service's relationships WITH Allens Arthur Robinson AND WITH Herbert Geer & Rundle**
- 3 Lou's Place Women and Children Community Centre AND Blake Dawson Waldron**
- 4 Marrickville Legal Centre AND Gilbert +Tobin**
- 5 National Children's and Youth Law Centre AND Mallesons Stephen Jaques**
- 6 Member organisations AND the Public Interest Law Clearing House Victoria**
- 7 Queensland Advocacy Incorporated AND Minter Ellison**
- 8 Refugee Advocacy Services AND Allens Arthur Robinson**
- 9 Shopfront Youth Legal Centre AND Freehills**
- 10 Sussex Street Community Law Service AND Freehills**
- 11 Sydney Regional Aboriginal Corporation Legal Service AND Mallesons Stephen Jaques**
- 12 Women's Legal Resource Centre AND Gilbert +Tobin**
- 13 Youthlaw Centre AND Blake Dawson Waldron**

1 First Stop Legal and Referral Service for Young People AND Clayton Utz

The First Stop Legal and Referral Service for Young People was created as a partnership between Clayton Utz, the Legal Aid Commission (ACT), the Youth Coalition of the ACT and the ANU Law Students Society. The Service provides face-to-face advice and assistance to young people five afternoons per week at a city location. The service was created by the four partner organisations to explore the extent of unmet legal needs of young people in the ACT and to examine models of how those needs could be addressed.

First Stop operates as a drop-in legal advice and referral service, but clients may also make appointments for legal advice. The Service's focus is to assist people aged 12-25 at the time their legal issue first arises and to help in either resolving the issue or referring the person for specialist legal assistance.

First Stop is staffed every afternoon, five days per week, by one Clayton Utz lawyer and one Legal Aid Commission lawyer. The front desk is staffed by two ANU law students. The legal assistance that First Stop lawyers are asked to provide varies widely, from drug possession and driving charges to domestic violence, personal debt and consumer protection issues. The Legal Aid Commission funded most of the initial infrastructure costs of the Service and Clayton Utz provided initial funding assistance in relation to information and promotional resources.

All lawyers in the Canberra office of Clayton Utz, including partners and senior associates, participate in First Stop on a rostered basis. In addition, Clayton Utz have dedicated a percentage of time (on average, one day per week) of a particular solicitor to participate in the administrative and networking tasks that need to be done. These tasks include production of resource manuals for paralegal and legal staff, participation in promotion and community education activities for the service and organisation of rosters of Clayton Utz solicitors.

Clayton Utz wanted to do more than provide basic funding assistance to the Service. David Hillard, the National Pro Bono Director at Clayton Utz explains: "We had a lot of enthusiasm from our lawyers for being involved in First Stop, but to be honest, we did not have a great depth of experience in many of the legal issues which we knew would affect First Stop clients. So we took steps to get that experience and train our lawyers." Prior to the service opening, Clayton Utz lawyers attended tailored training conducted by Legal Aid lawyers on topics such as criminal and family law. Training was also provided about specialist referral points in Canberra and referrals protocols were developed.

The skills development has continued. John Carroll, the Canberra Partner in charge of the firm's contribution to the First Stop program, says "There has been informal 'on the job' training by Legal Aid lawyers when one of the Clayton Utz lawyers first attends at First Stop. We have also been gathering a list of recurring legal issues at First Stop, and have conducted additional training when necessary on those issues from specialist areas of the firm. Our Workplace Relations team, for example, has prepared a Frequently Asked Questions document for use when attending at First Stop".

2 Fitzroy Legal Service **WITH** **Allens Arthur Robinson AND WITH Herbert Geer & Rundle**

Fitzroy Legal Service (FLS) is a generalist community legal centre located in inner city Melbourne. Since its foundation in 1972 FLS has assisted over 70,000 people and sees approximately 80 new clients a week. FLS has a strong record in law reform and community legal education and publishes the Victorian Law Handbook.

Allens Arthur Robinson's (AAR) assistance to FLS has included funding a full-time articled clerk position at FLS for the past four years. AAR also funded a practice administrator at FLS for 6 months from November 2001 to May 2002. AAR is now organising a program to second secretarial assistance to FLS one day per week. Four AAR secretaries will participate on a rostered basis.

AAR have undertaken major research projects for FLS in the areas of Drugs and the Law and currently, concerning Police Accountability. This latest project has extended over two years and has been carried out by a team of AAR lawyers and articled clerks. It involves a comparative analysis of police accountability systems in various jurisdictions around the world, including Australia, England, Canada and New Zealand. The project aims to investigate ways in which public complaints against police are resolved and to assess the effectiveness of the complaints-handling bodies.

Herbert Geer & Rundle (HG&R) also has a strong pro bono relationship with FLS. The partnership developed from informal beginnings, with cases referred to HG&R on an ad hoc basis by one HG&R lawyer who volunteers at FLS and currently sits on their management committee. The relationship was formalised in 2000 when HG&R established a pro bono committee.

HG&R staff are encouraged to participate in FLS's night-time legal service where they give written and oral advice in areas as diverse as criminal law, family law, motor vehicle accidents, consumer problems, civil law and employment. HG&R accept referrals of files from FLS and consider this work (and also other pro bono work) as 'billable' for the purposes of internal management. Once a matter is accepted by HG&R it is dealt with in the same manner as any other file, both in relation to the conduct of the matter and the rewards for the practitioner undertaking the matter. HG&R has also advised FLS on 'internal' legal matters, such as drafting its constitution and resolving lease issues.

HG&R offers its future articulated clerks a role in the firm as pro bono clerks in the year prior to taking up their article clerk position. The pro bono clerks are made available to FLS to assist.

HG&R also works in conjunction with the legal practice at FLS so that whilst FLS may have conduct of the matter, HG&R will assist in drafting documents such as statements of claims, writs or letters of advice. HG&R has also made itself available as a reference point to discuss matters that may arise in the running of cases or in relation to internal FLS issues.

Sam Biondo from FLS endorses the pro bono relationships which have developed with the Service. He comments, "An enormous contribution has been made to the viability of cash strapped centres like Fitzroy. Such assistance when carefully negotiated leaves a lasting and tangible value added legacy".

3 Lou's Place Women and Children Community Centre AND Blake Dawson Waldron

Lou's Place is a day centre in Kings Cross for women in crisis and their children. Its clients include women who are homeless, are in local refuges or from the many boarding houses and Department of Housing developments in the area. Lou's Place offers a safe place to be during the day when many refuges are closed, provides lunch, showers, clothing, a laundry service and child-minding facilities. In addition to meeting the basic needs of its clients, Lou's Place offers a medical service, counselling, massage, computer literacy training, and art classes. Lou's Place is a joint venture between Mission Australia and the Marmalade Foundation and is totally funded by private donors.

Blake Dawson Waldron (BDW) provides a weekly legal service at Lou's Place. Solicitors are seconded to Lou's Place for at least six months. The solicitor attends the centre every Tuesday and provides legal advice, advocacy and targeted referral in all areas of law, primarily victim's compensation, domestic violence, tenancy, family law and credit and debt. Matters may be referred back to BDW to the in-house pro bono program.

In addition to the legal service, the facilities of the firm are available for use by Lou's Place. Lou's Place uses BDW rooms for staff meetings or volunteer training, BDW caters for meetings and celebrations at Lou's Place, the BDW buses have been used to take clients of Lou's Place on outings and to transport goods, and administrative assistance is provided from time to time. A BDW staff member is a member of the Lou's Place Management Advisory Board and BDW frequently advises Lou's Place itself on issues

such as compliance with privacy law, occupational health and safety matters and on tax issues.

Anne Cregan, National Pro Bono Coordinator of BDW, notes that the long-term and multi-layered relationship with Lou's Place means that "employees feel a real sense of connection with Lou's Place and a personal investment in Lou's which encourages commitment to Lou's and to pro bono more generally".

The success of this philosophy is demonstrated through the commitment of BDW staff (legal and non-legal) to Lou's Place. BDW's pro bono legal contribution is successfully integrated with other assistance provided by the firm. BDW donates the funding for Lou's Place to open on Saturdays and BDW staff form the majority of the Saturday volunteer roster. Other staff make donations of money and/or goods. Lou's Place also calls on BDW for emergency requests relating to clients' needs. Requests are distributed to BDW staff through the daily BDW bulletin and a prompt, flexible response can be achieved. For example, in response to an emergency request for a Somalian refugee for supplies for her new-born baby, BDW staff were able to provide the necessary baby furniture, clothing, bedding and the mother's maternity needs within an hour of the request.

4 Marrickville Legal Centre AND Gilbert + Tobin

Marrickville Legal Centre (MLC) is a community legal centre that has been operating in the Marrickville area for over 20 years. MLC provides free legal advice, assistance and education to individuals and community organisations in the inner west area of Sydney and campaigns for law reform to achieve greater social justice for those who are disadvantaged. It offers specialist assistance in legal issues relating to youth, tenancy and domestic violence.

Gilbert+Tobin (G+T) has a long-standing partnership with MLC. This relationship grew from the personal involvement of a number of G+T staff with MLC. It has gained in depth as a result of frequent consultation between the two, both on an informal level and, in the past, by having a G+T staff member on the Board of MLC. As explained by G+T Pro Bono Coordinator, Michelle Hannon, "Familiarity and frequent contact with legal centres is vital to understanding their needs and establishing a relationship of trust". Such foundations mean that MLC is aware of the range of legal and non-legal support available in the pro bono program.

G+T provide 20 lawyers who are rostered to fill two permanent positions on the night-time advice roster at MLC. MLC provided training for the participating lawyers. Their attendance is recognised as pro bono work by G+T and taken into account in the same way as other pro bono work done at the firm. G+T have also accepted referrals of more complex cases where required, and have assisted with discrete tasks, such as drafting pleadings, for cases being run by MLC.

In addition to this direct legal assistance, G+T have also conducted continuing legal education seminars for MLC staff. For example, G+T conducted an interactive seminar on administrative review issues relating to MLC's children's law service. G+T have also provided guidance and support to MLC staff in relation to particular legal processes, such as conciliations before the Human Rights and Equal Opportunities Commission. They also assist MLC by photocopying and binding MLC's volunteer's induction kits each year. G+T provide transcribing and word processing services to MLC and have assisted in photocopying of cases and other materials.

5 National Children's and Youth Law Centre AND Mallesons Stephen Jaques

The National Children's and Youth Law Centre (NCYLC) is an independent, non-profit organisation working for all Australians under the age of 25. It endeavours to improve conditions and opportunities for Australian children and young people by giving advice and information about legal rights and responsibilities, and by advocating for clients when their rights or interests are threatened.

In October 2001, the Sydney pro bono committee of Mallesons Stephen Jaques formed a partnership with the NCYLC under its New South Wales pro bono program. Since that date Mallesons has provided financial assistance, legal and non-legal staff support as well as legal and non-legal in-kind assistance. It is part of what Mallesons call their 'multi-level' approach, making the participation in community work available to all members of the firm.

The NCYLC provides information to youth on their legal rights through its website, Lawstuff, and the electronic question and answer service, LawMail. Mallesons has reviewed and updated the legal information on the Lawstuff website and assisted in researching and drafting responses to LawMail inquiries via its Cyber Volunteers program.

The firm has also provided legal assistance in matters taken on by the NCYLC under its public interest casework practice. In addition, Mallesons has provided training opportunities to the NCYLC's legal and administrative staff.

Mallesons has assisted in producing and updating the Centre's *Know Your Rights at School* kits and redesigned and produced the NCYLC Publications Catalogue and Order Forms. The firm has also provided information technology support, including provision of computer hardware and software.

Recent developments in Mallesons' partnership with the NCYLC include the provision of advice to the NCYLC in regard to employment contracts and advice in regard to their client work. Further, in order to assist the NCYLC with their legal matters, Mallesons has seconded a law clerk to NCYLC for 25 hours per week. Louise Goodchild, Principal Solicitor of the NCYLC observes that, "Assistance such as this significantly enhances the Centre's effectiveness and ability to deliver quality services in a timely manner. The secondment, for example, is a major addition to our resources and at the same time contributes to the legal education of the law clerk".

In regard to financial assistance, 2002 saw the launch of Mallesons' National Workplace Giving Program. This Program gives staff and partners the opportunity to make regular contributions to charitable and community organisations. NCYLC is a well-supported recipient under the Program. In addition Mallesons was a sponsor of the NCYLC's 2002 National Children's Lawyer Awards and was represented on the judging panel.

6 Member organisations AND the Public Interest Law Clearing House Victoria

The Public Interest Law Clearing House Victoria (PILCH) is a pro bono legal referral service which aims to increase access to the justice system, particularly for the socially or economically disadvantaged and in legal matters of public interest. It is one of three

similar organisations in Australia, the other two being PILCH (NSW) and QPILCH in Queensland. PILCH (Vic) has 39 members, including large and small law firms, the Victorian Bar, corporate legal departments, community legal centres, university law schools and other organisations in related fields. PILCH's core business is the referral of public interest cases to members, however it also initiates other access to justice projects such as the Homeless Persons' Legal Clinic described below. It also administers the legal assistance schemes for the Victorian Bar and the Law Institute of Victoria.

PILCH has multi-tiered relationships with a large number of its member firms. The core relationship involves members accepting referrals of pro bono cases. Representatives of some members also participate on the PILCH Board and on its sub-committees.

Some members also provide legal advice and assistance to PILCH itself, for example, Mallesons has given assistance with work place matters and drafted employment contracts. Mallesons and Freehills have assisted with amendments to the PILCH rules. Minter Ellison has provided advice in relation to insurance matters.

In addition, many members provide a wide range of financial and in-kind assistance to PILCH. Some PILCH members have made financial donations to PILCH, in addition to membership fees. The National Australia Bank (the NAB), for example, made a substantial donation at a time when PILCH was in particular financial need. TABCORP has sponsored the PILCH newsletter. Freehills undertakes the design and layout of the newsletter and the Annual Report and has produced brochures and business cards. Allens Arthur Robinson (AAR) has also provided design assistance including designing the PILCH banner and securing its low cost production. In addition AAR has copied and bound bulk copies of PILCH's Court and Tribunal Fee Waiver Guide. A number of member organisations have hosted and provided catering for PILCH seminars, meetings and functions, including those designed as fundraising events and others associated with PILCH's strategic review process.

PILCH staffing has been significantly enhanced through the secondment of solicitors by Deacons, Maddocks, Mallesons, AAR, Minter Ellison, the NAB and Blake Dawson Waldron. Members have also provided non-legal staff as additional administrative support. In particular, Mallesons has provided administrative assistance to help with the establishment of new premises and the setting up of a filing system and staff to provide accounting and book keeping services. Minter Ellison assisted with the establishment and spatial planning of new premises. Minter Ellison and AAR have also provided IT support. Several members have provided office furniture and equipment.

Seven law firms, AAR, Blake Dawson Waldron, Clayton Utz, Hunt & Hunt, Mallesons, Minter Ellison and Phillips Fox together with the NAB legal department participate in the PILCH Homeless Persons' Legal Clinic. Together they provide over 150 pro bono lawyers, as well as non-legal staff, who attend and provide advice and assistance to homeless people at eight community locations each week. The firms also take on particular cases as ongoing pro bono matters and also participate on the Steering Committee of the Clinic. The firms and the NAB contribute significant time and resources to the Clinic with most firms sending a number of staff, including a secretary, each week. Lawyers from Clayton Utz and Minter Ellison have also researched and drafted law reform submissions for the Clinic. A Clayton Utz pro bono coordinator from Melbourne travelled to the USA with the Clinic's Co-ordinator to examine and report on the provision of homeless persons' legal services in California and Washington. Clayton Utz devised a data base for the Clinic, AAR and Mallesons have hosted a fundraising seminar and AAR has made its print room available for Clinic publications.

The Clinic has also benefited from significant involvement by community legal centres which provide training for Clinic solicitors and attend two of the eight clinics to offer advice in family and criminal law (matters not normally dealt with by Clinic volunteers).

The above outline is by no means an exhaustive list of assistance and support PILCH (Vic) receives from its members. It is, however, illustrative of the diverse contributions

made to the organisation. PILCH (NSW) and QPILCH also have a wide range of arrangements whereby firms contribute to their operations and projects.

7 Queensland Advocacy Incorporated AND Minter Ellison

Queensland Advocacy Incorporated (QAI) is a non-profit organisation that advocates for the rights and fundamental needs of the most vulnerable people with disability in Queensland. QAI does this through systems advocacy and through employment of a community living advocate, a legal advocate and a bioethics advocate. QAI's legal advocacy includes education of the legal profession in respect of disability issues, relevant law reform and some individual legal casework.

QAI's relationship with Minter Ellison's Brisbane office dates back to 2000 when representatives of each organisation met to discuss how Minters could assist. The relationship has grown from initial assistance in relation to QAI's efforts to increase its profile and annual fundraising efforts, to include a wide variety of forms of legal and non-legal assistance. Robert Reed, Senior Associate at Minters and now a member of QAI's Management Committee, comments, "New projects have grown simply out of our ongoing discussions with QAI and the close relationship we have developed with them".

To assist QAI in conducting a national disability conference, Minters gave QAI access to the firm's research resources and drafted an issues paper on access to justice for people with intellectual disability in the criminal justice system. This involvement led to QAI requesting Minters to accompany them to interdepartmental working group meetings organised by the Department of Justice to investigate access to justice issues for people with disability.

Minters is currently providing significant resources to QAI to assist in the updating and promoting of a QAI training package to increase awareness within the legal profession of issues relating to disability. Minters accompanied QAI at the presentation of part of the training package at the Queensland Magistrates Annual Training Conference. QAI's legal advocate has commented that the backing from Minter Ellison has enhanced QAI's credibility in promoting the package to the judiciary and legal profession generally.

Minters has provided a broad range of assistance to QAI in its fundraising efforts. The firm has been involved in strategic discussions about fundraising events, assisted in their organisation, sent invitations on the firm's letterhead, hosted events, attended them and organised speakers. Minters' Marketing department has designed and produced brochures and invitations. Minters has advised QAI in relation to forming a group of supporters and assisted QAI in formulating the Rules for the group and deciding upon the benefits to be attributed to membership. Minters has also provided QAI with access to conference rooms for meetings.

8 Refugee Advocacy Services AND Allens Arthur Robison

Allens Arthur Robison (AAR) has strategic relationships with three refugee legal advocacy services, namely the Refugee Advice and Casework Service (RACS) in Sydney, Refugee and Immigration Legal Centre (RILC) in Melbourne and South Brisbane

Immigration and Community Legal Service (SBICLS) in Brisbane. These relationships developed after an initial decision by AAR in 2001 to target refugees as a particular disadvantaged group requiring pro bono assistance. AAR then made contact with the refugee legal services and explored how AAR could assist.

The refugee advocacy legal services provide advice and representation to asylum seekers and refugees within Australia, both in detention centres and in the community. They also engage in law reform activities and community legal education.

The relationships between AAR and the refugee advocacy services have grown from ad hoc referrals of Federal Court cases to multi-tiered relationships with a number of elements. AAR accepts referrals from the refugee advocacy services where clients require representation in the AAT, Federal Court and High Court. If successful in the appeal, AAR may refer the matter back to the refugee advocacy service to act for the client in the Refugee Review Tribunal.

The advocacy services have provided training in migration law to AAR staff on a fee for service basis. Five AAR solicitors have become registered as qualified migration agents and three more will soon be registered. Solicitors from AAR participate in advice clinics at the services. Those who are registered migration agents provide advice in general migration matters. Other solicitors volunteer in other ways. In NSW, for example, thirteen AAR solicitors participate in the Public Interest Law Clearing House's Temporary Protection Visa project which operates a weekly service to assist clients to prepare statements and submissions for reapplication to the Department of Immigration, Multicultural and Indigenous Affairs. This project is administered by RACS.

Francene Kanaar, AAR's Pro Bono Coordinator comments, "There is a very large interest in refugee issues within the firm, with many of our lawyers being more than happy to take the necessary steps, including training, to become registered as a migration agent or to assist in other ways".

AAR has seconded solicitors who are registered migration agents to RACS and RILC. Secondments have been for three months or longer. In addition AAR has assisted SBICLS with advice about their corporate structure and has given contract and privacy law advice to RILC.

9 Shopfront Youth Legal Centre AND Freehills

The Shopfront Youth Legal Centre (Shopfront) in Darlinghurst, Sydney, is a legal service for homeless and disadvantaged young people. Shopfront provides legal assistance including court representation and legal advice, casework and referral. It also engages in law reform work and undertakes a variety of community legal education activities, ranging from conducting training sessions to producing legal information sheets on particular topics.

Shopfront was established in 1993 and operates as a partnership between Freehills, Mission Australia and The Salvation Army. The Freehills/Shopfront relationship is an unusual one in so far as Shopfront is not a separate entity from Freehills: its legal practice is run under the auspices of Freehills and all the staff are Freehills' employees. On the other hand, Shopfront has its own premises, its own distinct practice and clients and its own identity and profile with the public and within the community sector. The principal solicitor of Shopfront reports to Freehills' Pro Bono Committee that meets once a month. In addition Shopfront convenes regular meetings involving representatives from the three partner organisations.

Freehills currently provides two permanent solicitor positions and a permanent paralegal position at Shopfront. Freehills provides another solicitor and another legal assistant by way of secondments. The solicitor secondments are generally for 6 month periods and the legal assistant secondments are generally for 12 months. Both are popular with Freehills' staff. Freehills recently started a program under which the firm's summer clerks can nominate to spend 6 weeks of their clerkship working at the Shopfront, and three clerks have done so. They carried out legal research, some supervised casework and administrative work. Other Freehills lawyers sometimes assist Shopfront on particular matters, for example, the firm's Employee Relations section provides advice on employment law matters. In addition, Freehills solicitors who have completed a secondment at the Shopfront are occasionally called upon to assist at particularly busy times.

Freehills also provides other resources to Shopfront, including computers, law books and access to the firm's library, conference rooms and other resources. Freehills provides support for Shopfront's website and prints the service's brochures and other materials. In addition, Freehills pays for expert assistance for Shopfront staff including debriefing by a psychologist and occasional legal advice from senior counsel.

The Shopfront's other partners, Mission Australia and The Salvation Army, provide additional resources such as telephones, a car and the Shopfront premises. They also provide training to Shopfront staff on social welfare issues such as alcohol and other drugs, mental health and homelessness. Shopfront shares a building with The Salvation Army's street outreach service and the two services work together in respect of many clients.

10 Sussex Street Community Law Service AND Freehills

Sussex St Community Law Service (Sussex St) in Western Australia is a generalist community legal service, established in 1978. It aims to provide a free and readily accessible legal service, with particular regard to people who are disadvantaged. It also engages in community legal education and law reform activities. Sussex St offers free legal advice and assistance in civil and family law. It provides specialist services in welfare rights and tenancy matters and financial counselling. In addition, through its Disability Discrimination Unit, Sussex St also provides disability discrimination legal assistance and community legal education across Western Australia.

The partners of Freehills recognised an opportunity to assist in the work of Sussex St and the provision of adequate legal services to the community at large. Freehills funds the permanent full-time principal solicitor position at Sussex St and is represented on the Sussex St Board. All Freehills solicitors in Perth undertake a two-week secondment at Sussex St in their post-admission year. With approximately 20 such secondments, a Freehills solicitor is at the Service 40 weeks a year. The seconded solicitors are involved in direct client work as well as undertaking research in relation to Sussex St's specific casework and law reform activities.

Freehills provides advice to Sussex St on legislative changes that may affect the operations of the organisation. For example, Freehills recently provided advice on the impact of the Legal Practice Bill (WA) on community legal centres. This advice will be utilised by Sussex St and by other community legal services across the state in implementing any actions required to respond to the changes.

Freehills accepts referrals of cases from Sussex St that fit within the firm's pro bono guidelines (applying a public interest test). Freehills lawyers have prepared chapters of

the *WA Law Handbook* published by Sussex St. Freehills encourages their solicitors to attend the Volunteer Night Legal Service. Those who participate can raise this in their performance reviews. Sussex St staff have access to Freehills' library and legal research staff. In addition, Freehills donate in-kind resources such as desks and computers when needed.

Jo Buontempo, the director of Sussex St, has observed that Freehill's contribution over the past decade has impacted significantly on Sussex St's capacity to deliver a range of services to the community. She adds, "The partnership with Freehills also supports Sussex St's longer term objective of promoting a just and equitable society where access to legal services is available to all members of the community. By Freehills introducing new practitioners in the field of corporate law to CLCs through pro bono work a culture of philanthropy is advanced and advocated. Seconded solicitors are able to witness the social and legal issues that disadvantaged community members experience and the difficulties they have accessing information on the laws that directly affect them".

11 Sydney Regional Aboriginal Corporation Legal Service AND Mallesons Stephen Jaques

The Sydney Regional Aboriginal Corporation Legal Service (SRACLS) was established in 1996 to provide free legal and advisory services to Aboriginal and Torres Strait Islander people in the greater Sydney area. It offers legal advice and representation in all criminal matters and some family law matters. The service maintains offices in Redfern, Blacktown, Liverpool and Wollongong and currently employs 20 - 25 legal officers.

Mallesons' relationship with SRACLS has developed over time as each organisation has developed a greater understanding of the other's needs and capacities. They have jointly explored and developed possibilities for the partnership. Initially, the Education and Development team at Mallesons Sydney ran a two-day training program for the administrative staff at SRACLS Redfern. This program included tailored organisational procedures to improve the quality of assistance provided to SRACLS' solicitors. SRACLS' staff were able to attend this seminar as their usual duties at SRACLS were covered by four of Mallesons' support staff who were provided to SRACLS on a pro bono basis for the course of the program. To further support SRACLS' administrative systems, Mallesons donated 10 laptop computers. Mallesons' information technology staff established a common server on a wireless network and designed an intranet system for SRACLS.

Through its Summer Clerk program, Mallesons has provided research and drafted fact sheets at the request of SRACLS, for example, on the discretion to exclude improperly or illegally obtained evidence. In addition, SRACLS is a recipient of the Mallesons Workplace Giving Program, which allows staff to direct debit their salary to donate to chosen organisations. With the donations received to date, SRACLS plans to improve its audiovisual facilities to address the increasing need for solicitors and their clients to view surveillance videos used as evidence.

Mallesons is launching an innovative program with SRACLS, whereby Mallesons has offered its solicitors to act in care proceedings under the Children and Young Persons (Care and Protection) Act 1998 (NSW) in situations where SRACLS is unable to act due to a conflict of interest. For example, Mallesons could represent an extended family member willing to care for an Indigenous child in situations where that family member is unable to fund, or obtain funding, for their own legal representation (this often occurs if SRACLS and the NSW Legal Aid Commission have agreed to act for other parties in a proceeding). SRACLS identified this need and Mallesons then researched the feasibility of

meeting it, including acquiring the necessary legal knowledge and skills for its solicitors to act in an area outside their ordinary areas of work. SRACLS will provide some training to solicitors from Mallesons who become involved in the program. Training will cover child protection laws and acting for Indigenous clients.

12 Women's Legal Resource Centre AND Gilbert+Tobin

The Women's Legal Resource Centre (WLRC) provides free legal advice, casework, information and referrals to women and children who are disadvantaged by their social and economic circumstances. The WLRC gives priority to disadvantaged women and children, Aboriginal women, NESB women and women with disabilities. The WLRC also acts as a voice for women on legal issues and devises publications and provides community legal education and training.

G+T have developed a multi-faceted and long-standing pro bono relationship with the WLRC. A constant dialogue is undertaken with the WLRC to ensure that G+T's program is responsive to the changing needs of the WLRC. In one instance, WLRC identified a pressing need for outreach assistance in under-resourced rural and remote regions. This prompted G+T's involvement in an outreach program in Northwest NSW, where a pro bono specialist and a commercial lawyer were sent on a six weekly basis to service the area's disadvantaged (particularly Indigenous) communities with advice clinics and legal education for community organisation staff. Travel costs were met by a grant from the NSW Law and Justice Foundation. The outreach service ceased on the exhaustion of the grant, however G+T's contacts in the area mean that the firm continues to receive referrals of cases.

A similar outreach assistance program has been established in Wyong in conjunction with WLRC. G+T sends a lawyer once a month to the Women's Health Centre and also sends a lawyer to the Wyong Neighbourhood Centre. These lawyers provide advice and ongoing casework assistance to clients. Catherine Carney, Principal Solicitor of WLRC comments, "G+T's assistance means more rural and regional women can get the legal assistance they need. The Wyong outreach is continually booked out and is an example of city lawyers being willing to go out there and deliver services. G+T's visits to Walgett put a face to their voice which means that they can continue to assist the community by providing advice and casework".

G+T accepts referrals of cases from the WLRC and has also provided logistical support to the WLRC in the form of access to G+T premises and catering for meetings and presentations. In addition, the marketing and publications department of G+T have assisted in the WLRC's community education efforts by facilitating the publication of brochures and posters.

13 Youthlaw Centre AND Blake Dawson Waldron

Youthlaw, the young people's legal advice and rights centre, is situated in Melbourne and offers specialist advice, case work and community education for young people on a statewide basis. It was established in October 2000 as an initiative of North Melbourne Community Legal Centre, the Victorian Federation of Community Legal Centres and BDW

to satisfy the need in Victoria for a specialist young people's legal service. Each of the three founding organisations is represented on the management committee of Youthlaw along with young people, youth workers and other lawyers who regularly act for young people.

BDW funds Youthlaw's principal solicitor, an experienced children's lawyer, and provides a full-time secondee. Solicitors are seconded for six months. From time to time, BDW also takes referrals from Youthlaw within the BDW in-house pro bono program. BDW provides administrative support, such as word processing affidavits for the Centre, and provides access to the BDW facilities such as the on-line library, training facilities, the marketing department (for example in the design of community education fliers) and providing conference rooms.

Support for law reform and community education projects is also provided and takes a number of forms. For example, BDW lawyers, under Youthlaw's guidance, have provided legal education classes at Parkville Youth Residential Centre, a juvenile justice centre for young males, and BDW articulated clerks assist with policy research, contributing to the advocacy and law reform work done by Youthlaw.

BDW also provides advice to Youthlaw as required in areas such as obtaining tax-exempt status, leasing agreements and on privacy and employment issues.

Beyond this formal commitment, advice nights at Youthlaw are generally staffed by BDW volunteers, in both legal and administrative roles. BDW contributed to the establishment of the centre, by donating materials for the office fit-out, including desks, chairs, printers and photocopiers.

Sarah Nicholson, Director of Youthlaw, says "Without BDW's support, Youthlaw would not have been established. Also, the ongoing partnership provides access to a wide range of legal and non-legal assistance that we hadn't imagined and which enables us to achieve much more than we otherwise would".

Related websites

Some interesting pro bono developments in the United States and United Kingdom can be seen at:

www.corporateprobono.org

www.probonoinst.org

www.probono.net

www.probonopartnership.org

www.probonogroup.org.uk

Feedback

NPBRC would like to build on the research undertaken for this article and asks readers to contact the Centre with other examples or information relevant to the topic.

The Centre would also like readers to comment on this article:

- ❖ Was it useful?
- ❖ Did it meet your needs?
- ❖ What other information would you find useful on this topic?

Please send your comments to:

info@nationalprobono.org.au