The Australian Pro Bono Centre was established in 2002 as an independent, non-profit organisation at the University of New South Wales. It leads pro bono service delivery in Australia, with the principal objective of growing the capacity of the Australian legal profession to provide pro bono services that are focused on increasing access to justice for socially disadvantaged and marginalised persons, and furthering the public interest.
CONTENTS

FY2017 HIGHLIGHTS ................................................................. 4
STRATEGIES ................................................................. 6
CHAIR’S MESSAGE .......................................................... 8
CEO’S REPORT .............................................................. 10
STRENGTHENING AND PROMOTING PRO BONO LEGAL WORK ........ 12
PRACTICAL ASSISTANCE TO PRO BONO PROVIDERS AND SEEKERS .......... 22
ADVOCACY ON ISSUES AFFECTING PRO BONO LEGAL WORK ................ 36
ABOUT THE CENTRE ....................................................... 40
FINANCIAL REPORTS ....................................................... 46
FY2017 HIGHLIGHTS

STRENGTHENING AND PROMOTING PRO BONO LEGAL WORK

NATIONAL PRO BONO ASPIRATIONAL TARGET

Signatories performed 420,195.2 hours - 17,978.9 more pro bono hours than last year

48.6% of signatories met or exceeded the Target - up from 47.1% last year

FIFTH BIENNIAL NATIONAL LAW FIRM PRO BONO SURVEY: AUSTRALIAN FIRMS WITH 50 OR MORE LAWYERS 2016

9.7% increase in pro bono hours since 2014

57% average participation rate of lawyers - up from 50% in 2014

Pro bono work by lawyers in firms with 201-449 FTE lawyers up 39%

THE CENTRE’S WEBSITES

20,843 unique visitors on the Centre’s SOCIAL JUSTICE OPPORTUNITIES WEBSITE (sjopps.net.au)

39,931 unique visitors on the Centre’s CLC VOLUNTEERS WEBSITE (clcvolunteers.net.au)

SOCIAL MEDIA

2,550 Facebook followers of SOCIAL JUSTICE OPPORTUNITIES as at June ‘17

934 Centre Twitter followers as at June ‘17
PRACTICAL ASSISTANCE TO PRO BONO PROVIDERS AND SEEKERS

New editions of the Centre’s flagship publications:


New publications published/contributed to by the Centre:

- Client Management and Self-Care – A Guide for Pro Bono Lawyers – March 2017
- Pro Bono Legal Work: A Guide for Corporate In-House Lawyers – August 2017

66 articles in 9 editions of Australian Pro Bono News

Key organiser of 6th National Access to Justice and Pro Bono Conference - March 2017

6 events where the Centre was a co-host, sponsor or presenter

Over 226 responses to enquiries from pro bono seekers

3,292.4 hours of pro bono work insured under the scheme in 2016

National Pro Bono Professional Indemnity Insurance Scheme

Advocacy on issues affecting pro bono

Submission to NSW Department of Justice – Civil Justice Review – March 2017
Submission to Standing Committee on Social Policy and Legal Affairs - Inquiry into a better family law system to support and protect those affected by family violence – May 2017
Pro bono conditions in government tender arrangements
Volunteer practising certificates
Cost of interpreters
Following a review and consultation in FY2017, the Centre launched a new Strategic Plan in September 2017. The full text of the Plan is available on the Centre’s website. The Plan sets out the actions, themes and priorities that will guide the Centre in delivering its two overarching strategic priorities over the next 3 years:
1. STRENGTHENING AND PROMOTING THE PLACE OF PRO BONO LEGAL WORK WITHIN THE AUSTRALIAN LEGAL PROFESSION

a. Sustaining Commitment: Promoting the pro bono ethos and sustaining the Australian legal profession’s commitment to undertake pro bono.

b. Promoting Growth and Impact: Leading advocacy for continuing growth in the provision of pro bono and enhancing its impact, especially in areas of unmet legal need, and by a broader range of Australian lawyers.

c. Policy Development and Law Reform: Engaging in policy development, advocacy and law reform with key stakeholders on issues impacting on pro bono services, including the removal of any constraints or barriers to lawyers undertaking pro bono.

d. Thought Leadership: Leading in the development of new ideas and innovative project and partnership models to build pro bono engagement among all Australian lawyers.

e. Community Building: Strengthening relationships between members of the pro bono legal community to promote exchange of knowledge and to stimulate and encourage the development, expansion and coordination of pro bono.

f. Enhanced Public Visibility: Raising the profile of pro bono through a wide range of media and maintaining a strong public presence as a centre of expertise within the legal assistance sector in Australia.

g. Events and Forums: Convening and supporting events and forums to enhance communication about pro bono practice among key stakeholders and to celebrate the Australian legal profession’s commitment to pro bono legal service.

h. International Relationships: Developing and building networks with international pro bono programs and providers to strengthen research and guide development of pro bono policies and practice in Australia.

2. DEVELOPING EXPERTISE AND PROVIDING PRACTICAL ASSISTANCE TO FACILITATE PRO BONO LEGAL SERVICE

a. Expertise: Developing and sharing expertise to advance national best practice in the delivery of pro bono.

b. Practical Support: Providing practical assistance, including practical guides and resource kits, to existing and potential pro bono providers and seekers.

c. Communication: Communicating news and insights about issues affecting pro bono practice in Australia.

d. Research: Conducting research to build knowledge of, and expertise about, pro bono.

e. Reporting: Collecting data and reporting on the pro bono work being undertaken nationally.

f. Professional Indemnity Insurance: Providing professional indemnity insurance, underwritten by Lawcover, to support eligible lawyers to undertake pro bono work on projects approved by the Centre.
As the Centre celebrates 15 years of contributing to the public interest in access to justice by driving growth in pro bono legal services, it was wonderful for the Board of the Centre to meet face to face in Adelaide at the National Access to Justice and Pro Bono Conference. The primary purpose of our meeting was to settle the Centre’s revised Mission Statement and our Strategic Plan for 2017-2020, which reflect a renewed focus on action and impact. I encourage you to review our Strategic Plan online at http://www.probonocentre.org.au/wp-content/uploads/2015/05/APBC_Strategic-Plan_2017-2020_FINAL.pdf. I hope you will conclude that it is the outcome of a well-informed and constructive discussion - I feel lucky to preside over such a great Board.

This year marks the 10th anniversary of the National Pro Bono Aspirational Target (the Target), and we are also taking the opportunity to conduct a review of how the Target is working. Certainly the figures are good, and it is wonderful to see the respondent firms achieving, on average, the Target. However, there are still some large firms that are persistently falling well short of the Target. The Centre is keen to help those firms catch up, and is also working to build the pro bono effort at smaller firms.

While private sector law firms are providing very substantial pro bono help, it must be recognised that nearly one-third of practising lawyers in Australia work in-house, for corporations and government bodies. The Centre has been working for some time to overcome the regulatory and insurance barriers to in-house pro bono. And now the last year has seen a big effort by the Centre, in conjunction with the Law Society of NSW and the Association of Corporate Counsel, to finalise a guide to pro bono for in-house corporate lawyers, which was launched in August. This Guide has had a great reception among general counsel (see page 24).

More and more corporations are embracing corporate social responsibility and the UN Sustainable Development Goals, and it is good for corporate legal departments to be able to play their part. As well as encouraging those legal departments to adopt a formal pro bono program, with participation goals, the Guide also suggests that corporations, in settling their legal panels, should check that their law firms have signed up for the Target and are either meeting it or are on a pathway to doing so. Of course a great way for corporations to get started on pro bono is to partner with their law firms on pro bono projects.
And on the State government side we are working to encourage the adoption of similar requirements (following the lead of the Commonwealth). Great to see the NSW government adopting a requirement for mid and large panel firms to adopt, and use their best endeavours to meet, the Target (see page 38).

One key step by the Board in the last year has been the establishment of a Research & Policy Committee to help drive and consolidate research and policy initiatives in the pro bono and access to justice sectors. A policy area of concern is disbursement funding. This is not just in the field of interpreter services but extends also to expert witnesses and other major out of pocket expenses, which it is not reasonable to expect law firms acting pro bono to bear. One potential mitigant is the Centre’s partnership with the ExpertsDirect consultancy, which is looking at the feasibility of establishing a directory that helps pro bono lawyers identify expert witnesses willing to act pro bono (see page 29).

As a practising lawyer (and as a director of Suicide Prevention Australia), I know the stresses of legal practice and the high rates of depression, anxiety and other mental health issues that can afflict professionals. The Centre rightly sees that pro bono work can be a great antidote to those stresses, providing opportunities for varied, challenging and satisfying work and the development of a broader perspective on one’s own situation. Nevertheless pro bono work can also bring pressures and disappointments, and pro bono clients themselves often suffer mental health issues (as the cause or effect of their circumstances), so it was very pleasing to see the launch, at the National Access to Justice and Pro Bono Conference this year, of Client Management and Self-Care — A guide for pro bono lawyers (see page 26).

One of the major challenges in a big country like Australia is delivering pro bono services in Regional, Rural and Remote areas. This has been a focus of the Centre for some time so it was gratifying when attending the 2017 International Bar Association conference in Sydney to see the session on Pro Bono in Remote Locations kicked off with a showing of the Centre’s video on Pro Bono Legal Services in Regional, Rural and Remote Areas (see page 19).

There is much more to note in the Report, and I hope you will agree it has been a year of achievement for the Centre. That success has been thanks to invaluable support from within the profession and the other constituencies the Centre represents, too numerous to name. But I must conclude by thanking in particular:

- the Commonwealth Attorney-General, and the State and Territory Attorneys-General, for their continuing financial support;
- the University of New South Wales for its continuing invaluable support in housing the Centre and in other ways, such as helping us find volunteer interns from among the students there;
- John Corker our CEO and his wonderful team (and special thanks to the Australian Government Solicitor for providing us with a secondee); and
- my fellow directors, who volunteer not just their time but their keen intelligence and strategic insights. In particular we thank Prof Michael Adams and Robert Reed for their outstanding service - each retired at the 2016 Annual General Meeting having served the maximum three terms. And we welcome Leanne Collingburn, National Pro Bono Executive and Special Counsel at Norton Rose Fulbright, Prof Lesley Hitchens (Dean of the Faculty of Law at the University of Technology Sydney) and Jonathan Hunyor (who took over as CEO at PIAC on Ed Santow’s appointment as Human Rights Commissioner). I’m delighted also that Ed Santow has agreed to continue on the Board.
The overall mission of the Australian Pro Bono Centre is to grow the amount of pro bono legal work being undertaken by Australian legal practitioners, and to have this work directed to areas of greatest unmet need utilising a variety of models and collaborative partnerships that are efficient, effective, and deliver tangible social outcomes.

There are many contributors to this “pro bono ecosystem”. The Centre has a relationship with most and has worked hard again this year to maintain and build those relationships, and form new ones. Fundamental to pro bono growth is the quality of these relationships.

All involved agree that evaluation of impact is difficult but one reliable metric is the number of pro bono hours undertaken by Australian lawyers. The performance of signatories to the National Pro Bono Aspirational Target was again this year impressive, and the detailed data in the Centre’s benchmark biennial survey of the large firms again shone light on trends and issues that help many “to do more and to do better”. Data continues to be vital in helping grow the pro bono sector and the Centre will focus further on this aspect of its work through the work of its new Research and Policy Committee.

The Centre had a very productive year simply measured in new publications and we were particularly grateful for the support of LexisNexis in bringing the new editions of our flagship publications, The Australian Pro Bono Manual and Pro Bono Partnerships and Models – A Practical Guide to What Works to completion. These editions have great new contemporary precedents and the text in the Manual was completely re-written reflecting how far the Australian pro bono sector has come since the second edition was published in 2005. The Centre was also delighted to work with firms to finalise and publish Client Management and Self-Care — A guide for pro bono lawyers, a publication that recognises that the mental health of clients and lawyers is a vital issue.

This year saw possibly the most successful National Access to Justice and Pro
Bono Conference held in Adelaide in March 2017. It was an inclusive and highly relevant program and I would like to thank the Law Council of Australia and the Law Society of South Australia for co-hosting the conference with the Centre, particularly the professional support of my co-chair, Greg Howe.

The year cannot go by without acknowledging the great work of the Centre’s staff during the year and I particularly thank Daniel Jacobs and Afton Fife, who left the Centre to advance their careers elsewhere. The professionalism and excellence of their contributions can be seen in the Centre’s publications and its IT platforms. Their departure provided a one-off opportunity to restructure the staffing profile of the Centre to introduce new Communications and IT, and Head of Policy and Strategy, positions reflecting the skills needed to take the Centre into its next phase, outlined in the Centre’s new Strategic Plan 2017-2020.

This period of change was helped immensely by the Australian Government Solicitor providing the Centre with a secondee in the form of Julianne Tiglao from January 2017 who together with Susan Hunt provided invaluable support to the Centre during this period.

I thank Phillip Cornwell for his support as Chair and every other member of the Board of the Centre for their support during the year, and also each and every person who has supported the Centre in pursuing its mission. I am grateful that the Centre continues to enjoy the immense goodwill and dedication of those who appreciate the importance of the work that all of us in the “pro bono ecosystem” do.
STRENGTHENING AND PROMOTING PRO BONO LEGAL WORK

The Centre seeks to strengthen and promote the place of pro bono legal work within the Australian legal profession.

PROMOTING THE NATIONAL PRO BONO ASPIRATIONAL TARGET

The National Pro Bono Aspirational Target (Target) has been highly effective over the last 10 years in promoting pro bono legal work to lawyers and law firms. Target signatories, which include law firms, incorporated legal practices and individual lawyers, agree to use their best endeavours to achieve a target of at least 35 hours of pro bono legal work per lawyer per year.

This year the Target was formally recognised in the NSW Government Legal Services Panel Rules, which now require all panel firms to meet and annually report against the Target (see page 38).

The Tenth Annual Performance Report on the National Pro Bono Aspirational Target (FY2017) (Report) published by the Centre confirms that the Target remains a driver of pro bono growth in the Australian legal profession. Over the last decade the Target has helped to foster the growth of pro bono in Australia, especially in large and mid-size firms. The top 20 law firms in Australia by size are now all signatories and the total number of signatories continues to grow.

The Target gained 58 signatories in its first year of operation (30 law firms, 13 solicitors and 15 barristers), covering approximately 3,000 FTE legal professionals. As at 30 June 2017 the Target register had grown to 136 signatories (100 law firms, incorporated legal practices and sole practitioners, 24 individual solicitors and 12 barristers) covering over 11,900 FTE legal
professionals. In FY2008 Target signatories collectively reported doing 115,334 hours of pro bono legal work, and by FY2017 that figure had increased to 420,195 hours.

The ten-year anniversary of the Target is a time to celebrate the Target’s achievements and provides an opportunity to reflect, consolidate and consult, to ensure that the Target remains relevant as a benchmark of performance and a catalyst for further growth. To mark the tenth anniversary of the Target, the Centre held a forum of Target signatories in August 2017 to consider which key elements of the Target should be considered for review in a Public Discussion Paper. The Centre subsequently released the Public Discussion Paper in September 2017, inviting comments on a number of issues such as whether the definition of pro bono legal service remains relevant, how well the Target is integrated with governments’ legal purchasing arrangements from the private profession, and how more lawyers can be encouraged to support the Target. Both the Report and Public Discussion Paper are available on the Centre’s website.

**PERFORMANCE OF TARGET SIGNATORIES**

- **35 HOURS**
  - AT LEAST 35 hours of “pro bono legal services” per lawyer
    - across Target Signatories
- **420,195.2 HOURS**
  - of “pro bono legal services”
    - Up by 17,978.9 pro bono hours (4.5%) from FY2016
    - Equivalent to 233.4 lawyers working full time for one year
- **35.7 PRO BONO HOURS PER LAWYER**
  - across Target Signatories
    - Down from 36.0 pro bono hours per lawyer in FY2016
- **11,795.76 FTE LAWYERS**
  - covered by the Target
- **48.6%**
  - of Signatories met or exceeded the Target
    - (up from 47.1% in FY2016)

1 Calculated on the basis of a 37.5 hour working week over 48 weeks.
Fifth National Law Firm Survey: Australian Firms of 50 or More Lawyers

In March 2017 the Centre published its biennial report, the *Fifth National Law Firm Survey: Australian Firms of 50 lawyers or more*. The Survey is the 5th instalment in the Centre’s longitudinal study of the pro bono practices of large firms, which commenced in 2008.

Forty-one of the 58 Australian firms with 50 or more full-time equivalent lawyers as at 30 June 2016, including 19 of the 20 largest law firms, responded to the Survey. Within this cohort, the average hours of pro bono legal work per FTE lawyer for the FY2016 was 34.8 hours, a 9.7 percent increase from 2014. Extraordinary growth was reported by the law firms with 201-449 FTE lawyers, where pro bono hours per lawyer rose by 39.7 percent. Pro bono hours per lawyer in law firms with 50-200 FTE lawyers rose by 26.1 percent.

In the 7 largest firms in Australia (more than 450 FTE lawyers), pro bono performance remained stable at an average of 39.4 hours. Overall, the Survey indicated that further growth may be limited due to the constraints on the capacity of large firms to take on more pro bono work. Eighty-three percent of firms cited ‘firm capacity’ as one of the three biggest challenges facing their pro bono program, and over half said that their internal pro bono target was likely to remain the same in 2017.

One of the key drivers of this growth has been the increasing unmet legal need in work for asylum seekers and refugees. In 2016, immigration was the third overall in the list of areas of law in which the most pro bono work was done, moving up from twelfth in 2014. Forty percent of firms also nominated Immigration as one of their top five areas of law and pro bono practice. Notably, in 2016 several firms doing this work paid sums of more than $25,000 to cover interpreters’ and translators’ fees in these matters, there being no other option for the clients involved. See page 39 for further discussion of this issue and of the Centre’s research and advocacy in this area.
Overall, the average lawyer participation rate in respondent firms increased for the first time since 2010, with the average rate rising to 57 percent participation, up from 50 percent in 2014. The participation of partners also rose from 40 percent to 46 percent. Seventeen firms met the National Pro Bono Aspirational Target of 35 hours per lawyer per annum, up from 12 firms in 2014.

Direct requests from people or organisations seeking pro bono help remains the most common source of pro bono work for large firms, with 38 percent of new matters arising this way.

The previous Survey Report in 2014 raised questions about where the balance should lie between pro bono legal work for organisations and for individuals. Encouragingly, the 2016 Survey results showed that the split has shifted from 65 percent for organisations and 35 percent for individuals in 2014 to 56 percent for organisations and 44 percent for individuals in 2016.
In FY2017, the Centre’s website received web traffic as follows:

- **Users**: 282,562
- **New Users**: 49,176
- **Page Views**: 282,562
- **Users**: 49,176

An independent centre of expertise on pro bono legal services
Website users, in Australia and internationally, include pro bono providers and seekers, students, government agencies and policy and research centres.

THE WEBSITE INCLUDES:

- Information about pro bono, such as key definitions of pro bono legal work currently used in Australia, the history of pro bono in Australia and key events in the pro bono calendar

- Guidance on providing pro bono assistance for law firms and practices, individual solicitors and barristers, in-house lawyers and legal teams, and law students

- Publications on pro bono practice, including online books, articles, submissions and papers produced by the Centre and elsewhere, and

- Links to legal help – providing pathways to legal assistance in every Australian jurisdiction for individuals, legal assistance providers and not-for-profit organisations.

The site is a gateway to our key information resources. Important additions and amendments to the website this year include:

- New edition of *The Australian Pro Bono Manual — A practice guide and resource kit for law firms*
- New edition of *Pro Bono Partnerships and Models — A practice guide to What Works*
- *Client Management and Self-care – A Guide for Pro Bono Lawyers*
- *Pro Bono Legal Work: A Guide for Corporate In-house Lawyers*
- Updates concerning the Government Tender Schemes
- Updates to the National Pro Bono Professional Indemnity Insurance Scheme guidelines and forms
- Updates to the National Law Firm Directory
AUSTRALIAN PRO BONO NEWS

The Centre produces an email and online newsletter, the Australian Pro Bono News, to update the sector about pro bono legal work in Australia and internationally. Our 931 subscribers (as at 30 June 2017) include law firms, CLCs, pro bono referral organisations, government, NGOs and universities. Overall, in FY2017 subscribers received 66 articles and pro bono news round-ups in 9 editions.

This year the Centre conducted a detailed evaluation of the Australian Pro Bono News, inviting readers in November 2016 to complete an online evaluation quiz to evaluate the newsletter’s editorial and production processes. The newsletter now has a renewed focus on editorial content, coverage of new pro bono projects and initiatives, new information resources and curated sector news.
In conjunction with the public release of the Centre’s short film, Pro Bono Legal Services in Regional, Rural and Remote Areas, shown at the National Association of Community Legal Centres (NACLC) Conference in August 2016, the Centre commenced phase two of its project to provide continuing legal education to NACLC members on the subject of pro bono legal work in Regional, Rural and Remote (RRR) Australia.

The Centre and NACLC hosted two one-hour Q&A webinars to NACLC members in late 2016. The webinars expanded on the themes raised in the film and explored different aspects of partnerships between providers of pro bono legal assistance and Community Legal Centres (CLCs) located in, or serving, rural, regional and remote Australia. The Centre’s short film featured in these webinars.

Pro Bono Legal Services in Regional, Rural and Remote Areas is accessible on the Centre’s website and YouTube channel.
The Sixth National Access to Justice and Pro Bono Conference was held in Adelaide from 23–24 March 2017, with the theme of Innovation & Collaboration. The Conference was hosted by the Law Council of Australia, the Law Society of South Australia and the Centre, with sponsorship from the Attorney-General’s Department, and was held at the Adelaide Convention Centre.

The Centre’s CEO, John Corker, chaired the Keynote Address – What’s wrong with the legal profession – and how to fix it, with speakers Professor Sheldon Krantz, Senior Fellow, Georgetown Center for the Study of the Legal Profession, Washington USA, and Nicolas Patrick, Partner, DLA Piper.

The Centre’s Sue Hunt and Hannah Rose from Sparke Helmore launched the new pro bono guide, *Client management and self-care – a guide for pro bono lawyers*, at the pro bono session on ‘Mental health: How to best support your clients and take care of yourself’. The Guide was well-received by the audience members and has since been used by numerous law firms and community legal organisations.

The Centre’s director, Deborah di Natale, chaired the dedicated pro bono session at the conference – Innovative Pro Bono Partnerships. During this session Tim Graham (Executive Director, JusticeNet SA) and Paula Stirling (Senior Solicitor, Crown Solicitor’s Office of South Australia) spoke about the successful partnership between JusticeNet SA and the Crown Solicitor’s Office SA to provide legal assistance for asylum seekers. Annette Bain (Pro Bono Counsel, DLA Piper, Asia) identified several elements of effective pro bono partnerships, including a clear and shared objective, mutual interest and acknowledgement of access to justice, complementary skills and defined roles, trust, and visible leadership.
A number of other directors of the Centre chaired sessions at the conference: Phillip Cornwell, Jonathon Hunyor, Mark Woods, Dominique Hansen and Leanne Collingburn.

The conference was well-attended and achieved its aim of advancing the discussion on current key issues concerning access to justice and pro bono in Australia, with a strong focus on the theme of innovation and collaboration, and with high calibre speakers engaging attendees in over 25 sessions.

THE ‘VALUE OF PRO BONO’ RESEARCH PROJECT

This year the Centre continued a research project examining the impact of involvement in pro bono programs on law firms. The project has been made possible through the generous pro bono support of global advisory firm, Willis Towers Watson, and with the assistance of Annette Bain, Pro Bono Counsel Asia at DLA Piper in the project’s early stages.

While the primary purpose of pro bono is to increase access to justice, there is a common view among law firms that pro bono also benefits a firm’s recruitment, retention, engagement and career progress of staff, business development, client relationships, reputation and culture. The project seeks to test this anecdotal view against evidence-based data, with a view to strengthening the business case for pro bono in firms.

RESEARCH AND POLICY COMMITTEE

An important part of the Centre’s strategic shift is a renewed focus on fostering research. This year the Board convened a Research and Policy Committee to facilitate research and associated policy development to inform, enhance and evaluate the provision of pro bono legal services in Australia. The Committee includes Board members Prof Lesley Hitchens (Chair) and Dominique Hansen, and external members Monica Taylor (Director, UQ Pro Bono Centre) and Amanda Alford (Director of Policy and Advocacy, NACLC), with the Centre’s Sue Hunt as Committee Manager.

While the Committee’s research agenda is still developing, indicative topics focus on:

- what pro bono work is being done in Australia (building on the Centre’s body of work in this area) and its impact
- evaluating the standard models of pro bono service delivery
- practice issues in law firm pro bono and in other sectors of the profession, and
- the impact of pro bono legal work on lawyers, and the value to law firms of engaging in pro bono.

The Committee is building a community of interest of Australian legal academics, community sector lawyers and private practitioners who are invited to help inform the Committee’s research agenda, identify suitable research partners and advise on how research could be undertaken.

The Committee’s work will continue in FY2017, focusing on fostering the community of interest, with a view to building a research team and obtaining funding for one or more research projects.
PRACTICAL ASSISTANCE TO PRO BONO PROVIDERS AND SEEKERS

The Centre develops expertise and provides practical assistance to facilitate pro bono legal service in Australia.

“

Australia has come a long way in the professionalism of pro bono over the past decade, and much of this work has been developed through relationships between large law firms and community legal centres. The What Works publication has been an important tool to assist legal centres in the development of successful pro bono relationships. We welcome this revised version, and hope it continues to strengthen existing relationships as well as building new ones.”

Polly Porteous, Executive Director, Community Legal Centres NSW
THE AUSTRALIAN PRO BONO MANUAL AND ‘WHAT WORKS’

The Australian Pro Bono Manual - A practice guide and resource kit for law firms (3rd edn) (Manual) and Pro Bono Partnerships and Models – A Practical Guide to What Works (2nd edn) (What Works) are the Centre’s flagship texts, new editions of which were published in October 2016. The new editions were launched by Her Honour Justice Virginia Bell of the High Court of Australia at an event hosted by Colin Biggers & Paisley in October 2016.

The new edition of the Manual includes updated guidance on setting up, managing and evaluating a structured pro bono practice as well as policy, letter and agreement precedents. The new edition of What Works provides practical advice on developing pro bono partnerships and includes updated case studies, testimonials and commentary drawing on the wide-ranging experience of law firms, community legal centres, referral organisations and government agencies, as well as individual lawyers and barristers.

The companion texts have been well received by the legal profession. Hard copies of the two texts were printed courtesy of LexisNexis. As at June 2017, 170 hard copies of What Works and 145 hard copies of the Manual had been sold. In FY2017, the online version of the Manual received 1,129 unique views and 3,024 views. What Works received 609 unique views and 1,673 views over the same period.

Since being published, the Manual and What Works have been recognised nationally and internationally. The Law of Society of England and Wales adapted the Manual for use in its local context and it has been used to develop a Pro Bono Manual for the Law Society of Singapore.

“The authors of the Manual have done a tremendous job in assembling the essential tools and templates to assist in formalising and developing a pro bono program. It’s an essential resource for any firm with a pro bono focus but especially those in the early stages of developing their pro bono program.”

Lisa Mcdonald, Business Development and Marketing Director, Hopgoodganim Lawyers

Justice Bell, speaking at the launch.

Centre staff at the launch.
A key focus of the Centre this year has been to encourage and support in-house corporate legal pro bono. The Centre worked with the Association of Corporate Counsel Australia, the Law Society of New South Wales and other organisations to develop and finalise *Pro Bono Legal Work: A Guide for In-house Corporate Lawyers*. The Guide was officially launched by Brian Salter, Group General Counsel, AMP Limited, and Chairperson, ACC Australia GC100, on 3 August 2017 at the Law Society of New South Wales. The Guide is free to download on the Centre’s website, and available for use under a Creative Commons licence.

The Guide is an essential reference point for corporations looking to establish, manage or refine in-house pro bono legal programs and individual in-house corporate lawyers seeking involvement in pro bono legal work. It builds on two previous guides on pro bono for Australian in-house legal counsel published by DLA Piper (April 2009 and August 2013).

**Topics in the Guide Include:**

- the benefits of establishing a pro bono program
- pro bono and corporate social responsibility
- current models of in-house pro bono
- tips on how to establish a pro bono program
- the regulatory requirements applying to pro bono legal work by in-house lawyers
- in-house pro bono FAQs
- case studies on successful in-house pro bono partnerships
- organisations currently providing in-house legal teams with pro bono opportunities

In support of the launch of the Guide, the Centre has been meeting with legal and corporate social responsibility representatives at a large number of major corporations in Australia to encourage in-house corporate legal teams to develop pro bono programs.

---

**Double-Quote:**

Telstra Legal Services has had a long-standing commitment to support the community through its pro bono legal program. This Guide helps to enable any in-house legal team, regardless of size, to participate in pro bono legal work. It provides a great opportunity for in-house legal employees to experience the rewards and engagement that come from using their skills to give back to the community.

*Carmel Mulhern, Group General Counsel, Legal Services, Telstra Corporation Limited*

---

**Double-Quote:**

I commend the publication of this Guide in encouraging more in-house lawyers and legal functions to pursue pro bono legal work and in illustrating the ease in which in-house lawyers and their departments can give back to their community.

*Brian Salter, Group General Counsel, AMP Limited, and Chairperson, ACC Australia GC100*

---

**Double-Quote:**

The Law Society of New South Wales is proud to present this Guide together with the Australian Pro Bono Centre and the Association of Corporate Counsel. The opportunity to support and facilitate in-house corporate lawyers in providing pro bono legal services demonstrates a welcome collaborative exercise for this segment of the profession.

*Coralie Kenny, Chair, Law Society of New South Wales Corporate Lawyers Committee*
CLIENT MANAGEMENT AND SELF-CARE FOR PRO BONO LAWYERS

Pro bono work often involves engaging with vulnerable or marginalised individuals. Working effectively with these clients may require particular skills or require additional practical measures. Working with clients in distress can also have an impact on a lawyer’s own wellbeing and mental health. It is vital that practitioners can identify and address any symptoms or signs of, for example, vicarious trauma or burnout in themselves or in their colleagues.

A new guide, *Client Management and Self-Care — A guide for pro bono lawyers*, was launched at the National Access to Justice Conference in Adelaide on 23-24 March 2017. The Guide is designed as a practical resource to be used by firms in their pro bono programs, and to be adapted for use by community legal organisations. Topics covered include: how to communicate with vulnerable, difficult or linguistically diverse clients; how to assess client capacity and manage expectations; how pro bono work and traumatic cases can impact wellbeing; and symptoms and triggers of stress. The Guide includes user-friendly lists, flowcharts, links and role plays.

The Guide is free to download on the Centre’s website and available for use under a creative commons licence. It was jointly developed by Sparke Helmore Lawyers, Henry Davis York, Clayton Utz and McCabes Lawyers, with substantial input from other law firms, organisations in the legal assistance sector, experts in mental health and the Centre.

NATIONAL PRO BONO PROFESSIONAL INDEMNITY INSURANCE SCHEME

The Centre’s National Pro Bono Professional Indemnity (PI) Insurance Scheme, underwritten by Lawcover, continues to facilitate pro bono legal work by removing one of the key barriers for in-house and volunteer lawyers: the need for professional indemnity insurance to cover them for any civil claims arising from that work.

In FY2017 the Scheme facilitated over 3,292.4 hours of pro bono legal work. As at 30 June 2017 the Scheme covered 115 lawyers and 15 paralegals working on approximately 52 pro bono projects. While the number of lawyers and paralegals insured under the Scheme has remained relatively stable over the past 12 months, the period between 1 January and 30 June 2017 saw a significant increase in the total number of pro bono hours performed under the Scheme by in-house corporate, government and career-break lawyers and paralegals. The majority of pro bono projects insured under the Scheme were performed by in-house corporate lawyers, followed by government lawyers and volunteer lawyers. A register of pro bono projects currently insured under the Scheme can be viewed on the Centre’s website.

As at 30 June 2017 the Scheme was approved in the Australian Capital Territory, New South Wales, Queensland, South Australia and Victoria.

Lawyers in Western Australia can access the Scheme if they hold a practising certificate with a “volunteer or pro bono only” condition attached. In-house lawyers in Western Australia are not covered by the Scheme and can purchase insurance from LawMutual (WA). The Centre is continuing its advocacy to widen access to the Scheme in Western Australia, and for application of the Scheme in Tasmania and the Northern Territory.
Spotlight on the Insurance Scheme

Victim Support Service (VSS) is an award-winning not-for-profit organisation that has provided free and confidential assistance to female victims of crime and their families in South Australia since 2009.

The Centre is pleased to support VSS’s work by providing free professional indemnity insurance for the volunteer lawyers who participate in the VSS Women’s Domestic Violence Court Assistance Service (WDVCAS). Between joining the Scheme in July 2015 and end FY2017, lawyers and paralegals volunteering with WDVCAS have collectively performed a remarkable 4,853.2 hours of pro bono under the Scheme.

Thanks to the volunteer work of those insured under the Scheme, and the critical work of WDVCAS more generally, women affected by family and domestic abuse are able to access the legal assistance and support needed to navigate their legal matters.

“The Australian Pro Bono Centre’s National Pro Bono Professional Indemnity Insurance Scheme was critical to Carnival Australia’s involvement in the Special Olympics Australia project. Without this insurance we would not have been able to participate in this research project. The process for obtaining this insurance was very efficient and straightforward. It is a very valuable initiative which removes one of the key barriers to participation in pro bono work for in-house lawyers. We are very grateful for the support we have received from the Australian Pro Bono Centre.”

Lauren Miller, General Counsel, Carnival Australia
The Centre administers a member-based National Law Firm Directory to facilitate law firm pro bono legal work. Members of the Directory include CLCs, Legal Aid Commissions, Aboriginal Legal Services and pro bono referral schemes and organisations looking to make pro bono referrals to law firms. Some not-for-profit organisations approved by the Centre can also access the Directory if they are seeking pro bono legal advice from law firms. The Directory provides contact details and profiles of law firms offering pro bono assistance in various areas of law. In FY2017, the site had 1,698 unique page views.
EXPERTSDIRECT PRO BONO

One of the potential barriers to providing pro bono legal assistance is the cost of obtaining expert evidence in support of a pro bono legal matter. While some large firms are in a position to cover these costs, expert witness fees limit the capacity of other firms to undertake litigious pro bono matters. There is an unmet need for pro bono professional expert services in fields such as medicine, engineering and forensic accounting. This year the Centre partnered with ExpertsDirect, a Sydney-based consultancy specialising in sourcing expert witness services, and launched a project to develop ExpertsDirect Pro Bono — a new referral service that matches pro bono lawyers with pro bono expert witnesses.

Stage one of the project involved the Centre surveying interested law firms to scope the need for these services. Stage two is focused on building a register of interested professional experts and developing referral pathways. The new service is set to launch in 2018.

PRO BONO IN LAW FIRMS

CONSULTING

The Centre continued its focus on advising and facilitating pro bono partnerships particularly in mid-sized firms. Increasingly these firms are looking to expand the scope of their pro bono practices, and conversations have often centred on creating opportunities to work in areas of high unmet legal need such as immigration, family law, disability law and employment law.
LAW STUDENT AND GRADUATE PRO BONO

LAW STUDENT INTERN PROGRAMS AND VOLUNTEERS

The Centre supports the inclusion of pro bono work as an elective component of Australian law degrees and works with several Australian university law schools to advise on and facilitate pro bono opportunities.

A popular internship and volunteer program is run by the Centre, which provides participants with professional mentoring and vocational experience. This year the Centre took 6 interns through the UNSW Law School Social Justice Internship Program (Sheenal Chandra, Basim Zaidi, Alyce Kliese, Lesley Ng, Melanie Tam and Rebecca Iacono) and one student volunteer (Laksha Prasad). Interns and students make a valuable and lasting contribution to the Centre’s work and their efforts are greatly appreciated.

“Interning at the Australian Pro Bono Centre was a highlight of my law degree at UNSW, as I was able to gain valuable practical experience whilst undertaking my degree. This experience broadened my understanding of pro bono initiatives in Australia and worldwide, and how important it is for all lawyers to undertake pro bono work for access to justice.”

Rebecca Iacono. UNSW student intern at the Centre

“The Centre’s work and passion for pro bono has helped shape my professional values and opened my eyes to many of the challenges faced by pro bono service providers. My internship helped me gain deeper insight into how legal-based policy roles can make important, tangible differences to communities and I am now considering a career in policy.”

Lesley Ng. UNSW student intern at the Centre

STUDENT EDUCATION

The Centre educates law students about the important role of pro bono legal work in improving access to justice, and about the Australian pro bono landscape, working closely with several tertiary institutions.

The Centre updated its Practice Paper on Pro Bono Practice, prepared for PLT students at the College of Law. The Centre’s Afton Fife conducted a seminar in November 2016 as part of the UNSW elective unit on Lawyers, Ethics and Justice, giving an introduction to pro bono, its role in legal practice and an overview of the pro bono community.

The chapter “Pro Bono Assistance for Resolving Civil Disputes” written by the Centre’s CEO, John Corker, in Resolving Civil Disputes (Michael Legg, Editor) is required reading in the core course Resolving Civil Disputes offered by the Faculty of Law at UNSW. Students discuss pro bono as part of how dispute resolution can be funded.
Targeted at legal students and newly qualified lawyers, Social Justice Opportunities (SJOpps) is a highly successful web and social media platform that lists volunteer and paid roles in the legal assistance sector. SJOpps is updated 3-4 times each week.

In FY2017 the SJOpps website (www.sjopps.net.au) had 20,843 unique visitors and 69,795 unique page views.

The Centre distributes its SJOpps career guide to law student career fairs around the country, as well as individuals or organisations that request copies (nearly 10,000 distributed to date).

As at 30 June 2017 SJOpps attracted:

- 2,550 Facebook followers
- 2,164 Twitter followers (@SJOpps)

PATHWAYS FOR THOSE SEEKING PRO BONO ASSISTANCE

The Centre receives many phone calls and emails from community organisations seeking advice about pro bono legal partnerships and individuals seeking pro bono legal assistance. It is not the Centre’s role to provide legal advice or make pro bono referrals to law firms, however the Centre does assist by appropriately referring enquiries to pro bono referral organisations and schemes, legal aid commissions and community legal centres. In FY2017 the Centre responded to over 226 enquiries (over 138 via telephone, 86 via email and 2 in person).

Photo credit: Canned Muffins, used under Creative Commons Licence 2.0
CONFERENCES, SEMINARS AND FORUMS

NACLC 2016 NATIONAL CLCs CONFERENCE

In early August 2016 over 600 delegates from across Australia, including the Centre’s John Corker and Sue Hunt, gathered in Fremantle, WA, for the NACLC conference, representing CLCs, not-for-profits, law firms, government agencies and universities. The conference theme—Innovation and Collaboration for better justice outcomes—was evident throughout the event, with sessions demonstrating that the sector remains resilient, creative and collegiate despite challenging times. More than ever, through pro bono partnerships and individual volunteering, the broader legal profession has an important role to play in collaborating with the sector to provide access to justice.

The Centre launched its short film — Pro Bono Legal Services in Regional, Rural and Remote Areas — commissioned by NACLC and produced by the Centre as a training resource for community legal centres and law firms. The film is based on a series of interviews with people from RRR CLCs, pro bono coordinators, and others. See Pro Bono Legal Services in Regional, Rural and Remote Areas on page 19 for further details.

Sue Hunt also spoke at the conference about starting up and maintaining pro bono partnerships, together with Leanne Ho (Pro Bono Senior Associate, HDY) and Alison Ryan (Senior Solicitor, RACS), who described their successful pro bono partnership. Jillian Mitford-Burgess (Special Counsel Pro Bono, HDY) spoke about pro bono legal research and advocacy through the Law Reform Hub.

5TH ASIA PRO BONO CONFERENCE AND PILNET ASIA PRO BONO FORUM, INDONESIA

Between 28 August - 2 September 2016 the joint efforts of PILnet and BABSEACLE and its consortium partners produced the 2016 Asia Pro Bono Forum followed by the 5th Asia Pro Bono Conference under the banner, the ‘Asia Pro Bono Exchange’.

The Centre’s CEO, John Corker, was a member of the international organising committee. As a panel member he discussed the evolution of pro bono in Australia, together with Fiona McLeay (CEO, Justice Connect) and David Hillard (Partner, Clayton Utz). Key messages from the Australian pro bono experience were that Australia’s pro bono development has been a law-firm led movement, that the role of government in encouraging pro bono in Australia has been important, and that it is possible to achieve a lot with a small group of dedicated people. Some of these and other messages were reinforced by the Hon Michael Kirby AC CMG in his ‘twenty big ideas’ presentation at the conference.

A feature of the week was the diversity of activities, sessions, attendees and the range of related workshops. This was the largest gathering of people to date coming together to discuss pro bono in the Asia region. Large law firms attending included Ashurst, Clayton Utz, Clifford Chance, Colin Biggers...
& Paisley, DLA Piper, Herbert Smith Freehills, K & L Gates, King & Wood Mallesons, Maurice Blackburn, Reed Smith, Ropes & Gray, Linklaters, Russell Kennedy, Skadden Arps, Slate Meagher & Flom together with a number of Indonesian firms including Oentoeng Suria & Partners, Ivan Almaida Baely & Firmansyah Law Firm, Melli Darsa & Co, Assegaf Hamzah & Partners, and many from Indonesian legal aid organisations (LBHs). A large number of attendees came from NGOs working in the region, legal professional associations and clearing houses, and many were disadvantaged community members, academics and students. A greater representation from Hong Kong, China and India than at previous Asia pro bono conferences was evident.

Workshops were held on a variety of topics, including business and human rights, refugees and asylum seekers, anti-trafficking initiatives, protecting women’s rights through pro bono, migrant workers, the role of bar associations, pro bono and social justice lawyering, developing and sustaining pro bono partnerships, pro bono and legal education, client-centred legal service provision, legal services for people who use drugs, pro bono and the Sustainable Development Goals, and Indonesian lawyers working with marginalised populations.

**COLLABORATION WITH PRO BONO SCHEMES AND ORGANISATIONS**

Pro bono referral organisations and schemes share a common goal with the Centre of building a pro bono culture across the profession. The Centre adopts a structured collaboration strategy to ensure the effectiveness of its liaison and collaboration with referral organisations and schemes. In FY2017 the Centre continued to implement the strategy by:

- participating in forums such as the Justice Connect Secretariat and its In-house Lawyer Project
- collaborating on law reform submissions, and
- meeting and exchanging information with organisations including Justice Connect, QPILCH and JusticeNetSA.

The Centre’s CEO, John Corker, with former High Court judge the Hon Michael Kirby and Garth Tinsley of Ashurst at the 2016 Asia Pro Bono Forum.
PRO BONO PARTNERSHIP AWARD 2016

The Centre proudly sponsors the annual Law and Justice Foundation NSW’s Pro Bono Partnership Award. The Award celebrates and promotes innovation in pro bono relationships that effectively address unmet legal need in a particular community and improve access for people experiencing disadvantage.

John Corker was honoured to present the 2016 Pro Bono Partnership Award at the Law and Justice Foundation Justice Awards at NSW Parliament House on 13 October 2016. It was a rewarding evening for all who attended, such is the remarkable nature of the stories of individuals and organisations who work tirelessly to improve access to justice. The Centre congratulates all the award nominees for their outstanding contribution to pro bono legal work.

For the first time this year the location of a partnership in a regional, rural or remote area was considered in relation to the innovative aspect of the partnership. The award winner was the partnership between law firm Carter Ferguson and the Wollongong Women’s Information Service.

Carter Ferguson is a law firm operating in the Illawarra region and in Goulburn with a strong family law practice. For the past two and a half years the firm has been running a weekly pro bono clinic with Wollongong Women’s Information Service. The clinic assists particularly vulnerable and disadvantaged women who are often victims of family violence, some of whom have mental health or drug-related issues, and most of whom are marginalised and isolated.

This partnership has greatly impacted the lives of hundreds of women and their families for the better in the greater Illawarra region. The clinic has provided legal assistance in relation to apprehended violence orders, parenting arrangements, child support, housing and financial matters.

Image: Carter Ferguson, winners of the 2016 Pro Bono Partnership Award, for their pro bono clinic run in conjunction with Wollongong Women’s Information Service.

THE OTHER NOMINEES WERE:

- Cancer Council NSW & Mid North Coast Cancer Institute with Donovan Oates Hannaford Lawyers
- HIV/AIDS Legal Centre with Kemp Strang
- Marrickville Legal Centre with Sparke Helmore, HWL Ebsworth, Minter Ellison & Santone Lawyers
- Women’s Legal Service NSW with Colin Biggers & Paisley
WALK FOR JUSTICE ON NATIONAL PRO BONO DAY

The 2017 Walk for Justice was a great success. Held annually on National Pro Bono Day, this year’s event took place on 16 May in Queensland, South Australia, Victoria and Western Australia. Despite a slight drop in numbers overall (1,708 walkers compared to almost 1,900 in 2016), the event raised over a record $173,299 for LawRight, Law Access WA, Justice Connect and JusticeNet SA, up from $157,000 in 2016.

As these figures demonstrate, the Walk continues to raise the public profile of the important work undertaken by pro bono clearing houses and referral schemes around the country, and is an excellent opportunity for the sector to come together and celebrate the pro bono efforts of the legal profession.

Representing the Centre, CEO John Corker joined the Walk in Melbourne.
The Centre leads advocacy for continuing growth in the provision of pro bono legal services in Australia.
NEW SOUTH WALES DEPARTMENT OF JUSTICE - CIVIL JUSTICE REVIEW

In March 2017 the Centre made a submission to the NSW Department of Justice (Civil Justice Project Team) regarding its review of the civil justice system in NSW. The Review explored ways of overcoming challenges faced by individuals experiencing civil legal problems in the State.

In response to the Department’s consultation paper, Justice for everyday problems: Civil Justice in NSW, the Centre submitted that the NSW Government support and promote the role of pro bono legal work in providing access to civil justice to the disadvantaged and marginalised, and to those who cannot afford a private lawyer but do not qualify for legal aid. The Centre also supported a number of initiatives proposed by the NSW Government to improve access in the civil justice system, including:

- the development of pathways to a network of information resources to help members of the public resolve their legal problems (for example, through LawAccess NSW)
- the development of an integrated referral system via LawAccess NSW for individuals seeking legal assistance, and
- the establishment of a Self-Represented Litigant Service in NSW courts and tribunals, focusing on everyday justice for those experiencing disadvantage or marginalisation.

STANDING COMMITTEE ON SOCIAL POLICY AND LEGAL AFFAIRS INQUIRY INTO A BETTER FAMILY LAW SYSTEM TO SUPPORT AND PROTECT THOSE AFFECTED BY FAMILY VIOLENCE

In May 2017 the Centre made a submission to the House of Representatives Standing Committee on Social Policy and Legal Affairs regarding its inquiry into a better family law system to support and protect those affected by family violence. The Centre’s submission specifically addressed Term of Reference 5, with a focus on the capacity of lawyers who are family law practitioners:

“5. How the capacity of all family law professionals—including judges, lawyers, registrars, family dispute resolution practitioners and family report writers—can be strengthened in relation to matters concerning family violence”

The Centre’s submission focused on the capacity of the pro bono legal culture and services in Australia to support and protect people affected by family violence, and how those services can be strengthened to provide access to justice for those individuals. The Centre primarily drew on its report, Pro Bono Legal Services in Family Law and Family Violence: Understanding the Limitations and Opportunities (October 2013).

On 31 July 2017 the Centre’s John Corker addressed the Committee’s public hearing in Sydney, and spoke to the Centre’s submissions.
In July 2016, as a result of the Centre’s advocacy, the NSW Government included pro bono conditions in its new whole-of-government NSW Legal Services Panel arrangements. As of July 2017 Panel firms are required to report on their pro bono work in NSW.

The Centre made numerous submissions to the NSW Government on this matter, recommending that the new Panel arrangements be tied to the National Pro Bono Aspirational Target, consistent with the pro bono requirements of the Commonwealth Government’s Legal Services Multi-Use List (LSMUL). This approach follows the Productivity Commission’s recommendations in its 2014 Access to Justice Arrangements Inquiry Report, recommending that the governments of Queensland, NSW and Western Australia should consider adopting the Target into their tender arrangements for legal services.

The new NSW Panel arrangements include a number of pro bono related requirements, including an obligation on service providers which are mid-size to large-size law firms to undertake to use their best endeavours to meet the National Pro Bono Aspirational Target (Target) of 35 hours of pro bono work per lawyer per year.

Service providers must report on the pro bono services they provide and maintain records in relation to their pro bono services to demonstrate performance against the Target.

This now brings to four the number of jurisdictions with pro bono encouragement conditions in their legal purchasing arrangements for the private sector (the Commonwealth, Victoria, South Australia and NSW).

The inclusion of pro bono conditions in government tender processes in Victoria and the Commonwealth has been effective in encouraging firms to lift their pro bono performance. By encouraging compliance with the Target and requiring record-keeping and recording of pro bono work undertaken, the NSW Legal Services Panel arrangements will strengthen pro bono legal services in that State.
VOLUNTEER PRACTISING CERTIFICATES

Voluntary practising certificates (VPCs) are currently available in the Australian Capital Territory, Queensland, South Australia, Victoria, Western Australia and New South Wales and the Centre continues to advocate for the availability of free VPCs in all jurisdictions.

The availability of VPCs removes a significant cost barrier for career break and retired lawyers who wish to provide pro bono legal services. The Centre has long advocated for the introduction of free VPCs, a position that was reflected in the recommendations in the Productivity Commission’s 2014 Access to Justice Arrangements Inquiry Report.

At the beginning of FY2017 the Centre’s research, which builds on earlier research conducted in conjunction with DLA Piper, indicated that the number of VPCs across Australia continues to rise.

COST OF INTERPRETERS PROJECT

The Centre’s Report on the Fifth National Law Firm Pro Bono Survey (see page 14) indicates that some firms are paying significant amounts for interpreters and translators. This year the Centre conducted research into the way pro bono law firms, community legal centres and pro bono referral organisations use interpreters. The research drew on interviews and questionnaire responses from 36 firms, community legal centres, referral organisations and government agencies.

The research found that the position varies across jurisdictions, organisations and models of service delivery, and that in some contexts, funding and access to interpreters is not a major issue. However, problems were identified in three main contexts:

- paying for interpreters where community legal centres are assisting asylum seekers (the Centre has worked with several community legal centres this year to advocate in this area)
- sourcing, accessing and paying for trained interpreters in Aboriginal and Torres Strait Islander languages, and
- paying for interpreters in pro bono matters referred to law firms.

While firms that are paying interpreters’ fees should be commended for doing so, the Centre’s position is that pro bono legal services should entail the provision of free legal advice, not the payment of these fees. The Centre is now exploring opportunities to advocate for improved funding for interpreters, and for the establishment of broad-based disbursement funds in jurisdictions where they are needed.
THE CENTRE

STAFF

This year the Centre restructured its staff positions, creating a new Head of Policy and Strategy position and a part-time Communications & IT Coordinator position. Thanks to the generous support of the Australian Government Solicitor, the Centre also welcomed a new Secondee Policy and Project Officer, who is working with the Centre between March 2017 and December 2017.

CURRENT STAFF

JOHN CORKER, Chief Executive Officer
GABRIELA CHRISTIAN-HARE, Head of Policy and Strategy
SUE HUNT, Senior Policy Officer
JULIANNE TIGL AO, Secondee Policy & Project Officer
HSU-ANN LEE, Communications & IT Coordinator
KIRSTAN MCCARTNEY, Office Administrator

FORMER STAFF OF THE CENTRE WHO LEFT THROUGHOUT FY2017 WERE:

Afton Fife, Senior Policy Officer
Daniel Jacobs, Project Officer
Sarah Kim, Office Administrator

This year the Centre took six interns through the UNSW Law School Social Justice Internship Program and one student volunteer (see page 30).
Clockwise from left to right: Hsu-Ann Lee, Sue Hunt, John Corker, Gabriela Christian-Hare, Kirstan McCartney and Julianne Tiglao.
CHAIR: MR PHILLIP CORNWELL

After 32 years as a partner at commercial law firm Allens where, as well as heading its Project Finance practice, for many years he also chaired its Pro Bono and Footprint Committees, Phillip is now Senior Finance Counsel at Allens. In addition Phillip is a director of Suicide Prevention Australia and chairs its governance committee and is also a director of Bush Heritage Australia.

PROFESSOR MICHAEL ADAMS

Michael was appointed as the nominee of the Council of Australian Law Deans (CALD) on the Board in April 2007. Michael is a Professor of Corporate Law and Governance, and retired as Dean of the School of Law on 1 July 2017, at the Western Sydney University. He is a Fellow of the Australian Academy of Law and deputy Chair of the CALD. Previously, he was a Professor of Corporate Law in the Faculty of Law at the University of Technology, Sydney. Michael has been teaching corporate law in the UK, Australia and USA for over 25 years. Michael retired as a Director at the 2016 AGM.

MS LEANNE COLLINGBURN

Leanne Collingburn is Special Counsel, National Pro Bono Executive at Norton Rose Fulbright. Leanne was appointed as Norton Rose Fulbright Australia’s first dedicated National Pro Bono Executive in 2014. Leanne is also a key driver of the Norton Rose Fulbright’s broader corporate social responsibility program and a founding member of the firm’s reconciliation action plan working group. Leanne works extensively with a range of national and global human rights organisations, community legal centres and not for profits on issues affecting the most vulnerable people in society, including issues relating to rights of First Peoples, modern slavery, women’s rights, disability rights, the rights of refugees and asylum seekers and the rights of the LGBTI community.

MR DANIEL CREASEY

Daniel is Head of Pro Bono & Community at King & Wood Mallesons where he leads the Pro Bono & Community program across Australia. He has extensive experience in pro bono, community engagement, poverty and public interest law, and dispute resolution. Daniel has been involved in planning, delivering and managing significant pro bono projects, with large teams of people, in a variety of jurisdictions. Some of those projects have been in partnership with the Australian Pro
Deborah Di Natale is a lawyer. She worked at Victoria Legal Aid in their family, law and civil division for over 6 years. She also worked as the Principal Solicitor of the Tenants Union and over time she developed an interest in access to justice and systemic reform. She was awarded a scholarship to study an Executive Masters in Public Administration at Melbourne University which she completed and has since worked in senior management positions that promote access to justice. She was the Legal Services Director at Justice Connect for 4.5 years and is now the Deputy Principal Legal Officer at the North Australian Aboriginal Legal Service. Here the focus is on access to justice in remote Aboriginal communities.

Dominique is the nominee of The Law Society of Western Australia and was appointed to the Board in February 2012 when she commenced in the role of Executive Manager Community Services for the Society. Dominique is now the Manager of Law Access Limited, the Western Australian Pro Bono Referral Scheme. She has previously worked for the Commonwealth and NSW governments, the Ethnic Communities Council of NSW, the Immigration Advice and Rights Centre NSW and Legal Aid Western Australia.

Lesley Hitchens is a professor of law at University of Technology Sydney, and, since 2013, Dean of the Faculty of Law. She practised in Australia and London and has held academic appointments at English and Australian universities. She is a member of the Legal Profession Admission Board and the Legal Services Council Legal Admissions Committee and a graduate member of the Australian Institute of Company Directors. Lesley’s research is in media and communications law and regulation.

Jonathon Hunyor is the nominee of the Public Interest Advocacy Centre (PIAC). Jonathon is the CEO of PIAC. He has practised for 20 years as a lawyer in NSW and the Northern Territory in a range of areas including criminal law, discrimination and human rights, migration and refugee law and Aboriginal land rights. Jonathon is a University Fellow at Charles Darwin University and has published widely in academic and professional journals.
THE BOARD

MS JANE HUTCHISON

Jane is the Director of the Hobart Community Legal Service, a role she has held for many years. Prior to joining the Board Jane was Chair of the Centre’s Advisory Council. Jane was an inaugural member of the Law Society of Tasmania’s Pro Bono Committee and continues to be a member of this committee. She is also currently Chair of Community Legal Centres Tasmania.

ASSOCIATE PROFESSOR MICHAEL LEGG

Michael is the University of New South Wales’ nominee, and was appointed to the Board in February 2011. Michael is an Associate Professor of Law and Director of the IMF Bentham Class Actions Research Initiative at UNSW Law. He was a member of the Law Society of NSW’ Future Committee, 2016 – 2017 that conducted the Inquiry into the Future of Law and Innovation in the Profession (FLIP). He is a member of the Law Council of Australia’s Class Actions Committee. Michael has 18 years of experience as a legal practitioner having worked with leading Australian and US law firms. He is admitted to practice in the Supreme Court of NSW, Federal Court of Australia, High Court of Australia and in the State and Federal courts of New York. In 2017 he was awarded Academic of the Year at the Lawyers Weekly Australian Law Awards. He specialises in civil procedure, class actions and regulatory litigation.

MR ROBERT REED

Robert was appointed to the Board in February 2007 as a Pro Bono Expert and reappointed at the 2010 annual general meeting. Robert is a Special Counsel with Minter Ellison in their Brisbane office, where he has worked in the insurance litigation group and the employment law group. Robert was heavily involved in formulating Minter Ellison’s Community Benefits Program in Brisbane in 2001 and, since 2003, has had the predominantly full-time role of coordinating all of the Brisbane office’s community work, including pro bono legal assistance, donations and sponsorships, and staff volunteering as part of Minter Ellison’s national Community Investment Program. Robert retired as a Director at the 2016 AGM.
MR EDWARD SANTOW

Ed was appointed to the Board in January 2011 as the PIAC nominee. He was appointed as Human Rights Commissioner at the Australian Human Rights Commission in 2016. Ed was previously an academic at the UNSW Law School and the Gilbert + Tobin Centre of Public Law. He has also worked at the Australian Law Reform Commission and as a solicitor in private practice. Ed retired as a Director at the end of FY2016 but was reappointed in FY2017.

MR MARK WOODS

Mark is an Accredited Specialist in Criminal Law and Family Law, and general litigator practising in regional Australia. He is a past President of the Law Institute of Victoria, and has oversight of the Institute’s Legal Assistance Scheme. He was founding Chair of the LawAid Trust, which funds the out of pocket costs of lawyers acting pro bono. Mark chairs the Access to Justice Committee of the Law Council of Australia, the nation’s peak body for lawyers, and currently chairs the Australian Legal Assistance Forum, the peak collaborative body for the legal assistance sector. Mark also chairs the Access to Justice Committee of the International Bar Association, and is Councillor of the Commonwealth Lawyers Association. He frequently presents at international conferences on family law and criminal law topics, and access to justice issues.

ADVISORY COUNCIL

Mr David Blades
Barrister, John Toohey Chambers, Perth

Ms Priscilla Collins
Director, North Australian Aboriginal Justice Agency, Darwin and Deputy Chairperson, National ATSILS

Ms Kristen Hilton
Equal Opportunity and Human Rights Commissioner, Victorian Equal Opportunity and Human Rights Commission

Mr Greg Manning
Acting Deputy Secretary, Civil Justice and Legal Services Group, Attorney General’s Department, ACT

Professor Denis Nelthorpe AM
CEO, Western Community Legal Centre, VIC

Ms Caitlin Perry
Former Executive Director, Darwin Community Legal Service, NT

Mr Peter Stapleton
Consultant, Ashurst Australia

Emeritus Professor David Weisbrot AM
Chair, Life Insurance Code Compliance Committee
## Statement of Profit or Loss and Other Comprehensive Income

<table>
<thead>
<tr>
<th></th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenue</strong></td>
<td>$527,529</td>
<td>$470,890</td>
</tr>
<tr>
<td><strong>Expenses</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employee benefits expense</td>
<td>392,653</td>
<td>420,814</td>
</tr>
<tr>
<td>Board and Advisory Council</td>
<td>3,054</td>
<td>3,845</td>
</tr>
<tr>
<td>Depreciation expense</td>
<td>2,470</td>
<td>2,413</td>
</tr>
<tr>
<td>Audit fees</td>
<td>3,831</td>
<td>3,779</td>
</tr>
<tr>
<td>Accounting fees</td>
<td>3,974</td>
<td>2,360</td>
</tr>
<tr>
<td>Insurance</td>
<td>(144)</td>
<td>1,510</td>
</tr>
<tr>
<td>Computer and Communications</td>
<td>5,542</td>
<td>8,349</td>
</tr>
<tr>
<td>Subscriptions</td>
<td>2,327</td>
<td>2,298</td>
</tr>
<tr>
<td>Travel and accommodation</td>
<td>10,774</td>
<td>12,813</td>
</tr>
<tr>
<td>Design and Printing</td>
<td>2,121</td>
<td>1,956</td>
</tr>
<tr>
<td>Affiliations, memberships and conferences</td>
<td>55,584</td>
<td>4,986</td>
</tr>
<tr>
<td>Sponsorships</td>
<td>3,450</td>
<td>2,493</td>
</tr>
<tr>
<td>Stationery</td>
<td>431</td>
<td>1,137</td>
</tr>
<tr>
<td>Finance charges</td>
<td>761</td>
<td>524</td>
</tr>
<tr>
<td>Other expenses from ordinary activities</td>
<td>10,393</td>
<td>7,973</td>
</tr>
<tr>
<td><strong>Expenses</strong></td>
<td>497,221</td>
<td>477,250</td>
</tr>
<tr>
<td>Income tax expense relating to ordinary activities</td>
<td>30,308</td>
<td>(6,360)</td>
</tr>
<tr>
<td><strong>Surplus</strong></td>
<td>30,308</td>
<td>(6,360)</td>
</tr>
<tr>
<td><strong>Other comprehensive income</strong></td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total comprehensive income / (loss)</strong></td>
<td>30,308</td>
<td>(6,360)</td>
</tr>
</tbody>
</table>
### STATEMENT OF FINANCIAL POSITION AS AT 30 JUNE 2017

<table>
<thead>
<tr>
<th></th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Current Assets</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash assets</td>
<td>146,233</td>
<td>194,736</td>
</tr>
<tr>
<td>Receivables</td>
<td>2,201</td>
<td>100</td>
</tr>
<tr>
<td>Other current assets</td>
<td>911</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total Current Assets</strong></td>
<td>149,345</td>
<td>194,836</td>
</tr>
<tr>
<td><strong>Non-Current Assets</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Property, plant and equipment</td>
<td>2,318</td>
<td>4,788</td>
</tr>
<tr>
<td><strong>Total Non-Current Assets</strong></td>
<td>2,318</td>
<td>4,788</td>
</tr>
<tr>
<td><strong>Total Assets</strong></td>
<td>151,663</td>
<td>199,624</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Current Liabilities</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payables</td>
<td>24,261</td>
<td>39,350</td>
</tr>
<tr>
<td>Provisions</td>
<td>52,577</td>
<td>58,893</td>
</tr>
<tr>
<td>Other</td>
<td>7,500</td>
<td>57,500</td>
</tr>
<tr>
<td><strong>Total Current Liabilities</strong></td>
<td>84,338</td>
<td>155,743</td>
</tr>
<tr>
<td><strong>Non-Current Liabilities</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Provisions</td>
<td>-</td>
<td>6,864</td>
</tr>
<tr>
<td><strong>Total Non-Current Liabilities</strong></td>
<td>-</td>
<td>6,864</td>
</tr>
<tr>
<td><strong>Total Liabilities</strong></td>
<td>84,339</td>
<td>162,607</td>
</tr>
<tr>
<td><strong>Net Assets</strong></td>
<td>67,325</td>
<td>37,017</td>
</tr>
<tr>
<td><strong>Equity</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retained Earnings</td>
<td>67,325</td>
<td>37,017</td>
</tr>
<tr>
<td><strong>Total Equity</strong></td>
<td>67,325</td>
<td>37,017</td>
</tr>
</tbody>
</table>

### STATEMENT OF CHANGES IN EQUITY FOR THE FINANCIAL YEAR ENDED 30 JUNE 2017

<table>
<thead>
<tr>
<th></th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total equity at the beginning of the year</td>
<td>37,017</td>
<td>35,543</td>
</tr>
<tr>
<td>Surplus / (deficit) for the year</td>
<td>30,308</td>
<td>7,834</td>
</tr>
<tr>
<td>Total comprehensive income / (loss) for the year</td>
<td>30,308</td>
<td>7,834</td>
</tr>
<tr>
<td>Total equity at the end of the financial year</td>
<td>67,325</td>
<td>43,377</td>
</tr>
</tbody>
</table>
The Australian Pro Bono Centre is an independent, non-profit organisation that supports and promotes pro bono legal services.

For more information visit the Centre’s website at probonocentre.org.au.

Australian Pro Bono Centre
Law Centres Precinct
Level 1
The Law Building
University of New South Wales

e: info@probonocentre.org.au
p: +61 2 9385 7381
f: +61 2 9385 7375

The Australian Pro Bono Centre is proud to be a member of the Law Centres Precinct at the University of New South Wales and is indebted to the university for its generous support for the Centre and its work.