

11TH ANNUAL PERFORMANCE REPORT OF THE

NATIONAL PRO BONO TARGET

OCTOBER 2018

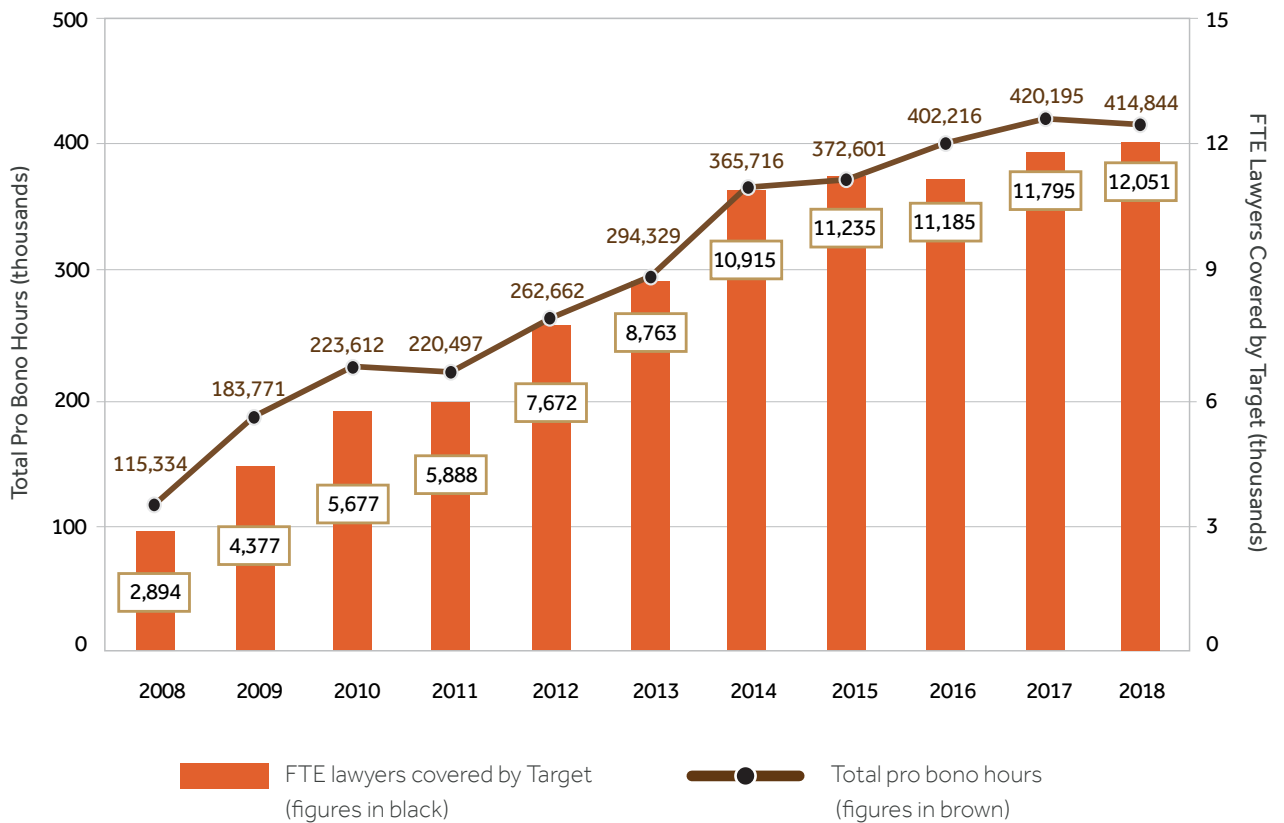


AUSTRALIAN
PRO BONO CENTRE



TARGET SIGNATORIES: 2007-2018

LAWYERS¹ COVERED BY THE TARGET / TOTAL PRO BONO HOURS



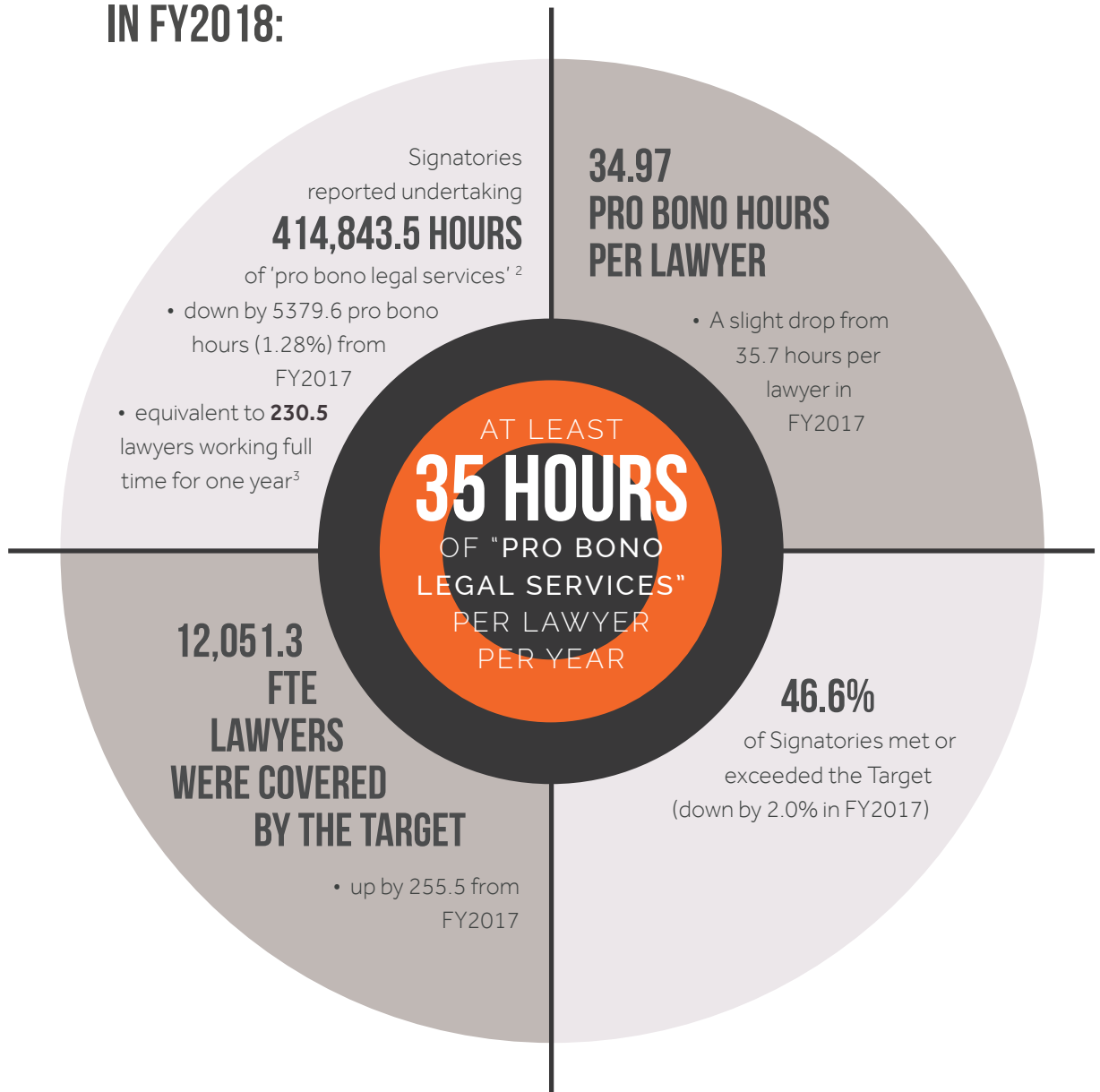
The National Pro Bono Target (formerly the National Pro Bono Aspirational Target) is a voluntary target that law firms, incorporated legal practices, solicitors and barristers can adopt by signing a Statement of Principles. Signatories to the Target agree to use their best efforts to provide at least **35 hours** of "pro bono legal services" per lawyer per year. Signatories report annually to the Australian Pro Bono Centre on their performance against the Target.

The performance of Target Signatories in the 2017/18 Financial Year (**FY2018**) is reported below.

¹ Throughout this report, "lawyer" refers to Full Time Equivalent (FTE) lawyer.



IN FY2018:

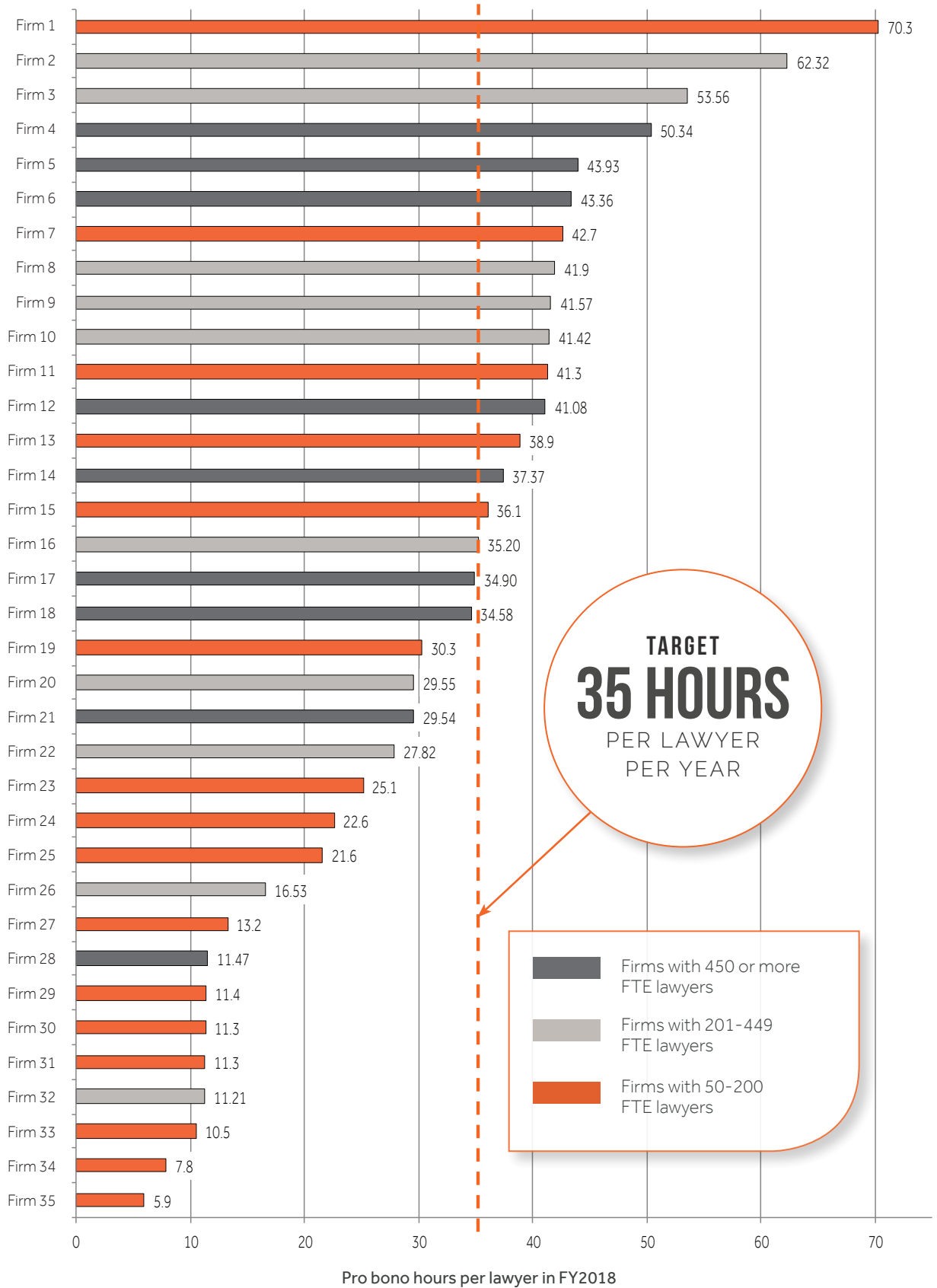


² In this report the contribution of Signatories who joined the Target after 1 July 2017 is included for the purpose of reporting the total number of hours of pro bono legal services performed and the total number of FTE lawyers covered by the Target, but excluded for the purpose of calculating hours per FTE lawyer per year. This is due to the distorting effect of figures provided by these Signatories that cover less than the full year.

³ Calculated on the basis of a 37.5 hour working week over 48 weeks.



LARGE LAW FIRMS (50 OR MORE FTE LAWYERS): PRO BONO HOURS PER LAWYER PER YEAR - FIRM BY FIRM





LARGE LAW FIRMS

(50 OR MORE FTE LAWYERS)

- **37 Large Law Firms** and **Incorporated Legal Practices** reported on the pro bono hours of **11414.24 FTE lawyers** (117.24 more than in FY2017)
- Reported an **average of 34.91 pro bono hours** per lawyer (down from 35.6 in FY2017) (see chart on page 2)
- **16 large firms** (45.7%) **met or exceeded the Target** (down from 20 in FY2017)³
- **23** expect to meet the Target in FY2019 (down from 25 in FY2017)
- **58.25%** average **participation rate** (up by 4.8% from FY2017)

INDIVIDUALS

(SOLICITORS, BARRISTERS AND SOLE PRACTITIONERS)

- **35 Individuals**⁵ reported in FY2018 (up from 31 in FY2017).
- **2091.55 pro bono hours** were reported (down from 3650.2 in FY2017)
- Reported **on average 61.28 pro bono hours** (down from 117.75 in FY2017)
- **19 individuals met or exceeded the Target** (slightly down from 20 in FY2017)
- **27** expect to meet the Target in FY2019 (up from 16 in FY2017)

SMALL LAW FIRMS

(FEWER THAN 50 LAWYERS)

- **40 Small Law Firms**⁴ (up from 36 in FY2017) reported the pro bono hours of **602.02 FTE lawyers**
- Reported an **average of 34.67 pro bono hours** per lawyer (up from **33.0** hours in FY2017)⁴
- **13 small firms** (36.1%) **met or exceeded the Target** (up from 11 firms in FY2017)
- **24** expect to meet the Target in FY2019 (up from 14 in FY2017)
- **60.5%** average **participation rate** (down from 73.9% in FY2017)

PARALEGALS

- Since 2015, Signatories have had the option to report the hours of "**pro bono work of a legal nature**" undertaken by paralegals
- 19 Signatories reported that **184.69 FTE paralegals** engaged in this work (up from 118.5 in FY2017)
- These paralegals completed a total of **3194.0 hours** (down from 8195.2 in FY2017)
- On average **17.29** hours of pro bono work of a legal nature were undertaken per FTE paralegal (down from 75.2 in FY2017)

LEGAL WORK UNDERTAKEN FOR A SUBSTANTIALLY REDUCED FEE

In FY2018 for the first time Signatories had the option of reporting the number of pro bono hours undertaken for a **substantially reduced fee** and describing the nature of this work.

Sixteen Signatories (9 firms and 7 individuals) reported having undertaken **2,924.8** hours of substantially reduced fee work, representing less than 1% of the pro bono legal work reported.

Reporting on substantially reduced fee work will be mandatory for Target signatories as from the 2019 financial year.

⁴ Figures throughout the report exclude the significant pro bono contribution of Salvos Legal and Salvos Legal Humanitarian, except for the number of Target signatories and the number of FTE lawyers covered by the Target. This is due to the significant distorting effect of these numbers in other calculations.

⁵ Includes sole practitioners.

CHANGES TO TARGET REPORTING

WORK DONE FOR SOCIAL ENTERPRISES

As from 1 July 2018 the Centre's definition of 'pro bono legal services,' which applies for the purpose of the Target, includes work for **social enterprises** in certain circumstances.

Clause 1 of the definition now reads as follows:

1. Giving legal assistance for free or at a substantially reduced fee to:
 - a. *individuals who can demonstrate a need for legal assistance but cannot obtain Legal Aid or otherwise access the legal system without incurring significant financial hardship; or*
 - b. *individuals or organisations whose matter raises an issue of public interest which would not otherwise be pursued; or*
 - c. **charities, other not-for-profit organisations or social enterprises, in each case where their sole or primary purpose is to work in the interests of low income or disadvantaged members of the community, or for the public good;**

The change recognises that increasingly firms are acting on a pro bono basis for organisations that use their revenue and/or enterprise model to assist vulnerable and disadvantaged members of the community and that social enterprises are an increasingly common structure being used for an organisation to pursue social, humanitarian, cultural or environmental goals.

WORK DONE FOR A SUBSTANTIALLY REDUCED FEE

Starting from the reporting period 1 July 2018 to 30 June 2019, Target signatories will be asked to report separately on (i) pro bono legal services provided for no fee; and (ii) pro bono legal services provided for a "substantially reduced fee".

"Substantially reduced fee" refers to a fee which is reduced by at least 50% of what the legal service provider would otherwise charge for the work.

When reporting on work done for a "substantially reduced fee", signatories should only count the hours on a pro rata basis based on the degree of fee reduction.

CONSULT THE GUIDANCE NOTES ON THE CENTRE'S WEBSITE FOR MORE INFORMATION



TARGET SIGNATORIES

AS AT 30 JUNE 2018, THE TARGET HAD 126 SIGNATORIES

LAW FIRMS, SOLE PRACTITIONERS & ILPS

ACA Lawyers
Allen & Overy
Allens*
Allygroup
Arnold Bloch Leibler*
Ashurst Australia*
Australian Business Lawyers and Advisors
Australian Government Solicitor
Bainbridge Legal
Baker McKenzie
Beaumont Law
Bilbehry
Bird & Bird
Bowden McCormack, Lawyers + Advisers
BTLawyers
Chamberlains
Clayton Utz*
Colin Biggers & Paisley
Corrs Chambers Westgarth
Dentons
Devenish Law
DLA Piper
Docherty Legal
Eakin McCaffery Cox
Elemess Consulting Pty Ltd**
FOI Solutions
FoodLegal
Franklin Athanasellis Cullen
Gadens Lawyers
Gilbert+Tobin*
Hall & Wilcox Lawyers
Halliday Solicitors
Harmers Workplace Lawyers
Harris Carlson Lawyers
Hegarty Legal
Herbert Smith Freehills
HHG Legal Group
Hicksons Lawyers
Holding Redlich
Holman Webb Lawyers
HopgoodGanim
Hunt & Hunt (NSW)
Hunt & Hunt (Victoria)
HWL Ebsworth
Jackson McDonald
K & L Gates
Kemp & Co
Kemp Strang
Kennedys
King & Wood Mallesons
KPMG Law**
Lander & Rogers
LegalVision**
Ilgold
Logical Legal Solicitors*
Maddocks
Makinson & d'Apice
Marawah Law**
Maurice Blackburn
McCabe Curwood Lawyers
McCullough Robertson
McDonnell Schroder Solicitors*
McInnes Wilson Lawyers (Brisbane)
McInnes Wilson Lawyers (Canberra)
McPhee Lawyers*
Meyer Vandenberg
Mills Oakley
Minter Ellison Group
Moray & Agnew
Moulis Legal
MSP Legal
Norton Rose Fulbright Australia
Parke Lawyers
Phi Finney McDonald**
Pragma Legal
Proximity Legal
Roberts Nehmer McKee
Rostron Carlyle Rojas
Russell Kennedy
Sabelberg Morcos Lawyers
Salvos Legal / Salvos Legal
Humanitarian
Sarah & Associates*
Shelston IP
Siracusa Legal
Slattery Thompson***
Sparke Helmore Lawyers
SRB Legal
Switch Legal
TripleBL Legal
Waratah Partners Lawyers and Consultants
Webb Henderson
Wilson/Ryan/Grose
Withers Australia*

SOLICITORS

Kerrin Anderson
Richard Clarke*
Michael Ryan
Gaby Jaksa
Nicola Johnson
Anthony Jucha*
Nicholas Linke
Alexandra Longbottom
Megan Dyson
David Peters
Bernadette Rayment
Stephen Rees*
Alexandra Rose
Michael Ryan
Sharon Sangha
Michael Simmons
Sam Yiu Hing Tse**
Michael Tucak
David Vlahos
Nerida Wallace
Gene Waters
Sara Wedgwood**
Katherine Whittemore
Gai Winn*

BARRISTERS

Jennifer Batrouney QC**
Stephen Colditz
Simon Freitag SC*
Philip Greenwood SC*
Ashok Kumar
Craig McIntosh*
Fiona McLeod SC
Richard Thomas*
Justin Zeeman

* Foundation Signatory

** Joined after 1 July 2017

*** Foundation Signatory; ceased practice in September 2018



AUSTRALIAN PRO BONO CENTRE

The Australian Pro Bono Centre is an independent, non-profit organisation that supports and promotes pro bono legal services. The Centre receives financial assistance from the Federal Attorney-General's Department and from the Departments of the Attorney-General in the States and Territories.



UNSW
SYDNEY

The Australian Pro Bono Centre is grateful for the support it receives from the Faculty of Law at UNSW Sydney which includes the use of the Faculty's premises and facilities.

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

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