



APPENDIX B VICTORIAN GOVERNMENT SOLICITOR'S OFFICE PRO BONO POLICY

Purpose of the policy

1. VGSO lawyers have a long tradition of using their professional skills to serve the public interest, both through their work for Government and in supporting other community interests, such as the North Melbourne Legal Service. The Pro Bono Policy builds on this tradition.
2. This policy extends only to people undertaking pro bono work on behalf of VGSO through the framework of the Pro Bono Policy. Outside of this framework, VGSO encourages lawyers and non-legal staff to undertake pro bono activities in their personal capacity, provided those activities do not conflict with VGSO activities or their professional responsibilities.
3. VGSO recognises the responsibility of the legal profession, through its members, to provide pro bono legal services. In furtherance of that obligation, VGSO agrees to encourage and support the provision of pro bono legal services by its lawyers and non-legal staff.
4. VGSO recognises that an effective pro bono program will result in improved staff retention (particularly trainee and junior lawyers), increased employee engagement and wellbeing, and will affirm VGSO's commitment to the public good.

Definition

5. VGSO has adopted the Law Council of Australia's definition of pro bono, which provides that pro bono work is where:
 1. A lawyer, without fee or without expectation of a fee or at a reduced fee, advises and/or represents a client in cases where:
 - (i) a client has no other access to the courts and the legal system; and/or
 - (ii) the client's case raises a wider issue of public interest; or
 2. The lawyer is involved in free community legal education and/or law reform; or
 3. The lawyer is involved in the giving of free legal advice and/or representation to charitable and community organisations.



Application

6. Lawyers undertaking pro bono work must have a current practicing certificate and must comply with conditions attached to this certificate, including any supervision requirements.
7. This requirement applies regardless of whether a lawyer is working pro bono in their private capacity or through the Pro Bono Policy framework.
8. VGSO will seek to provide pro bono and volunteer opportunities to administrative and support staff, trainees who have not yet obtained their practicing certificate, and paralegals.

Focus

9. VGSO will provide pro bono support through partnering with suitable external organisations.
10. The main areas of VGSO pro bono work will be:
 - 10.1. Volunteers to clinics run by the partner organisation/s;
 - 10.2. Legal training for community legal centres or other non-profit organisations;
 - 10.3. Assistance in preparing law reform submissions; and
 - 10.4. In-kind assistance, including the provision of non-legal resources.
11. VGSO will develop a memorandum of understanding with its partner organisation/s, which will address the types of pro bono work to be undertaken, the level of commitment from VGSO, the frequency of involvement, and any particular areas of priority.
12. Before entering into any pro bono arrangements with a partner organisation, VGSO will obtain approval from the Attorney-General of Victoria (or his or her delegate, as applicable) to enter into the arrangement and to undertake the pro bono work contemplated by the arrangement.
13. When selecting a partner organisation, VGSO will endeavour to minimise potential conflicts and pursue the Pro Bono Priorities.

Implementation of the pro bono program

14. Implementation of the Pro Bono Policy will be overseen by the Pro Bono Committee and will be lead by a Pro Bono Manager. The Pro Bono Committee will be responsible for:
 - 14.1. Ensuring that the pro bono policy is approved and endorsed by the Senior Managers.
 - 14.2. Promoting a pro bono positive workplace culture.
 - 14.3. Raising awareness of VGSO's pro bono program.



- 14.4. Approving the terms of each arrangement with a partner organisation.
- 15. Management of the pro bono program will be lead by the Pro Bono Manager (an existing VGSO lawyer) who will be responsible for:
 - 15.1. Developing and maintaining a register of VGSO lawyers and non-legal staff interested in undertaking pro bono work.
 - 15.2. Being the first point of contact for pro bono queries.
 - 15.3. Liaising with each partner organisation regarding the operation of the arrangement entered into with each partner organisation.

Time relief

- 16. A matter number will be created for pro bono work.
- 17. Time spent on pro bono work (including time spent by members of the Pro Bono Committee and by the Pro Bono Manager) will be recognised and reflected in lawyers' timesheets.
- 18. Unless otherwise stipulated, lawyers performing legal work on a pro bono basis within the scope of this policy will receive time relief for that work, up to 25 hours (a lawyer's budget for one week). Time relief will apply regardless of whether the pro bono work is performed during or after office hours.
- 19. Pro bono involvement must be undertaken and managed alongside VGSO billable work and in the same professional manner that VGSO billable matters are undertaken and managed.
- 20. All lawyers undertaking pro bono work acknowledge that when a lawyer provides pro bono legal services, he or she owes the pro bono client the same professional and ethical obligations that are owed to any paying client and accordingly the lawyer must give that work the same priority, attention and care as would apply to paid work.

Conflict

- 21. To minimise the risk of actual or perceived conflicts of interest, VGSO will partner with organisations and provide pro bono services in the name of, and under the auspices of, the partner organisation/s.
- 22. Notwithstanding the partnering arrangements, it is recognised that conflicts of interest may arise. VGSO lawyers working pro bono must immediately notify their manager if an actual or perceived conflict of interest arises in the course of their pro bono work, or if they are working on a pro bono matter which is controversial or otherwise of particular public interest or notoriety in a legal, policy or political sense.