

Growing pro bono participation by in-house corporate and government legal teams

As more and more in-house legal professionals have been expressing their interest and passion for engaging in pro bono legal work, the Centre has made supporting and encouraging in-house pro bono participation a priority this year.

From 1 July 2020, the Centre opened the National Pro Bono Target (the Target) to in-house corporate and government legal team signatories. The Target, which was launched by the Centre in April 2007, has been a huge contributor to the growth of pro bono in Australia by law firm solicitors and barristers. There are now over 190 signatories to the Target, which have collectively reported almost 4.25 million hours of pro bono legal work. The Centre aspires to achieve similar success with other legal professionals.

Elizabeth Carroll, Chief Legal Counsel at IP Australia, President of the Law Society of ACT and In-house Counsel Pro Bono Steering Committee Member, explained why her team has become one of the fourteen (and still counting) foundation in-house legal signatories, "When we decided we wanted to help the community and get involved, we started talking to the Australian Pro Bono Centre and it was so important to have that organisational support. Having the Target, a nationally recognised standard, used as a benchmark by the Commonwealth Government in the Legal Services Directions, has meant that we can point to that when talking to our executives and setting up our policies. In addition, the Target has flowed through in our implementation. We have our policy that refers to it, we've adopted it for our team's operational plan and for people who want to do pro bono, we can put it in their performance plan so that they feel supported and the organisation recognises the important contribution they are making. The Target has really helped us in getting motivation and momentum to set up our pro bono program."

"Don't let the fear that you don't have skills that can be used for pro-bono, or there are barriers to finding opportunities stop you. If you put a bit of time in and look at the resources, regardless of what area you work in, you should be able to find something that suits you."

– Elizabeth Carroll



Presenters at the 'Growing participation and Excellence in In-House Pro Bono Webinar'. L-R Mitesh Jagatia, Leigh Simmonds, Jon Downes, Elizabeth Carroll, Jessica Hatherall, Gabriela Christian-Hare and Rebekah Hunter.

In addition to motivation, in-house lawyers often flag concerns regarding structural barriers to engaging in pro bono. Elizabeth Carroll also has advice for in-house practitioners concerned about barriers, "Don't let the fear that you don't have skills that can be used for pro-bono, or there are barriers to finding opportunities stop you. If you put a bit of time in and look at the resources, regardless of what area you work in, you should be able to find something that suits you."

A wealth of resources and practical tools can be found on the Centre's [in-house portal webpage](#) to assist in-house lawyers engage in pro bono such as: information about the National Pro Bono Professional Indemnity Insurance Scheme (PI Scheme), guides, as well as information about sourcing pro bono. The Centre laid the foundation for pro bono participation by in-house legal practitioners by establishing the PI Scheme, which affords liability cover to in-house lawyers doing approved pro bono work. In addition, the Centre has produced two key guides: *Pro Bono Legal Work: A guide for in-house corporate lawyers* and *Pro Bono Legal Work – A Guide for Government Lawyers*. This year the Centre launched the sourcing pro bono opportunities initiative which contains practical resources to find potential opportunities and can be found [here](#).



The Centre's Gabriela Christian-Hare at the Forum for In-house Lawyers.

Most recently the Centre formed an In-House Counsel Pro Bono Steering Committee. The Committee consists of corporate and government lawyers who champion pro bono, and representatives of the Association of Corporate Counsel, the In-House Corporate Lawyers and Government Solicitors Committees of the Law Society of NSW, and the Centre.

By signing up to the Target, in-house legal signatories are committing to using their best endeavours to achieve at least 20 hours of pro bono legal services per in-house lawyer per year. The Centre, in consultation with the In-House Counsel Pro Bono Steering Committee, has decided to take a staged approach and will review whether this hourly target should be raised to be aligned with other legal professionals in the future. The 20-hour benchmark provides an incentive for the growth of in-house pro bono legal services and takes into consideration the unique context for in-house legal professionals. Elizabeth Carroll explained how her team used the benchmark in setting up their pro bono policy, *“When setting up our policies, we could use the Target for defining ‘pro bono’ and the hours it was reasonable to commit to, so when we went to our executive to have it approved, it was so much easier to be able to point to that.”*

“In-house lawyers have so much to offer in this space. Pro bono work is an opportunity to take the public benefit of our work a step further and I encourage other teams to get on board.” – Elizabeth Carroll

“By offering pro bono programs, you can see that glint in people’s eyes, and they get excited as [it reminds them of] the reason why they went to law school. . . Being able to scope and be creative in thinking about what type of pro bono offering...reminds them of the excitement and power of law, which makes their day job much more interesting.”

– Deborah Smith

In support of the opening of the Target, the Centre has also facilitated several important forums. At an August 2020 event co-hosted by the Centre and the Law Society of NSW, Elizabeth Carroll and Jon Downes spoke about their reasons for joining the Target and provided inspiration to other in-house legal teams to get started. Jon Downes, whose team Willis Tower Watson is another foundation signatory, explained their team’s motivation, *“Practising law is a privilege...and as caring lawyers, we can do even more.”* Elizabeth Carroll stated, *“In-house lawyers have so much to offer in this space. Pro bono work is an opportunity to take the public benefit of our work a step further and I encourage other teams to get on board.”* The Centre’s CEO had the opportunity to present again with Elizabeth and Jon at the National Association of Corporate Counsel annual conference in November 2020 on “The Future of Pro Bono for In-house Lawyers”.

At the Asia Pro Bono Conference in September 2020, I facilitated a global panel in which one presenter, Deborah Smith, Executive Director and Senior Counsel, co-chair EMEA Pro Bono Committee, Goldman Sachs and Founder and Steering Committee Member of the UK’s In-House Pro Bono Group described why she has been inspired to increase pro bono participation by her in-house legal team, *“By offering pro bono programs, you can see that glint in people’s eyes, and they get excited as [it reminds them of] the reason why they went to law school. . . Being able to scope and be creative in thinking about what type of pro bono offering... reminds them of the excitement and power of law, which makes their day job much more interesting.”* The next forum to be hosted by the Centre will be a roundtable for in-house foundation Target signatories in February 2021.

The Centre is encouraging as many in-house legal teams as possible to join as in-house signatories. For more information about how to sign up to the Target, please see <https://www.probonocentre.org.au/provide-pro-bono/in-house/>. ■

By Jessica Hatherall, Centre Head of Policy and Strategy