

The Development of Baker McKenzie's Pro Bono Practice



L-R: Vicki Kontellis (First Nations Lead), Aisling Cooper (Administrative Assistant), Kate Gillingham (Partner), Lynn McMahon (Special Counsel) & Luke Hall (Senior Associate).

In the last seven years, Baker McKenzie's pro bono practice has grown significantly in terms of the breadth of practice areas, number of clients and the amount of pro bono work undertaken by our lawyers.

Our Pro Bono team is comprised of three senior lawyers - Kate Gillingham, Partner; Lynn McMahon, Special Counsel; and Luke Hall, Senior Associate. We each have our own pro bono practices, and together, we manage the pro bono practice across the wider firm. Kate also works with Vicki Kontellis, our First Nations Lead, to oversee the firm's community service initiatives and engagement with First Nations' peoples, including our recently launched Reconciliation Action Plan ('RAP').

To ensure that we provide free legal assistance to individuals in need and the charities that support them, we have recruited and structured the Pro Bono team to ensure that we have expertise and experience in both:

- human rights issues and litigation - Lynn joined us last year from roles at Salvos Legal and Herbert Smith Freehills and between Kate and Lynn, we have more than 50 years litigation and 15 years pro bono experience; and
- charities and not-for-profit law - Luke joined us last year from Prolegis Lawyers, a commercial firm that specialises in this area.

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We ensured that our small team is comprised of senior lawyers. As senior lawyers, we are able to leverage our experience to supervise junior lawyers across the firm and maximise Baker McKenzie's capacity to provide pro bono legal assistance.

Baker McKenzie recognises the value of what we do. The pro bono practice is recognised as its own practice group and Kate was promoted to partner in 2019. The benefits of having a partner leading the practice group include increased gravitas for the practice across the firm; having a voice at the partnership table; and autonomy (and associated efficiencies) in the day-to-day management of the practice.

Our practice does not have eligibility criteria which exclude specific types of matters or client groups. Provided that the matter meets the Australian Pro Bono Centre's definition of 'pro bono' and we have the

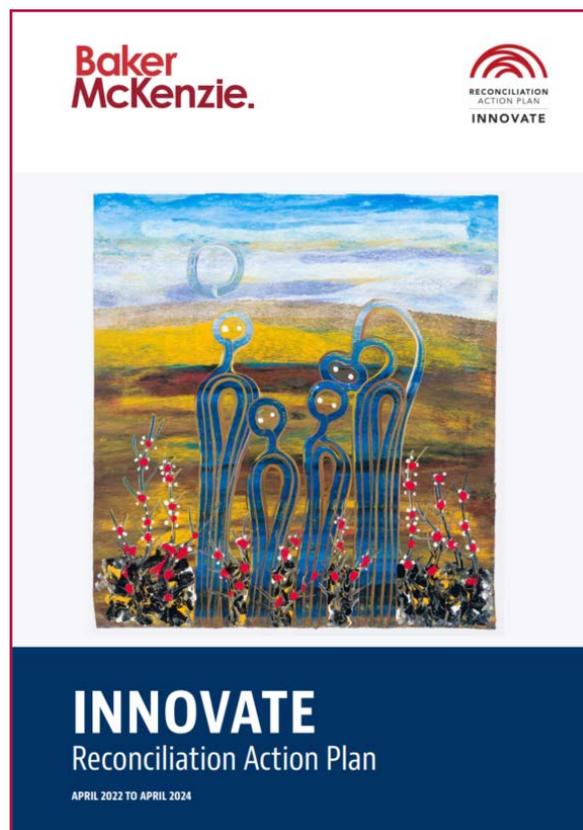
“We have established a number of pro bono programs across each office which are designed primarily to meet unmet legal need but which also offer our lawyers options regarding the type of pro bono work they would like to do.”

expertise and capacity to assist, we will consider taking on a matter.

We welcome opportunities to learn new areas of law to ensure that we meet evolving areas of unmet legal need.

What are the primary pro bono practice areas and client groups?

Our primary client groups include refugees; women and children who have experienced domestic violence; the elderly; and numerous charities and not-for-profit organisations. Our practice areas include those areas of law which impact those client groups, as well as the usual large firm general practice areas including employment; intellectual property; real property; contracts, taxation and corporate governance.



Baker McKenzie's Innovate Reconciliation Action Plan

Much of the work we do is only made possible through the valuable relationships and pro bono referral programs and clinics that we have developed with a number of community legal services. Those relationships allow us to increase our practice's reach and enable those centres to increase their capacity to assist their clients. Our lawyers benefit greatly from the training and guidance generously provided by many lawyers from the community legal sector.

Highlights from our Pro Bono team's practices include:

- Kate:** · Obtaining orders from the Federal Court for the transfer of a 13 year old Iranian boy and his family from Nauru to Australia for emergency medical treatment;
- Successfully acting for a Hazara Shia university professor from Afghanistan in Federal Court proceedings regarding citizenship issues; and
- Acting for an elderly couple in Federal Court proceedings involving a dispute regarding their rights to reside in, and own, a property they purchased with their child.
- Lynn:** · Assisting a survivor of human trafficking from Ethiopia to obtain a Referred Stay Visa to remain in Australia;
- Assisting a victim of abuse to prove her age and identity by reference to bone density scans;
- Assisting a man escaping gang violence in PNG to apply for a Protection Visa; and
- Assisting multiple clients with successful applications for support from Victims Services.
- Luke:** · Assisting a client to establish a charity (and public benevolent institution) that seeks to feed the homeless in Sydney's CBD with nutritious and freshly cooked food;
- Providing board governance training to ID Know Yourself, a First Nations charity; and
- Assisting a client that promotes research into viral diseases to register as a 'health promotion charity'.



Baker McKenzie participates in the National Pro Bono Day Walk for Justice 2022

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A number of pro bono programs across each office which are designed primarily to meet unmet legal need but which also offer our lawyers’ options regarding the type of pro bono work they would like to do. Those client groups include refugees, survivors of domestic violence, the elderly, people with disabilities, self-represented litigants, disadvantaged youth, and people experiencing homelessness. Aside from client groups and areas of law, the programs and clinics offer our lawyers a choice of working styles and time commitment.

Are there any synergies between the Australian practice and the Baker McKenzie broader pro bono practice globally?

Our Australian pro bono practice is part of Baker McKenzie’s wider global pro bono practice. In addition to our Pro Bono Team based in Sydney, we have lawyers in the United States (two partners) and London (Senior Associate) whose practices are dedicated solely to pro bono work.

There are many synergies across the global pro bono practice, particularly in regard to our focus on assisting refugees, disadvantaged youth, and women experiencing domestic violence.

With offices spread across the globe, we are ideally suited to undertake large research and advocacy projects requiring comparative analyses of laws across multiple jurisdictions. Similarly, we are well-placed to assist charities with regional and global reach with cross-border issues and transactions. ■

What is the spread of the pro bono practice nationally?

In Australia, Baker McKenzie has offices located in Sydney, Melbourne and Brisbane. All of our lawyers are expected and encouraged to participate in pro bono legal work.

We We have established



Kate Gillingham is partner at Baker McKenzie, responsible for the Australian pro bono legal practice as well as overseeing the firm’s community services initiatives and engagement with First Nations people. Kate has more than 25 years’ experience as a lawyer - most recently in the pro bono sector and previously as a commercial litigator at DLA Piper (formerly Phillips Fox) and Baker McKenzie. Kate’s recent work involves human rights issues and litigation, with a focus on assisting refugees, women and children who have experienced domestic violence and the elderly.



Lynn McMahon is Special Counsel in the Baker McKenzie pro bono team. Lynn has more than 20 years’ experience as a lawyer and a long background in the pro bono sector. Most recently she was Principal Solicitor and Director of Salvos Legal where she ran a pro bono practice with a focus on advice and representation for refugees and asylum seekers. Prior to this she led the Herbert Smith Freehills pro bono program

across its offices in Asia after a long career in Australia and London as a commercial litigator. Lynn’s practice at Baker McKenzie is focussed on human rights issues and litigation.



Luke Hall, Senior Associate, has advised charities, not-for-profits and philanthropists exclusively for the last 7 years. Luke advises pro bono clients on charity establishment and governance issues (including amending governing documents, and board/governance training), corporate restructures (including transfers of registration), and advising on tax concessions and deductible gift recipient (DGR) endorsement, in particular, public

benevolent institutions and ‘health promotion charities’. Prior to this, Luke was at Prolegis Lawyers, a firm that services charities and NFPs exclusively, having worked in government, NFP and charity sectors over his 20-year career (including managing a charity for five years).

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