

Ethics and Education as the Foundation of a Pro Bono Practice: Gilchrist Connell's Experience

Gilchrist Connell



Gilchrist Connell established a dedicated pro bono practice in early 2022 and has focused the practice on ethics, education and a commitment to critical thinking. The practice is led by Jilly Field. The Centre asked Jilly and her team to explain the ethical foundation of the practice and the impact of it on the firm's pro bono work.

Gilchrist Connell had been looking to formalise its pro bono commitment and, in 2022, recruited Jilly Field to establish a standalone practice. Jilly has since been joined by pro bono lawyer, Shakti Srikanth, and part-time pro bono assistant Kristina Hatzigeorgiou.

A Questioning Approach to Pro Bono

The practice is founded on a commitment to care, ethics, humility and service, with core values of learning and questioning.

Jilly has 20 years' experience in community law and pro bono response. Jilly is focused on how it would feel for those experiencing social disadvantage to receive help from those who are in a position of social prosperity. She works with an acute awareness that front-line lawyers and civil society have the expertise and experience in social response. Jilly says, "I constantly ask what our response, communication or language would feel like if we were the front-line advocate or the one living with social harm."

This focus on care ethics has been the momentum behind the firm's pro bono values, strategies and policies.

The Values Statement and Pro Bono Policy (two of our guiding documents)

To firmly address this approach, a Pro Bono Values Statement was developed to underpin the Pro Bono Policy, Pro Bono Strategy and the First Nations Response.

The Pro Bono Values Statement is based on the key values of fairness, learning and questioning. It commands us to consider the position of the harmed and the context of their lived experience

when we respond from our position of privilege. It also directs us to critically think through our programs, strategies and communications. The Values Statement supports the Pro Bono Policy.

The Pro Bono Policy has a clear position on ethics, education, communication and profiling.

For example, in relation to communication, the Pro Bono Policy specifically states:

Our pro bono work exists because of the lived experience of individuals facing disadvantage, marginalisation and unfairness. We have an ethical duty to our pro bono clients and will not

leverage or reference their experiences for our firm's profile. We do not profile or link our pro bono work to social justice outcomes.

Adherence to the Pro Bono Policy means that we run a practice with little external

promotion of our work.

Richard Wood, Managing Partner, says, "We work with a firm handle on realistic outcomes, fairly executed compassion and a commitment to understanding the appropriateness (or not) of a corporate response. Jilly has a staunch commitment to moral decision making and an inexhaustible preoccupation with addressing unfairness, which is reflected in our practice."

A Focus on Education and Learning

Our Pro Bono Values Statement encourages us to invest time in understanding the impacts of systemic unfairness, structural

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injustice and colonisation. We understand that it is a learning process that has no end point.

The pro bono team spends time discussing unfair systems with lawyers to improve injustice literacy. In their writing, lawyers are asked to promote

human dignity, draft out privilege and work against deficit language. The pro bono team has prepared guides on research priorities and is developing a manual on use of language. Lawyers are trained on advocacy writing and on working with

communities facing unfairness to ensure that the material is addressed with sensitivity and foresight.

This education focus aligns to our key pro bono program – The Reform Project – where we ghost write for the front-line. In the last 17 months, our lawyers have, with confidence, prepared submissions, literature reviews and legal analyses across 30 matters totalling at least 3,600 hours. In line with our values and policies, this work is unbranded and unprofiled.

Reflecting on the education focus, Shakti says, “We are deeply committed to listening and continuous learning, and we will often have tools-down reading hours on decolonisation, oppression response, and intersectional perspectives on feminism. Jilly insists on understanding unfairness as our foremost priority. Each month there is a new book on my chair.”

The pro bono team runs a lateral practice working against hierarchy and power with a focus on service. Jilly works closely with Shakti on matter work. KPIs are set that commit Shakti to a 90% matter work

allocation with limited time spent on coordination. Shakti says, “We prioritise our team’s delivery of pro bono legal work over general coordination as best we can. It is crucial that together we are working on the practice of pro bono law. Having an experienced Pro Bono Assistant in Kris has helped support this approach.”

Our Future

Our focus on core values as opposed to a focus on data metrics has not impacted the firm’s pro bono figures. We are on track to report a significant increase in pro bono hours for the 2023 financial year. It is anticipated that full-time employees will finish close to an average of 55 pro bono hours per lawyer, per year. This is a 754% increase from 2021 and a 175% increase from 2022. The pro bono practice represents the 6th largest client base across the firm.

These results speak to a strong culture, aligned strategies and a commitment to values. Jilly says “We wanted to remain focused on work and education, so we took the position not to distract with data goals. Our strategies and policies prioritise values not metrics.”

In early 2023, the firm supported Jilly to join the Vincent Fairfax Fellowship at the Cranlana Centre for Ethical Leadership, where she intends to look further into the ethics of language in corporate social response.

Jilly says, “The future of pro bono for Gilchrist Connell is ethics and addressing the inherent tensions and power dynamics that underpin private organisations assisting civil society. The key for our firm is to work with a strong moral imagination, an eye to equalising and a duty to respond to any injustice without impulse or self-interest.” ■

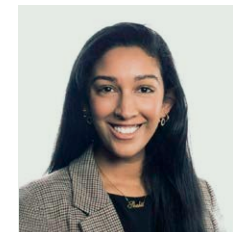
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Jilly Field. Jilly is an experienced pro bono practitioner who has directed programs in firms since 2011.

Throughout her career, she has focused on the ethics of pro bono and is committed to driving moral thinking through social response. She has recently begun a fellowship at the Cranlana Centre for Ethical Leadership.

Jilly has worked as a front-line lawyer in areas of poverty law, domestic and family violence, animal rights, systemic reform and advocacy and front line defence for children in the criminal justice system. Jilly is a critical thinker with a focus on justice theory and fairness which has led to regular speaking on working with communities facing disadvantage, conscious lawyering, the ethics of advocacy writing and the nuance of working in fairness. Jilly is a Board member of CLCNSW, Women’s Legal Service NSW and an advocacy advisor to Wear it Purple.



Shakti Srikanth Shakti Srikanth is a Pro Bono Lawyer at Gilchrist Connell. Shakti’s recent work includes substantial writing for the front line on

the areas of family and domestic violence and sexual consent laws and poverty. Prior to joining Gilchrist Connell, Shakti was a Corporate Junior Associate at Baker McKenzie. Shakti has also done victims’ compensation work for the Shoalcoast Community Legal Centre and legal work for RACS.

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