



**AUSTRALIAN  
PRO BONO CENTRE**

## **Eighth Annual Performance Report on the National Pro Bono Aspirational Target**

**October 2015**

**Australian Pro Bono Centre**

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## **About the AUSTRALIAN PRO BONO CENTRE**

The **Australian Pro Bono Centre** was established in 2002 as an independent centre of expertise that aims to grow the capacity of the Australian legal profession to provide pro bono legal services that are focused on increasing access to justice for socially disadvantaged and/or marginalised persons, and furthering the public interest.

While the **Centre** does not provide legal advice, its policy and research work supports the provision of free legal services and informs government of the role that it can play to encourage the growth of pro bono legal services. The **Centre's** work is guided by a board and advisory council that include representatives of community legal organisations, pro bono clearing houses, the private legal profession, universities and government.

The strategies that the **Centre** employs to grow pro bono capacity include:

### **Strengthening the place of pro bono legal work within the Australian legal profession as an integral part of legal practice by**

- being a leading advocate for pro bono legal work;
- promoting the pro bono ethos and increasing the visibility of pro bono legal work;
- developing policies and advocating for measures to encourage an increase in the quality and amount of pro bono legal work; and
- producing resources and sharing information in Australia, regionally and internationally, that builds pro bono culture in the Australian legal profession and participation by Australian lawyers in pro bono legal work.

### **Providing practical assistance to facilitate, and remove barriers to, the provision of pro bono legal services by**

- undertaking research on how pro bono legal assistance can best respond to unmet legal need, including the identification of best practice in its provision;
- engaging in policy development, advocacy and law reform on issues that have an impact on pro bono legal services;
- providing practical advice to lawyers and law firms to support their efforts to increase the quantity, quality and impact of their pro bono work;
- informing community organisations about the way pro bono operates in Australia; and
- leading in the development of new and innovative pro bono project and partnership models.

### **Promoting the pro bono legal work of the Australian legal profession to the general public by**

- informing members of the public through the media and presentations about the pro bono legal work undertaken by members of the Australian legal profession.

The **Australian Pro Bono Centre** operates with the financial assistance it receives from the Commonwealth and State and Territories Attorney-General Departments, and support from the Faculty of Law at the University of New South Wales.

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## 1 EXECUTIVE SUMMARY

The National Pro Bono Aspirational Target (**the Target**) is a voluntary target that law firms, incorporated legal practices (together **firms**), solicitors and barristers are encouraged to adopt by becoming a signatory and by signing a 'Statement of Principles'.<sup>1</sup> 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, adhere to the Target Statement of Principles and report annually to the Centre on whether they have met the Target in the previous year.

The Eighth Annual Performance Report indicates the Target continues to be an achievable but robust goal for firms and individuals to work towards, and in many cases, exceed.

In the 2014/2015 financial year:

- There were **131 signatories** to the Target, including **seven** new signatories.
- The Target covered approximately **11,235.4** FTE lawyers (up from 10,915 FTE lawyers in 2013/2014).
- Reporting signatories collectively performed **372,601.8 hours** of pro bono legal work (up from 365,716 hours in 2013/2014). This equates to 207 lawyers working full time for one year.<sup>2</sup>
- The average number of pro bono hours per lawyer across all reporting signatories dropped slightly from **34.2** hours per lawyer in 2013/2014 to **33.2** hours per lawyer in 2014/2015.
- **Forty five per cent** of reporting Target signatories met or exceeded the Target, down from 46.6% in 2013/2014.
- **Nineteen** of Australia's 20 largest law firms<sup>3</sup> were signatories to the Target (up from 17 in 2013/2014). All these firms reported to the Centre in 2015.
- **Fifty-six per cent** of signatory firms expect to meet or exceed the Target in 2015/2016, compared to 53 per cent in 2013/2014.

A breakdown of the data based on size of firm and/or individual signatories showed the following:

### Large Firms (50 or more FTE lawyers)

- In 2014/2015 the 37 signatory firms with 50 or more lawyers (**Large Firms**) collectively performed 360,983.48 hours of pro bono legal work.
- On average, these firms performed 33.5 pro bono hours per lawyer, slightly lower than the 34.1 hours per lawyer reported in 2013/2014.<sup>4</sup>

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<sup>1</sup> A list of all signatories is contained in [Appendix 1](#). The Statement of Principles is at [Appendix 2](#).

<sup>2</sup> This figure is calculated based on a 37.5 hour working week over 48 weeks.

<sup>3</sup> "Largest" is based on the number of FTE lawyers each firm reported as at 30 June 2015.

<sup>4</sup> Based on the 34 firms of 50 or more FTE lawyers that reported in both 2013/2014 and 2014/2015.

- Twenty-one (out of 34) Large Firms (61.8%)<sup>5</sup> reported an increase in the number of pro bono hours per lawyer above their performance in 2013/2014.
- Impressively, of the three new signatories in this category in 2014/2015, two reported pro bono hours per lawyer above the Target figure of 35 hours per lawyer.

A breakdown of the data on Large Firms, according to firm size,<sup>6</sup> is as follows:

- **Group A firms** (450 or more FTE lawyers) (9 firms) collectively reported performing 227,148.3 hours of pro bono legal work. Seven of the nine firms in this category (77.8%) met or exceeded the Target, although one firm performed less than 15 hours of pro bono legal work per lawyer. No firm that reported in both 2013/2014 and 2014/2015 reported a change in hours from the previous year any greater than 10.1%, indicating a fairly stable performance amongst these firms (see **Chart 6** for details).
- **Group B firms** (201-449 FTE lawyers) (10 firms) collectively reported performing 133,835 hours of pro bono legal work. Only three firms (out of ten) in this category met or exceeded the Target. However six out of ten firms had increased their pro bono hours per lawyer by more than 20% from their 2013/2014 result, indicating considerable growth in this sector, but two firms in this group had decreased their performance by more than 20% (see **Chart 6** for details).
- **Group C Firms** (50-200 FTE lawyers) (18 firms) collectively reported performing 41,678 hours of pro bono legal work. Only three firms out of 18 in this category met or exceeded the Target. Whilst eight of the 16 firms that reported in both 2013/2014 and 2014/2015 increased their pro bono hours per lawyer from the previous year, eight firms reported a decrease. The change in performance in this group was quite marked, ranging from 72% higher for one firm to 63% lower for another, indicating considerable volatility amongst these firms (see **Chart 6** for details).

#### **Small Firms** (less than 50 FTE lawyers)

The 39 signatory firms with less than 50 lawyers (**Small Firms**) collectively reported 10,002.4 hours of pro bono legal work. Sixteen firms (41.0%) in this category met or exceeded the Target, representing more than half (55.2%) of the law firm signatories who did so.

However, this group of firms showed even greater volatility in pro bono hours per lawyer than the Group C firms, with annual changes ranging from 77.3% higher for one firm to 534% lower for another firm (see **Chart 8** for details).

#### **Individuals**

The 24 individual respondent signatories collectively reported performing 1,619 hours of pro bono legal work, an average of 67.4 pro bono hours per lawyer. Two-thirds met or exceeded the Target (see **Chart 9** for details).

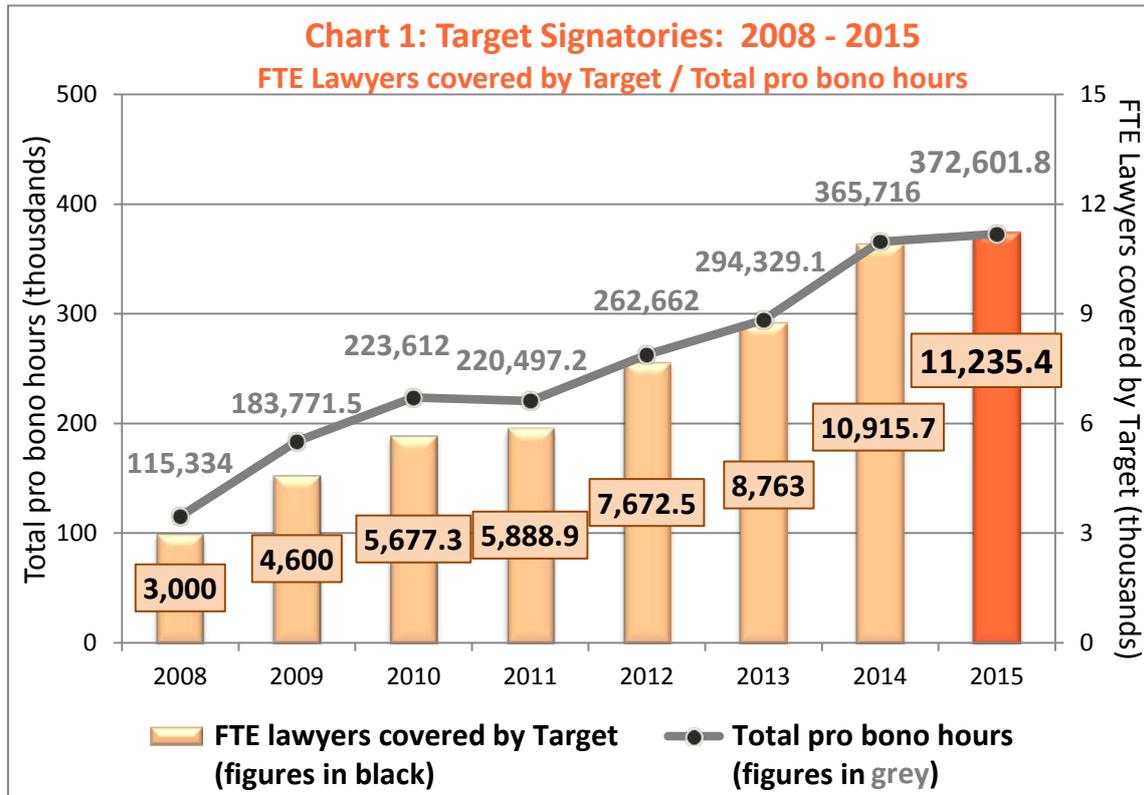
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<sup>5</sup> Ibid.

<sup>6</sup> These firm size categories are the same as are used in the Centre's biennial Law Firm Survey for Australian firms with fifty or more lawyers. For the most recent Report on the Survey see [https://wic041u.server-secure.com/vs155205\\_secure/CMS/files\\_cms/4th\\_National\\_Law\\_Firm\\_Pro\\_Bono\\_Survey\\_2014\\_Final\\_Report.pdf](https://wic041u.server-secure.com/vs155205_secure/CMS/files_cms/4th_National_Law_Firm_Pro_Bono_Survey_2014_Final_Report.pdf).

## The Impact of the Target

Chart 1 shows a steady rise in the total hours of pro bono legal work reported by Target signatories and the number of FTE lawyers covered by the Target since its inception.



The following comments from respondents provide insight into the impact of the Target:

*“The Target is an important mechanism in focusing the firm on pro bono...”*

*“The Target motivated us to set a higher internal target to ensure best practice at our firm.”*

*“The Firm is proud of being a foundation signatory to the Target.”*

The responses from firms, solicitors and barristers have been analysed separately below.

## **Pro bono conditions in the Commonwealth Government's tender arrangements for purchase of legal services**

A factor that has influenced the decision of some firms to become Target signatories is the pro bono conditions in the Commonwealth Legal Services Multi-Use List ("LSMUL").

The Commonwealth Attorney-General's Department established a whole-of-government multi-use list for purchasing legal services in 2012, the Legal Services Multi-Use List. The LSMUL includes service providers who have been pre-qualified to provide legal services to all Commonwealth agencies subject to the *Public Governance, Performance and Accountability Act 2013* (Cth) (with some exceptions). Those law firms and incorporated legal practices that wish to be included on the LSMUL have to satisfy the conditions for participation outlined in the Application for Inclusion.

The pro bono provisions in the application process require agencies to consider each applicant's pro bono contribution when awarding tenders.

In 'PART 1 - Important Information and Guidance for Applicants' of the Application for Inclusion it states:

**14.4.** Applicants **must** include, in Table 5c;

- a. Confirmation that the Applicant subscribes to the National Pro Bono Resource Centre's (*as the Centre was formerly known*) Aspirational Target; **or**
- b. A nominated target value of Pro Bono Work over a financial year.

From 1 July 2014, firms with 50 or more lawyers are no longer able to nominate a target value (14.4(b)) and are instead required to become signatories to the Target.

Sixty-one of the 123 law firms listed on the LSMUL as at 31 May 2015 were Target signatories as at 30 June 2015. Ten of the LSMUL firms with 50 or more lawyers are not yet Target signatories, and the Centre is working with these firms to address this issue.

For more information on the pro bono conditions please refer to: <http://www.ag.gov.au/LegalSystem/LegalServicesCoordination/Pages/Legalservicesmultiuselistandserviceproviders.aspx>

## 2 METHODOLOGY

In July 2015, the Centre provided each signatory with a short questionnaire to report on their pro bono performance against the Target for the 2014/2015 financial year. The questionnaire could be completed, on a commercial-in-confidence basis, either online (through an online service provided by SurveyMonkey™)<sup>7</sup> or in hard copy.

All signatories were asked to report:

- the number of FTE lawyers for the year;
- the total hours of pro bono legal work performed by the firm's lawyers;
- the number of hours of pro bono legal work they had performed per FTE lawyer;
- whether they expected to meet the Target in the next financial year;
- their participation rate (the percentage of lawyers that did at least one hour of pro bono legal work in 2014/2015); and
- the effect that the Target had on the pro bono legal work that they had undertaken.

This year, law firms were also invited to report on pro bono work performed by paralegals. As in previous years, however, work performed by paralegals was not taken into account for the purpose of the Target.<sup>8</sup>

As at 30 June 2015 there were 131 signatories to the Target. Of these, five signatory firms had either merged with other firms or ceased trading, and six individual signatories had ceased practising, during the reporting period. These 11 signatories were excluded for the purposes of the report, leaving 120 signatories who were able to report.

Of the 120 signatories who were able to report, **101** reported back to the Centre on their performance against the Target. These responses form the basis of this report.<sup>9</sup>

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<sup>7</sup> <http://www.surveymonkey.com>.

<sup>8</sup> See **Section 3.6** below.

<sup>9</sup> Figures throughout the report exclude the significant pro bono contribution of Salvos Legal and Salvos Legal Humanitarian, except for response rates, number of signatories, and the number of FTE lawyers covered by the Target, due to the significant distorting effect of these numbers in other calculations.

Salvos Legal and Salvos Legal Humanitarian are counted as one signatory because they provided one report for both entities in reporting on their performance against the Target. See the website for more information: <http://www.salvoslegal.com.au>.

### 3 LAW FIRM AND INCORPORATED LEGAL PRACTICE SIGNATORIES

Seventy-seven of the 85 signatory law firms (91%)<sup>10</sup> reported on the Target for the 2014/2015 financial year. This is an increase from 74 firms (86%) in 2013/2014.

The number of hours of pro bono legal work undertaken by law firms overall was 370,982.84 in the 2014/2015 financial year — an increase of 2 per cent on the 362,812 hours performed in 2013/2014. This equates to an average of 33.2 hours per lawyer per year.

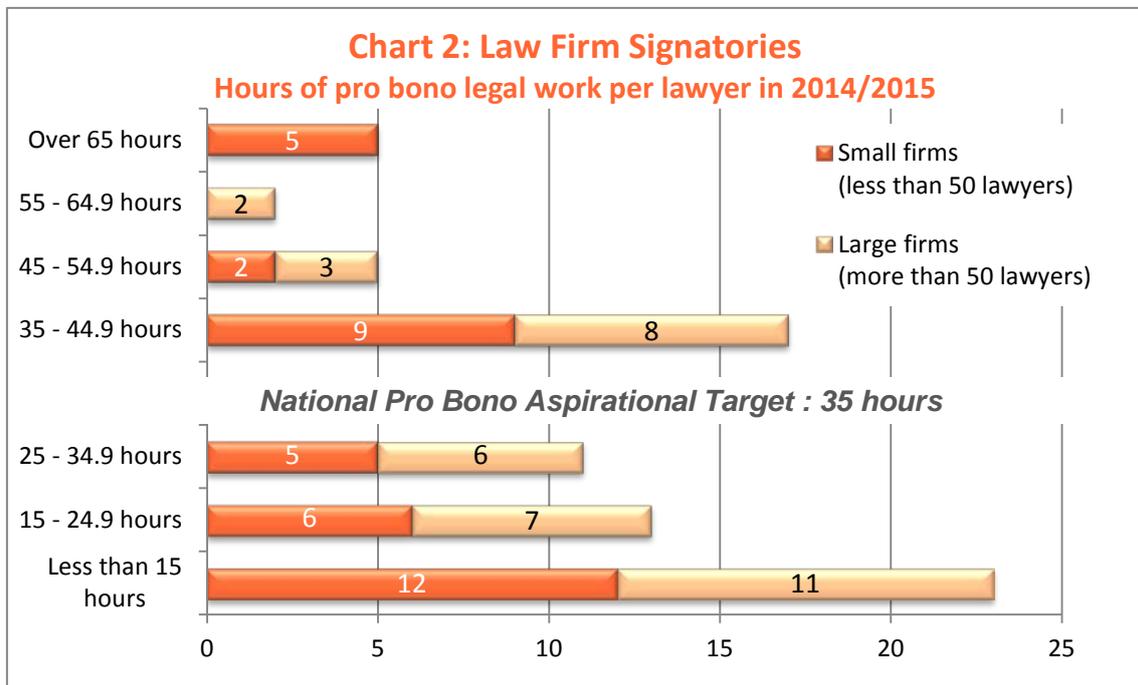
For more detailed analysis of the results of firms with 50 or more FTE lawyers see **Section 3.4**, and see **Section 3.5** for analysis of firms with less than 50 FTE lawyers.

#### 3.1 Hours of pro bono legal work per lawyer per year and participation rates

##### 3.1.1 Hours of pro bono legal work per lawyer

Twenty-nine firms (the same number as in 2013/2014) indicated they had met the Target, which represents 38.2 per cent of firms.<sup>11</sup> Of these, five firms (6.6%) performed 65 or more hours of pro bono legal work per FTE lawyer, two firms (2.6%) between 55 and 64.9 hours, five firms (6.6%) between 45 and 54.9 hours, and 17 firms (22.3%) between 35 and 44.9 hours.

**Chart 2** sets out the hours of pro bono legal work per lawyer performed by law firm signatories as a whole.



<sup>10</sup> See footnote 9 above. For the purpose of this section “law firm” includes incorporated law practices.

<sup>11</sup> See footnote 9 above. The Centre invites those law firm signatories that have not yet achieved the Target to confidentially discuss their firm’s pro bono practice, their plans to work towards meeting the Target, and any help or support that the Centre may be able to offer in this regard.

Firms that reported both this year and last year performed on average 33.6 hours of pro bono legal work per lawyer in 2014/2015, which is consistent with the figures reported by the equivalent cohort in 2013/2014.

### 3.1.2 Participation rates

Signatory firms were asked to report on the percentage of FTE lawyers in the firm who had undertaken at least 1 hour of pro bono legal work in 2014/2015 (the **participation rate**). Overall, firms reported an average participation rate of 64.4 per cent, compared to 65.6 per cent in 2013/2014.<sup>12</sup>

### 3.2 Whether firms expect to meet the Target next year

Forty-three firms (56.6%) reported that they expect to meet the Target of 35 hours of pro bono legal work per lawyer per year in 2015/2016. Eighteen firms (23.7%) reported they do not expect to meet the Target in 2015/2016, while 15 firms (19.7%) are unsure.

As outlined in **Chart 3**, the longer a firm has been a Target signatory, the more confident it is of meeting the Target in the following year. Twenty-nine firms (59.2%) that have been signatories for at least three years expect to meet the Target in 2015/2016.



### 3.3 Effect of the Target

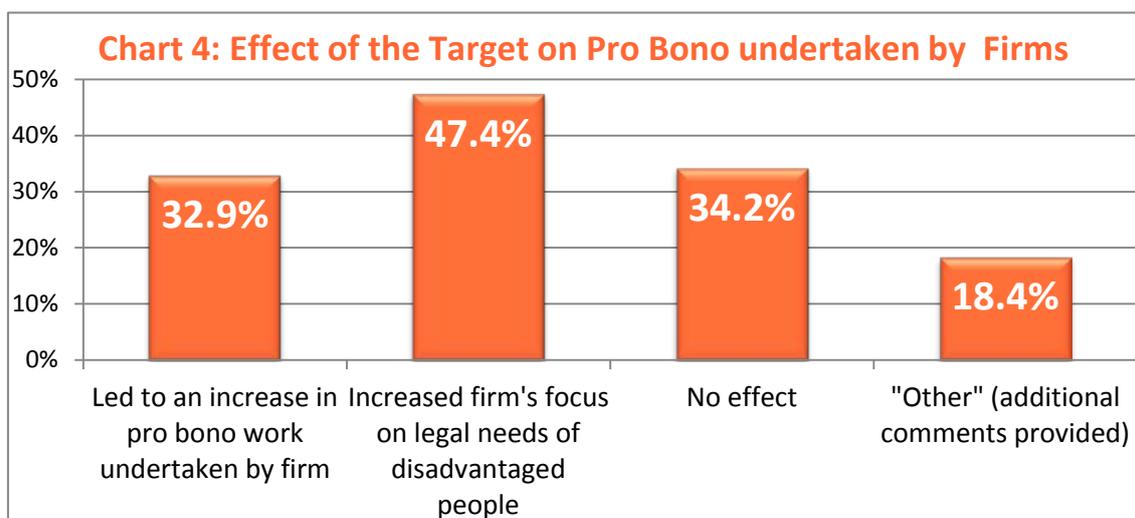
Firms were also asked to report on the effect of the Target on their pro bono practice.<sup>13</sup>

**Chart 4** indicates that, as in previous years, almost half of all signatory firms (47.4%) reported the Target had increased their focus on the legal needs of disadvantaged people. Twenty-five firms (32.9%) reported that the Target had led to an increase in pro bono legal work.

<sup>12</sup> For more detailed analysis of participation rates of Large Firms and Small Firms, see Sections 3.4.2 and 3.5.2 respectively.

<sup>13</sup> When answering this question, respondent firms were able to choose more than one option from a list.

A further 26 firms (34.2%) indicated that the Target had no effect on their pro bono practice. Over half of these, however, had met or exceeded the Target and have well-established pro bono practices.



### 3.4 Large Firms (50 or more FTE lawyers)

Thirty-seven firms with 50 or more FTE lawyers (**Large Firms**) were Target signatories in the 2014/2015 financial year. The number has increased by two since 2013/2014.

All 37 Large Firms reported on the Target. Collectively, these firms had 10,766.3 FTE lawyers (95.3% of all lawyers covered by the Target) and undertook 360,983.48 hours of pro bono legal work in 2014/2015.

**Table 1** provides a breakdown of Large Firms into Groups A, B and C based on the number of FTE lawyers in the firm. As in the Centre's biennial national survey of law firms,<sup>14</sup> these groupings are used to analyse the Large Firm data.

**Table 1: Large Firms– number of FTE lawyers**

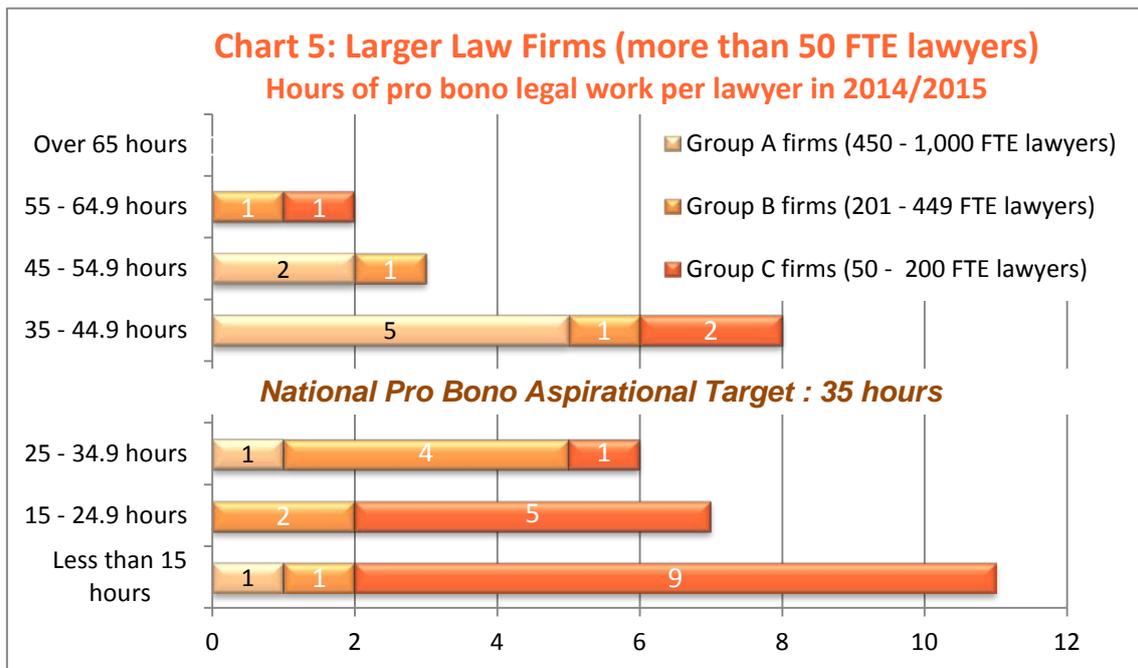
Group	Number of FTE lawyers	Number of firms
Group A	More than 450	9
Group B	201-449	10
Group C	50-200	18

<sup>14</sup> National Pro Bono Resource Centre (now the Australian Pro Bono Centre), *Fourth National Law Firm Pro Bono Survey*, December 2014, available at [https://wic041u.server-secure.com/vs155205\\_secure/CMS/files/cms/4th\\_National\\_Law\\_Firm\\_Pro\\_Bono\\_Survey\\_2014\\_Final\\_Report.pdf](https://wic041u.server-secure.com/vs155205_secure/CMS/files/cms/4th_National_Law_Firm_Pro_Bono_Survey_2014_Final_Report.pdf).

### 3.4.1 Pro bono hours per lawyer in Large Firms

Collectively, Large Firm signatories provided an average of 33.5 pro bono hours per lawyer. Thirteen firms met or exceeded the Target, undertaking 268,529.1 hours of pro bono legal work. These 13 firms accounted for 55.9 per cent of the FTE lawyers in Large Firms.

**Chart 5** indicates the hours of pro bono legal work per lawyer performed by Large Firms, analysed by Group.



### 3.4.2 Participation rates in Large Firms

In Large Firms the average participation rate was 54.5 per cent (a slight increase from 53.2 per cent in 2013/2014), and in Large Firms that met the Target, it was 71.5 per cent.

Participation was higher in Large Firms that have been on the Target register for longer. For example, Large Firms that have been signatories for three or more years reported a participation rate of 59.1 per cent. Large Firms that have been on the register for at least two years reported 57.9 per cent participation and those that had been signatories for at least a year reported 55.6 per cent participation.

### 3.4.3 Change in performance in Large Firms

**Chart 6** shows the percentage difference in pro bono hours per lawyer in the 34 (of 37) Large Firms that reported in both 2013/2014 and 2014/2015, analysed by Group. The firms in each Group are ranked according to each firm's percentage change in pro bono hours per lawyer reported from 2013/2014 to 2014/2015.

**Group A** firms were relatively stable performers across 2013/2014 and 2014/2015, with no single firm reporting more than a 10.1 per cent change in pro bono hours per lawyer between the two years. Five of the eight Group A firms that reported in both years were providing more pro bono hours per lawyer than in 2013/2014.

Note that seven of the total nine firms in Group A exceeded the Target.

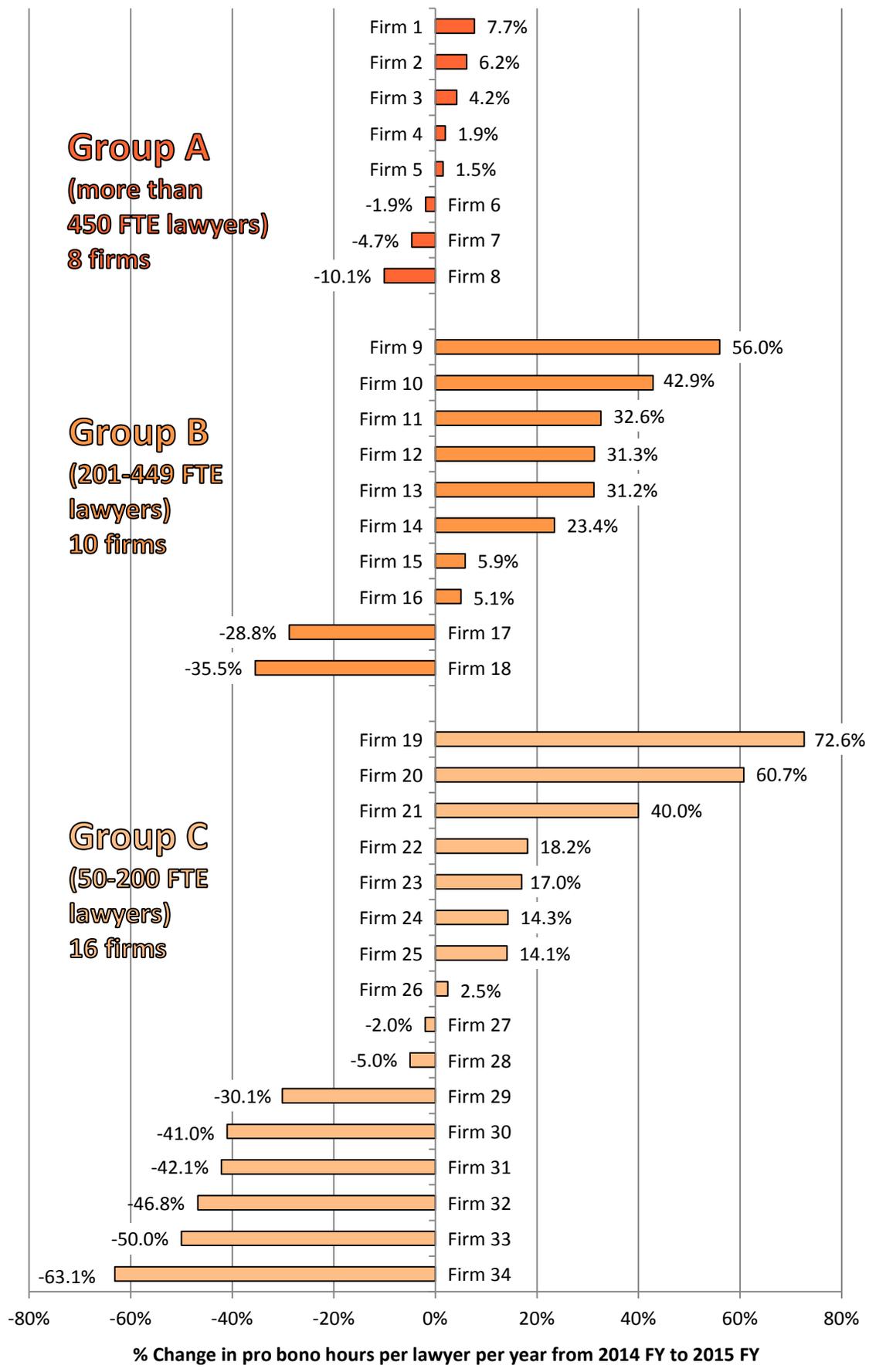
**Group B** firms showed considerable growth. Six firms increased their pro bono hours per lawyer by more than 20% on their 2013/2014 figures. Two firms in this group, however, reported their hours decreasing by more than 20%.

Note that three of the total ten firms in Group B exceeded the Target.

**Group C** firms were the most volatile. Eight of the 16 firms that reported in both years reported an increase, and eight firms reported a decrease in pro bono hours per lawyer. These figures ranged from a 72.6 per cent growth, to a 63.1 per cent reduction, in pro bono hours per lawyer.

Note that three of the total 18 firms in Group C exceeded the Target.

**Chart 6: Large Firms - Change in pro bono hours per lawyer per year  
2013/2014 to 2014/2015**



### 3.5 Small Firms (less than 50 FTE lawyers)

Fifty firms with less than 50 FTE lawyers (**Small Firms**) were Target signatories in the 2014/2015 financial year. This included five new signatories since 2013/2014, however five firms had also merged with other firms or ceased to trade in the period and were removed as signatories. Of these, 40 Small Firms reported on the Target.<sup>15</sup>

Collectively the 425.1 FTE lawyers from these Small Firms performed a total of 10,002.4 hours of pro bono legal work in 2014/2015.

**Table 2** provides a breakdown of the Small Firms that reported by number of FTE lawyers.

**Table 2: Small Firms– number of FTE lawyers**

Number of FTE lawyers	Number of firms
Less than 5	16
5 to 10	9
11 to 20	7
21 to 35	8

#### 3.5.1 Pro bono hours per lawyer in Small Firms

Collectively, Small Firms undertook 23.5 hours of pro bono legal work per FTE lawyer per year. The performance of these firms varied widely, ranging from less than one hour of pro bono legal work per lawyer to 650 hours per lawyer.

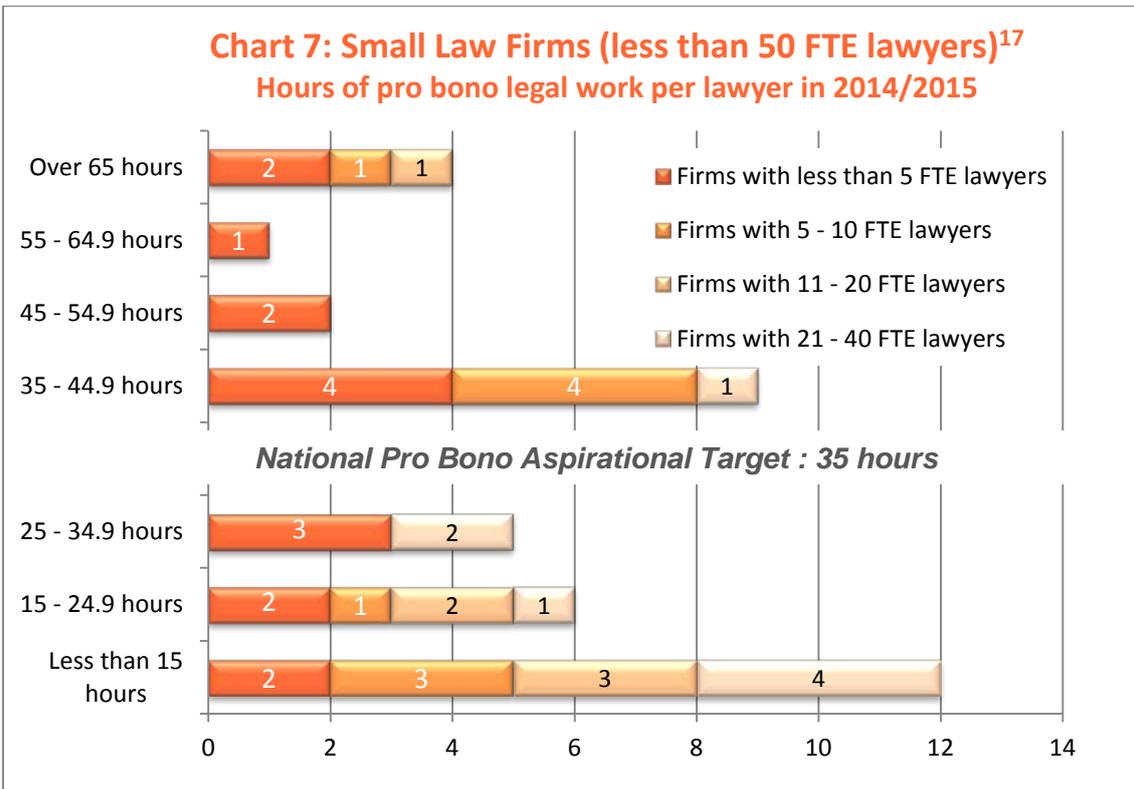
The 16 Small Firms that met the Target<sup>16</sup> collectively performed a total of 5,271.8 hours of pro bono legal work.

**Chart 7** (on the next page) outlines the hours of pro bono legal work per lawyer performed by Small Firms in 2014/2015, broken down by firm size.

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<sup>15</sup> See footnote 9 above.

<sup>16</sup> Ibid.



### 3.5.2 Participation rates in Small Firms

In Small Firms the average participation rate in 2014/2015 was 73.7 per cent, which is lower than the average rate in 2014/2013 (76.4 per cent), but higher than in 2012/2013 (71.3 per cent).

### 3.5.3 Change in performance in Small Firms

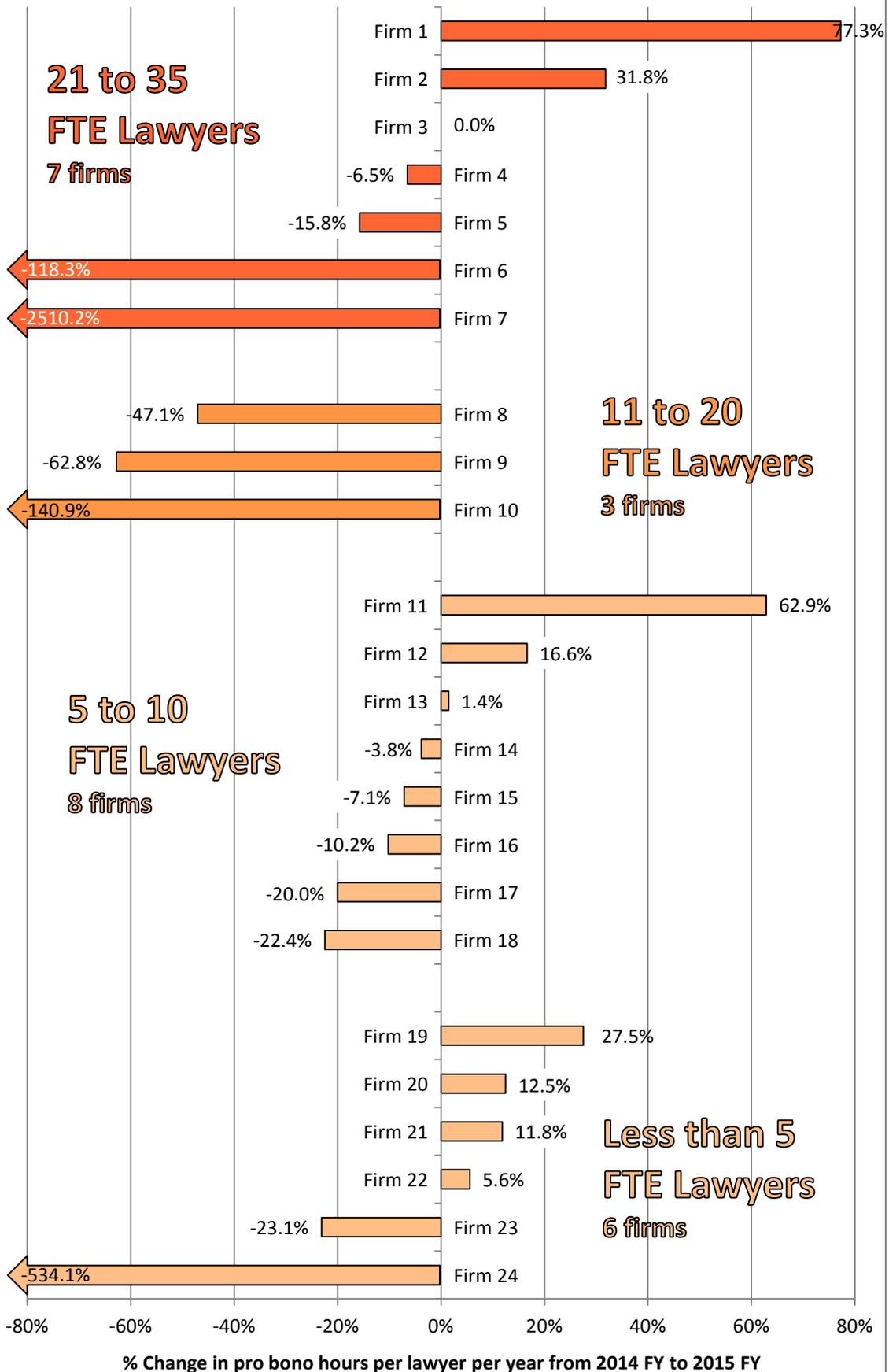
**Chart 8** shows the percentage difference in pro bono hours per lawyer in the 24 (of 40) Small Firms that reported in both 2013/2014 and 2014/2015, analysed by size.<sup>18</sup> The firms in each size category are ranked according to each firm's percentage change in pro bono hours per lawyer reported in 2013/2014 and in 2014/2015.

Chart 8 indicates that in many Small Firms, the number of hours of pro bono legal work performed per lawyer has changed markedly since 2013/2014. This confirms that, although many Small Firms made outstanding contributions to the pro bono landscape in 2014/2015, overall there is volatility in the capacity of Small Firms to respond to opportunities to undertake pro bono legal work as they arise.

<sup>17</sup> See footnote 9 above.

<sup>18</sup> "Size" refers to the number of FTE lawyers.

**Chart 8: Small Firms - Change in pro bono hours per lawyer per year  
2013/2014 to 2014/2015**



### 3.6 Paralegals

In June 2014, the Centre consulted pro bono coordinators as to whether pro bono legal work undertaken by paralegals should be counted for the purposes of the Target. A number of mid-sized firms had suggested that Target reporting should be consistent with the commercial practice of billing clients for legal work done by paralegals.

The Centre ultimately determined it would maintain the current Target metric without any change to include paralegal hours. However, the Centre amended the Law Firm Reporting form and Incorporated Legal Practice Reporting form to include the option of reporting paralegal hours separately.

Thirty-three signatory firms chose to report on whether their paralegals had performed “pro bono work of a legal nature” in the 2014/2015 financial year, with 20 firms (26%) reporting that their paralegals had done so. Paralegals at these firms collectively undertook 5,485.2 hours of pro bono work. The figures reported by individual firms ranged from six to 2,106 hours of pro bono work.

Only 17 (of 33) respondents reported on the number of paralegals undertaking this work, with 78.6 FTE paralegals reported as undertaking “pro bono work of a legal nature” in 2014/2015.

## 4 INDIVIDUAL SOLICITOR AND BARRISTER SIGNATORIES

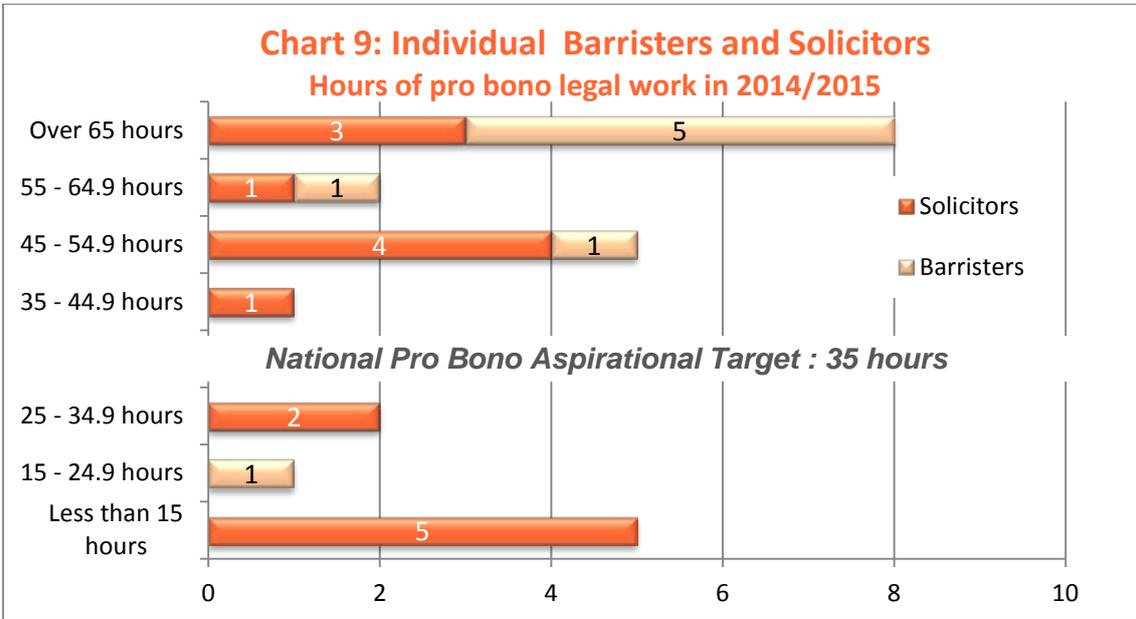
Individual Target signatories, who include barristers and individual solicitors, continue to make a significant contribution to the pro bono landscape. In the 2014/2015 financial year those who reported collectively undertook 1617 hours of pro bono legal work. Two-thirds of those who reported (16) met or exceeded the Target.

Sixteen of the 23 individual **solicitor** signatories (69.6%) reported on their pro bono performance against the Target. Thirty per cent of these had become signatories to the Target in 2014/2015. Although on average, individual solicitors spent 48.79 hours undertaking pro bono legal work, seven solicitors (87.5%) met the Target, an increase from 62 per cent in 2013/2014.

Eight of the 12 **barrister** signatories (67%) reported on the Target. Of those who reported, seven (87.5%) had met or exceeded the Target, an increase from 66.7 per cent in 2013/2014. The majority of barristers performed more than 100 hours of pro bono legal work, averaging 110.9 hours per barrister per year.

Overall, 67 per cent of individual solicitors and barristers met the target, an increase from 46 per cent in 2013/2014.

**Chart 9** (on the next page) outlines the average hours of pro bono legal work carried out by barristers and solicitors in 2013/2014.



Seventy per cent of individual signatories who reported expect to meet the Target in 2014/2015, an increase from 58.6 per cent in 2013/2014.

While almost ten per cent of individual signatories reported that the Target increased the amount of pro bono legal work they did, almost 50 per cent indicated that the Target increased their focus on the needs of disadvantaged people and the organisations that assist those people. Ten individual signatories reported that the Target had no effect on the pro bono legal work they did. Of these, 80 per cent had met or exceeded the Target and 78 per cent had been Target signatories for at least three years.

## APPENDIX 1: TARGET SIGNATORIES

As at 30 June 2015, the Target had 131 signatories:

### Law Firm Signatories

Allen & Overy	Hallett Legal	McInnes Wilson Lawyers
Allens Linklaters*	Harmers Workplace Lawyers	McPhee Lawyers*
Allygroup (Syd)	Harris Carlson Lawyers	Meyer Vandenberg
Aneesa Parker Pty Ltd	Hemming + Hart	Mills Oakley
Arnold Bloch Leibler*	Hemsley Lawyers	Minter Ellison Group
Ashurst Australia*	Henry Davis York	Moray & Agnew
Australian Business Lawyers and Advisors	Herbert Smith Freehills	Moulis Legal
Australian Government Solicitor	HHG Legal Group	MSP Legal
Bainbridge Legal	Hicksons Lawyers	Norton Rose Fulbright Australia**
Baker & McKenzie (Melb & Syd)	Holding Redlich	Proximity Legal
Beaumont Law**	Holman Webb Lawyers (Melb & Syd)	Roberts Nehmer McKee
Beckam Lawyers**	Hopgood Ganim**	Rockwell Olivier
BTLawyers	Hunt & Hunt	Rostron Carlyle
Chamberlains	HWL Ebsworth	Russell Kennedy
Clayton Utz*	Jackson McDonald**	Ryan Lawyers*
Colin Biggers & Paisley	K & L Gates	Sabelberg Morcos Lawyers
Corrs Chambers Westgarth	Kemp & Co	Sachs Gerace Lawyers*
Curwoods Lawyers	Kemp Strang	Salvos Legal
Devenish Law	Kennedys	Salvos Legal Humanitarian
DibbsBarker (Canberra)	King & Wood Mallesons	Sharah & Associates*
DLA Piper Australia	KWS Legal	Shelston IP
Doyles Construction Lawyers	Lander & Rogers	Siracusa Legal
Eakin McCaffery Cox	Lawson Smith Lawyers	Slattery Thompson*
FOI Solutions	Littles Lawyers	Sparke Helmore Lawyers
FoodLegal	Logical Legal Solicitors*	SRB Legal
Franklin Athanasellis Cullen	Maddocks	Stirling Henry Legal Solutions
G & D Lawyers Pty Ltd	Makinson & d'Apice	Stuthridge Legal
Gadens Lawyers, Melbourne	Marsh and Maher	Switch Legal
Gadens Lawyers, Sydney	McCullough Robertson	TressCox
Gilbert+Tobin*	McDonnell Schroder Solicitors*	Wilson/Ryan/Grose
		Winn Legal*

### Individual signatories

Murray Alder (WA)	Paul Kerr (NSW)	Bernadette Rayment (NSW)
Matthew Alderton (NSW)	Elizabeth Kollias (NSW)	Stephen Rees (Qld)*
Kerrin Anderson (Qld)	Ashok Kumar (NSW)	Alexandra Rose (NSW)
Ashlee Briffa (Vic)	Nicholas Linke (SA)	Noeline Rudland (NSW)*
Leanne Clark (NSW)	Julia Lonergan SC (NSW)*	Sharon Sangha (NSW)
Richard Clarke (VIC)*	Alexandra Longbottom (NSW)**	Michael Simmons (NSW)**
Stephen Colditz (Qld)**	Virginia Marshall (NSW)	John Selimi (Vic)
Nicola Johnson (NSW)	Elena Mastyuk (Qld)	Richard Thomas (ACT)*
Nick Eastman (NSW)	Helen McGowan (Vic)	Jacqueline Townsend (NSW)
Simon Freitag (WA)*	Craig McIntosh (WA)*	Michael Tucak (Vic)
Philip Greenwood (NSW)*	Fiona McLeod SC (Vic)	David Vlahos (SA)
Nicola Johnson (NSW)	Mary Nagle (NSW) **	Nerida J. Wallace (Vic)
Graham Jones (NSW)*	David Peters (Vic)	Katherine Whittemore (Vic)
Anthony Jucha (NSW)*	F.J. Purnell SC (ACT)*	Justin Zeeman (Tas)

\* indicates Foundation Signatories

\*\* indicates became a signatory between 1/07/2014 and 30/06/2015

## APPENDIX 2: STATEMENTS OF PRINCIPLES & GUIDANCE NOTES

### Law Firm/Incorporated Legal Practice Statement

**MINDFUL** of the professional responsibility of all lawyers to provide pro bono legal services to address the unmet legal needs of the poor and disadvantaged in the communities in which we live, and

**RECOGNISING** that pro bono is not a substitute for the proper funding by government of Legal Aid agencies, Community Legal Centres and other government funded legal services.

**OUR FIRM/PRACTICE** is pleased to join with other firms/practices across the country in subscribing to the following statement of principles and in pledging our best efforts to achieve the voluntary target described below.

- Our firm/practice recognises its professional obligation to provide pro bono legal services.
- In furtherance of that obligation, our firm/practice agrees to encourage and support the provision of pro bono legal services by all its lawyers.
- We agree to use our best efforts to ensure that, by no later than 30 June in each year, our firm/practice's lawyers will undertake an average of a minimum of 35 hours of [pro bono legal services](#) each year per lawyer.
- In furtherance of these principles, our firm/practice also agrees:
  - To provide training and supervision as required to enable our lawyers to meet the need for pro bono legal services in the community in matters undertaken by our firm/practice and
  - To monitor the firm/practice's progress towards the targets established in this statement and to report its progress annually to the partners and staff of the firm/practice and to the National Pro Bono Resource Centre.
- We 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.

### Individual Lawyer (Solicitor or Barrister) Statement

**MINDFUL** of the professional responsibility of all lawyers to provide pro bono legal services to address the unmet legal needs of the poor and disadvantaged in the communities in which we live, and

**RECOGNISING** that pro bono is not a substitute for the proper funding by government of Legal Aid agencies and Community Legal Centres.

- I am pleased to join with other lawyers across the country in subscribing to the following statement of principles and in pledging my best efforts to achieve the voluntary target described below.
- I recognise my professional obligation to provide pro bono legal services.
- I agree to use my best efforts to ensure that, by no later than 30 June in each financial year, I will undertake a minimum of 35 hours of [pro bono legal services](#) each year.
- In furtherance of these principles, I also agree to monitor my progress towards the target established in this statement and to report annually to the National Pro Bono Resource Centre (the Centre) whether I have met the Target in the previous year.
- I acknowledge that when I provide pro bono legal services, I owe the pro bono client the same professional and ethical obligations that are owed to any paying client and accordingly I must give that work the same priority, attention and care as would apply to paid work.

*These Statements were developed by the Australian National Pro Bono Resource Centre in 2006 and incorporate, in part, language developed by the US Pro Bono Institute and utilized in its Law Firm Pro Bono Challenge SM. That language is used with the specific permission of the Institute and cannot be further utilized, copied, disseminated, or adapted, in whole or in part, without prior written permission from the Institute. To request permission please contact the Institute at [probono@probonoinst.org](mailto:probono@probonoinst.org).*

### **Guidance Notes on Reporting 'Pro Bono Legal Services'**

1. Only work that involves the delivery of [pro bono legal services](#) as defined for the purposes of the Target should be reported.
2. Many firms have Community Service and Corporate Social Responsibility programs under which their lawyers and non-lawyers provide a broad range of community service work. Examples of this include literacy and mentoring work, and volunteering to provide services at community organisations. These programs may also involve the firm donating to charities. These activities do not fall within the definition of “pro bono legal services” and should not be reported.
3. Signatories should calculate the number of FTE lawyers for the year by using the average of the number of FTE lawyers at the first day and the last day of the reporting financial year.

$$(FTE\ lawyers\ at\ 1\ July + FTE\ lawyers\ at\ 30\ June) \div 2$$

(Where a new Target firm is reporting for a period less than a full financial year, the number of FTE lawyers should be calculated by using the average number of FTE lawyers at the first day and the last day of the reporting period).

4. “Firm's lawyers” includes law graduates not yet admitted to legal practice and thus their pro bono hours should be reported. It does not include paralegals, and their pro bono hours should not be reported.

5. Signatories have the option of separately reporting paralegal hours where the work performed is of a legal nature and would otherwise be charged to the client if it were a commercial matter.
6. Time recorded for the purpose of delivering pro bono legal services should be treated in the same way that work performed for commercial clients is treated. In this respect, each signatory firm's policies for the treatment of travel time should apply to their pro bono legal work.
7. Each signatory should have systems in place to ensure that accurate records are kept of the pro bono legal work performed.
8. Pro bono legal services may include international pro bono legal services, that is pro bono legal work undertaken:
  - outside Australia, by lawyers who are supervised by, or provided from, an office based in Australia
  - for clients based outside Australia, by lawyers based in Australia; or
  - for organisations based in Australia where the work concerns an initiative outside Australia.

In this context references to "community" in the definition of "pro bono legal services" include communities outside of Australia.