NATIONAL PRO BONO RESOURCE CENTRE

ANNUAL REPORT 2014

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The Centre has adopted the following principles in relation to pro bono services:

- ***Pro bono should operate to complement and not be a substitute for properly funded government funded legal services.***
- ***The planning, design and provision of pro bono services should be determined by reference to the needs of socially and/or economically disadvantaged people.***
- ***Pro bono work should always be done to the same standards of attention, priority and professional performance as fee paying work.***
- ***Pro bono practice is a voluntary activity.***
- ***Government has a vital role in encouraging, supporting and facilitating pro bono initiatives.***

Cover image: Tanguy Lim (Law Society of Singapore Pro Bono Service Office) and Nam Le Vu (Dean of Faculty of Law, University of Economics and Law)
Graphic design: Imminent Media Design – www.imminent.com.au

Chair's message

In my last report as Chair, I would like to say at the outset that the principal driver for the activities of the Centre has been the commitment of the Centre's staff, the Board and the Advisory Council to social justice. This commitment has been the foundation of all the Centre's positive achievements in continuing to maintain, develop, and facilitate the provision of pro bono legal services throughout Australia which are focused on increasing access to justice for socially disadvantaged and/or marginalised persons.

John Corker's report details the achievements of the Centre over the last year, including the further spread of the Aspirational Target, the extremely well-received report on family law and family violence, the development of video-conferencing pro bono legal services, activities of the Centre throughout Australia, and also in the region, in a measured response to the increasing interest and use of the Centre's resources in South East Asia.

Despite the destabilising effect of being subject to one-year funding arrangements since July 2013, The Centre, with its quality committed staff and the focus that its independence provides, has continued to facilitate growth in the capacity of the Australian legal profession to provide pro bono legal services. This facilitation has been through the extension of the National Pro Bono Aspirational Target to more law firms, developing further means of identifying unmet legal need, meeting with stakeholders throughout Australia in connection with research for pro bono service delivery related projects, and advocacy to various legal bodies and to government.

While the pro bono contribution of the Australian legal profession continues to grow, it is important to recognise that pro bono is a limited resource and that the voluntary nature of pro bono legal assistance means that it cannot be a substitute for adequate government funding of the legal assistance sector. However the wealth gap continues to widen in Australia, increasing the need for effective legal services to assist people in obtaining access to justice so they can live a meaningful life, with dignity and self-respect. The role of legal aid, community legal centres, Aboriginal legal services, and focused pro bono legal services, continues to be crucial in providing such legal services.

The activities of the Centre as a social justice focused, independent pro bono centre, have been and will continue to be meaningful and effective in maintaining and growing pro bono legal services throughout Australia to assist those in need. My term as Chair comes to an end this year, but I know the Centre will go on and 'do good'.

While I do this each year, I sincerely wish to thank the Centre's Director, John Corker and the great staff, Leanne, Maria, now elsewhere, Daniel, Afton and Lucy, for their meaningful contribution to the Centre's work. Their commitment, capabilities and true feeling for social justice, have enabled the Centre to effectively fulfil its mandate in the provision of pro bono legal services. I also wish to thank my fellow board members for their competence and commitment to the Centre, especially Michelle Hannon and Caitlin Perry who also retired from the board, and the Advisory Council members for their valuable input into the ongoing strategic planning processes of the Centre.

Peter Stapleton
November 2014

Director's report

In 2013-2014, the Centre's work focused on supporting the development of the pro bono contribution of Australian lawyers, especially by law firm practices in the early stages of establishing more structured pro bono programs in Australia.

It has been a time of change for many of the law firms that provide a significant amount of pro bono legal assistance, with mergers of mid-size firms and many lawyers from large national firms choosing to move to mid-size and new-entrant firms, in many cases taking a structured 'pro bono culture' with them.

The Centre engaged in individual consultation with some of these firms with emerging pro bono practices to support their efforts to improve their pro bono performance. It also helped to organise and co-presented at an event hosted by Henry Davis York, "Developing Pro Bono", aimed at sharing useful information for mid-sized firms interested in building a sustainable pro bono practice.

As mentioned by the Chair, the National Pro Bono Aspirational Target of 35 hours of pro bono legal work, per lawyer, per year, continues to play a key role in driving growth with increases in both the number of signatories and the number of pro bono hours performed by signatories. Seventeen of the 20 largest firms in Australia are now signatories, and ten of these met or exceeded the Target in 2013-2014. The results of the most recent National Law Firm Pro Bono Survey, conducted in August 2014, indicate that Target signatories continue to perform significantly better than non-signatories in all key metrics.

Our work to encourage best practice in the provision of pro bono legal services is to ensure that this growth is not just about an increase in the amount of hours of pro bono legal work, but more importantly about the impact of the work and its effectiveness in strategically targeting unmet legal need. This year the Centre released the report of its major research project, *Pro bono legal services in family law and family violence: Understanding the limitations and opportunities*. The report provides a clear and detailed analysis of the nature, possibilities and limitations of pro bono legal services in this area of law.

The Centre also released a paper sharing the lessons learned from its management of the pilot project, NBN Legal Service: Southern Tasmania, undertaken in partnership with Hobart Community Legal Service and DLA Piper. The report brings together the experience gained from other pilot projects, funded by the NBN Regional Legal Assistance Program, using video conferencing to connect clients in regional, rural and remote areas to pro bono legal assistance. This paper is informing the development of similar video-conferencing pro bono services, both in Australia and overseas.

The Centre expects that the recognition and use of the Centre's resources and expertise outside Australia will continue to grow with the increasing globalisation of the Australian law firm landscape. Twenty percent of the firms that responded to the most recent National Law Firm Pro Bono Survey indicated that they are "international firms"; that is, they employ more lawyers overseas than in Australia. This year I shared the Centre's expertise with colleagues from around the region. I spoke to various delegations from neighbouring countries at UNSW, and attended and participated on the organising committee of the second and third annual Asia Pro Bono Conferences, which focused on strengthening the role of pro bono in improving access to justice in the region.

The Centre has been playing an increasing role in supporting the development of pro bono in the Asian region (see below for more information). It has been exciting to see the way that the concept of pro bono has acted as a catalyst, sparking the enthusiasm of lawyers, law students and government for the important role that they can play to strengthen their legal systems and further justice for the plight of the indigent in their own countries.

Director's report

Towards the end of the year, the Centre began preparations for the fifth National Access to Justice and Pro Bono Conference to be held in Sydney in June 2015 which will provide excellent opportunities for further developing ideas and sharing information to improve access to justice and enhance the provision of pro bono legal services. The Centre also prepared to conduct its biennial large law firm survey, which was undertaken in August 2014, and looks forward to sharing the full results in the final report to be released in the coming months.

State/Territory based activities

Most of the Centre's activities are undertaken with a national perspective, informed by activities in the states and territories, which allows us to identify where there are opportunities to share knowledge, connect relevant people and organisations, increase efficiencies, and avoid unnecessary duplication.

Consultations undertaken during the process of conducting research for the Centre's major projects included meetings with key stakeholders in every state and territory. In addition to these activities:

In NSW, I presented at a "Developing Pro Bono" event aimed at mid-sized firms (see page 10 for more detail). The Centre's staff also presented two sessions at the NSW CLC Symposium, attended meetings with the pro bono coordinators from large law firms and the Legal Information and Referral Forum hosted by the Law and Justice Foundation of NSW, and participated in the Walk for Justice. The Centre maintained its relationship with the NSW based pro bono clearing houses, PILCH (NSW) (which became Justice Connect in July 2013), the NSW Law Society pro bono scheme, the NSW Bar Legal Assistance Scheme as well as the Cancer Council NSW legal referral service and Salvos Legal based in NSW.

In Victoria, I liaised with the Department of Justice in relation to the pro bono provisions in their tendering requirements, and attended various events such as the Attorney-General's Community Law Partnerships event at which law firms and CLCs discussed potential partnerships. The Centre maintained its close relationship with PILCH Victoria (which became Justice Connect in July 2013).

In Queensland, the Centre's staff presented at the National Association of Community Legal Centres Conference in Cairns. I met and liaised with QPILCH on various issues throughout the year and attended the launch of the Townsville QPILCH Service, providing support to the manager of the service, David Maunsell.

In South Australia, the Centre liaised with the Law Society in relation to making it easier for in-house lawyers in South Australian to do pro bono legal work and facilitated the pro bono legal work of lawyers from the Crown Solicitors Office through its Professional Indemnity Insurance Scheme. The Centre also maintained its close relationship with JusticeNet SA.

Walk for Justice walkers in Adelaide (Photo courtesy of JusticeNet SA)

Director's report

In Tasmania, the Centre delivered the final report of the NBN Regional Legal Assistance Program pilot project that it managed, in partnership with Hobart Community Legal Service (HCLS) and DLA Piper, which documented and shared lessons learned about use of high-speed internet to deliver legal assistance. Again the Centre maintained its relationship with the pro bono clearing house based at the Tasmanian Law Society.

In Western Australia, I provided input for the feasibility study on the establishment of a new pro bono clearing house in WA being conducted by Kalico Consulting for the Law Society of Western Australia and attended a forum with practitioners in Perth to discuss various options in July 2013. I also met with a number of firms in Perth and have continued to liaise with the Law Society and some of these firms in relation to development of pro bono in Western Australia.

Annette Bain (Head of Pro Bono and Community at Herbert Smith Freehills), Lâm Bá Khánh Toàn (Law lecturer from Can Tho University, Vietnam) and John Corker

John Corker and Le Nguyen Gia Thien (Law lecturer, University of Economics and Law, Ho Chi Minh City, Vietnam) at the 2nd Asia Pro Bono Conference in Vietnam

Asia Pacific Regional Initiatives

The Centre has been playing an increasing role in supporting the development of pro bono in the Asian region. At UNSW the Centre has made presentations to delegations of judges, legal aid and government officials from Thailand, Singapore, Indonesia, Vietnam, China and Taiwan about pro bono and legal assistance. Through this, and being a member of the international organising committee for the Asia Pro Bono Conference, held in Laos (2012), Vietnam (2013) and Singapore (2014), the Centre has played a leadership role in supporting the development of pro bono, which is helping to strengthen legal systems, the rule of law, and the development of independent bar associations in these countries. The Centre's publications are increasingly being used in the region, notably by the Singapore Law Society's Pro Bono Services Office.

Engagement and advocacy

The Centre continued to work closely with all stakeholders within the legal profession to obtain information on pro bono legal service provision. This informs the work of the Centre, enabling it to identify opportunities for pro bono legal services to effectively respond to unmet legal needs and barriers to pro bono service delivery where its policy efforts should be directed.

The Centre made submissions in response to the *Productivity Commission's Inquiry into Access to Justice Arrangements Issues Paper* (November 2013) and the Draft Recommendations and Information Requests contained in its *Draft Report* (May 2014). It also participated in the Commission's public hearings.

Director's report

The Centre's submissions, research and resources were relied on and frequently quoted in the Productivity Commission's draft report. (For more details on the Centre's submissions see page 12.) The Centre also welcomed comments by the Commission indicating that it does not consider compulsion an appropriate means of bolstering pro bono legal services, and identifying the role that government can play in encouraging the legal profession to undertake pro bono legal work.

The Centre also wrote and co-signed a letter with DLA Piper to the presidents of each law society which did not already offer a volunteer practising certificate, encouraging them to consider this option in light of research undertaken by DLA Piper demonstrating the increasing uptake of this option in the jurisdictions that offer it. This is an important way of facilitating greater involvement in pro bono by retired and career-break lawyers. The introduction of new legal profession legislation in NSW and Victoria, and amendments in other jurisdictions in response to these changes, presents an opportunity for the Centre to engage in further advocacy in this area.

Throughout the year, the wonderful staff of the Centre attended many meetings, conferences, seminars and workshops where we chaired sessions, made presentations and participated to support and promote pro bono legal services in Australia. The information on the following pages explains in greater detail the range of activities in which we have engaged in the past year.

I would like to thank the Centre's staff for all the hard work, enthusiasm and dedication they have shown in the past year. In particular I would like to acknowledge the contribution of Maria Twomey, the Centre's Policy and Research Officer, who departed after five and a half years at the Centre to take up a senior policy role in the NSW Department of Family and Community Services. Maria will be greatly missed and leaves behind a significant body of influential work, including her most recent report *Pro bono legal services in family law and family violence: Understanding the limitations and opportunities*.

Board and Advisory Council

I would also like to thank all Board and Advisory Council members for their contribution during the year. The Centre's annual face-to-face Board and Advisory Council meeting was held in November 2013. These meeting have proved invaluable in focussing the Centre's work and adjusting priority areas in accordance with the Centre's Strategic Plan.

I would also like to thank the Centre's outgoing Chair, Peter Stapleton for his strong leadership and support. As Chair since 2006, Peter has kept the Centre's focus on developing pro bono as a means to further social justice, the rule of law and to provide access to justice to all in our community, especially those experiencing disadvantage, through the provision of legal services. This has been, and will continue to be, the sole focus of the Centre's work.

John Corker
Director

Projects & programs

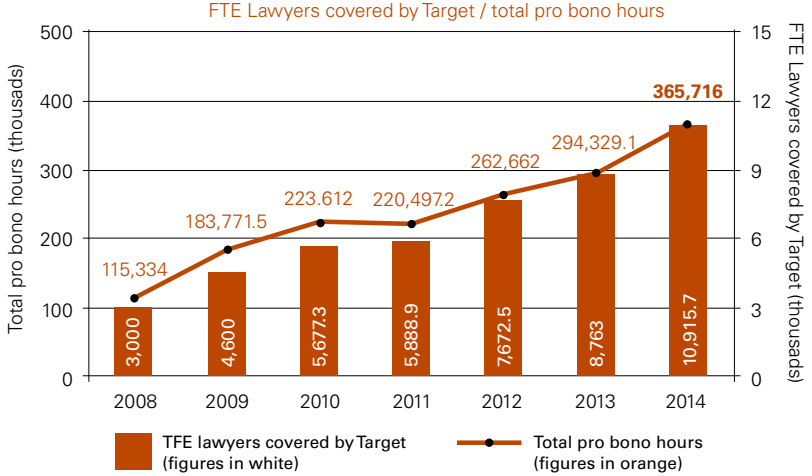
Reports of the Centre's projects and programs are grouped according to the key objectives of the Centre, as detailed in its Strategic Plan.

1. Strengthen the place of pro bono legal work within the Australian legal profession as an integral part of legal practice

- **National Pro Bono Aspirational Target ('Target')** – The Sixth Annual Performance Report on the Aspirational Target, released in October 2013, reported that the Target covers 8,763 FTE legal professionals, or approximately 15% of the Australian legal profession. This represents a 14.2 percent increase in the number of lawyers covered by the Target since the 2011/2012 financial year, and a 48.8 percent increase since 2010/2011 (see Chart 1 below for growth in Target signatories and pro bono hours since 2008). As at 30 June 2013, the Target had a total of 104 signatories, comprising of 79 law firms and incorporated legal practices (referred to collectively as 'firms' hereafter) and 25 individual solicitors and barristers.
- The pro bono conditions included in the application process to be included in the Commonwealth Legal Services Multi-Use list (LSMUL) was a significant factor influencing the decision of many firms to become signatories.
- Collectively, signatories to the Target undertook 294,329.1 hours of pro bono work, up 12.1 percent from 262,662 hours in 2011/2012. This equates to an average of 33.7 hours per lawyer for the 2012/2013 financial year, down slightly from 34.2 hours per lawyer last year. This slight decrease in the number of hours is explained by the significant increase in new signatories.

Chart 1: Target Signatories 2008-2014

FTE Lawyers covered by Target / total pro bono hours



- **Pro Bono Partnership Award NSW** – Once again the Centre sponsored the Pro Bono Partnership Award as part of the annual Justice Awards of the Law and Justice Foundation of NSW. This year, the Pro Bono Partnership Award was presented to Anti-Slavery Australia (ASA) and Clayton Utz in recognition of their pioneering work in developing a model for obtaining victims compensation for victims of sex-trafficking. Prior to the ASA-Clayton Utz partnership, which began in 2009, the possibility of victims compensation for sex-trafficked women had not been recognised.
- **National Access to Justice and Pro Bono Conference** – The Centre has been planning for the fifth National Access to Justice and Pro Bono Conference to be held in Sydney in June 2015, together with its co-hosts, the Law Council of Australia and the Law Society of NSW. The theme of the conference will be the 800th anniversary of the sealing of the Magna Carta which occurred on 15 June 1215. Director, John Corker, and Pauline Wright, Law Society NSW, are co-chairs of the conference committee.

Walk for Justice walkers in Sydney

John Corker, Nam Le Vu (Dean of Faculty of Law, University of Economics and Law, Ho Chi Minh City, Vietnam), and Annette Bain (Head of Pro Bono and Community at Herbert Smith Freehills) at the 2nd Asia Pro Bono Conference in Vietnam

- **Walk for Justice** – The Walk for Justice, initiated by the Centre and QPILCH in 2008, was held for the seventh time on National Pro Bono Day,13 May 2014, with more than 2000 people walking in Adelaide, Brisbane, Cairns, Mackay, Melbourne, Newcastle, the Sunshine Coast, Sydney and Townsville. Approximately $120,000 in funds was raised across Australia to support the work of pro bono clearing houses. Not only does the Walk for Justice continue to raise significant funds for the work of pro bono clearinghouses, but also provides an opportunity for the legal community to come together and celebrate the work of the sector.
- **International Pro Bono –** The Centre helped to organise and participated in the second annual South East Asia Pro Bono Conference which was held in Ho Chi Minh City, Vietnam, on 11 and 12 October 2013. The conference attendees grew from the 150 delegates at the inaugural conference in 2012 in Laos, to well over 200 delegates from 17 countries. The theme of the conference was strengthening the role of pro bono in improving access to justice in the region.

  Conference participants engaged in enthusiastic discussions, networking and exchanges of information that contributed to the development of pro bono legal culture in many countries in the region. In addition to the Centre's participation, speakers from Australia sharing their pro bono experience included representatives from Australian Government Solicitor, Ashurst, DLA Piper, Clayton Utz, Herbert Smith Freehills, Law Council of Australia, QPILCH, and QUT.
- **Law student and law school pro bono** – The Centre continued to update and promote **Social Justice Opportunities** – *A Career Guide for Law Students & New Lawyers*, which was produced in collaboration with the Australian Law Students Association in August 2011 with seed funding from the Law & Justice Foundation of NSW and Victoria Law Foundation, in partnership with Young Lawyers' Committees of Law Societies across Australia, individual Student Law Societies and the National Association of Community Legal Centres. The guide has proven to be very popular, with almost all of the 10,000 guides distributed across the country.

  The companion website (www.sjopps.net.au) provides further information and resources and also lists current job and volunteering opportunities, updated 3-4 times per week. The site had 23,358 unique visitors in 2013-14 (up from 15,960 the previous year) and 77,781 pageviews (up from 50,815). **Social Justice Opportunities** was launched on Twitter (@SJOpps) and Facebook in March 2012, and as at October 2014 it had more than 1,600 Twitter followers and over 900 'likes' on Facebook.

  Social Justice Opportunities is the first national social justice careers resource that lets students and new lawyers know about opportunities in one easy to access guide, with opportunities both within and outside university, and at every stage from being a first year student, through to PLT and graduate positions. While most students and new lawyers are aware of the opportunities that law firms offer, with many firms having a strong presence at universities and careers fairs, information about social justice opportunities is not always so visible. This is particularly true at smaller universities and in regional areas.

Projects & programs

Tina Turner (Justice Connect), Leanne Ho, Daniel Jacobs (the Centre) and Teresa Cianciosi (Justice Connect) at the Justice Connect NFP Law hub launch in Sydney

- **Other conferences and meetings** – Other Australian conferences in which the Centre participated include:
  - The National Association of Community Legal Centres (NACLC) Conference in Cairns in July 2013, where the Centre promoted its resource, *Pro Bono Partnerships and Models: A Practical Guide to* ***What Works*** and used its report, *Pro Bono Legal Services in Family Law and Family Violence*, to raise awareness of the limitations and opportunities for obtaining pro bono assistance in this area and more generally.
  - The Australasian Institute of Judicial Administration (AIJA) Conference in Sydney in April 2014, where the Centre applied the lessons learned from its partnership with Hobart Community Legal Service and DLA Piper to trial a model for delivering pro bono legal assistance via video conferencing technology, as part of a National Broadband Network (NBN) Regional Legal Assistance Program, to the context of assisting self-represented litigants.
  - The Community Legal Centres NSW (CLCNSW) Symposium in Sydney in May 2014, where the Centre again presented on its report, *Pro Bono Legal Services in Family Law and Family Violence*, and the lessons learned from its NBN Regional Legal Assistance Program pilot project.
- The Centre staff also attended meetings with the NACLC, Victorian Federation of Community Legal Centres, CLCNSW, Commonwealth Attorney-General's Department, individual law firm pro bono coordinators, JusticeConnect, QPILCH, JusticeNet South Australia, Australian Corporate Lawyers' Association (ACLA), National Rural Law and Justice Alliance, Legal Information and Referral Forum NSW, Legal Aid Commissions, and Law Societies in Queensland, South Australia, New South Wales, Victoria, Western Australia and Tasmania as well as the offices of many law firms in various states.

2. Providing assistance and support to existing and potential service providers

- **Meeting with law firms to discuss current issues and development of their pro bono practice** – The Centre had individual meetings with a number of firms during the year, particularly mid-tier firms and those who were new signatories to the Aspirational Target. The Centre provided advice to these firms on best practice and opportunities for developing their pro bono practices. The Centre has also liaised or met at some time during the year with each of the national pro bono coordinators of the large law firms.
- **Pro bono colloquium: Developing pro bono event** – The Centre helped to organise and presented at an event on building a sustainable pro bono practice, "Developing Pro Bono", on 2 June 2014. Hosted by Henry Davis York, along with Lander & Rogers and Justice Connect, the event was aimed at sharing useful information for mid-sized firms interested in building a sustainable pro bono practice. John Corker, Leanne Ho, and Anna Lyons (Manager, Pro Bono Relationships at Justice Connect) presented, along with Michelle Hannon (Partner for Pro Bono Services and Corporate Responsibility at Gilbert + Tobin) who provided key learnings from her experience managing a leading pro bono practice. The session was well attended and provided an opportunity for the Centre to develop relationships with new pro bono coordinators at firms with emerging pro bono practices.
- **National Law Firm Pro Bono Survey –** This year the Centre prepared for the 2014 large law firm survey (conducted in August 2014). Questions and responses to the 2012 survey were reviewed in consultation with a number of the large firms. The Centre identified 55 Australian law firms with more than 50 full time equivalent lawyers, up from 51 in 2012 and 39 in 2010, demonstrating the changing law firm environment in Australia. The survey aims to obtain a picture of pro bono work in Australian from the perspective of large and mid-size law firms and to elicit information about practice and policy issues. The survey is conducted every two years in order to provide a longitudinal picture of the pro bono work done by law firms in Australia.

Projects & programs

Hobart Community Legal Service outreach solicitor, Alicia Moore, working in partnership with the Centre to deliver the NBN Legal Service: Southern Tasmania

- **Australian Pro Bono Manual –** The Centre secured the support of LexisNexis to produce a third edition of the Manual in hard copy and commenced the process of planning to update the content and integrate it with its more recently released companion work *Pro Bono Partnerships and Models: A Practical Guide to* ***What Works***. An electronic version of the Manual is maintained and updated on the Centre's website. Web visits to the Manual were constant throughout the year and the precedent letters and policies were regularly downloaded. The new hard copy edition is anticipated to be available in the second half of 2015.
- **Pro bono legal services in family law and family violence: Understanding the limitations and opportunities** – In October 2013, the Centre released its major research report focused on the provision of pro bono legal services in family law and family violence. The aim of this research project was to identify, specifically in the areas of family law and family violence: 1) what pro bono work is currently being done in these areas; 2) what are the reasons for pro bono service providers not taking on matters in family law/family violence; 3) where pro bono assistance may be appropriate in responding to legal need in these areas; and 4) what the limitations of and opportunities for pro bono assistance are in these areas.

  The research included structured interviews with over 60 stakeholders with a direct involvement in pro bono and/or the family law system, including specialist family law practitioners, community legal centres, legal aid commissions, large and mid-size law firms, the federal family courts, pro bono clearing houses and referral schemes, the police, government bodies and legal academics.

  The report has been very well received and feedback received by the Centre suggests that it has been influential in the development of policy in the area of family law and family violence by providing a resource that increases the understanding of stakeholders of the nature, possibilities and limitations of pro bono legal services.
- **NBN Legal Service: Southern Tasmania** – In October 2013 the Centre submitted to Government its final report on the NBN Regional Legal Assistance Program pilot project it undertook in partnership with Hobart Community Legal Service (HCLS) and DLA Piper. The Centre managed the project which involved providing an NBN-based legal assistance service from HCLS's outreach office in Sorell, which is an area of considerable social disadvantage outside of Hobart. Using Skype video-conferencing technology, lawyers from DLA Piper provided advice to clients referred by HCLS when the matter was not within HCLS's expertise and delivered training and mentoring assistance to HCLS solicitors.

  The Centre has continued to share the lessons learned, not only from its own project but also from the other pilot projects that received funding from the NBN Regional Legal Assistance Program. It presented a paper at the Conference of the Australasian Institute of Judicial Administration, which was also adapted and submitted for consideration by the Harvard Journal of Law and Technology, which has been widely distributed and has led to requests for advice from those interested in developing similar services, both in Australia and overseas.

Projects & programs

Michael Smith, NACLC National Convenor, talking about pro bono partnerships at the Victorian Attorney-General's Community Law Partnerships Networking Event 2014 in Melbourne

- **Professional Indemnity Insurance for In-house Lawyers** – The Centre continued to approve applications for professional indemnity insurance under its National Pro Bono PI Insurance Scheme (the Scheme) with more than 45 projects involving 84 lawyers and nine paralegals approved as at 30 June 2014, and 2139.7 hours of pro bono work performed this year. The Scheme facilitates the involvement of in-house counsel in pro bono work by insuring lawyers and paralegals who do pro bono legal work on projects approved by the Centre: for example, the Centre has approved recent applications from lawyers in the South Australian Crown Solicitor's Office, Telstra and the National Australia Bank. The Scheme removes one of the key constraints to pro bono – the need for in-house lawyers to have professional indemnity insurance to cover them for any civil claims arising from such work. The policy, underwritten by LawCover, is now accepted as appropriate PI insurance in NSW, Victoria, Queensland and South Australia. Details of the projects covered by the Scheme can be found on the Centre's website.
- **Participating in policy development** – The Centre made submissions in response to the *Productivity Commission's Inquiry into Access to Justice Arrangements Issues Paper* (November 2013) and the Draft Recommendations and Information Requests contained in its *Draft Report* (May 2014). It also participated in the Commission's public hearings.

  In its submissions, the Centre supported the measures suggested by the Productivity Commission to remove constraints and barriers to pro bono legal work being done by Australian lawyers. The recommendations include entitling parties represented on a pro bono basis to seek an award for costs, authorising holders of all classes of practising certificate to work on a volunteer basis, introducing free practising certificates for retired or career-break lawyers providing pro bono services either through a Community Legal Centre or a project approved by the National Pro Bono Resource Centre, and courts granting protective costs orders to parties involved in matters of public interest against government.
- **Volunteer practising certificates** – The Centre also wrote and co-signed a letter with DLA Piper to the presidents of each law society which did not already offer a volunteer practising certificate, encouraging them to consider this option in light of research undertaken by DLA Piper demonstrating the increasing uptake of this option in the jurisdictions that offer it.
- **Pro bono conditions in government tender for legal services** – The Centre continued to provide policy advice to the Commonwealth government regarding the pro bono provisions in the application process for the Commonwealth Legal Services Multi-User List (LSMUL) and promote the Target to the firms on the LSMUL. The pro bono provisions require agencies to consider each applicant's pro bono contribution when awarding tenders, and each applicant must include either a) Confirmation that the Applicant subscribes to the National Pro Bono Resource Centre's Aspirational Target; or b) A nominated target value of Pro Bono Work over a financial year.

  In accordance with the Centre's policy advice to the Commonwealth Attorney-General's department, as of 1 July 2014, firms with more than 50 lawyers were advised by the Attorney-General that they could no longer nominate a target value b) but would instead be required to select option a) and ensure that they have signed up to the Target.

  As at 30 June 2014, 49 of the 111 law firms listed as prequalified service providers on the LSMUL were Target signatories, up from 38 of 110 firms on the LSMUL as reported in the 2012/13 Commonwealth Legal Services Expenditure Report.

  During the year, the Centre reviewed the guidelines for some key metrics relating to the Target and after consultation with signatories, issued a new set of guidelines. The Centre communicated the guidelines and met with the Office of Legal Services Coordination with a view to ensuring a common metric is used for firms to report to the Centre and to the Commonwealth. This is important, not only for the integrity of data, but also to make it as easy as possible for firms to report.

Projects & programs

- **National Pro Bono News –** The Centre assembled and published a range of materials on its website and in the Centre's e-newsletter, National Pro Bono News, to make information available to the profession on pro bono practice in Australia and overseas. During the year, nine editions of National Pro Bono News were distributed to approximately 900 subscribers.
- **CLC Volunteers** – The Centre, in collaboration with NACLC, continues to maintain and update the CLC Volunteers website (located at www.clcvolunteers.net.au). This site provides information on the volunteering opportunities available at 226 community legal centres and other legal services around the country. The number of unique visitors to the site was 33,103 (up from 27,917 the previous year) with 242,083 pages viewed (compared with 183,698 the previous year). The Centre provides a 5-day service guarantee for any requested updates from CLCs.

3. Promoting the pro bono legal work of the Australian legal profession to the general public

- **Raising the profile of pro bono** – The seventh Walk for Justice on National Pro Bono Day, the launch of the *Sixth Performance Report on the National Pro Bono Aspirational Target* in October 2013, the publication of *Pro bono legal services in family law and family violence: Understanding the limitations and opportunities* and other media, presentations and discussions during the year (see media mentions) increased community awareness and generated discussion in the media on pro bono services. Centre staff also attended the national CLC conference and CLCNSW Symposium which resulted in new productive pro bono networks being formed.

Raising awareness about pro bono legal services – The Centre continued to raise awareness of pro bono legal services by updating its Guides and Directories and by writing articles for several publications. The Centre has also contributed information to the *Australia and New Zealand CLC Directory* on pro bono services, and continues to participate in many cross-sector networks including CLCs, Legal Aid and Indigenous Legal Organisations (ILOs) to raise awareness about pro bono legal services.

Centre's website – The Centre continued to promote and enhance its website. The website contains current pro bono news and resources such as information for the public on how to find legal help, information for pro bono lawyers (including the *Australian Pro Bono Manual*, National Law Firm Directory and the National Pro Bono Aspirational Target), CLCs, Legal Aid, ATSILs, and law students. It also contains many publications and research reports. During the financial year, the website had 35,414 visits up from 31,345 the previous year. There were 94,312 page views, up from 94,185 the previous year.

Staff & interns

John Corker, Peter Stapleton, Leanne Ho, Daniel Jacobs and Maria Twomey

John Corker has had a diverse legal career as judge's associate, barrister, Aboriginal Legal Aid lawyer, General Counsel for the Australian Broadcasting Authority and senior associate with Clayton Utz before joining the Centre as Director in 2004. His broad experience across the profession equips him to lead the Centre into its 13th year of operation.

Leanne Ho joined the Centre as Senior Policy Officer and Project Manager in November 2010. Leanne previously worked as a legal advisor to the United Nations Mission in Liberia, and as a legal officer of the Human Rights Advisory Panel and Department of Justice, United Nations Mission in Kosovo. Prior to working at the United Nations, Leanne worked at the Welfare Rights Centre in Sydney as a community education officer and caseworker, and managed publishing projects at legal publisher, Lexis Nexis. Leanne has managed many of the Centre's key projects, policy initiatives and publications, including *What is Social Justice, Alternative Dispute resolution: Assisting People Experiencing Disadvantage, Pro Bono Partnerships and Models: A Practical Guide to* ***What Works*** and *The use of video conferencing technology to provide pro bono assistance to self-represented litigants in regional, rural and remote Australia*.

Maria Twomey joined the Centre as a Policy and Research Officer in March 2008 having worked as a corporate lawyer and pro bono coordinator in her native Finland. She left the Centre in December 2013 to take up a senior policy role at the Department of Family and Community Services. Maria was responsible for designing and conducting many of the Centre's research projects including the National Law Firm Pro Bono Survey in 2008 and 2010 and has managed many of the Centre's key projects, policy initiatives and publications, including *Pro Bono Practices Guide – A national guide to the pro bono practices of 30 Australian Law Firms, Pro Bono in Australia: an introduction to practical legal training students* and *Pro bono legal services in family law and family violence: Understanding the limitations and opportunities*.

Daniel Jacobs came in to the Centre in March 2010 and is now the Centre's Project Officer. Dan has many years experience working in government in Melbourne and as Administrator of the Victorian Bar Pro Bono Scheme at PILCH Victoria. In addition to running the office, Dan has been the project manager for the National Law Firm Pro Bono Survey in 2012 and 2014, and for the creation of *Social Justice Opportunities*, a career guide for law students and young lawyers (SJOPPs). Under Daniel's leadership, SJOPPS (in hard copy, on the web, in Facebook and on Twitter), has become an ongoing directory to current social justice jobs and volunteering opportunities around the country.

Interns

The Centre has again been fortunate to have assistance from several interns through its association with the UNSW Law Faculty Social Justice Internship Program, as well as dedicated volunteers ranging from law students to qualified lawyers. Interns and volunteers make significant contributions to the work of the Centre, and in turn gain practical experience in research, writing and advocacy. The Centre would particularly like to acknowledge the contribution of one of our volunteer lawyers, Ivana Ukropina, who died in tragic circumstances shortly after she finished her work at the Centre.

The Centre thanks all the interns and volunteers who assisted during the 2013-2014 year:

Semester 2 (2013): Minna Zhang, Elena Ng, Mary Hang, Ivana Ukropina
Semester 1 (2014): Sean Bowes, Maili Tan, Lucia Noyce

John Corker, Maili Tan, Mary Hang, Daniel Jacobs and Maria Twomey at the Walk for Justice in Sydney

Board & Advisory Council

Board members

Chair: Peter Stapleton

Peter is a Pro Bono Expert on the Board, has been a Board Member since 2004 and was appointed Chair in June 2006. He was instrumental in establishing Blake Dawson Waldron's (now Ashurst's) national pro bono practice, a firm he joined in 1983. He was chair of Redfern Legal Centre for many years in the 1980s and is a Director of Aboriginal Legal Services (NSW/ACT). Peter reached his maximum term as director at the 2014 annual general meeting and accordingly retired.

Professor Michael Adams

Michael is the nominee of the Council of Australian Law Deans (CALD) on the Board, and was appointed in April 2007. Michael is a Professor of Law and Head of the School of Law at the University of Western Sydney. Previously, he was a Professor of Corporate Law in the Faculty of Law at the University of Technology, Sydney. Michael has been teaching corporate law in the UK, Australia and USA for over 17 years.

David Bulloch

David is the ACOSS nominee on the board and has been the Managing Lawyer at Westside Community Lawyers since 1993. Westside Community Lawyers is a community legal centre, with four office locations in Adelaide and Port Pirie. David is a graduate of the University of Queensland and worked in two community legal centres in Brisbane in the 1980s. He has served on the Legal Services Commission SA (Legal Aid) as a nominee of the Attorney-General of South Australia, and was a member of the National Legal Aid Advisory Committee in the early 1990s and more recently was a founding committee member of JusticeNet SA. David retired as director at the 2013 annual general meeting.

Andrea De Smidt

Andrea is the nominee of QPILCH, PILCH (VIC), PILCH (NSW) and JusticeNet SA (jointly) and joined the board at the annual general meeting held in November 2011 following the resignation of Fiona McLeay. Andrea is the Deputy Director at QPILCH. Andrea retired as director at the 2013 annual general meeting.

Tim Graham

Tim is the nominee of QPILCH, PILCH (VIC), PILCH (NSW) and JusticeNet SA (jointly) and joined the board at the annual general meeting held in November 2013. Prior to his current role as the Executive Director of JusticeNet SA, Tim was in private practice, primarily in the areas of civil and commercial litigation and administrative law. He has also worked in the not-for-profit sector, including for The Wilderness Society and Amnesty International.

Dominique Hansen

Dominique is the nominee of the Law Society of Western Australia and was appointed to the Board in February 2012 when she commenced in the role of Executive Manager Community Services for the Society. Dominique has previously worked for the Commonwealth and NSW governments, the Ethnic Communities Council of NSW, the Immigration Advice and Rights Centre NSW, and Legal Aid Western Australia.

Michelle Hannon

Michelle was nominated by the Sydney based Pro Bono Coordinators and joined the Board in May 2004 and was reappointed in December 2007 and at the annual general meeting in 2010. Michelle is the Pro Bono Partner at Gilbert + Tobin. She has conducted a number of human rights and discrimination cases and was an executive member of Australian Lawyers for Human Rights for a number of years. She became the founding principal solicitor at the NSW Disability Discrimination Legal Centre, undertaking test case and public interest litigation, as well as policy work and community legal education in the area of disability discrimination. Michelle reached her maximum term as director at the 2014 annual general meeting and accordingly retired.

Board & Advisory Council

Associate Professor Michael Legg
Michael is the University of New South Wales nominee, and was appointed to the board in February 2011. Michael joined the UNSW Law Faculty as a Senior Lecturer in 2009, after more than 10 years in practice in leading Australian and US law firms. Michael is an expert in Civil Procedure, Regulatory Litigation, Corporate and Securities Law, the US Legal System and Comparative Civil Procedure, and has represented a number of ASX200 companies in Australia and Fortune 500 companies in the US in compliance, liability, patent and bankruptcy matters.

Caitlin Perry
Caitlin is the National Association of Community Legal Centres (NACLC) nominee and was appointed to the Board in April 2005, and at the 2008 and 2011 annual general meetings. Caitlin is the coordinator of the Darwin Community Legal Service and a member of the NT Law Society's Legal Aid and Pro Bono Committee. Caitlin has a Bachelor of Economics from Sydney University and was previously Coordinator of Redfern Legal Centre.

Caitlin reached her maximum term as director at the 2014 annual general meeting and accordingly retired.

Robert Reed
Robert was appointed to the Board in February 2007 as a Pro Bono Expert, reappointed at the 2010 annual general meeting. Robert is a Special Counsel with Minter Ellison in their Brisbane office, where he has worked in the insurance litigation group, and more recently, the employment law group. Robert formulated Minter Ellison's Community Benefits Program in Brisbane and currently coordinates all of the office's community work, including pro bono legal assistance, donations and sponsorships, and staff volunteering.

Ed Santow
Ed is the PIAC nominee and was appointed to the Board in January 2011. Prior to his appointment as the Chief Executive Officer of PIAC, Ed was an academic at UNSW Law School and the Gilbert + Tobin Centre of Public Law. He has also worked at the Australian Law Reform Commission and as a solicitor in private practice.

Mark Woods
Mark is a nominee of the Law Council of Australia. He is a Barrister and Solicitor and an accredited specialist in family law and criminal law. The former President of the Law Institute of Victoria (1995-96), Mark is very passionate about improving access to the justice system for all Australians. Mark serves as chair of the Access to Justice Committee of the Law Council of Australia, and sits also on the Community Committee for Victoria Legal Aid.

Advisory Council members

Chair: Jane Hutchison
Manager, Hobart Community Legal Service Inc and Coordinator of the Tasmanian Association of CLCs (Ex-officio member of the Board of the Centre)

Ms Priscilla Collins
Director, Northern Australian Aboriginal Justice Agency, Darwin

Ms Julie Hamblin
Consultant, HWL Ebsworth

Mr David Fredericks
Deputy Secretary, Civil Justice and Legal Services Group Commonwealth Attorney General's Department

Prof Denis Nelthorpe AM
Manager, Footscray & Wyndham Legal Services, Melbourne

Ms Trish Price
Office Director, Queensland Legal Aid Commission

Emeritus Professor David Weisbrot AM
Formerly President of the Australian Law Reform Commission and Chair of the Attorney General's National Pro Bono Task Force.

Ms Kristen Hilton
Deputy Director, Victoria Legal Aid Commission

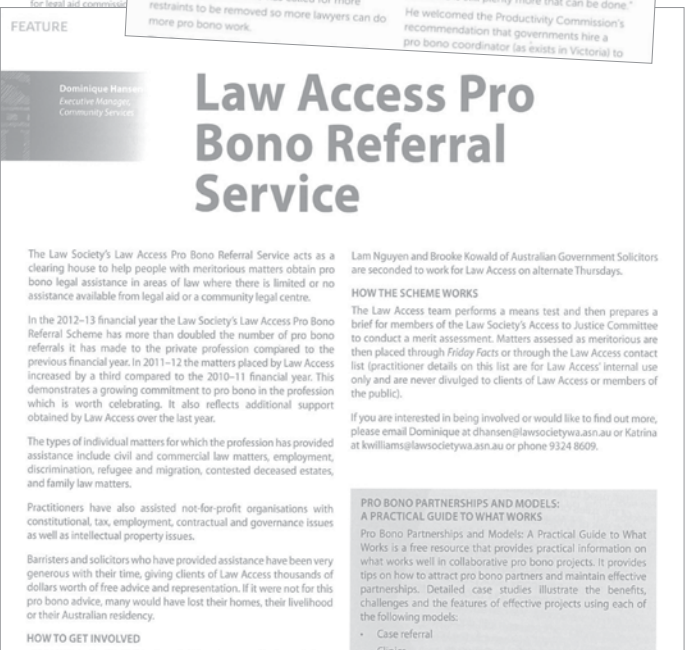
David Blades
Barrister, John Toohey Chambers, Perth

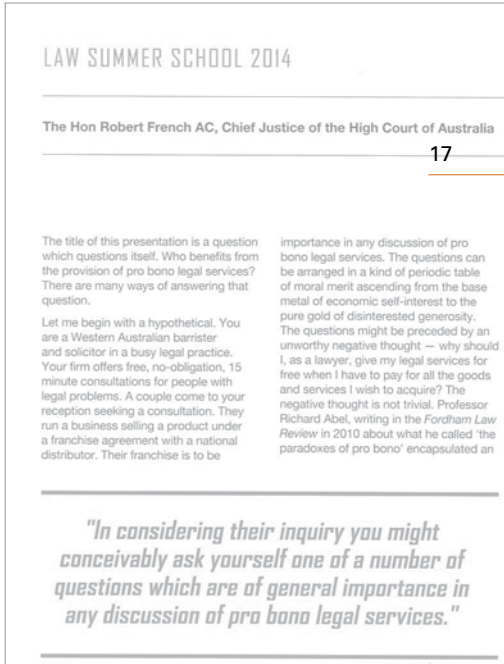
Centre Media Mentions

LEGAL AID CRISIS
Lessons from Victoria's response
MARY ANNE NOONE

Family law pro bono not a firm problem

KEEP PRO BONO VOLUNTARY


FEATURE
Law Access Pro Bono Referral Service


LAW SUMMER SCHOOL 2014
The Hon Robert French AC, Chief Justice of the High Court of Australia
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PRO BONO
DON'T BE OUT OF DATA
Good evaluation is important for lessons to be learned and shared and for programs to be continuously improved.

Firms build a pro bono culture

With respect – **Law Society Journal**, July 2013

Law Access Pro Bono Referral Service – **Brief**, July 2013

New Pro Bono Resource – **Law Institute Journal**, August 2013

Pro bono: A guide to what works (Review) – **Proctor**, August 2013

A fine tradition: Pro bono legal work by Melbourne lawyers is having a far–reaching effect – **Law Institute Journal**, September 2013

Legal aid crisis affecting grad opportunities – **Lawyers Weekly**, 12 September 2013

Family law pro bono not a firm problem – **Lawyers Weekly**, 4 October 2013

Pro Bono Family Law Work Struggling – **Pro Bono Australia**, 8 October 2013

Legal Pro Bono Contribution Steady – **Pro Bono Australia**, 10 October 2013

DLA Piper lawyers support remote communities in Tasmania via NBN legal assistance program – Press Release – **DLA Piper**, 15 October 2013

Vic Bar shows appetite for pro bono – **Lawyers Weekly**, 16 October 2013

Pro bono work vital for justice – **The Advertiser**, 21 October 2013

Firms build a pro bono culture – **The Australian**, 31 January 2014

Law Summer School 2014 – **Brief**, May 2014

Keep pro bono voluntary – **Law Society Journal**, June 2014

Legal Aid Crisis: Lessons from Victoria's response – **Alternative Law Journal**, Volume 39(1) 2014

Don't be out of data – **Law Institute Journal**, May 2014

Financial reports

Income Statement for the year ended 30 June 2014

	2014 $	2013 $
Revenue from ordinary activities	412,733	446,882
Expenses from ordinary activities		
Employee benefits expense	354,286	387,332
Board and Advisory Council	3,807	3,060
Depreciation expense	1,479	1,928
Audit fees	3,568	3,429
Accounting fees	2,695	3,928
Insurance	1,926	7,915
Computer and Communications	4,915	4,885
Subscriptions	2,407	3,267
Travel and accommodation	8,674	14,676
Design and Printing	1,364	1,750
Affiliations, memberships and conferences	3,970	6,707
Finance charges	521	575
Other expenses from ordinary activities	2,367	3,076
	391,979	442,528
Surplus/(Deficit) from Ordinary Activities	**20,754**	**4,354**
Income tax expense relating to ordinary activities	–	–
Net Surplus/(Deficit)	**20,754**	**4,354**
Other comprehensive income	–	–
Total comprehensive income	**20,754**	**4,354**

Financial reports

Balance Sheet for the year ended 30 June 2014

	2014 $	2013 $
Current Assets		
Cash assets	88,204	75,035
Receivables	97,110	300
Total Current Assets	185,314	75,335
Non-Current Assets		
Property, plant and equipment	1,859	3,295
Total Non-Current Assets	1,859	3,295
Total Assets	187,173	78,630
Current Liabilities		
Payables	25,963	19,065
Provisions	38,167	22,795
Other	87,500	–
Total Current Liabilities	151,630	41,860
Non-Current Liabilities		
Provisions	–	21,981
Total Non-Current Liabilities	–	21,981
Total Liabilities	151,630	63,841
Net Assets	35,543	14,789
Equity		
Retained Earnings	35,543	14,789
Total Equity	**35,543**	**14,789**
Total equity at the beginning of the year	14,789	10,435
Surplus (deficit) for the year	20,754	4,354
Total recognised income & expense for the year	20,754	4,354
Total equity at the end of the financial year	**35,543**	**14,789**

The Centre's financial statements were audited by Pitcher Partners, Sydney who opined on 07 August 2014 that the Financial Report of the National Pro Bono Resource Centre is in accordance with the *Corporations Act 2001,* including: (a) giving a true and fair view of the company's financial position as at 30 June 2014 and of its performance for the year ended on that date; and (b) complying with the Australian Accounting Standards (including the Australian Accounting Interpretations) and the *Corporations Regulations 2001.*

NATIONAL PRO BONO RESOURCE CENTRE

The National Pro Bono Resource Centre is an independent, non-profit organisation that supports and promotes pro bono legal services.

The Centre receives financial assistance from the Commonwealth Attorney-General's Department and from the Departments of the Attorney-General in:

- Australian Capital Territory
- New South Wales
- Northern Territory
- Queensland
- South Australia
- Tasmania
- Victoria
- Western Australia

Accommodation and other support is generously provided by the Faculty of Law at the University of New South Wales.

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FACULTY OF LAW

Further information about the Centre including details of the Centre's publications, current activities and projects in development is available at ***www.nationalprobono.org.au***

You can subscribe to the **National Pro Bono News** at ***www.nationalprobono.org.au/subscribe.asp***

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