



**– National Survey –**

**Report on the pro bono legal work of individual  
Australian Solicitors**

**December 2007**

**Appendix VI**

**Responses to Survey Questions; Western Australia, South  
Australia, Northern Territory, Australian Capital Territory and  
Tasmania (combined)**

## **NATIONAL PRO BONO RESOURCE CENTRE**

Centres Precinct, Law School Building  
University of New South Wales NSW 2052  
[www.nationalprobono.org.au](http://www.nationalprobono.org.au)

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## **Acknowledgements**

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- \* Queensland Law Society for financial assistance
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## Appendix VI

### Responses to Survey Questions; Western Australia, South Australia, Northern Territory, Australian Capital Territory and Tasmania (combined)

Please indicate the state or territory where your office is located:

*Table 1*

State	Number	Percentage
<b>ACT</b>	<b>7</b>	<b>1%</b>
NSW	327	37%
<b>NT</b>	<b>9</b>	<b>1%</b>
<b>SA</b>	<b>43</b>	<b>5%</b>
<b>Tas</b>	<b>23</b>	<b>3%</b>
Vic	200	23%
<b>WA</b>	<b>53</b>	<b>6%</b>
Qld	225	25%
<b>Total</b>	<b>887</b>	<b>100%</b>
<b>WASANT ACTTas</b>		
	<b>135</b>	<b>15%</b>

Due to the small percentage of responses from WA, SA, Tas, NT and ACT (less than 7% each) they have been combined into one group known as WASANTACTTas with a total of 135 respondents equivalent to 15% of the total.

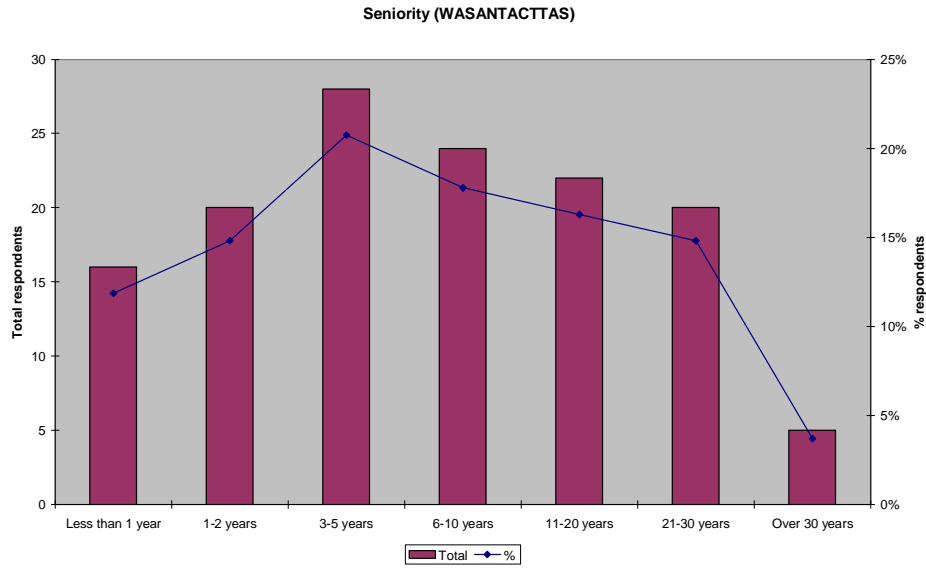
### Section 1 - About you

1. How long have you been admitted to practice?

*Table 1.1*

Seniority	Total	%
Less than 1 year	16	12%
1-2 years	20	15%
3-5 years	28	21%
6-10 years	24	18%
11-20 years	22	16%
21-30 years	20	15%
Over 30 years	5	4%
<b>Total</b>	<b>135</b>	<b>100%</b>

**Figure 1.1**

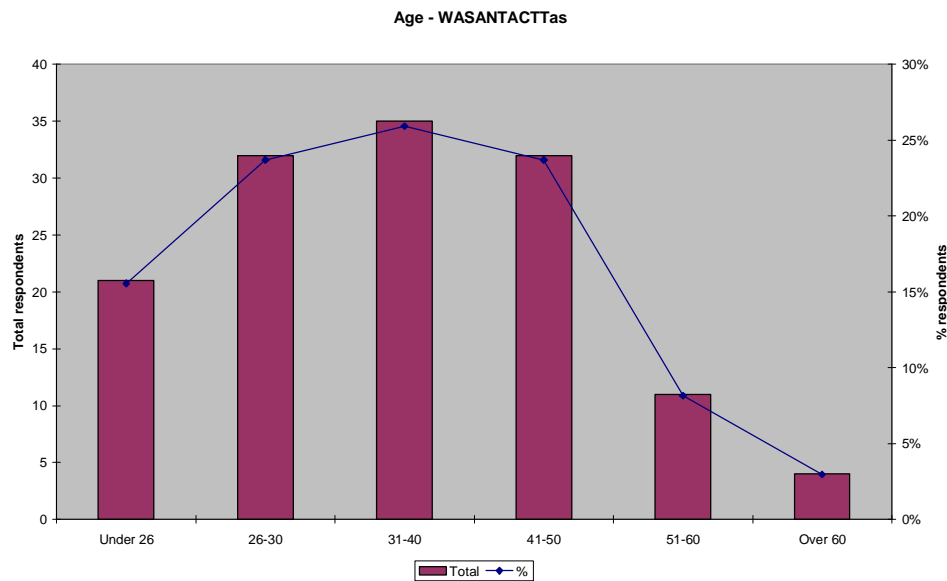


2. How old are you?

**Table 1.2**

	Total	%
Under 26	21	16%
26-30	32	24%
31-40	35	26%
41-50	32	24%
51-60	11	8%
Over 60	4	3%
<b>Total</b>	<b>135</b>	<b>100%</b>

**Figure 1.2**

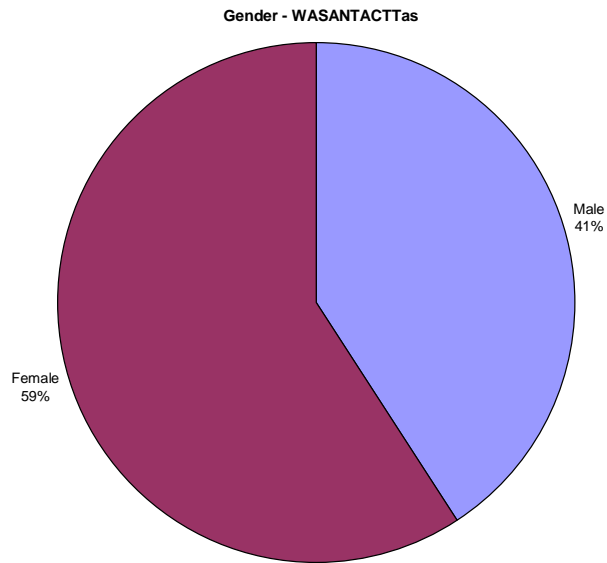


3. Are you...?

**Table 1.3**

	<b>Total</b>	<b>%</b>
Male	55	41%
Female	80	59%
<b>Total</b>	<b>135</b>	<b>100%</b>

**Figure 1.3**



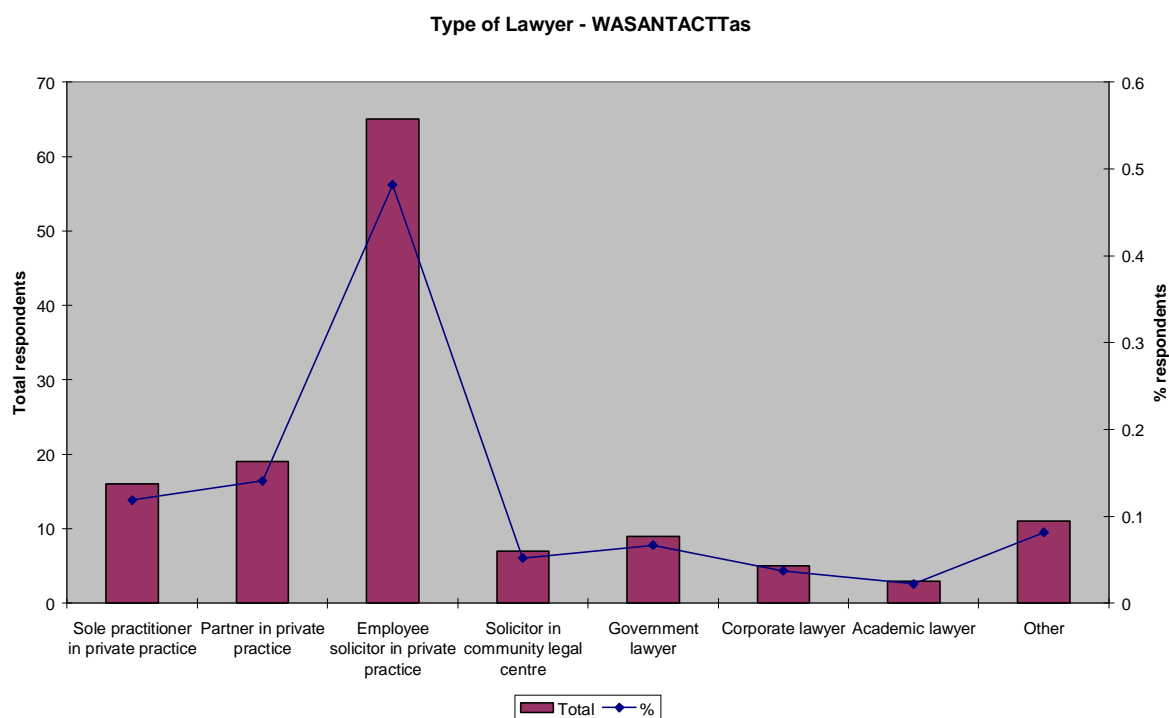
## Section 2 - About your job

1. What is your position?

**Table 2.1**

	<b>Total</b>	<b>%</b>
Sole practitioner in private practice	16	12%
Partner in private practice	19	14%
Employee solicitor in private practice	65	48%
Solicitor in community legal centre	7	5%
Government lawyer	9	7%
Corporate lawyer	5	4%
Academic lawyer	3	2%
Other	11	8%
<b>Total</b>	<b>135</b>	<b>100%</b>

**Figure 2.1**

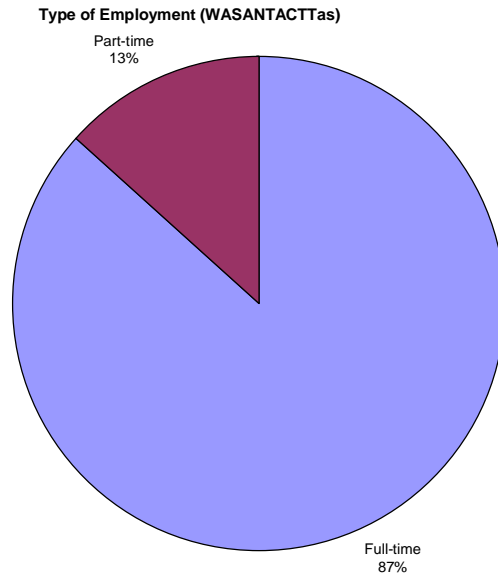


2. Do you work...?

**Table 2.2**

	<b>Total</b>	<b>%</b>
Full-time	117	87%
Part-time	18	13%
<b>Total</b>	<b>135</b>	<b>100%</b>

**Figure 2.2**

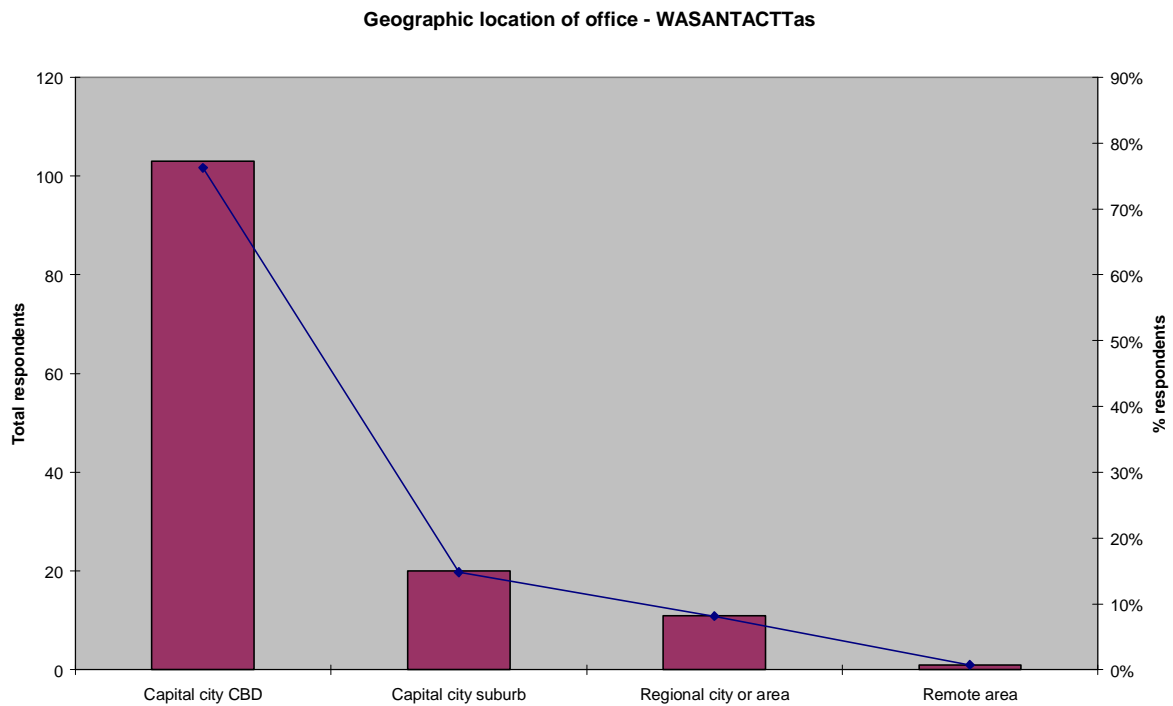


3. Where is your office located?

**Table 2.3**

	<b>Total</b>	<b>%</b>
Capital city CBD	103	76%
Capital city suburb	20	15%
Regional city or area	11	8%
Remote area	1	1%
<b>Total</b>	<b>135</b>	<b>100%</b>

**Figure 2.3**



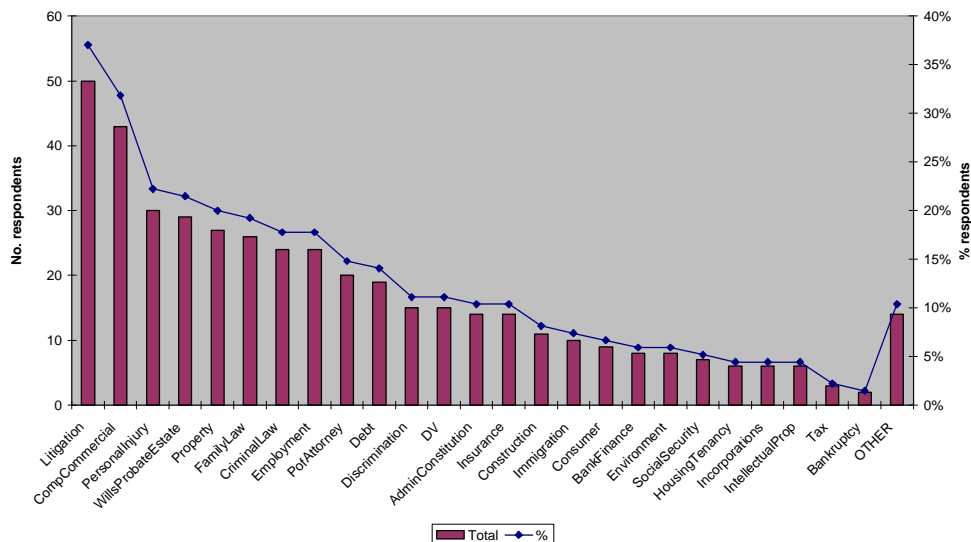
4. In which area(s) do you practice?

**Table 2.4**

Main areas of practice	Total	%
Litigation	50	37%
CompCommercial	43	32%
PersonalInjury	30	22%
WillsProbateEstate	29	21%
Property	27	20%
FamilyLaw	26	19%
CriminalLaw	24	18%
Employment	24	18%
PofAttorney	20	15%
Debt	19	14%
Discrimination	15	11%
DV	15	11%
AdminConstitution	14	10%
Insurance	14	10%
Construction	11	8%
Immigration	10	7%
Consumer	9	7%
BankFinance	8	6%
Environment	8	6%
SocialSecurity	7	5%
HousingTenancy	6	4%
Incorporations	6	4%
IntellectualProp	6	4%
Tax	3	2%
Bankruptcy	2	1%
OTHER	14	10%
<b>Total</b>	<b>135</b>	<b>100%</b>

**Figure 2.4**

**Main areas of practice (WASANTACTTas)**





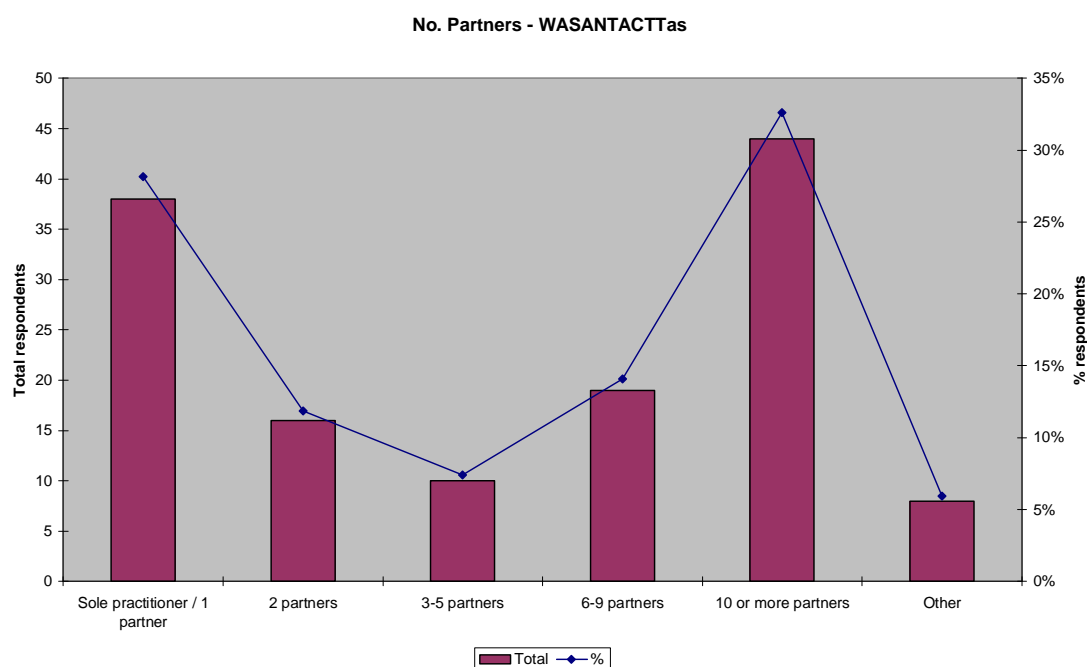
### Section 3 - Brief details of your firm/office

1. How many partners are there in your office?

**Table 3.1**

No. partners	Total	%
Sole practitioner / 1 partner	38	28%
2 partners	16	12%
3-5 partners	10	7%
6-9 partners	19	14%
10 or more partners	44	33%
Other	8	6%
<b>Total</b>	<b>135</b>	<b>100%</b>

**Figure 3.1**

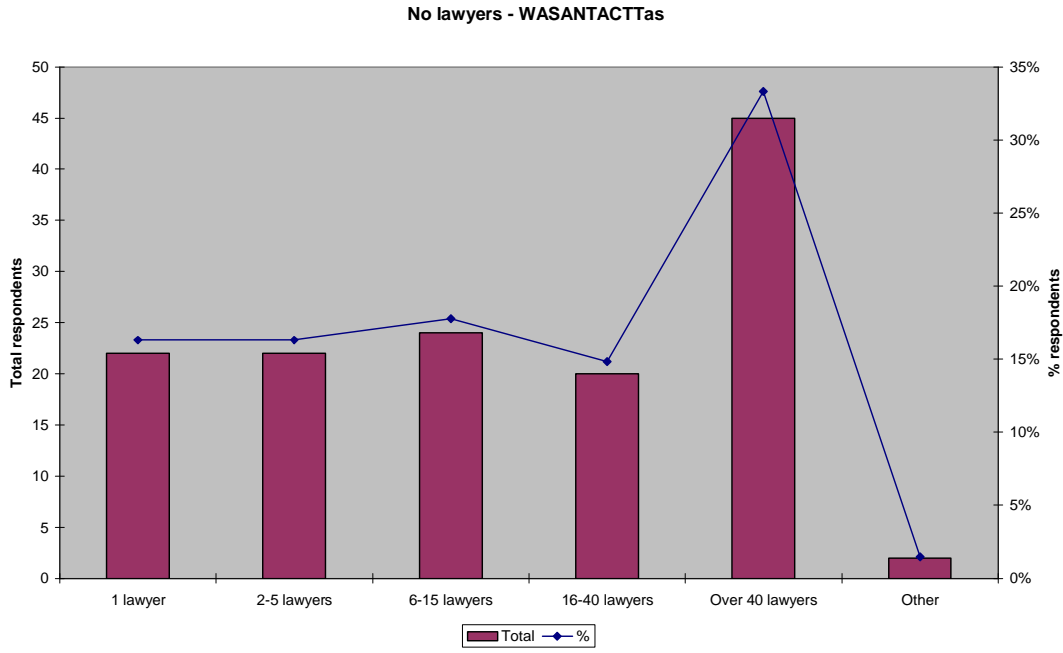


2. How many lawyers (including partners) are there in your office?

**Table 3.2**

No of lawyers	Total	%
1 lawyer	22	16%
2-5 lawyers	22	16%
6-15 lawyers	24	18%
16-40 lawyers	20	15%
Over 40 lawyers	45	33%
Other	2	1%
<b>Total</b>	<b>135</b>	<b>100%</b>

**Figure 3.2**

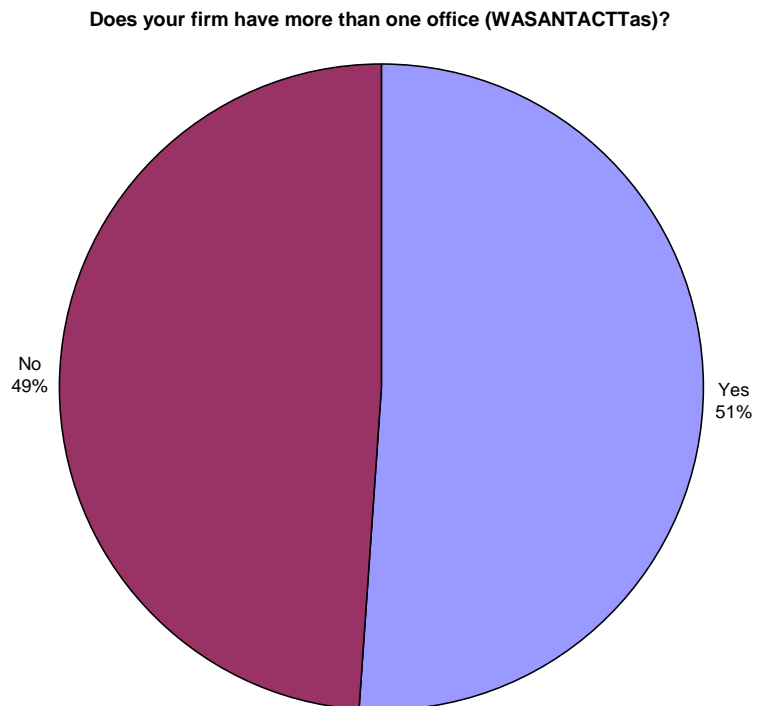


3. Does your firm have more than one office?

**Table 3.3**

	<b>Total</b>	<b>%</b>
Yes	69	51%
No	66	49%
<b>Total</b>	<b>135</b>	<b>100%</b>

**Figure 3.3**

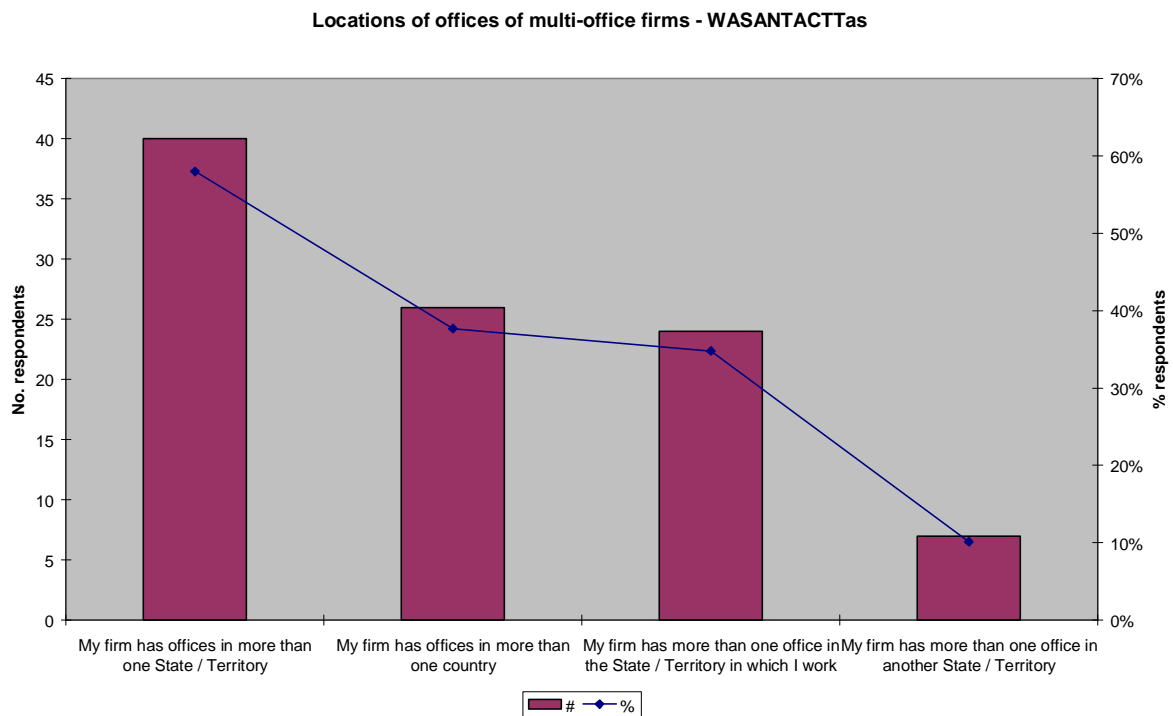


4. About your firm's offices...

**Table 3.4**

<b>Locations of offices of multi-office firms</b>	<b>#</b>	<b>%</b>
My firm has offices in more than one State / Territory	40	58%
My firm has offices in more than one country	26	38%
My firm has more than one office in the State / Territory in which I work	24	35%
My firm has more than one office in another State / Territory	7	10%
<b>Total</b>	<b>69</b>	<b>100%</b>

**Figure 3.4**



## **Section 4 - Your Participation**

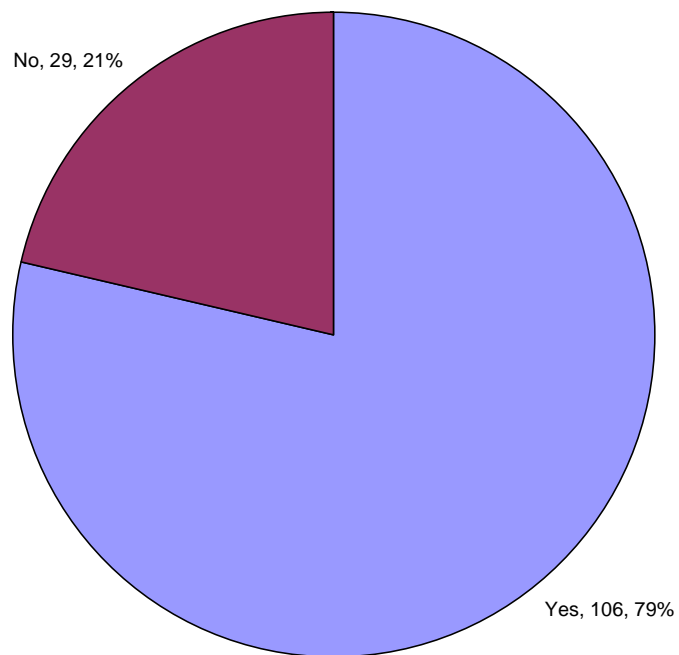
1. In the past 12 months have you spent time doing or coordinating the provision of pro bono legal work?

**Table 4.1**

<b>Pro Bono legal work undertaken in past 12 months?</b>	<b>Total</b>	<b>%</b>
Yes	106	79%
No	29	21%
<b>Total</b>	<b>135</b>	<b>100%</b>

**Figure 4.1**

**Pro Bono legal work undertaken in past 12 months? - WASANTACTTas**

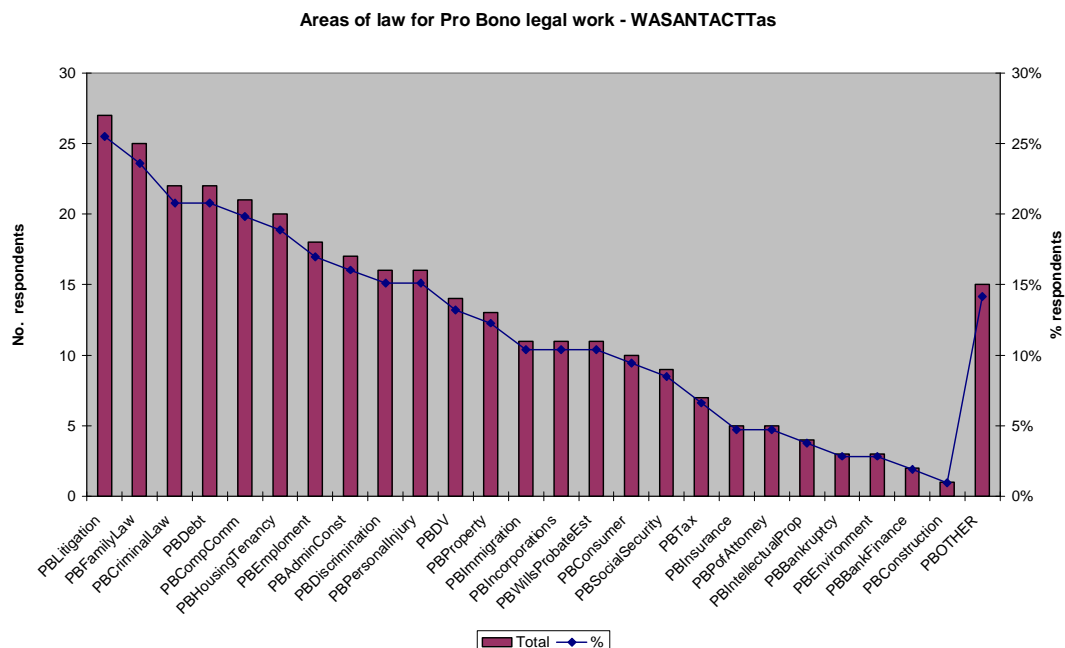


2. In which of the following areas of law have you done pro bono legal work in the last 12 months?

**Table 4.2**

Areas of law for Pro Bono legal work	Total	%
PBLitigation	27	25%
PBFamilyLaw	25	24%
PBCriminalLaw	22	21%
PBDebt	22	21%
PBCompComm	21	20%
PBHousingTenancy	20	19%
PBEmploment	18	17%
PBAdminConst	17	16%
PBDiscrimination	16	15%
PBPersonalInjury	16	15%
PBDV	14	13%
PBProperty	13	12%
PBImmigration	11	10%
PBIncorporations	11	10%
PBWillsProbateEst	11	10%
PBConsumer	10	9%
PBSocialSecurity	9	8%
PBTax	7	7%
PBInsurance	5	5%
PBPofAttorney	5	5%
PBIntellectualProp	4	4%
PBBankruptcy	3	3%
PBEnvironment	3	3%
PBBankFinance	2	2%
PBConstruction	1	1%
PBOTHER	15	14%
<b>Total</b>	<b>106</b>	<b>100%</b>

**Figure 4.2**

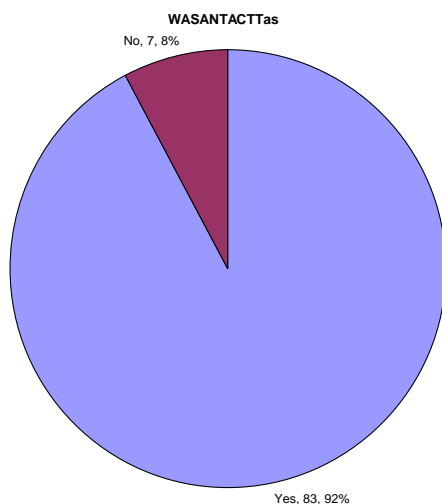


3. Is your pro bono legal work undertaken with your firm's knowledge?

**Table 4.3**

Firms' Knowledge	Count	%
Yes	83	92%
No	7	8%
<b>Total</b>	<b>90</b>	<b>100%</b>

**Figure 4.3**

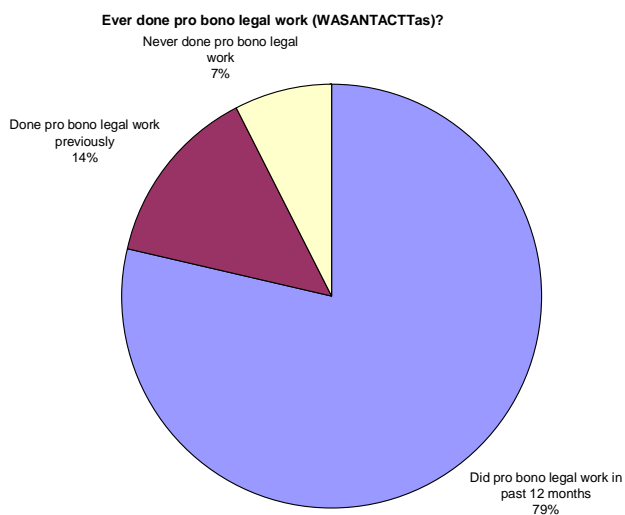


4. Have you ever done pro bono legal work?

**Table 4.4**

	Total	%
Did pro bono legal work in past 12 months	106	79%
Done pro bono legal work previously	19	14%
Never done pro bono legal work	10	7%
<b>Total</b>	<b>135</b>	<b>100%</b>

**Figure 4.4**



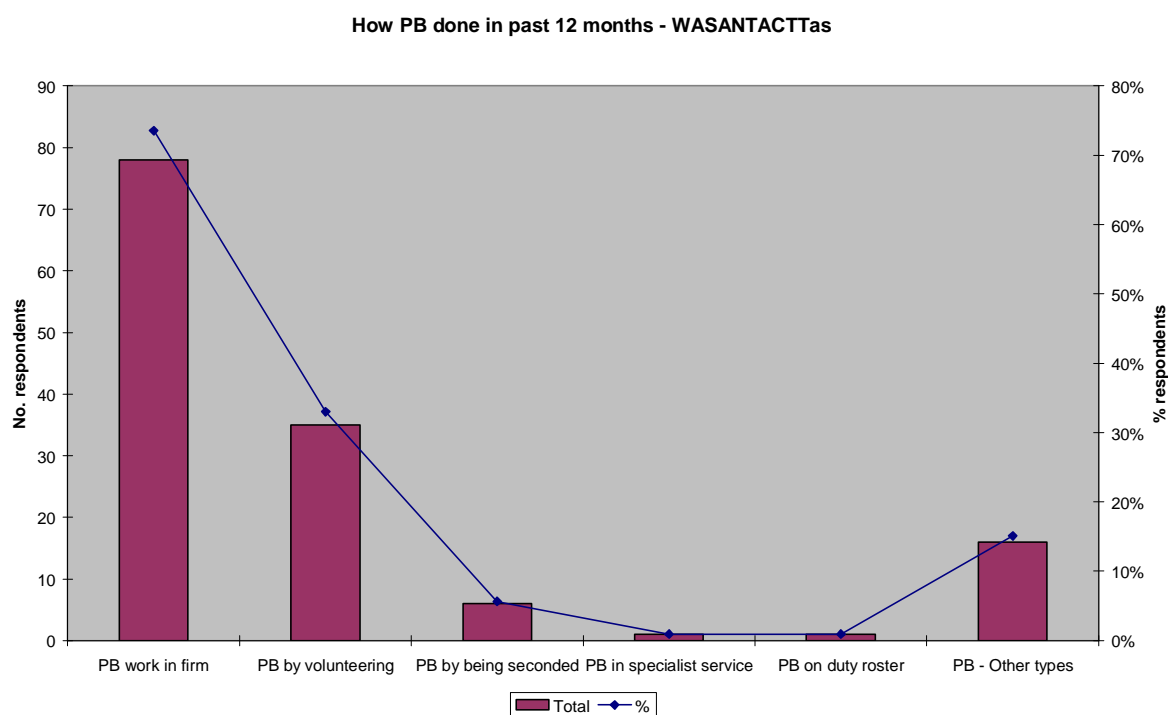
## Section 5 - Types of pro bono legal work

1. How have you done pro bono legal work in the past 12 months?

**Table 5.1**

	Total	%
PB work in firm	78	74%
PB by volunteering	35	33%
PB by being seconded	6	6%
PB in specialist service	1	1%
PB on duty roster	1	1%
Other types	16	15%
<b>Total</b>	<b>106</b>	<b>100%</b>

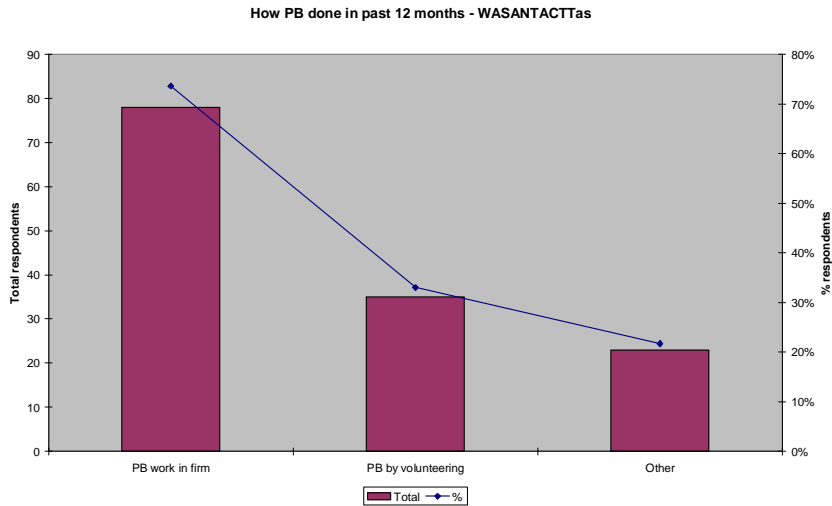
**Figure 5.1**



**Table 5.2**

How Pro Bono legal work was done in past 12 mths	Total	%
PB work in firm	78	74%
PB by volunteering	35	33%
Other	23	22%
<b>Total</b>	<b>106</b>	<b>100%</b>

**Figure 5.2**

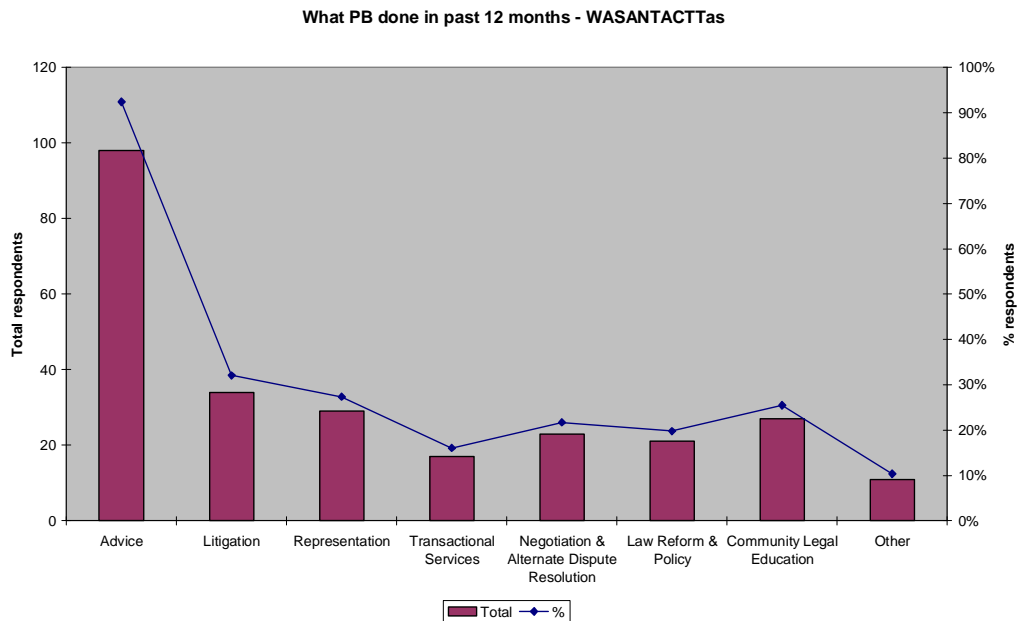


2. Which of the following pro bono legal work have you done in the past 12 months?

**Table 5.3**

What PB done in past 12 months	Total	%
Advice	98	92%
Litigation	34	32%
Representation	29	27%
Transactional Services	17	16%
Negotiation & Alternate Dispute Resolution	23	22%
Law Reform & Policy	21	20%
Community Legal Education	27	25%
Other	11	10%
<b>Total</b>	<b>106</b>	<b>100%</b>

**Figure 5.3**



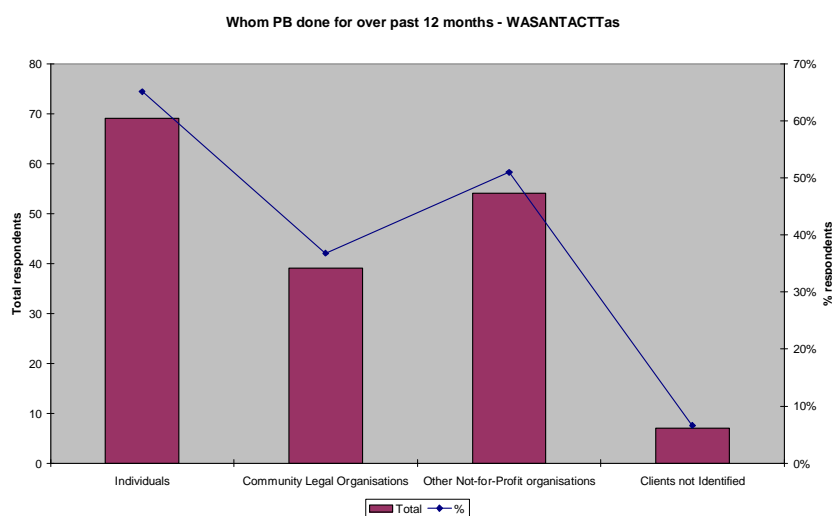


4. Please could you tell us for whom this pro bono legal work was done?

**Table 5.4**

<b>PB undertaken in past 12 mths, by 3 client groups</b>	<b>Total</b>	<b>%</b>
Individuals	69	65%
Community Legal Organisations	39	37%
Other Not-for-Profit organisations	54	51%
Clients not Identified	7	7%
<b>Total</b>	<b>106</b>	<b>100%</b>

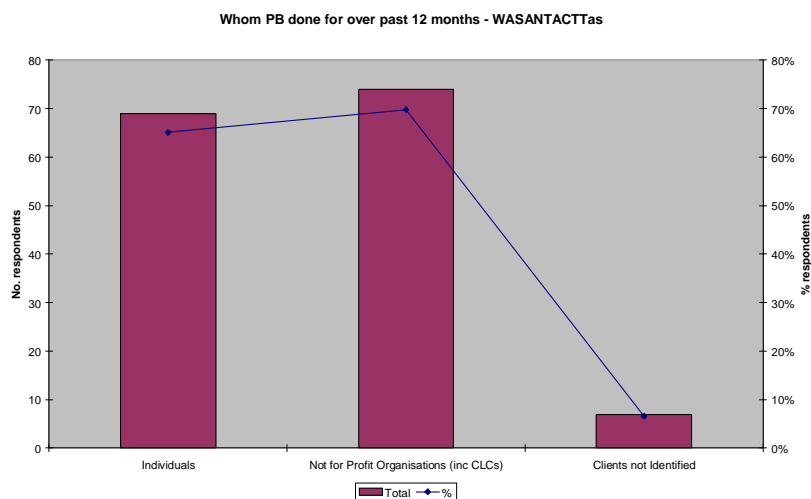
**Figure 5.4**



**Table 5.5**

<b>Pro bono legal work undertaken, by 2 client groups</b>	<b>Total</b>	<b>%</b>
Individuals	69	65%
Not for Profit Organisations (inc CLCs)	74	70%
Clients not Identified	7	7%
<b>Total</b>	<b>106</b>	<b>100%</b>

**Figure 5.5**



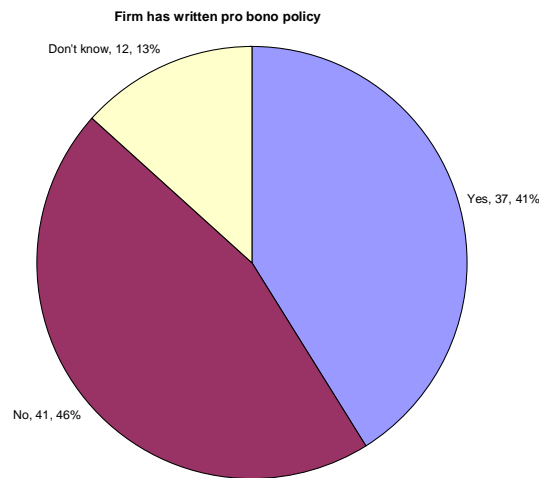
## Section 6 - Practice Issues

1. Does your firm have a written pro bono policy?

**Table 6.1**

Written Policy	Total	%
Yes	37	41%
No	41	46%
Don't know	12	13%
<b>Total</b>	<b>90</b>	<b>100%</b>

**Figure 6.1**

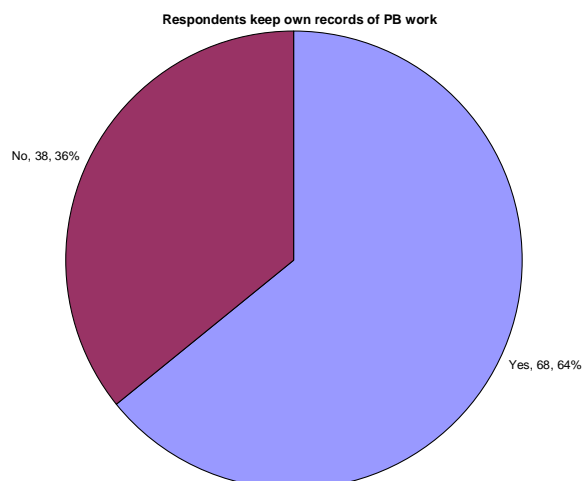


2. Do you keep any record of the pro bono work that you are doing?

**Table 6.2**

You Keep Record	Total	%
Yes	68	64%
No	38	36%
<b>Total</b>	<b>106</b>	<b>100%</b>

**Figure 6.2**

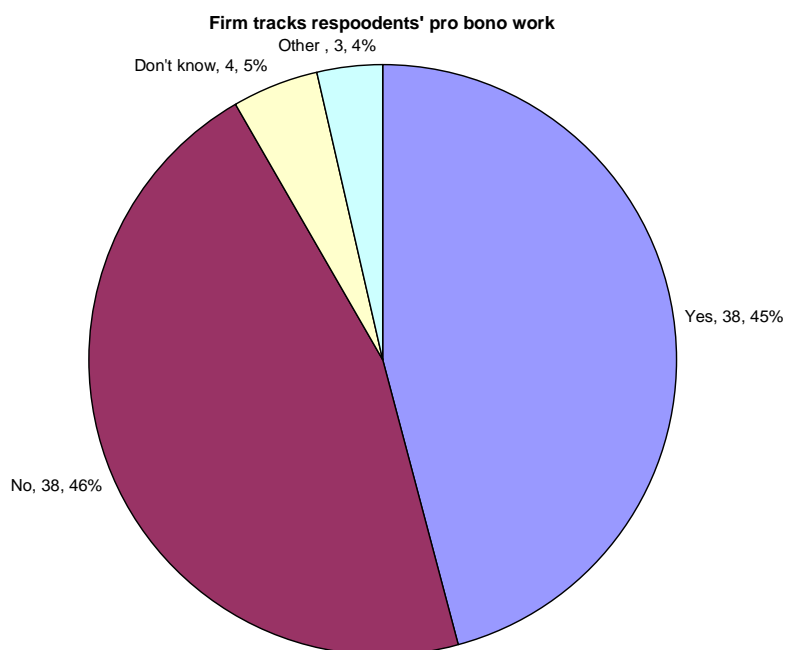


3. Does your firm track how much pro bono work you do?

**Table 6.3**

Firm track probono work?	Total	%
Yes	38	46%
No	38	46%
Don't know	4	5%
Other	3	4%
<b>Total</b>	<b>83</b>	<b>100%</b>

**Figure 6.3**



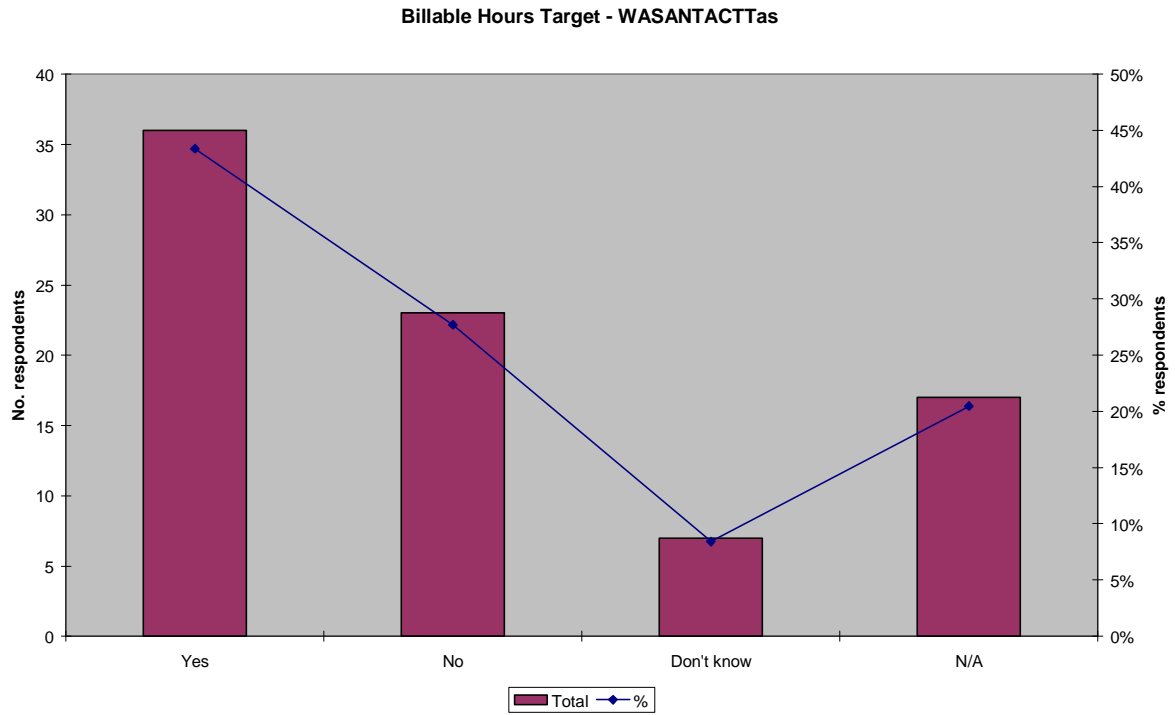
4. Does your firm take your pro bono legal work into account (in a positive manner)?

- In your performance appraisal?
- When considering you for promotion or advancement?
- In your salary reviews?
- In meeting billable hours targets?
- In meeting financial targets?

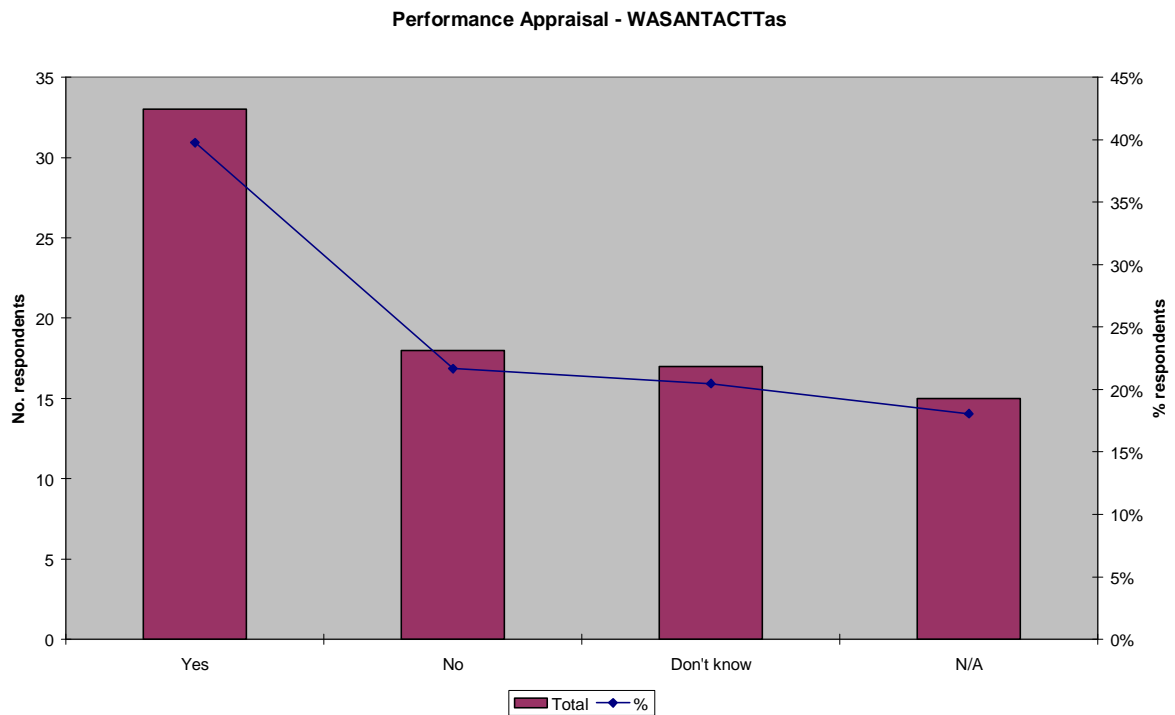
**Table 6.4**

PB work taken into account in:	Yes		No		Don't know		N/A		Total	
	#	%	#	%	#	%	#	%	#	%
Billable Hours Target	36	43%	23	28%	7	8%	17	20%	83	100%
Performance Appraisal	33	40%	18	22%	17	20%	15	18%	83	100%
Financial Targets	30	36%	27	33%	12	14%	14	17%	83	100%
Promotion & Advancement	22	27%	21	25%	24	29%	16	19%	83	100%
Salary Review	21	25%	31	37%	16	19%	15	18%	83	100%

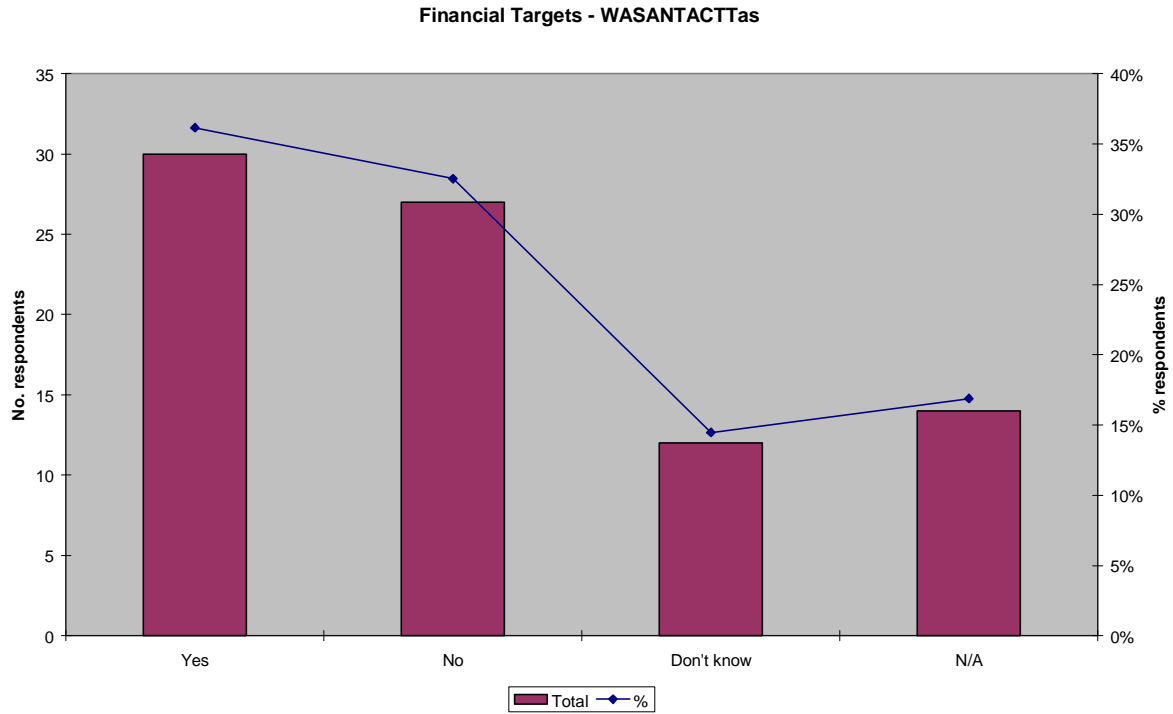
**Figure 6.4**



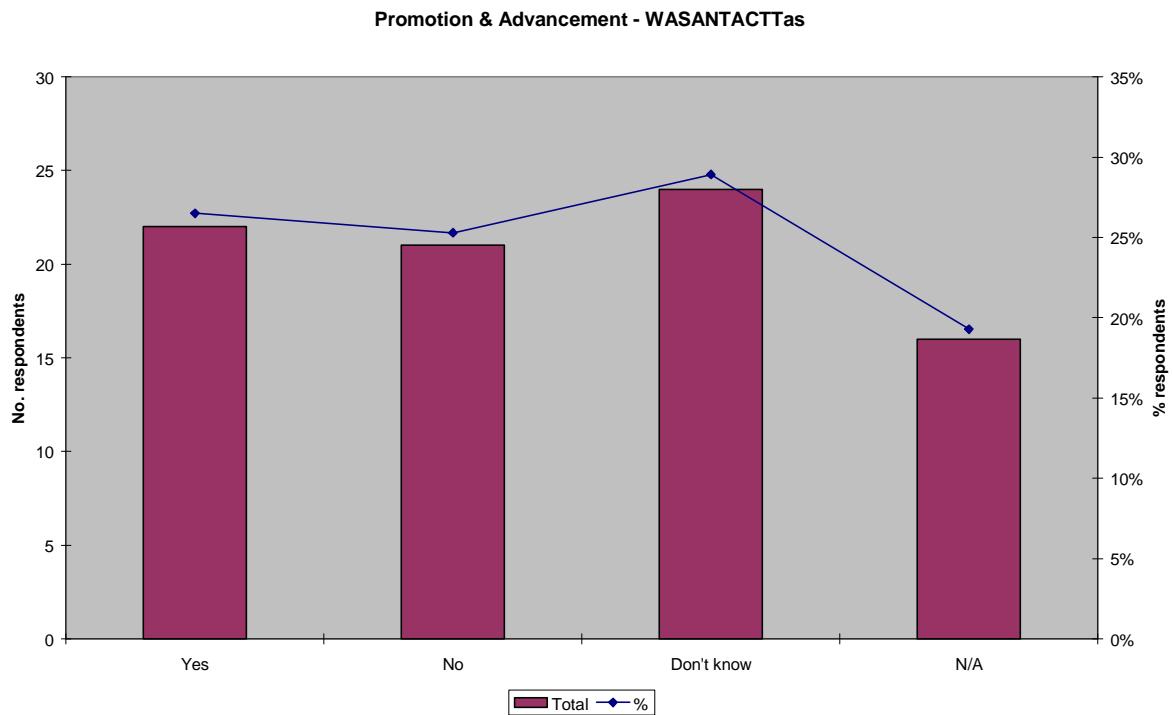
**Figure 6.5**



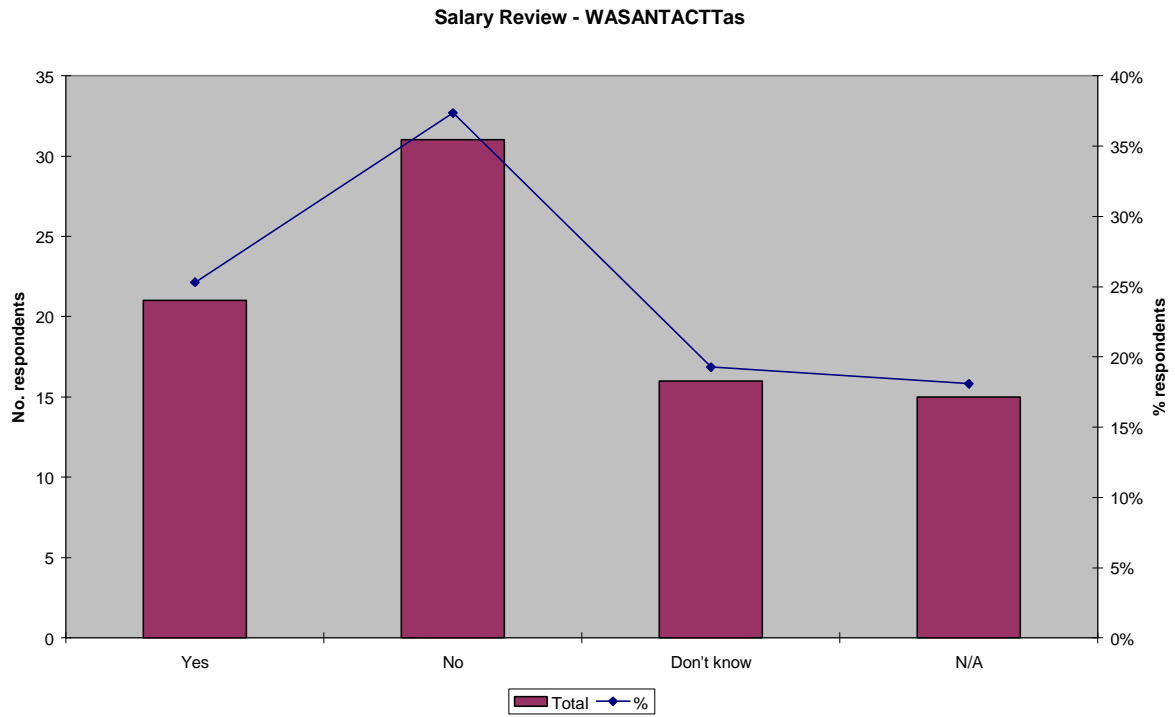
**Figure 6.6**



**Figure 6.7**



**Figure 6.8**



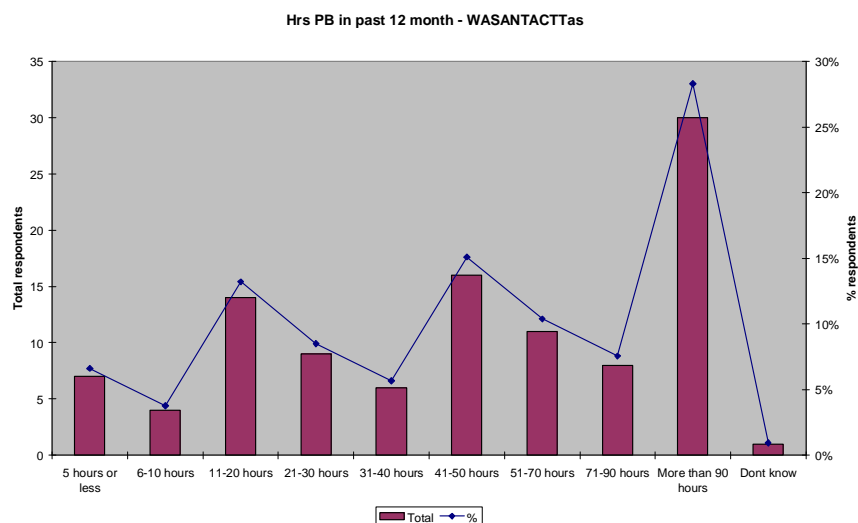
## Section 7 - Amount of pro bono work

1. Can you estimate how many hours of pro bono legal work you have completed in the last 12 months?

**Table 7.1**

	<b>Total</b>	<b>%</b>
5 hours or less	7	7%
6-10 hours	4	4%
11-20 hours	14	13%
21-30 hours	9	8%
31-40 hours	6	6%
41-50 hours	16	15%
51-70 hours	11	10%
71-90 hours	8	8%
More than 90 hours	30	28%
Don't know	1	1%
<b>Total</b>	<b>106</b>	<b>100%</b>

**Figure 7.1**

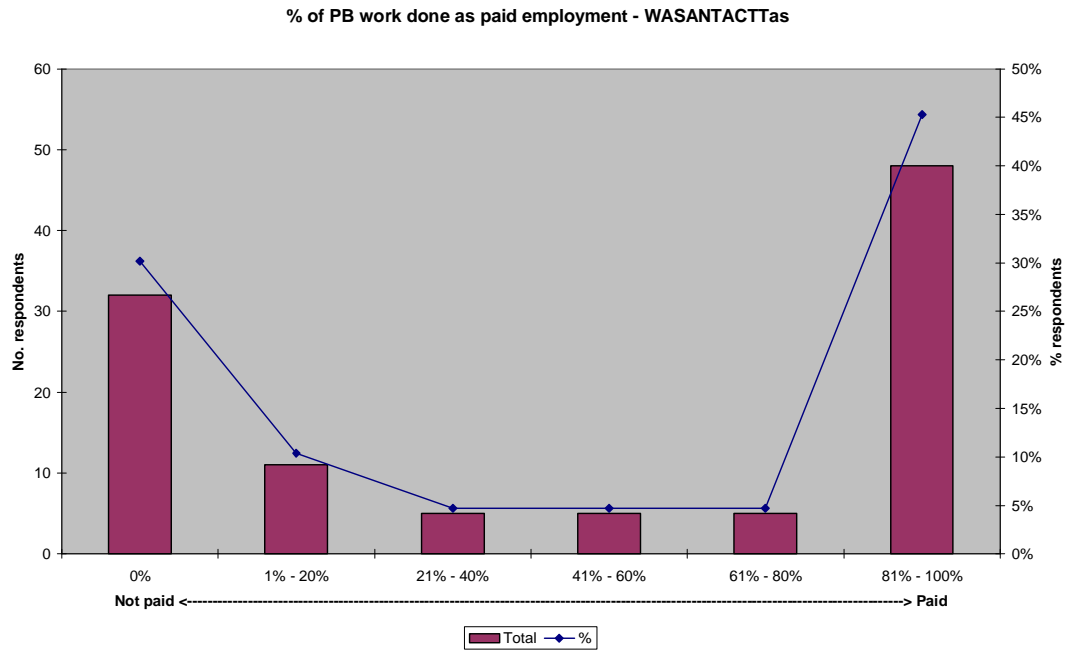


2. How much of this work was done as part of your paid employment?

**Table 7.3**

<b>% pro bono work as part of paid employment?</b>	<b>Total</b>	<b>%</b>
0%	32	30%
1% - 20%	11	10%
21% - 40%	5	5%
41% - 60%	5	5%
61% - 80%	5	5%
81% - 100%	48	45%
<b>Total</b>	<b>106</b>	<b>100%</b>

**Figure 7.2**

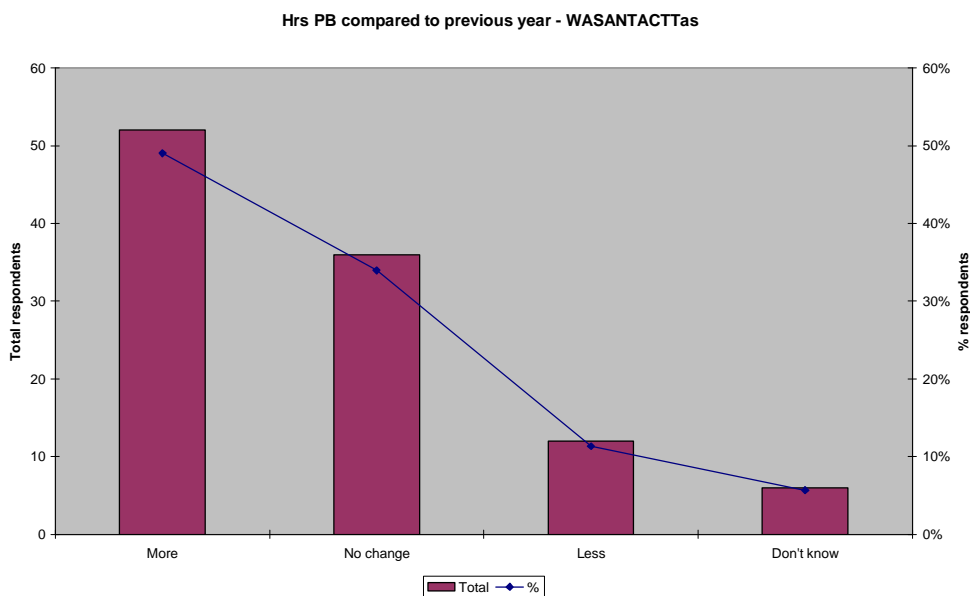


3. Have you spent more or less time in pro bono legal work in the past 12 months than in the previous 12 months?

**Table 7.3**

	<b>Total</b>	<b>%</b>
More	52	49%
No change	36	34%
Less	12	11%
Don't know	6	6%
<b>Total</b>	<b>106</b>	<b>100%</b>

**Figure 7.3**





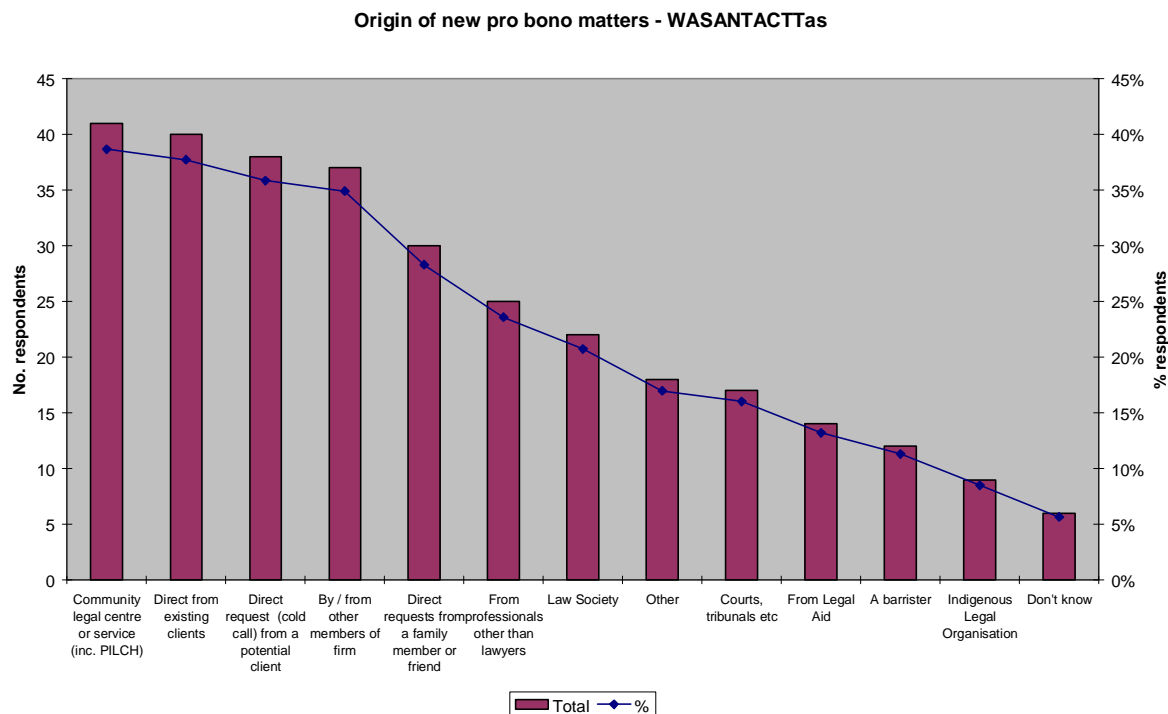
## Section 8 - Sources of pro bono work

1. When you take on new pro bono matters, from where do those new matters originate?

**Table 8.1**

Origin of new Pro Bono matters	Total	%
Community legal centre or service (inc. PILCH)	41	39%
Direct from existing clients	40	38%
Direct request (cold call) from a potential client	38	36%
By / from other members of firm	37	35%
Direct requests from a family member or friend	30	28%
From professionals other than lawyers	25	24%
Law Society	22	21%
Other	18	17%
Courts, tribunals etc	17	16%
From Legal Aid	14	13%
A barrister	12	11%
Indigenous Legal Organisation	9	8%
Don't know	6	6%
<b>Total</b>	<b>106</b>	<b>100%</b>

**Figure 8.1**



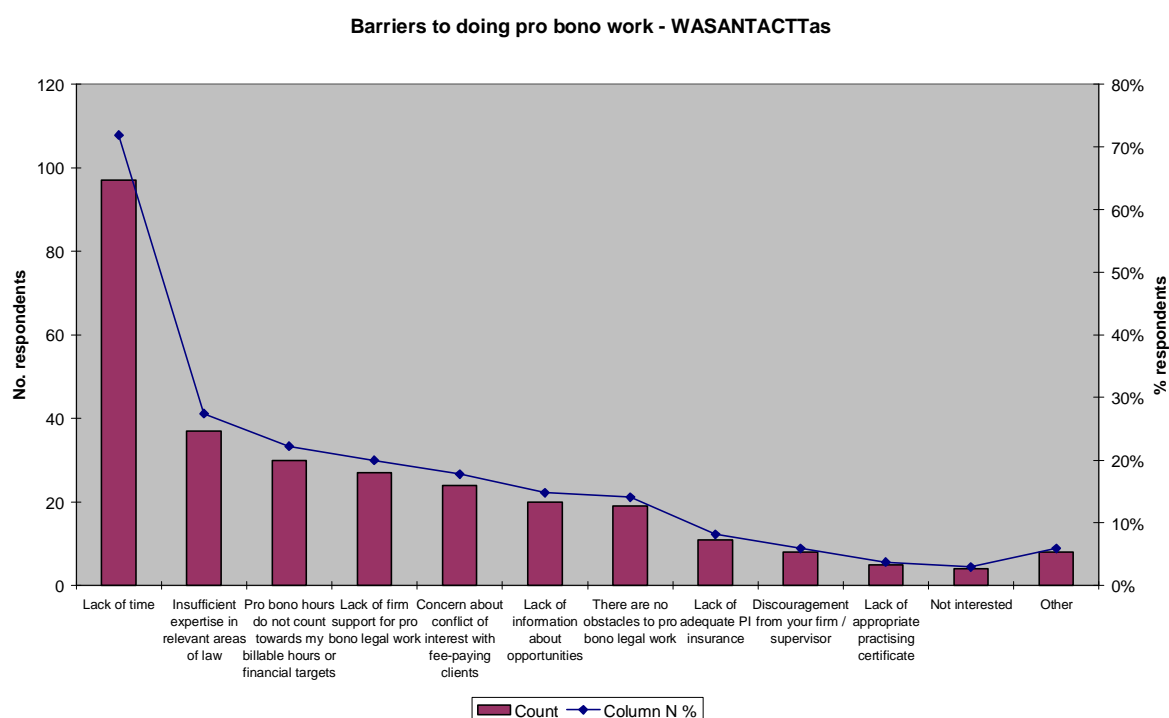
## Section 9 - Obstacles to & Encouragement for Pro Bono

1. What gets in the way of you doing pro bono legal work?

**Table 9.1**

Obstacles to doing pro bono legal work	Total	%
Lack of time	97	72%
Insufficient expertise in relevant areas of law	37	27%
Pro bono hours do not count towards my billable hours or financial targets	30	22%
Lack of firm support for pro bono legal work	27	20%
Concern about conflict of interest with fee-paying clients	24	18%
Lack of information about opportunities	20	15%
There are no obstacles to pro bono legal work	19	14%
Lack of adequate PI insurance	11	8%
Discouragement from your firm / supervisor	8	6%
Lack of appropriate practising certificate	5	4%
Not interested	4	3%
Other	8	6%
<b>Total</b>	<b>135</b>	<b>100%</b>

**Figure 9.1**

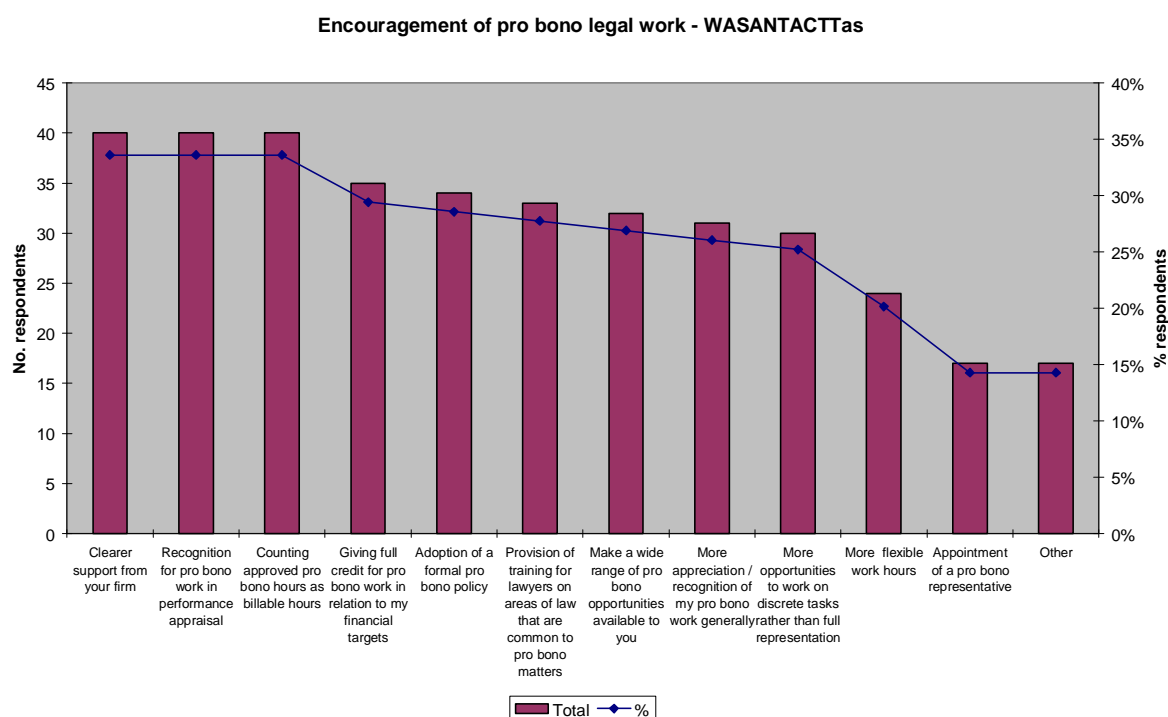


3. What actions could your firm take that would encourage you to do more pro bono?

**Table 9.2**

Actions firms could take to encourage more pro bono legal work	Total	%
Clearer support from your firm	40	34%
Recognition for pro bono work in performance appraisal	40	34%
Counting approved pro bono hours as billable hours	40	34%
Giving full credit for pro bono work in relation to my financial targets	35	29%
Adoption of a formal pro bono policy	34	29%
Provision of training for lawyers on areas of law that are common to pro bono matters	33	28%
Make a wide range of pro bono opportunities available to you	32	27%
More appreciation / recognition of my pro bono work generally	31	26%
More opportunities to work on discrete tasks rather than full representation	30	25%
More flexible work hours	24	20%
Appointment of a pro bono representative	17	14%
Other	17	14%
<b>Total</b>	<b>119</b>	<b>100%</b>

**Figure 9.2**



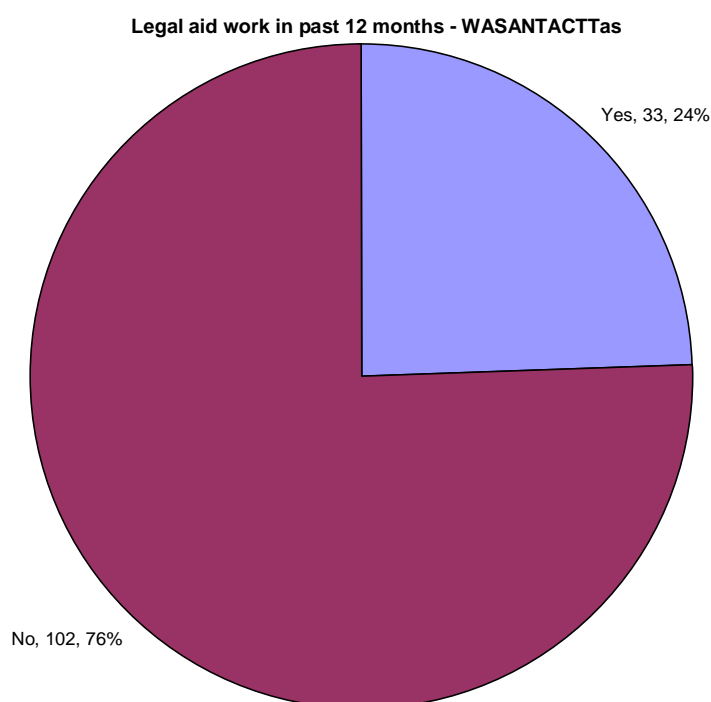
## Section 10 - Legal Aid work

1. Did you do any legal aid work in the last 12 months?

**Table 10.1**

<b>Legal aid work in last 12 mths?</b>	<b>Total</b>	<b>%</b>
Yes	33	24%
No	102	76%
<b>Total</b>	<b>135</b>	<b>100%</b>

**Figure 10.1**

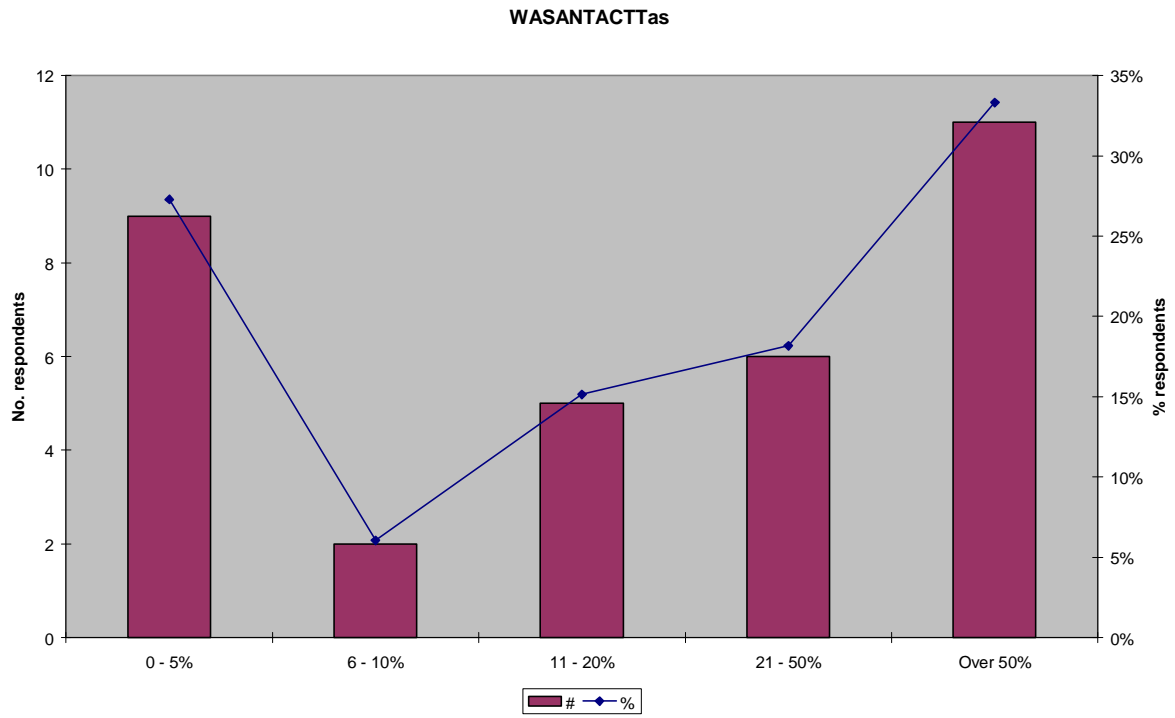


2. In the last 12 months, approximately what percentage of your time was for legally aided clients?

**Table 10.2**

<b>In the last 12 months, approximately what percentage of your time was for legally aided clients?</b>	<b>#</b>	<b>%</b>
0 - 5%	9	27%
6 - 10%	2	6%
11 - 20%	5	15%
21 - 50%	6	18%
Over 50%	11	33%
<b>Total</b>	<b>33</b>	<b>100%</b>

Figure 10.2



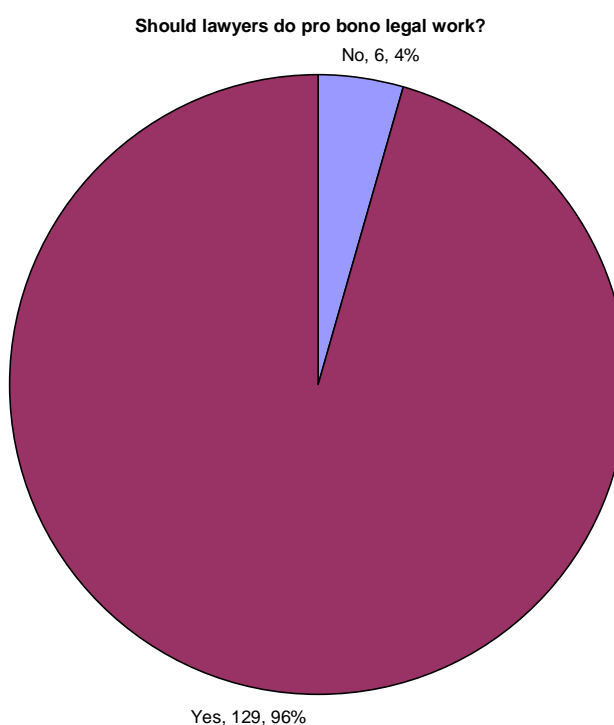
## Section 11 - Attitudes to pro bono legal work

1. Do you think that lawyers should do pro bono legal work?

**Table 11.1**

Should Lawyers do PB?	Total	%
No	6	4%
Yes	129	96%
<b>Total</b>	<b>135</b>	<b>100%</b>

**Figure 11.1**

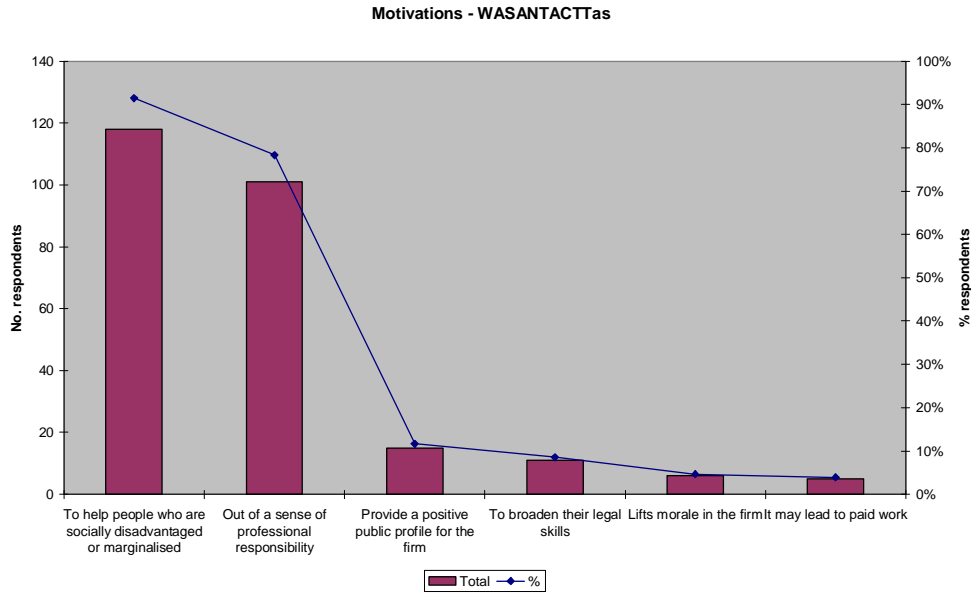


2. Tick the top two factors as to why you think lawyers should do pro bono legal work.

**Table 11.2**

Why lawyers should do pro bono legal work	Total	%
To help people who are socially disadvantaged or marginalised	118	91%
Out of a sense of professional responsibility	101	78%
Provide a positive public profile for the firm	15	12%
To broaden their legal skills	11	9%
Lifts morale in the firm	6	5%
It may lead to paid work	5	4%
<b>Total</b>	<b>129</b>	<b>100%</b>

**Figure 11.2**

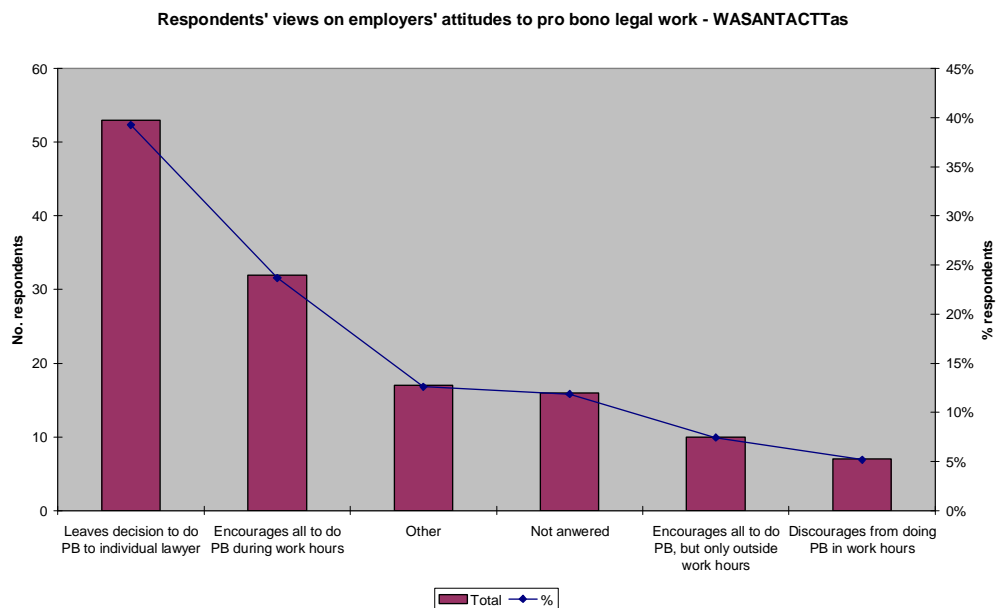


3. What do you think is your firm’s/employer’s attitude to pro bono?

**Table 11.3**

What do you think is your firms/employers attitude to pro bono?	Total	%
Leaves decision to do PB to individual lawyer	53	39%
Encourages all to do PB during work hours	32	24%
Other	17	13%
Not answered	16	12%
Encourages all to do PB, but only outside work hours	10	7%
Discourages from doing PB in work hours	7	5%
<b>Total</b>	<b>135</b>	<b>100%</b>

**Figure 11.3**

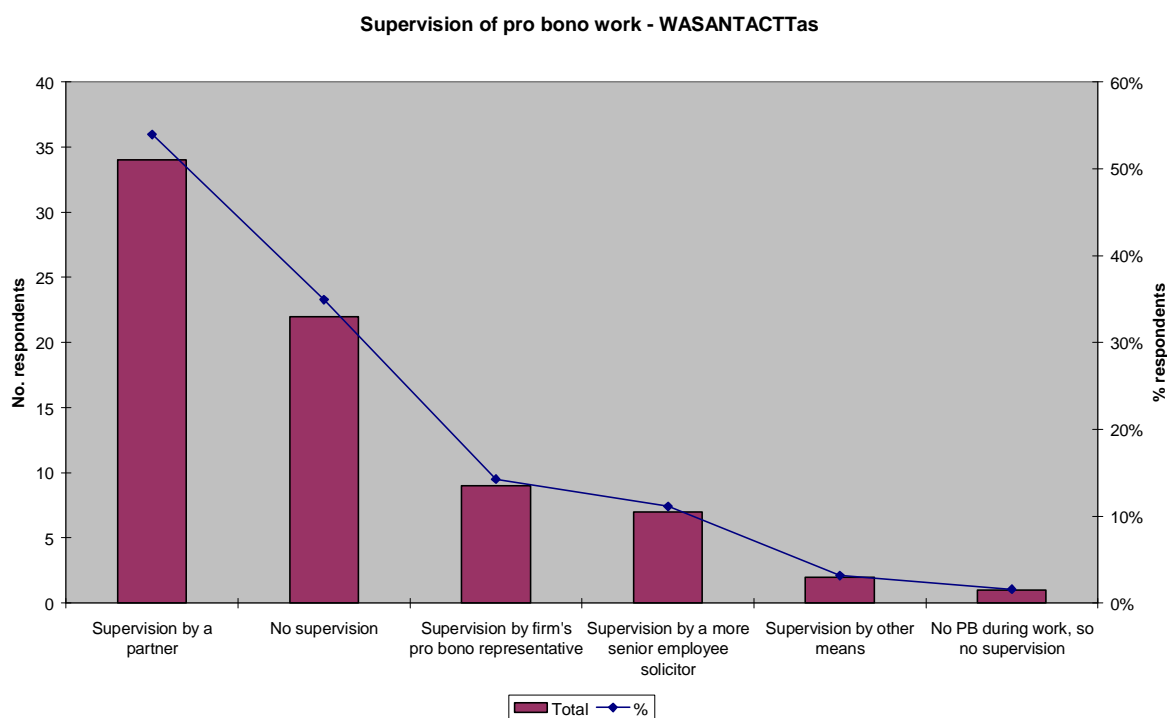


4. In relation to pro bono matters that you carry out during work hours, who supervises that pro bono work?

**Table 11.4**

Supervision of pro bono matters carried out during work hours	Total	%
Supervision by a partner	34	54%
No supervision	22	35%
Supervision by firm's pro bono representative	9	14%
Supervision by a more senior employee solicitor	7	11%
Supervision by other means	2	3%
No PB during work, so no supervision	1	2%
<b>Total</b>	<b>63</b>	<b>100%</b>

**Figure 11.4**



5. Do you think that the Law Society should issue a policy statement about lawyers' commitment to pro bono services?

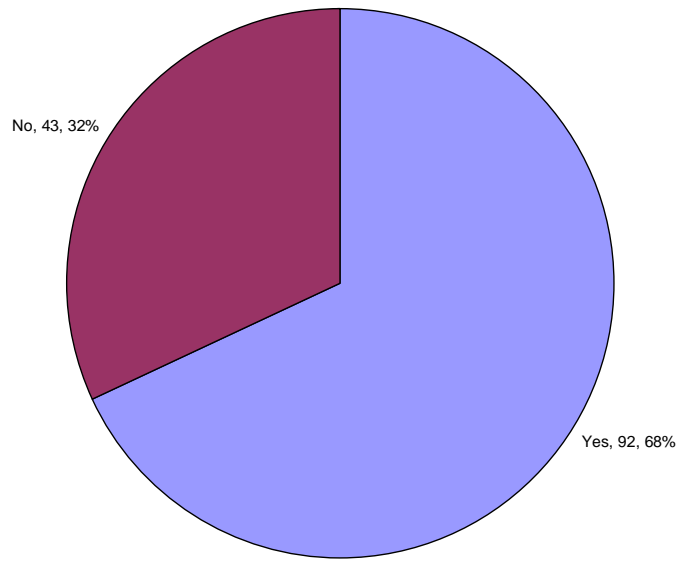
**Table 11.5**

	Total	%
Yes	92	68%
No	43	32%
<b>Total</b>	<b>135</b>	<b>100%</b>



**Figure 11.5**

Should Law Society issue a policy statement about lawyers' commitment to pro bono services? - WASANTACTTas



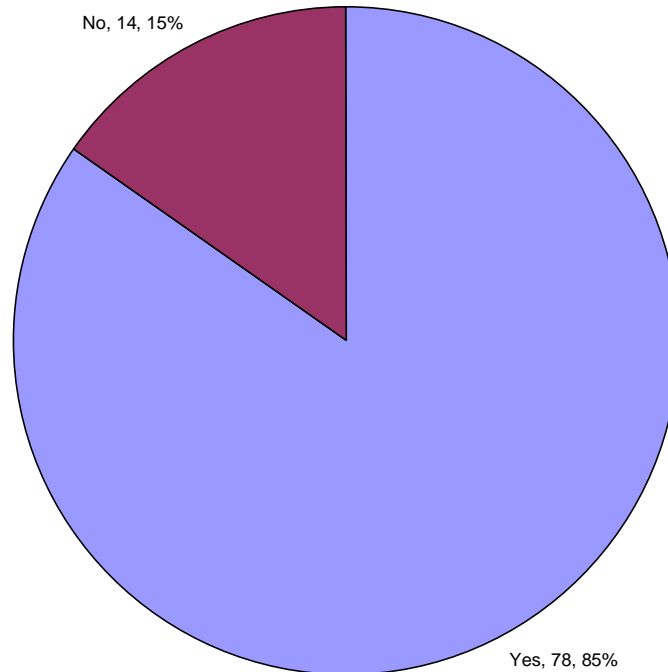
6. Do you think it should include a voluntary pro bono goal to encourage all lawyers to aspire to perform pro bono legal work?

**Table 11.6**

	<b>Total</b>	<b>%</b>
Yes	78	85%
No	14	15%
<b>Total</b>	<b>92</b>	<b>100%</b>

**Figure 11.6**

Should statement include a voluntary pro bono goal? - WASANTACTTas



## **Section 12 - Australian Pro Bono Manual**

1. Are you aware of the Australian Pro Bono Manual – a Practice Guide and resource Kit for Law Firms?

**Table 12.1**

	<b>Total</b>	<b>%</b>
Yes	30	22%
No	105	78%
<b>Total</b>	<b>135</b>	<b>100%</b>

**Figure 12.1**

**Respondents' awareness of Australian Pro Bono Manual - WASANTACTTas**

