



SESSION 4A: PRO BONO IN AUSTRALIA AND OPPORTUNITIES FOR IN-HOUSE COUNSEL

WIN In-House Counsel Day Melbourne 2017

Thursday, 23 February 2017

Agenda

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- 1** The pro bono landscape
 - 2** Pro bono work and clients
 - 3** Undertaking pro bono work
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The pro bono landscape

What is pro bono?

- *'Pro Bono Publico'*
- It is the provision of free legal services to those who cannot otherwise access justice
- Goal: to further the Rule of Law by promotion of access to justice, without regard to income
- Rationale: professional, moral and ethical responsibility
- Business case

Pro Bono, Access to Justice and Legal Aid

- Access to justice is '*the ability to obtain a just and timely remedy for violations of rights...*' – United Nations
- Pro bono ≠ legal aid
 - Pro bono **cannot** and **should not** be a substitute for publicly funded legal services

Legal Aid	Pro Bono
Welfare State	Corporate and ethical responsibility
Provided or paid for by the Government	Private lawyers without fee
Means tested and limited to certain types of cases	Support or enhance access to justice for disadvantaged persons or organisations, enhance and/or promote the public interest
Different approaches in common law and civil countries	Well established in common law countries, and a growing movement in civil law countries

Australian pro bono framework

- National Pro Bono Aspirational Target of 35 hours per year
- Commonwealth 'legal services multi-use list'
- Victorian Government Legal Services Contract Scheme
- National Pro Bono Professional Indemnity Insurance Scheme
- Volunteer Practising Certificates

Pro bono around the globe

- US
 - Aspirational target of 50 hours per year
 - Some mandatory pro bono hours
- UK
 - Collaborative Pro Bono Plan
 - Aspirational target of 25 hours per year

Pro bono across the globe

- Continental Europe and Asia
 - Aspirational targets in Vietnam, Indonesia, Philippines
 - RSK: mandatory 30 hours per year
- Middle East and Africa
 - KSA: mandatory 40 hours per year
 - Nigeria: mandatory 20 hours or 3 days per year
 - South Africa: mandatory 24 hours per year

The international development agenda



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Pro bono work and clients

Pro bono clients



Types of pro bono work

- Transactional or corporate work for non-profit organisations
- Direct representation of low-income individuals
- Legal research and analysis
- Law reform and policy submissions
- Community education and empowerment
- Capacity building
- Impact litigation

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Undertaking pro bono work

DLA Piper's approach to pro bono



DLA Piper's approach to pro bono



200,000 hours



Child Justice
Displaced People
Rule of Law

30 COMMERCIAL CLIENT
COLLABORATIONS

Collaborating with our clients

AIG	Analysing the global barriers for survivors of human trafficking to obtain compensation
Government client	Improving judicial outcomes for women experiencing sexual violence in the Pacific
RBS	Building legal capacity of young entrepreneurs and start ups
Verizon	Assisting parents who have been trafficked to register the birth of their children and obtain identification papers
HPE	Empowering NGOs to expand their operations across international borders
Aon	Preparing applications on behalf of people seeking asylum
GE	Teaching Zambian law students in legal drafting skills
Insurance client	Assisting a local charity to obtain DGR status

Establishing your own pro bono practice

- Strong pro bono culture
 - Company commitment
 - Pro Bono Policy
 - Pro Bono Committee
- Practising certificates
- Professional indemnity insurance
- Sourcing pro bono work
- Relationship to other corporate responsibility initiatives

Questions