



# PRO BONO IN AUSTRALIA AND THE OPPORTUNITIES FOR IN-HOUSE COUNSEL

WIN In-House Counsel Day Sydney 2017

Wednesday, 22 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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# 1

## 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



## SUSTAINABLE DEVELOPMENT GOALS

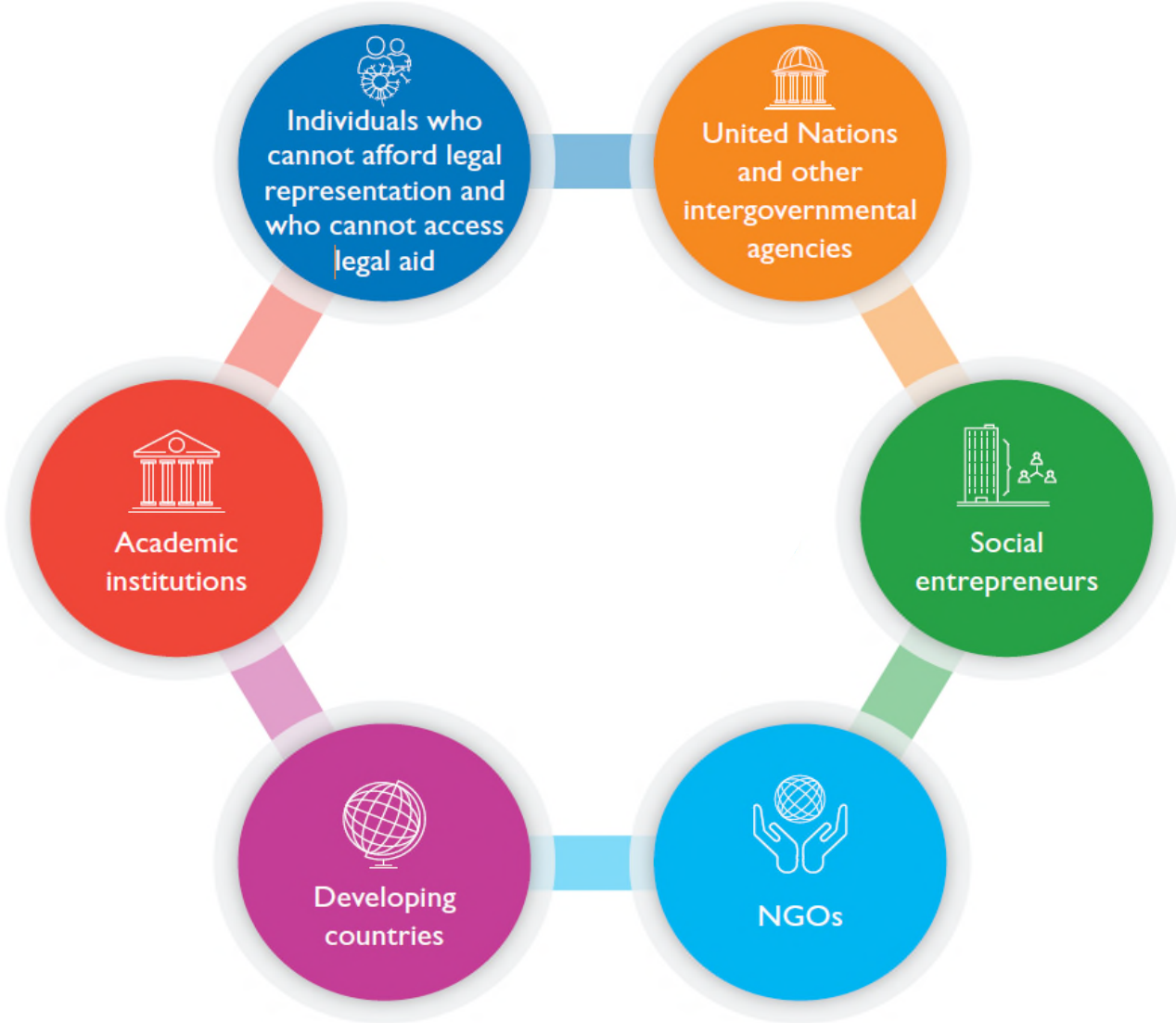
17 GOALS TO TRANSFORM OUR WORLD



# 2

## 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

# 3

## 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

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