

# WORKING COLLABORATIVELY:

## COMMUNITY LEGAL CENTRES AND PRO BONO PARTNERSHIPS

Community legal centres (CLCs) have a long tradition of working collaboratively with lawyers from the private profession to offer free legal services to the disadvantaged. Valuable pro bono contributions to CLCs and their clients are also provided in areas such as accountancy, governance, publications and marketing.

These partnerships increase the capacity of CLCs to provide legal services to clients, in terms of both quantity and specialist expertise.

The ability of CLCs to leverage such high levels of support through pro bono partnerships distinguishes the sector from other legal service providers.

In June 2012, the National Association of Community Legal Centres Inc (NACLC) conducted a survey of CLCs around Australia, which revealed that at the 106 CLCs who responded:

- **56,939** hours were contributed in one year by pro bono partnerships

The total number of CLCs is around 200, so the total number of pro bono hours contributed is even greater than this figure!



*A client of the Homeless Persons' Legal Clinic receives legal assistance from a pro bono worker at a South Townsville drop-in centre*

### What are CLCs?

CLCs are independent, not-for-profit community-based organisations providing free legal and related services to the public, focussing on the disadvantaged.

### Who is a 'pro bono partner'?

In the survey, NACLC defined a 'pro bono partner' as a person or firm that, as a business, has formally committed to allocating resources and making a contribution to a CLC and/or their clients, free of charge.

## PRO BONO WORKERS – THEIR CONTRIBUTIONS

The majority of pro bono assistance is provided by lawyers providing legal services to CLC clients. Working with CLCs, pro bono partners ensure that people who cannot afford legal assistance have a legal safety net.

Pro bono contributions are also made to CLCs themselves, for example free legal advice on a lease can mean significant cost savings that are then spent on legal service delivery to disadvantaged clients.

CLCs and their clients also benefit from pro bono assistance outside of direct legal service delivery. Some CLCs receive pro bono design and printing services for community legal education brochures, information sheets and websites.

CLCs' capacity is enhanced by pro bono partnerships in many areas of their operations. For example, of the 106 CLCs that responded to a recent NACLC survey:

- **82.6%** benefited from lawyers providing direct services to clients
- **69.8%** from lawyers providing advice to the centre
- **54.7%** from specialist lawyers advising centre lawyers
- **26.7%** in publications, including design and printing
- **23.3%** in governance and management
- **18.6%** in venue and catering
- **16.3%** in administrative support
- **12.8%** in fundraising

## PRO BONO PARTNERSHIPS – INCREASING THE REACH OF CLCS

Located on the border of New South Wales and Victoria, the Hume Riverina Community Legal Service (Hume Riverina CLS) is about 300 kilometres from Melbourne and 600 kilometres from Sydney. Large parts of the region are characterised by low-income levels and high unemployment, and people also experience how distance and isolation can act as a barrier to justice.

In order to provide legal assistance to such a geographically dispersed population, Hume Riverina CLS has developed a partnership with the large private law firm, Clayton Utz. Karen Keegan, Principal Solicitor and Program Manager at Hume Riverina CLS, explains, “We are a cross border service and regularly seek pro bono assistance from either the Sydney or Melbourne office. When dealing with big business as other parties, we find it helps our clients to have a large law firm working on their side. For people who are dependent on the land for their livelihood, but have a small cash flow, the partnership allows them to receive legal assistance”.

One of the factors contributing to the longevity and success of the partnership is the CLC’s capacity to effectively triage matters. For complex matters that may require negotiation and litigation, the CLS usually prepares a request for pro bono assistance to Clayton Utz. If Clayton Utz takes on the client, Hume Riverina CLS generally steps back; allowing them to focus on meeting the needs of other clients.



*Ready for the ‘Planning Ahead’ workshop at the Albury Wodonga Aboriginal Legal Service: Ashurst pro bono workers, Laura Lombardo and Simon Rudd, with Andrea Georgiou and Karen Bowley from Hume Riverina CLS*

Hume Riverina CLS has also developed a partnership with another large law firm, Ashurst. Recently, Hume Riverina CLS, working in partnership with the Albury Wodonga Aboriginal Health Service, arranged for pro bono lawyers from Ashurst to visit the region for a ‘Planning Ahead’ day. The lawyers took instructions and prepared wills and powers of attorney for people from the local Aboriginal community. Ashurst provided a similar day service for people with disabilities.

As Karen explains, “The fact that we can engage help for people in our catchment area from these firms is often the difference between a client having access to justice or not”.



*Joanne Ellis (Clayton Utz Foundation Fellow and lawyer) and Luke Slater (Volunteer), promoting the Goulburn Valley Legal Centre, a pilot project of the Loddon Campaspe Legal Centre and Uniting Care: Cutting Edge that was first funded by Clayton Utz and is now funded by Victoria Legal Aid*

One of Ashurst’s focus areas in the pro bono program is people in rural, regional and remote areas. To assist people in those areas we are particularly reliant on local CLCs and their reputation and connections in their communities. For example, Hume Riverina identified a need for estate planning in the Aboriginal community as a result of their outreach work. They were able to work with the local Aboriginal Health Service and use their relationships with the community to bring together a great crowd for an information day at which we acted for nearly 30 clients, drafting over 90 documents in two days. Many clients commented on the need for such a workshop and that it had finally got the community talking about important issues which arise at the end of life.

– Anne Cregan, Pro Bono Partner, Ashurst

## PRO BONO WORKERS – INCREASING THE SPECIALIST CAPACITY OF CLC SERVICES



*Working collaboratively: Employment Law Centre staff, Michael Geelhoed, Stephen Hall and Toni Emmanuel with Australian Government Solicitor secondee, Mandee de Reus, and Corrs Chambers Westgrath secondee, Courtney Stenton*

As is the case with many CLCs, the Employment Law Centre (ELC) of WA has limited capacity to meet the huge demand for statewide specialist services, from people who have been unfairly dismissed or are experiencing workplace bullying. Pro bono partnerships with government lawyers and the private sector, worth an estimated \$800,000 to \$1 million, have been developed by the CLC to better meet this legal need.

For the last five years, Corrs Chambers Westgarth has been providing a secondee lawyer to the CLC on a pro bono basis one day a week, while the Australian Government Solicitor has been doing the same for the last three years. Each secondee stays at ELC for six

months to a year before they are rotated. For the CLC, this provides continuity to the clients, and maximises the time and resources the CLC staff invests in training and supervising each secondee.

The CLC has recently started an innovative twelve-month pilot project with Fair Work Australia (FWA). Through the project, self-represented litigants who apply to FWA with general protection claims are referred to the CLC. If the claimant is eligible, they will be guided through the process by the secondee. For clients, this makes the legal system more accessible, and for FWA, this allows the matter to be dealt with more efficiently.

As Toni Emmanuel, Principal Solicitor at the ELC of WA explains, “Pro bono partnerships make a vital contribution to the CLC through such direct legal service delivery, as well as community legal education and law reform work. Generous pro bono support is absolutely invaluable – it increases our capacity and makes a significant difference to our service provision, clients and staff”.

These benefits to the CLC are matched by the benefits to pro bono workers. Mandee de Reus, an Australian Government Solicitor secondee, elaborates, “Working as a secondee with ELC is both personally and professionally rewarding. As a junior lawyer, I am broadening my legal knowledge and improving on the level of service I can provide to vulnerable clients. I especially enjoy working with the ELC staff”.

At Clayton Utz, a strong pro bono practice is enormously important, and not because it makes us better lawyers, or keeps our feet on the ground. It is about making people’s rights mean sometime. It is about helping community organisations and charities to get on with their vital work assisting disadvantaged and marginalised people. It is about fixing justice.

– David Hillard, Pro Bono Partner, Clayton Utz

The benefits of pro bono relations to CLCs are clear. The provision of wide-ranging legal assistance by firms allows CLCs to extend their legal practices and takes away the burden of the organisation’s own problems (such as leases), allowing CLCs to better focus on their core objectives. Pro bono workers can also gain a range of desirable skills and knowledge, especially when specific training is provided.

– John Corker, National Pro Bono Resource Centre



*At the 2012 Pro Bono Institute National Conference in Washington DC: David Hillard, Pro Bono Partner of Clayton Utz, Esther Lardent, President and Chief Executive Officer of the Pro Bono Institute in America and Peter Noble, Coordinator of the Loddon Campaspe Community Legal Centre*

# INVESTING IN PRO BONO PARTNERSHIPS

While lawyers working in private practice are often highly qualified and experienced in their areas of practice, they may still require training and supervision in community law by CLCs. Experience and expertise in areas of law practised by corporate firms does not necessarily qualify or prepare a lawyer for community law practice. CLCs offer training to lawyers in areas of law such as credit and debt, employment, domestic violence and tenancy. Training is sometimes provided in cultural awareness, how to assist someone who has experienced trauma or has a mental illness or disability.

Pro bono firms benefit from their lawyers having an opportunity to contribute positively within their community, increasing knowledge, practical skills and work satisfaction.

Employed staff at the 106 centres that responded to the NACLCLC survey invested:

## PER WEEK:

- **1071 hours supervising** pro bono workers and volunteers, including checking all their legal advices and providing feedback or supplementary advice where necessary, and

## PER YEAR:

- **8674 hours** providing general induction and training to pro bono workers and volunteers
- **2276 hours** providing additional training for direct legal service delivery (e.g. for lawyers, paralegals)
- **1396 hours** providing additional specialist training for non-direct legal service delivery (e.g. social work, court support)

## Training pro bono lawyers to assist vulnerable clients

Specialist legal clinics coordinated by CLCs provide legal assistance to people experiencing homelessness or at risk of homelessness in New South Wales, Queensland and Victoria. Held at host agencies such as a homeless shelter, neighbourhood centre or sometimes 'on the street', these clinics benefit from the support of pro bono partnerships with private law firms that provide lawyers to staff the clinics.

In New South Wales, the Homeless Persons' Legal Service (HPLS) is a joint initiative of the Public Interest Advocacy Centre (PIAC) and the Public Interest Law Clearing House NSW. Last financial year, HPLS staff and pro bono lawyers assisted 713 clients, totalling 1,258 clinic attendances. Recognising the



*Pro bono workers assist a client of the Homeless Persons' Legal Clinic in West End, Queensland*

importance of supporting the 393 pro bono lawyers, PIACL invests significant resources into training and supervision.

Prior to attending the clinic, each lawyer must attend induction training, which covers areas of law that clients seek advice on from fines and debt through to criminal law and victims compensation; referral options; dealing with challenging clients and the chance to role play typical clinic scenarios. Anastasia Coroneo, Senior Solicitor with HPLS, explains, "All the pro bono lawyers have an interest in social justice, but their experience varies. Some have volunteered at a CLC before, while for others, this is their first time. Training helps equip the lawyers for working with clients with complex needs".

As Ellen Tilbury, who has been a pro bono worker with HPLS for five years comments, "I view my work at the clinics as an integral part of my practice. HPLS has enhanced my professional development and has allowed me to appreciate the different ways people experience legal programs and the legal system". Ellen is a lawyer with Allens, a private law firm that has a pro bono partnership with HPLS.

To build upon the induction training, HPLS also offers additional training opportunities every six weeks on relevant topics. While one of the pro bono law firms hosts the training, external agencies such as the NSW Trustee and Guardian, State Debt Recovery Office, Housing NSW and other CLCs deliver the training. For example, the Intellectual Disability Rights Service provides extended training on working with clients with a mental illness.

The HPLS in-house legal team checks all legal advices and PIACL reviews and audits the files. At any one time, HPLS will have around 250 client files open.