



The Pro Bono Yearbook of England and Wales 2011

Recognising the voluntary provision of free legal services year round



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Foreword

On behalf of the three arms of the legal profession, we are delighted to introduce the first Pro Bono Yearbook for England and Wales, which also marks the tenth anniversary of National Pro Bono Week celebrations. This is a chance to reflect on the collective achievements not only of the last twelve months, but also of the last decade.

The range and volume of pro bono activity undertaken year-round is remarkable, and this short publication gives a flavour of the enormous contribution that is made through the free legal advice and representation provided by solicitors, barristers, legal executives and law students, and an overview of the core infrastructure through which that contribution is made.

A properly funded and organised system of legal aid is a fundamental requirement of a decent, just and progressive society and one of the foundations for the rule of law. Pro bono can never be a substitute for that, and nor should it try to be.

But pro bono does play a vital adjunct role in the overall task of providing access to justice for individuals and communities whose needs would otherwise be left unmet. Like the legal aid lawyers who dedicate their professional lives to serving vulnerable people, pro bono work is a credit to our profession. It is part of the profession's service in the public interest.

Of course pro bono work is undertaken to assist those in need, but it also enhances professional skills, knowledge and experience. It promotes team-working and demonstrates a commitment anchored in the ethos and values of the legal profession.

That is why a commitment to pro bono work can be found on the websites and in the fabric of an ever-increasing proportion of law firms, in-house legal departments and sets of chambers. A growing number are members of the main clearing houses as a matter of course.

For law students, pro bono work offers an opportunity for the practical application of legal study helping to embed learning as well as boost confidence and employability. This is certainly one of the reasons why in a growing number of law schools pro bono work is supported as an educational tool as well as an extra-curricular activity. And it helps ensure that those entering the profession know that pro bono is part of being a lawyer.



We hope that the Yearbook, including the examples of the many pro bono award winners highlighted throughout, will be a source of inspiration to all readers and particularly those who have yet to join the pro bono movement. Its annual publication will help chart the progress and development of pro bono in England and Wales on a yearly basis between one National Pro Bono Week and the next.

We are of course enormously proud of the pro bono work undertaken by the profession in the public interest and our most sincere thanks go to everyone involved in its delivery.

Peter Lodder QC
Chairman
The Bar Council of
England and Wales

Susan Silver
President
The Institute of Legal
Executives (ILEX)

John Wotton
President
The Law Society of
England and Wales



Looking back

A decade of pro bono

10 Year Review

Pro bono work is nothing new. Lawyers have been volunteering their services for free to help those in need since time immemorial. However, over the last decade, there has been a paradigm shift in efforts to coordinate pro bono activity and work collaboratively across the legal profession, with the voluntary sector, with other professionals, in England and Wales and across the globe.

That was certainly what I had hoped in 2002 when, as Attorney General at that time, I established the national Pro Bono Coordinating Committee and appointed Michael Napier CBE, QC as Pro Bono Envoy. It was my firm belief that by bringing together representatives of the profession and advice sector, pro bono charities and government departments, pro bono delivery could become more strategic, good practice shared and duplication of effort minimised. Over the last ten years, that belief has been affirmed time and time again. Thanks to the unwavering support and leadership provided by my successors, Baroness Scotland of Asthal QC and the Rt Hon Dominic Grieve QC MP, the Committee continues to flourish and collaboration and coordination are now watch words for pro bono in England and Wales.

Of course there is still much work to do. As we look to the next decade and face unprecedented change in the legal landscape, new challenges will require innovative solutions and fresh approaches. One thing however, is certain - that communication and cooperation between all of the parties involved in the delivery of pro bono will be more important than ever. Thankfully, there is a solid precedent for it.



Lord Goldsmith QC



2002

2002

- > **Attorney General's Pro Bono Coordinating Committee** established
- > **Pro Bono Protocol** drafted by LawWorks and the Bar Pro Bono Unit to provide good practice guidance on pro bono work
- > **LawWorks Mediation** established by Solicitors Pro Bono Group (now LawWorks), the Bar Pro Bono Unit and the Law Centres Federation
- > **First National Pro Bono Week**

2003

2003

- > **www.probonoUK.net** launches to share information and further the work of the Attorney General's Pro Bono Coordinating Committee

2004

2004

- > **London Legal Support Trust** established
- > **INUK (Innocence Network UK)** established investigating claims of wrongful convictions by convicted prisoners maintaining innocence

2005

2005

- > **Pro Bono Protocol** endorsed by the Law Society, Bar Council and Institute of Legal Executives (ILEX)
- > **London Bombings helpline** set up to provide victims with free legal advice and representation

2006

2006

- > **A4ID (Advocates for International Development)** established to engage pro bono lawyers in helping to meet UN Millennium Development Goals
- > **Competition Pro Bono Scheme** launches to help individuals and businesses worried about infringing, or having their rights infringed under competition law.

2007

2007

- > **Attorney General's International Pro Bono Coordinating Committee** established
- > **LawWorks & Attorney General Student Awards** established recognising excellence in student pro bono
- > **First Joint National Pro Bono Conference** organised by LawWorks, the Bar Pro Bono Unit and ILEX Pro Bono Forum (now ILEX Pro Bono)
- > **Section 194 of the Legal Services Act 2007** enables equivalent costs to be recovered in civil cases where the successful party is represented pro bono

2009

- > **2nd Joint National Pro Bono Conference** organised by LawWorks, the Bar Pro Bono Unit and ILEX Pro Bono
- > **Joint ILEX Pro Bono and Bar Pro Bono Unit (JIB) Scheme** set up to partner legal executives with barristers on pro bono cases
- > **MPs Guide to Pro Bono** sent to all MPs in England and Wales helping them to identify pro bono services in their constituencies
- > First draft of the **Commonwealth Pro Bono Toolkit** produced by the International Pro Bono Committee to identify and share good practice across Commonwealth countries
- > **Midland Legal Support Trust** and **North West Legal Support Trust** formally launched
- > Launch of **Carbon Leapfrog**, the cross profession pro bono brokerage for carbon reduction projects

2010

- > **National Pro Bono Centre** opens housing LawWorks, Bar Pro Bono Unit and ILEX Pro Bono
- > Global online clearinghouse **TrustLaw Connect** launched to match social entrepreneurs, NGOs and government agencies with pro bono work
- > **Unlock Funds for Justice** campaign on pro bono costs launched

2008

- > **Access to Justice Foundation** registered as the prescribed charity to receive costs recovered through S194
- > **Reaching Justice Wales** established
- > **International Pro Bono Principles** published to offer guidance in the delivery of pro bono work abroad and endorsed by the Law Society, Bar Council, ILEX and International Bar Association
- > **International Pro Bono Database** developed to support aims of Attorney General's International Pro Bono Coordinating Committee
- > First **LawWorks Student Conference**
- > **www.studentprobono.net** launched with a database of student pro bono activity in the UK

2008

2009

2010

2011

2011

- > **National Pro Bono Centre Panel Debate on Legal Aid and London Legal Support Trust** with representatives of the coalition government and opposition and professional bodies
- > **RiotHelp** pro bono helpline established to support victims of the riots
- > **i-ProBono**, the **Access to Justice Foundation** and **London Legal Support Trust** take space at the National Pro Bono Centre
- > Launch of **ISLP-UK** bringing together the International Lawyers Project and International Senior Lawyers Project
- > Appointment of **Pro Bono Panel for the London 2012 Olympics**
- > Access to Justice Foundation's **'It's Not Just Peanuts'** campaign launched to raise £1m from unclaimed client accounts
- > Celebration of the **10th National Pro Bono Week** and publication of first **Pro Bono Yearbook**



Pro Bono in England and Wales

Hugh Welch of Muckle LLP, a North East based commercial practice won Best Partner Level Engagement Within a Law Firm at the LawWorks awards for pro bono work in support of community groups. In the past year they have assisted Chester-le-Street Council for Voluntary Service, and local organisations that promote women's empowerment. There is a strong commitment to pro bono throughout the organisation fostered by the partners, Hugh Welch in particular. Muckle also received the award for Best

Contribution by
a Regional
Law Firm



Overview

Pro bono work by lawyers in England and Wales is substantial. Law Society research conducted in the spring of 2011 reveals that just under half of all solicitors in private practice had undertaken pro bono work in the previous 12 months, conducting an average of 55 hours each and based on charge out fees. The value of this work is an estimated £518 million or some 2.4% of total gross fee income. Add to this the pro bono work of solicitors in the employed sector, barristers, legal executives and law students, and the sum contribution of the legal profession is phenomenal.

The same research indicates that individuals are the most significant beneficiaries of pro bono work by solicitors, which is provided across the full spectrum of practice areas (the top three being business and commerce, employment law and consumer/general contract).

Pro bono clients are extremely diverse and come from a wide range of sources including legal advice clinics and law shops, friends and family and for almost a third of solicitors in private practice, private clients who cease to be able to afford to pay for legal services. This reflects a historic and enduring culture of quiet commitment to community service and a prevailing ethic that pro bono is very much part of being a lawyer. Thus, despite the volume, and because of the obvious difficulties that would arise from promoting it, pro bono of this nature is usually undertaken on an ad hoc and informal basis and remains largely unrecognised beyond the client who has been assisted.

However as the concept of corporate responsibility is becoming more embedded in business practice and public consciousness, pro bono provision in the legal profession of England and Wales is becoming increasingly formalised. An understanding of the range of business benefits that pro bono can offer including staff development, brand differentiation, business development opportunities has evolved considerably over the last ten years alongside internal infrastructure to support its delivery.

Pro bono committees, pro bono coordinators, joint projects with clients and policies enabling lawyers to count pro bono work towards chargeable hours have been standard practice in many large firms for several years. As organisations are keen to understand and enhance the value and impact of their pro bono

investments, the formal monitoring and external communication of pro bono work is also an area of growth with some practices now even seeking external assurance for their reports.

This is not to say that such practice is yet the norm, particularly outside of larger commercial practices but the movement in that direction is striking.

Funding pro bono

One of the most significant successes for pro bono over the last decade is Section 194 of the Legal Services Act 2007. As a result of successful lobbying the law was changed so that in civil cases (excluding Tribunals), where the winning party has been represented pro bono, equivalent costs may be recovered from the losing party and awarded to a special cross-profession charity, the Access to Justice Foundation. Not only did this legislation reduce the disadvantage to parties represented pro bono by levelling the financial risks of litigation for both sides, it also provided a new source of funding for the strategic support and promotion of pro bono work.

Over the course of the year, the Foundation has continued an awareness raising campaign of S194 - 'Unlock Funds for Justice' - across the profession. It also organised a student competition for the best essay answering the question 'Should it be compulsory to seek pro bono costs' with the winning article published in the New Law Journal in May 2011.

Despite such efforts, research by the Law Society in Spring 2011 revealed the scale of the challenge indicating that nearly 60% of solicitors are unaware that it is possible to obtain costs in pro bono cases. Pro bono brokerages have a vital role and around 70% of all the pro bono cost orders made have been in cases brokered by the Bar Pro Bono Unit.

The Foundation also seeks to raise funds for pro bono from other sources and a second high profile campaign was launched in January 2011 with the support of Hogan Lovells to encourage the release of money held in dormant client accounts. 'It's Not Just Peanuts' was chosen as the campaign title to emphasise that however small the individual sum, unclaimed client monies can be proactively used to support pro bono work and that when they are added together, the potential sums are enormous.



Enabling money to go to pro bono work is clearly of the utmost importance. The It's Not Just Peanuts campaign is one of both simplicity and ingenuity by making use of client account monies lying unclaimed and we need to promote the message that these sums are there to be used.

Attorney General,
The Rt Hon Dominic
Grieve QC MP



THE
ACCESS
TO JUSTICE
FOUNDATION



“

It is very important that everyone whether judge or advocate is aware that costs can now be awarded when lawyers act pro bono. Pro bono costs are an important development and enable courts to direct a sum of money be put back into pro bono.

Lord Neuberger,
Master of the Rolls

The campaign included a guidance pack on how to release the funds and was sent to 7,000 firms across England and Wales accompanied by message of support from the Lord Chief Justice and the Attorney General.

Funds raised by the Access to Justice Foundation are strategically disbursed through a network of seven Legal Support Trusts covering Wales and each region of England.

The Trusts also undertake their own fundraising activities engaging the profession locally and in a twelve-month period together with the Foundation raised over three quarters of a million pounds.

Sponsored legal walks are particularly successful, and this year a record number were organised sponsored at national level by the Law Society and the Law Gazette and supported by the Bar Council, ILEX and the Judiciary.

They are inspired by the London Legal Walk which has grown over six years to become a highlight of the legal calendar headed by the leaders of the profession including the Lord Chief Justice, the Master of the Rolls, the Attorney General, the President of the Law Society, Chairman of the Bar, President of the ILEX, the Minister for Legal Aid and the Director of Public Prosecutions.



London
Legal Walk
2011 lead
walkers



Pro bono and changes to legal aid

Pro bono's interrelationship with legal aid was heavily stressed this year when the pro bono community lent its voice to the chorus of warnings about the implications for access to justice in England and Wales of the Legal Aid, Sentencing and Punishment of Offenders Bill.

The profession's mantra that pro bono can only ever be an adjunct to, and never a replacement for, a properly funded system of legal aid was underlined in the responses of the professional bodies, pro bono clearing houses, firms, chambers and voluntary sector organisations to the government's consultation on the Bill.

Their submissions emphasised the negative effects removing key areas of law from the scope of legal aid would have, and that the resulting cessation of their practice would permanently erode the professional expertise that is also used to enhance provision through the training and supervision of pro bono lawyers. They also warned that the loss of legal aid contracts would compound voluntary sector funding cuts, crippling advice sector infrastructure and therefore the profession's ability to continue to support provision of pro bono advice in key areas, particularly social welfare.

An unmanageable increase of litigants in person is another anticipated impact of legal aid cuts. The Personal Support Unit (PSU) this year assisted 6,760 people without legal representation through its five offices across England and Wales. The trained and dedicated PSU volunteers offer a vital non-legal emotional and practical support to clients such as navigating the court buildings, filling in forms and helping to ensure that any special needs of court users are met. However the sharp demand for their services that are already being seen as a result of the recession underline the limits of pro bono provision.

These points were forcefully conveyed by audience members at the debate on legal aid convened by the National Pro Bono Centre. The high profile panel included Justice Minister Jonathan Djanogly; Shadow Justice Secretary, Lord Bach, Chairman of the Bar Council Peter Lodder QC, and the Chief Executives of the Law Society and ILEX, Desmond Hudson and Diane Burleigh.

The Bill is set to pass to the House of Lords around National Pro Bono Week, and the message is clear: that despite an unwavering commitment of the legal profession to pro bono work, it will never be able to compensate for significant gaps that will result from reductions in legal aid.

Northumbria University won the Law Society Award for Excellence in Community Investment for pro bono delivered through the student law office. Involving more than 20 lawyers and 170 students, 50,000 hours of staff and student time were devoted to the provision of a highly professional, free of charge service in North East England and beyond



Identifying unmet need

Clearing houses and the National Pro Bono Centre

Charles Russell received the award for Best Contribution by a Law Firm at the LawWorks awards in recognition of the fact that around 40% of fee earners had provided pro bono legal advice in the last year, adding up to over 1,500 hours of pro bono work. Their lawyers advised on a range of cases through LawWorks projects including individual casework, support community groups, mediation and initial electronic advice.



National and international pro bono brokerages, or ‘clearing houses’, play a vital role in coordinating the delivery of pro bono, and identifying and managing the expectations of pro bono clients thereby enabling lawyers to focus efforts solely on the provision of advice.

They provide a range of valuable services and support to the lawyers and organisations for whom they broker opportunities including:

- > The provision of a broad range of carefully screened time-specific and discrete pro bono opportunities.
- > CPD accredited training.
- > Support in developing formal pro bono programmes.
- > Access to best practice and learning.
- > Peer support and networking opportunities.

Solicitors: LawWorks

LawWorks (the operating name of the Solicitors Pro Bono Group) is the largest of the national brokerages with a membership that represents nearly a quarter of solicitors working in private practice in addition to several in-house legal teams of multinational corporations. Its operations span a broad range of projects detailed throughout the yearbook including the LawWorks Individuals Casework Project, which over the last year received 281 applications for legal assistance by members of the public who cannot access legal aid and are unable to pay for it. Every applicant to the project was assisted whether in the form of practical guidance, referrals to other agencies or placement with law firms.

LawWorks also provides membership support for individual lawyers. One of its most innovative projects is the Choices scheme through which unemployed solicitors, whether as a result of redundancy or on a career break, undertake pro bono work to enhance and build their legal skills and experience. Participants completing an agreed number of hours become eligible for guaranteed interview for any appropriate vacancies advertised by law firms supporting the programme. In the last year, 200 new lawyers have joined the scheme and with existing members collectively provided 3,000 hours of pro bono advice.



supported by
The Law Society

Barristers: The Bar Pro Bono Unit

The Bar Pro Bono Unit is the dedicated brokerage for members of the Bar and assists with pro bono cases requiring representation by a barrister on any legal area in any court or tribunal in England and Wales.

The Unit now has a pro bono panel of over 2,000 barristers including more than 250 QCs and its senior review panel assess all cases for merit, suitability and financial eligibility. This year saw the first sets of Chambers with 100% of their members signed up to the Unit's panel who each volunteer a minimum of three days per year pro bono assistance.

The Unit, which accepts referrals from advice agencies, MPs and solicitors, has seen applications rise 20% year on year between 2007 and 2010 with employment and family prevailing as the most requested areas for help.

Law students and junior lawyers: The Free Representation Unit

Another major advocacy provider, and one of the most established pro bono institutions, is the Free Representation Unit (FRU). Through its network of FRU reps primarily comprising law students and junior lawyers it offers representation free of charge to clients before Employment, Social Security and Criminal Injuries Compensation Tribunals in London and Nottingham.

Like the Bar Pro Bono Unit, it receives cases from a large network of referral agencies including the other pro bono brokerages and front line advice agencies.

In the course of the last year, FRU took 947 cases set down for hearing before a tribunal in England either representing the client in the hearing or settling the case by agreement with the other side in advance.

In addition to its public benefit, FRU is well recognised for its role in developing the advocacy skills of the legal profession and last year delivered basic training to some 1,715 individuals to assist their becoming volunteers or further their professional development.



Maria Scotland was the winner of the Bar Pro Bono Unit Award in recognition of her commitment to pro bono on top of a very demanding workload as a family barrister. In addition to reviewing cases for the Unit, Maria personally took on 12 pro bono cases in a year.

Of her work, one of her pro bono clients commented "Maria gave her total commitment to getting my case agreed out of court and to do this she defended me with a passion and commitment that matched my own and in doing so won the day for me and my children... Her openness and devotion to the pro bono ethic was totally inspiring."



FRU
Free Representation Unit



Angela Ghavami-Kia an ILEX Professional Standards (IPS) authorised immigration advisor was awarded the ILEX Pro Bono Medal for giving her time and expertise to help asylum seekers who are without representation in the Leeds area. She has helped to transform the lives of many clients from uncertainty,

desperation and fear to lives with hope for the future.



Co-ordination and a shared resource: The National Pro Bono Centre

Since it opened on Chancery Lane in 2010, the Centre continues to strengthen its position at the heart of the pro bono community in England and Wales supporting members of the public, the profession and the wider pro bono community. In addition to housing the main clearing houses for the three arms of the legal profession - LawWorks (operating name of the Solicitors Pro Bono Group), the Bar Pro Bono Unit and ILEX Pro Bono, the Centre now also provides space to the Access to Justice Foundation, London Legal Support Trust and i-ProBono.

This year the National Pro Bono Centre Finance Director became the first full time employee with responsibility for managing the finances of LawWorks, the Bar Pro Bono Unit and the Centre itself underlining its value as a resource hub that is more effective and more strategically efficient than separate staffing solutions.

One of the key benefits of the Centre is its ability to offer an end to end service for clients with a broad range of legal needs through pro bono assistance and referral to a network of partner agencies. In early 2011, the first legal executives worked with barrister colleagues through the Joint ILEX Pro Bono and Bar Pro Bono Unit (JIB) scheme.

The Centre is a valuable resource for lawyers who are able to refer clients they are unable to directly assist, rather than leaving them with nowhere to turn.

For pro bono charities, the Centre offers meeting facilities in the heart of the legal community free of charge and over the course of 2011 has arranged many of the key events in the pro bono calendar including a high profile debate on legal aid, and a series of pro bono roundtables in Cardiff, Bournemouth, Manchester and Birmingham culminating in London on the opening day of National Pro Bono Week.



Meeting unmet need

The delivery of pro bono

Frontline support: free legal advice clinics

Close partnership with the advice sector is fundamental to pro bono delivery in England and Wales with many lawyers electing to volunteer their services through Law Centres, Citizens Advice Bureaux and other community based organisations providing free legal advice to the public.

Pro bono clearing houses rely on front-line agencies for referrals of appropriate cases on behalf of individuals who are not eligible for public funding and whose financial circumstances would otherwise bar them from receiving help with pressing legal needs.

Many if not most free legal advice clinics belong to LawWorks' national support network, through which in just one year, 36,500 pieces of advice were given.

28 clinics were added to the network that now numbers more than 100, eight of which were set up from scratch with the assistance of project staff.

Support provided by LawWorks to the network included over 40 hours of CPD accredited training for volunteer lawyers on all areas of social welfare law which were subsequently made available for all members to download as podcasts.

Alternative dispute resolution: pro bono and mediations

Pro bono mediation is now an established part of the pro bono landscape.

TalkingWorks, a new LawWorks project launched this year is helping to implement peer mediation schemes in schools and give students an understanding of and practical skills for dispute resolution at school and beyond.

The scheme was developed by members of LawWorks' large panel of accredited mediators which provides traditional civil law mediations on a pro bono basis, where one party cannot afford to pay.

Through LawWorks Mediation over the last year 250 people were helped with enquiries about mediating their disputes. 58 applications for assistance were also met, providing mediation without charge to at least 116 parties on a broad range of disputes. Free representation at mediations is also provided by barristers through the Bar Pro Bono Unit.



Law Centres Federation



The voice of independent advice

Ruth Creed of Mills and Reeve was honoured as providing the **Best Contribution by an Individual** at the LawWorks awards. She was recognised for encouragement of her colleagues in the Birmingham office to do pro bono and for her commitment outside of work hours for research and preparation to set up a free legal advice clinic. Establishing links with the University of Birmingham's Law School, Ruth also negotiated the terms of agreement and drafted a comprehensive handbook setting out how the proposed service would operate in practice. Birmingham FLAG (Free Legal Advice Group) involves the law students conducting client appointments under the supervision of Mills & Reeve solicitors.



National law firm Shoosmiths, community based advice service Communicare and the University of Reading were the winners of the LawWorks Partnership in Pro Bono Award for the monthly pro bono legal advice centre they established in Reading in November 2009. The three-way partnership has extended far beyond the provision of this much valued service. Additional support provided to CommuniCare by Shoosmiths includes: a £2,500 start-up fund donation, leasing advice for a fundraising shop, volunteering by colleagues to help set up shop and the ongoing provision of ad hoc advice when people visit the centre for legal advice help. CommuniCare has described this advice as 'amazing'.



The first student Mediation Unit was also established at Kingston Law School this year. The Unit will help to strengthen legal practice and conflict resolution skills by training students and providing mediation services initially to staff and students and eventually to the wider community.

Internationally, the Slynn Foundation delivered successful mediation training programmes this year in Romania and Croatia prompting requests for further support.

Enabling organisations: community groups and charities

Community groups and local charities are another key beneficiary of pro bono advice. Overall, solicitors indicated that they comprised just under a quarter of their pro bono clients and as much as 40% for those employed in commerce and industry.

In the last year the LawWorks for Community Groups Project received over 600 requests for legal assistance from small not-for-profit groups in need of legal advice who were unable to pay for the services of a law firm.

Requests covered a broad range of legal areas including company, employment, intellectual property, property, charity, tax, insolvency and general contractual or commercial matters. Of those, 350 were assisted by LawWorks members and the remainder helped in other ways such as through the pro bono legal seminars run by LawWorks or by referral to other organisations.

This represents a 10% increase on the previous year and is a likely reflection on the severe difficulties facing the third sector in the current economic climate.

The national charity Business in the Community also brokers pro bono advice to small charities, social enterprises and community groups by lawyers as well as other professionals through its professional volunteering scheme, ProHelp.

Supporting sustainability: environmental pro bono

An increasing interest in the environment and the impact of climate change has contributed to growth of pro bono activity in this area.

The Environmental Law Foundation (ELF) is a well-established charity assisting members of the public and community groups experiencing environmental problems. In the last year, through ELF's network of 200 solicitor, barrister and environmental consultants, pro bono advice worth in excess of £200,000 has been given to clients to address environmental issues affecting an estimated 40,000 people.

Ibex Earth: Pro Bono was established in 2008 to provide legal support to over twenty environmental charities, including the World Land Trust, the Gaia Foundation and the Young People's Trust for the Environment. In just over three years the pro bono scheme has brokered in excess of £275,000 worth of advice from some of the world's leading international law firms and is now looking to expand the number of environmental organisations it supports.

Carbon Leapfrog engages the pro bono expertise of lawyers alongside other professionals from a broad range of sectors including finance, business accounting, PR and marketing and environmental and engineering consultancy to support innovative carbon reducing projects.

Over the last year, the cross-profession brokerage has increased its project portfolio by 170% from 14 to 38 including a variety of community renewable energy projects, with a range of technologies from hydro, solar PV & thermal and wind, to behavioural change projects and energy efficiency initiatives as well as projects with an international impact.



Visa's legal team won the **Best Contribution by an In-House Team** at the LawWorks awards. A small department, they punched above their weight by assisting a number of charities pro bono with advice relating to intellectual property, commercial and data protection.



Strategic advice through partnerships: pro bono panels

A significant element of the pro bono contribution in England in Wales by City and international law firms, is to assist leading charities and NGOs. Strategic partnerships often form part of broader community investment programmes and legal pro bono advice is frequently provided alongside other types of professional support from the business including IT, marketing and PR.

The provision of strategic advice through such partnerships have enabled charities to restructure, streamline or expand their operations, while bespoke training has built knowledge within in-house legal teams and pro bono test cases have established precedents to benefit many, many individuals beyond the clients represented.

Beyond individual partnerships, formal tendering for pro bono panels is becoming more common in England and Wales.

At the beginning of 2011, the NSPCC (National Society for the Prevention of Cruelty to Children) appointed its first formal pro bono panel of four major law firms after 21 were invited to pitch. The firms were appointed for one year to provide advice on matters spanning employment, intellectual property, commercial and IT work, as well as providing training to the charity's in-house legal team.

Another significant pro bono panel appointment this year was that of the London 2012 Pro Bono Legal Advice and Representation Service during the Olympic and Paralympic Games.

At the request of the London Organising Committee of the Olympic Games, the Law Society and Bar Council helped to appoint 17 solicitors' firms and barristers' chambers and 19 individual advocates from over 150 applications. The selected lawyers and barristers will provide free legal advice to athletes, coaches, team officials, national Olympic committees, national Paralympic committees and international federations on sport, criminal, defamation and privacy, immigration and asylum, discrimination and personal injury.



Help online: using technology

Unsurprisingly, technology is playing an increasingly significant role in enabling and supporting pro bono work.

The LawWorks Initial Electronic Advice Scheme which enables volunteers to provide short pieces of pro bono advice from their desks, received 120 online requests from advice agencies and other not-for-profits over the last year engaging the services of more than 200 volunteer lawyers signed up to the scheme. The project is now also harnessing the power of social networking media to deliver a revitalised and dynamic programme at a time when remote access to legal information and advice is becoming increasingly critical.

The first online pro bono brokerage service, i-ProBono, was launched in 2010 bringing together lawyers and law students with pro bono and internship opportunities. In just a year, i-ProBono has matched support for more than 160 projects. Offline, it has arranged workshops to provide 24 social entrepreneurs with legal advice and professional mentors and promoted pro bono in India securing assistance for 22 projects there. Another online global brokerage, TrustLaw Connect, was established by the Thomson Reuters Foundation in 2010 to link social entrepreneurs, NGOs and government agencies with qualified lawyers across the globe. TrustLaw Connect has brokered pro bono support to over 200 projects through its network of almost 200 law firms and international teams, over 70 of which have offices in England and Wales.

The worldwide network of pro bono legal expertise has been able to provide insight on complex global issues and deliver strategic support on cross-border issues such as microfinance, anti-corruption and women's rights.

iProbono

TrustLaw
A THOMSON REUTERS FOUNDATION SERVICE

Shireen Irani received the Law Society Junior Lawyers Division Pro Bono Award for her development of i-ProBono, a global online not-for-profit pro bono brokerage which has been warmly welcomed by the pro bono sector. Shireen's work on i-ProBono was also recognized at the Asian Women of Achievement Awards 2011 where she was named Young Achiever of the Year.



Assistance abroad

International pro bono

Antonia Horrocks of Shearman & Sterling LLP won the A4ID award for an Outstanding Personal Contribution to a Pro Bono Project. Antonia was recognised for her support of the international NGO, Progressio strengthening its advocacy campaign against illegal logging in South America which has devastating effects for both the environment and the local communities that Progressio works with. The legal advice provided by Antonia was instrumental in building a case for what has now become EU Regulation No.995/2010

banning the import of illegal timber to the EU.



The pro bono commitment of the legal profession in England and Wales extends far beyond their shores. Delivered in partnership with agencies working on the ground in other jurisdictions, lawyers and members of the judiciary continue to aid international development, build awareness of human rights and the capacity of the legal profession, enhance access to justice and promote the rule of law across the globe.

Attorney General's International Pro Bono Committee

International clearing houses are a fundamental pillar of the pro bono infrastructure and their seats on the Attorney General's International Pro Bono Committee helps to support the strategic development and coordinated delivery of pro bono work across the world.

To further these aims, the Committee has jointly developed and published the international pro bono principles providing best practice guidance and the first draft of a Pro Bono Toolkit to share experience and good practice between Commonwealth countries. Another important product developed by the Committee which moved into its second phase this year, is an international database of pro bono projects across the world. Its purpose is to encourage closer working and information sharing between the agencies sharing strategic aims. It also seeks to prevent duplication and reinvention and is ultimately intended to be made publicly available through probonouk.net.

An important development this year was the merging of the UK based International Lawyers Project (ILP) with the International Senior Lawyers Project (ISLP) - the US based organisation that originally inspired its foundation - to form ISLP-UK. By joining the resources and operations of the two bodies, ISLP-UK will be better placed to further the mission of capturing the resources of highly experienced lawyers and distinguished law firms to promote the rule of law, human rights and equitable economic development worldwide.

The work of another key international brokerage, Advocates for International Development, also furthered this year. Since it was established in 2006 by a group of 1,500 lawyers in the City of London, A4ID has grown into a global organisation that works with 300 development organisations in 73 countries. In a twelve month period, it fulfilled over 175 requests for legal support from its partners ranging from discrete pieces of advice to long term,



ongoing projects equating to more than 10,000 hours of pro bono work. A4ID focuses on support to projects that contribute to the Millennium Development Goals.

53% of the projects brokered by A4ID comprised advice to international NGOs on internal governance and efficiency including data protection, employment policies and intellectual property. Around a third of its work in the last year related to the establishment of new entities and projects, such as the charity established in July 2011 at the request of seven NGOs to raise funds for people affected by the devastating drought and famine in Somalia and provide longer term support to the affected communities. A further 15% of projects involve lobbying and law reform.



Capacity building and training: the Slynn Foundation and Advocacy Training Council

A core component of international pro bono work focuses on the provision of training and capacity building of legal profession in other jurisdictions. The Slynn Foundation established in 1998, focuses its work in Central and Eastern Europe and among other projects this year, delivered a successful Supreme Court mentoring programme for members of the Albanian judiciary. Key outputs included a better understanding of the relationship between the UK judiciary and the executive, current pressure points and the judiciary's response, and the role of judicial communications advisers.

Support was also provided by the Slynn Foundation to the Albanian National Chamber of Advocacy through the preparation of a training curriculum while members of the Advocacy Training Council continued to assist local Bars overseas pro bono in establishing and enhancing advocacy training faculties.

While many member of the legal profession have travelled abroad this year to share their experience and legal expertise, so too has the pro bono community here benefited from visits by colleagues from other jurisdictions. Over the course of the year the National Pro Bono Centre alone has hosted guests from as far afield as Norway, Hong Kong, Australia and Chile.



Human rights work: Law Society International Action Team and Bar Human Rights Committee

The promotion and protection of human rights across the world is a key strand of international pro bono work.

Through the Law Society and Bar Human Rights Committees, interventions are made throughout the year on behalf of individuals whose human rights have been violated or are under threat.

The Law Society's International Action Team comprises more than 800 pro bono solicitors and law students trained to research and draft interventions. Volunteers also work on amicus curiae briefs, UN reports, missions and capacity building through dedicated working groups.

Just one example of the Bar Human Rights Committee's extensive work is training on child rights provided to legal practitioners in August 2011 in partnership with Stepping Stones Nigeria, a charity addressing the stigmatisation of children as 'witches' or 'wizards'. Other activities include the preparation of fact-finding reports, trial observations, international delegations and joint work on child rights with organisations such as UNICEF.

European pro bono: PILnet

by Edwin Rekosh, Executive Director, PILnet

One of the most remarkable developments in the field of law over the past decade has been the rapid expansion of pro bono around the globe, not least in Continental Europe where PILnet has been most actively promoting it. The spread of pro bono culture throughout Europe was certainly inspired by the example of the United States, where organized pro bono programs first developed, but it was influenced even more so by the successful adaptation of pro bono practice in the United Kingdom.

Around 2005, PILnet noticed increasing European interest in more organized forms of pro bono practice. As a result, PILnet's Budapest office began collaborating with the Hungarian bar and Hungarian law firms, many of them connected to global networks, to develop a locally appropriate form for organizing pro bono work. Together, we piloted a simple mechanism to facilitate pro bono services: a clearinghouse, which brokers legal needs and voluntary legal services.

The model was drawn from the experience of similar institutions in the United States, as well as early experiments in Latin America begun about a decade ago, in countries such as Brazil and Chile. But PILnet adapted the model in a way that emphasizes the specific nature of legal needs in Continental countries.

In Europe, there is substantial state funding available for civil legal services to individuals, unlike in the United States where access to civil legal aid is not considered a right. And there is a strong feeling within the European legal profession that voluntary activities should not replace the critical role of the state in providing basic legal aid, with the current debate around budget cuts in the United Kingdom offering a stern word of warning.

On the other hand, as Jean Castelain, the outgoing Batonnier of the Paris bar said at PILnet's European Pro Bono Forum last year in Paris, the state cannot solve all social problems on its own; civil society organisations have emerged across Europe to help fill the gaps. And there is a critically important role for pro bono lawyers to play in assisting and supporting those civil society organisations, often called NGOs (non-governmental organisations). Indeed, this is a trend felt as far afield as France and Nigeria, Hong Kong and Brazil.

For that reason, the Clearinghouse model that PILnet pioneered in Hungary and has helped disseminate across the Continent focuses on matching up law firms and NGOs. The clearinghouses provide legal assistance for the kinds of needs that arise within any legal entity, including many areas of legal expertise that law firms must draw on to serve their paying clients as well: labour law, intellectual property, tax, corporate governance, etc. European pro bono lawyers also contribute much needed support to the programmatic objectives of NGOs, contributing high quality legal research and analysis, advice, representation and training services as an important supplement to the staff capacity of NGOs.

Just as law firms and corporations are networked on a global scale, so too are NGOs. As a result it has not been difficult to disseminate extremely rapidly an understanding of the tremendous resource represented by organised pro bono as well as the specific means for facilitating it. In a short space of time, more than 20 pro bono clearinghouses have sprung up in Europe and increasingly farther afield. And PILnet's annual European Pro Bono Forum, which last year convened about 290 law firm and NGO participants from 38 countries provides an on-going opportunity to compare notes and innovate.



In short, there are good prospects for the global network of pro bono organisations to continue to expand and deepen significantly during the decade to come. And with that development will come improved delivery of justice and protection of human rights.



US pro bono: The Pro Bono Institute

By Esther Lardent, President and CEO, Pro Bono Institute

The Pro Bono Institute (PBI) is delighted to see the growth of pro bono culture, programs, and participation outside the U.S. We have been honoured to share our ideas, approaches, experiences, and research with pro bono organizations in the U.K., Canada, Western Europe, Australia, South Africa, and South America. And, we've gained great insight by having the benefit of the thinking and approach of pro bono leaders in other countries as well as the opportunity to take a fresh look at pro bono with a non-U.S. perspective.

We have found that, despite geographic and cultural differences, we share many issues in common - increased unmet need, reduced government presence, changes in law firm practice and economics that are impacting pro bono. We've also found surprising similarities in the nature of substantive pro bono work in areas such as migration, discrimination, and rule of law. We are also coordinating with other countries on cutting-edge issues impacting pro bono, such as how to assess quality and impact and how to engage in-house law departments and other segments of the profession.

Through participation by pro bono leaders in other nations in our Annual Conference, and thanks to the opportunity we have had to attend numerous pro bono gatherings in other nations, we have learned that many of the assumptions underlying pro bono in the United States are not applicable in the rest of the world. PBI is grateful for the new eyes and fresh approaches to pro bono shared by leaders around the world that will help us to rethink and refashion pro bono in the U.S. We look forward to collaborating in the future on multinational efforts to strengthen pro bono.

Chance for an early start

Law students, law schools and pro bono

Law students make a substantial contribution to pro bono delivery. Pro bono activity has vastly increased in law schools across England and Wales, and is also flourishing in institutions in Scotland and Northern Ireland.

The LawWorks Attorney General’s Student Awards have become a highlight of the pro bono calendar and to coincide with the third ceremony this year, research was published exploring the extent, organisation and nature of pro bono activity in law schools across the UK. It was the third such report since 2000 and marked the end of a three year dedicated project at LawWorks funded by the Law Society to support the development of student pro bono.

The results revealed that 65% of law schools in England and Wales offered students pro bono opportunities in 2010 compared with 46% in 2006.

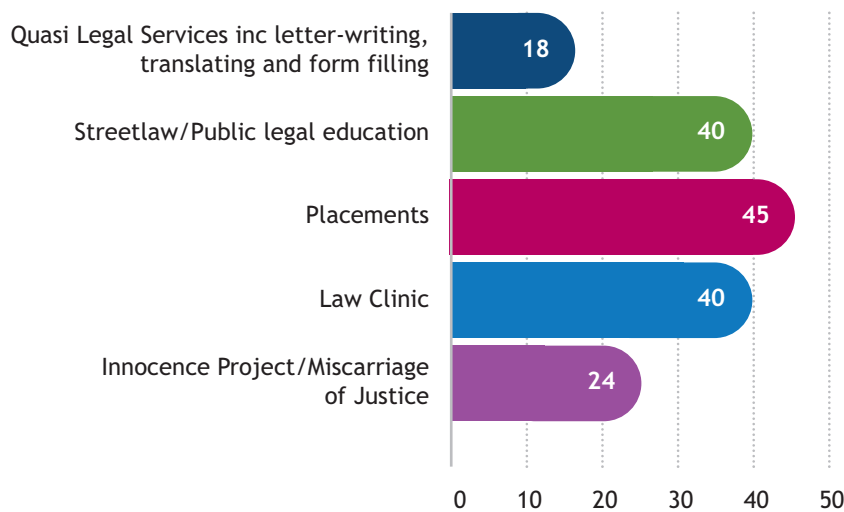
The range of student activity within the categories below is extensive and the dedicated website www.studentprobono.net includes a searchable database of student projects including descriptions, information about who takes part, supervision details and contact information. The database has played a key role in sharing of information and experience between law schools and those seeking to establish schemes within them.

The Best Contribution by a Law School at the LawWorks Attorney General’s Student Awards went to Kent Law School in recognition of their Law Clinic handling the 10,000th query from the public since records were first kept in 1991-92.

Under supervision, students manage cases, interview clients and witnesses, research the law, draft correspondence and pleadings, and negotiate and advocate for clients.



Type of Pro Bono Activity Offered in UK Law Schools



However, despite the breadth of the activities offered, the research also revealed that student pro bono opportunities are oversubscribed with almost half of responding law schools saying that they were unable to accommodate all those students wishing to take part. This presents a clear opportunity for growth in pro bono in England and Wales.

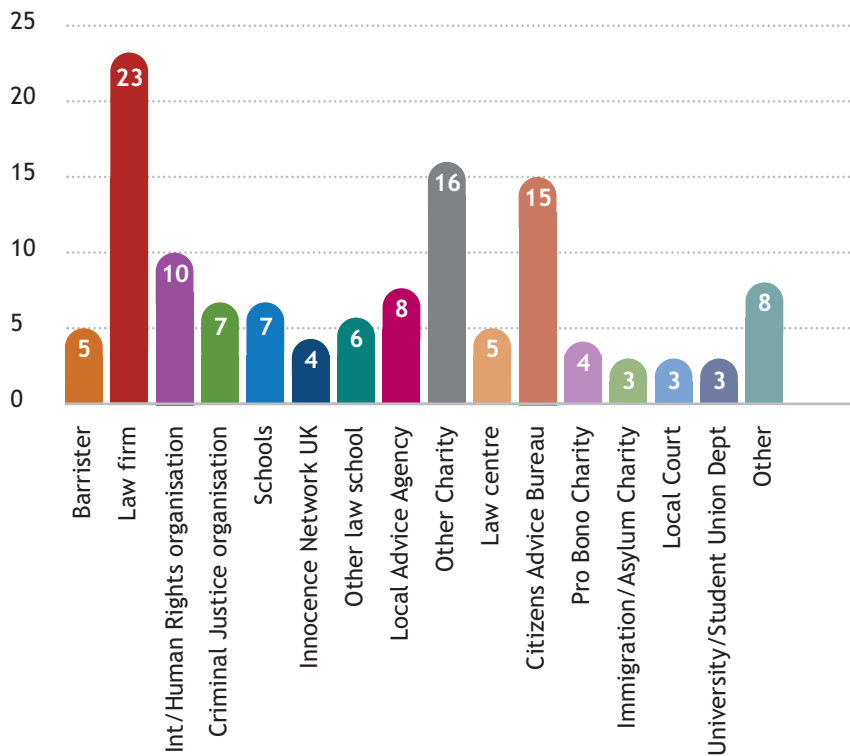
Availability of opportunity is likely to be linked to the level at which pro bono activities are resourced. At only 43% of participating law schools, staff are allocated time within their role to oversee pro bono work and under half of participating law schools provide any funding to support pro bono. It is likely that in those law schools that do commit staff time and funding, there is a direct link to educational outcomes with 67% of respondents indicating that pro bono activities form part of their students' assessed course. In the overwhelmingly majority of law schools, pro bono activity is nonetheless elective or voluntary.

Aside from any investment into pro bono by individual institutions, it is clear that law school programmes are enabled through active partnerships with a variety of external organisations. Since the research was last conducted in 2006, law firms have overtaken Citizens Advice Bureaux as the largest single category of partner, reflecting ever stronger links between the profession and educational institutions.

Alasdair Stewart of the University of Strathclyde was awarded the LawWorks Attorney General's Student Pro Bono Awards for Best Contribution by an Individual Student for his commitment to the University Law Clinic throughout his study. In addition to developing a ground-breaking online Case Management System for the Law Clinic, he also dedicated his time and expertise to other fledgling university clinics throughout Scotland to help ensure that the ethos of pro bono truly takes root north of the border. Since his award, Alasdair now has a pivotal role in sharing his knowledge and expertise as the clinics manager at LawWorks.



Types and numbers of pro bono partners at UK law schools



The University of the West of England clinched the LawWorks and Attorney General’s Award for Best New Student Pro Bono Activity. In 2009, there were 8,500 incidents of domestic abuse reported to the Gloucestershire Police. The Domestic Abuse Support Service (DASS) was established by students of Bristol Law School to provide free legal advice and advocacy services to the victims of domestic abuse throughout Gloucestershire. The 32 members of the DAAS student team have been fully trained in client care, the preparation of applications and affidavits in support and court procedures relating to emergency domestic violence applications. In its first four months of operation the Service dealt with 45 cases.



Executive summary

- > Just under half of all solicitors in private practice had undertaken pro bono work within the past year. Conducting an average of 55 hours each and based on charge out fees, the value of this work is an estimated £518 million or some 2.4% of total gross fee income.
- > Individuals are the most significant beneficiaries of pro bono work by solicitors.
- > The three most common areas of pro bono advice are business and commerce, employment law and consumer /general contract.
- > Over the past year, 28 clinics were added to the LawWorks' national support network for free legal advice clinics, taking the number to more than 100. Eight were set up from scratch with the assistance of project staff.
- > 36,500 pieces of advice were given in the year ending 30 April 2011 through the clinics associated with LawWorks' national support network.
- > The Bar Pro Bono Unit has a panel of over 2,000 barristers including more than 250 QCs.
- > Applications to the Bar Pro Bono Unit have risen 20% year on year from 2007-2010.
- > 40% of the pro bono work carried out by solicitors working in commerce and industry was for community groups and charities.
- > Through LawWorks Mediation over the past year 58 applications were accepted, helping at least 116 parties with free mediation on a broad range of disputes.
- > The Free Representation Unit accepted 945 cases, with volunteers representing clients at tribunal or achieving settlement in advance.
- > 65% of law schools in England and Wales offered students pro bono opportunities in 2010 compared with 46% in 2006.
- > Student pro bono opportunities are oversubscribed with almost half of responding law schools saying that they were unable to accommodate all those students wishing to take part.

