



'Public interest pro bono work recognises that access to justice for the economically or socially disadvantaged has no price'

1. What is the Public Interest Law Clearing House?

The Public Interest Law Clearing House (Vic) Inc (**PILCH**) was established in 1994. PILCH is an independent, not-for-profit legal centre whose mission is to further the public interest, improve access to justice and protect human rights by facilitating the provision of pro bono legal services and undertaking law reform, policy work and legal education.

PILCH is committed to innovation and creativity in pro bono and has become the main facilitator of pro bono legal services in Victoria. PILCH's core business is to receive and assess applications for legal assistance from the public and refer them to pro bono solicitors and barristers through six pro bono Schemes, the Public Interest Scheme, the Law Institute of Victoria Legal Assistance Scheme (**LIVLAS**), the Victorian Bar Legal Assistance Scheme (**VBLAS**); the Homeless Persons' Legal Clinic (**HPLC**), a new Specialist Legal Service for Community Organisations called **PilchConnect** and a new Senior's Rights Legal Clinic, Seniors Rights Victoria (**SRV**). PILCH assists disadvantaged individuals who are ineligible for legal aid and cannot afford a lawyer, and community groups with public interest objectives to obtain legal assistance.

PILCH has created a more organised system for the provision of pro bono legal services and has each year referred an increasing number of people and organisations for legal assistance to pro bono lawyers. It has done so in a professional, efficient and effective manner with limited resources.

In addition to its legal referral services, PILCH has increasingly involved itself in legal policy and advocacy work and community education. This work has resulted in some positive structural change for the community.

2. How is PILCH funded?

PILCH funding comes primarily from membership fees. PILCH's membership is currently made up of 30 private law firms, the Victorian Bar and Law Institute of Victoria, all five Universities and 6 corporate legal departments (AXA, Goldman Sachs JB Were, TABCORP Holdings, Transport Accident Commission (TAC), Visy Industrial Packaging Holdings and National Australia Bank (NAB).

PILCH is currently actively seeking more members. Annual membership fees for law firms are calculated on the basis of \$351.00 plus GST per (salaried and equity) partner in the firm (Victorian office only). This membership fee is subject to annual review.

3. What pro bono work can your law firm do with PILCH?

a. Pro bono case work

Your law firm may wish to accept referrals of pro bono clients from PILCH. The referrals may involve advice or representation in a range of areas of law. Some referrals are of a litigious nature. There are many referrals of transactional matters for not-for-profit community organisations. This work is well-suited to corporate law firm members, as it involves many of their traditional areas of practice, such as taxation, incorporation, property, employment law, intellectual property and insurance. Other matters involve advice or representation for

individuals in public interest matters. These are legal issues which affect marginalised or disadvantaged groups or which impact on a large number of people. Examples include systemic discrimination claims, coronial inquests, or matters affecting detained persons (such as prisoners, immigration detainees, persons with a mental illness).

Naturally, PILCH members are not obliged to accept referrals. If members do want to have matters referred to them, acceptance is always based on the member's interest, expertise and capacity to accept a particular matter. If the law firm requires a barrister to carry out the work, we can organise counsel to act pro bono with the firm.

Examples of referrals which PILCH has made to its members are contained in the Annual Report and *PILCH Matters* newsletter.

b. Law reform submissions

Your law firm may wish to be involved in PILCH's law reform and public policy advocacy. PILCH is often invited to make submissions to parliamentary and government inquiries. Where PILCH has the relevant expertise and experience, it will make detailed written and oral submissions. Most PILCH members would not usually participate in such inquiries, but have welcomed the opportunity for their lawyers to be involved in the research and writing of these submissions with PILCH. Lawyers from a PILCH law firm have been briefed by PILCH to research particular issues or draft specific sections of the submissions. Members can then choose whether the submissions expressly acknowledge the input of their staff. Examples include the recent inquiries into corporate social responsibility.

c. Legal training

Your law firm may want to assist with training which PILCH offers to pro bono and community lawyers, and community organisations. PILCH offers extensive training for lawyers on an annual basis, and has a training program for not for profit organisations in corporate governance legal issues and receives requests from community groups for training in specific areas of law for the group or its constituents. Your staff will have expertise in a range of areas of law about which they could educate other lawyers or community groups.

d. PILCH projects

Homeless Persons Legal Clinic

PILCH has developed innovative models for the delivery of pro bono legal services. In 2001, it started its Homeless Persons' Legal Clinic, through which pro bono lawyers from PILCH law firms and the National Australia Bank deliver services to homeless people at agencies which offer food, accommodation and other services to homeless people. This unique outreach model has been an excellent opportunity for PILCH members to expand their pro bono programs.

PilchConnect

PilchConnect provides legal advice, information and assistance to not-for-profits in Victoria through educational seminars, referrals and an extensive web portal. One of PILCH's key objectives is to support and strengthen not-for-profit, community groups and charitable entities (which serve the disadvantaged, benefit low income clients or have public interest aims and objectives) by providing access to quality, pro bono legal advice and training.

Seniors Rights Victoria

In a joint venture with the Council on the Ageing, Eastern Community Legal Centre and the Loddon-Campaspe Community Legal Centre, PILCH established Seniors Rights Victoria (SRV). SRV was created to provide advocacy, education and training in relation to elder abuse and systemic legal issues facing many of Australia's ageing population. In 2008-09,

PILCH will establish outreach clinics at various locations around metropolitan and regional Victoria to offer on-the-spot advice and ongoing casework to at-risk seniors. Clinics will be staffed by volunteer lawyers from PILCH member firms, offering a fantastic opportunity for PILCH members to develop expertise in emerging areas of law.
Public Interest priorities

PILCH has also developed key thematic priorities and working groups to guide future referrals and law reform work, including:

- **PALS@PILCH**, a pro bono animal legal service to link animal protection organisations and concerned individuals with lawyers who are willing to provide free legal services to promote better animal protection outcomes;
- the **Environmental Justice Project**, with a mission is provide environmental not-for-profit organisations and members of the community with increased access to pro bono legal advice and representation in relation to matters raising issues of environmental protection;
- an **Indigenous project**, which will focus on strategic litigation of stolen generations matters and a scoping study into gaps in the provision of civil and administrative legal services to Victorian Indigenous Communities; and
- engagement with a national network aimed at promoting the need for a National Charter of Human Rights.

4. What are the benefits of PILCH membership?

Membership of PILCH offers many diverse benefits to your law firm.

a. Demonstration of ethics and values of your law firm

Many members of the legal profession believe that lawyers have an ethical responsibility to contribute to making the legal system accessible to all members of the community. This ethical position can be clearly demonstrated by being a member of PILCH whose mission is to promote access to justice through the facilitation of pro bono legal services. PILCH is well-recognised in the legal profession as an effective organisation, adhering to high professional and ethical standards. All of Victoria's major law firms are members of PILCH. Recently, the Attorney-General of Victoria, the Honourable Rob Hulls MP, said:

The role of PILCH in consolidating and coordinating pro bono work is crucial in ensuring access to justice for the disadvantaged and disenfranchised. I encourage all legal organisations to join PILCH and contribute in a tangible way to a socially just community.

Many Australian corporations also specifically accept that they have obligations to consider the economic, social and environmental impacts of their activities and to contribute to the communities in which their businesses operate. For a law firm, a well-developed corporate social responsibility program may include a program to involve its lawyers in pro bono legal work. Membership of PILCH provides a straight-forward way of offering these opportunities to staff.

b. 'Approved cause' under the Government Legal Services Contract

For law firms which are a party to the Victorian Government Legal Services Contract and therefore have an obligation to provide pro bono legal services, PILCH membership fees, PILCH client referrals, involvement in training or law reform activities offered by PILCH and solicitor or administrator secondments to PILCH are 'approved causes'.

c. Sourcing of excellent pro bono opportunities

The pro bono work available to law firms through PILCH is outlined in the Part 3 above. When a member receives an offer from PILCH to be involved in pro bono work, they can be assured that PILCH has carefully considered whether there is a real need for the work to be

performed. For example, when a PILCH member receives a referral from PILCH to provide legal assistance to a client, the member can be assured that the matter is one which properly deserves the attention of pro bono lawyers. The PILCH member does not have to review the matter to determine if it warrants pro bono assistance. PILCH's experienced lawyers assess all requests for assistance against PILCH's guidelines and ensure that only those clients who are ineligible for legal aid, meet a means test and have matters with legal merit are referred for pro bono assistance. The PILCH lawyer delivers a brief to the pro bono lawyers which clearly identifies the material facts and issues and includes the key relevant documents, so that the pro bono lawyer can get straight to work on the matter. PILCH offers on-going support and guidance in the performance of the work.

d. Establishing an innovative pro bono program

PILCH is well-placed to advise about current directions in pro bono in Australia and overseas and seeks to influence the direction of pro bono in Victoria. PILCH can assist a law firm to establish a pro bono policy and procedures to best suit its corporate identity and philosophy. A law firm may wish to develop priority areas of practice, both in terms of areas of law and target client groups. For example, some law firm might be particularly interested in assisting PILCH clients with taxation matters, whilst others might choose to focus on assisting particular not-for-profit organisations, such as those working with homeless or disadvantaged persons.

e. Professional development for lawyers

Engaging in pro bono work offers valuable and diverse opportunities for lawyers at all stages of their careers. PILCH offers training for pro bono lawyers. Junior lawyers particularly benefit from practical, skill-building experiences in client contact and exposure to a variety of legal issues and court jurisdictions. Beyond providing a direct benefit to disadvantaged persons in the community, the challenges presented by pro bono work also foster personal and professional maturity. Lawyers may also have contact with a range of organisations such as the Victorian Bar, community legal centres, law schools and peak community organisations. Through such contact, lawyers can develop valuable relationships with members of the profession and gain greater insight into the structure of the profession.

f. Improved recruitment possibilities

With increasing interest being shown by law students and lawyers in pro bono opportunities, membership of PILCH can also assist your law firm to recruit motivated and highly capable graduates and lawyers. Many graduates and lawyers seek employers who can demonstrate a commitment to pro bono lawyering and offer them opportunities within their working environment to contribute to the community.

g. Increased staff satisfaction and retention

Involvement in public interest cases can lead to greater job satisfaction for lawyers and higher staff retention rates. It should be noted that many lawyers would like to perform legal work for the community but find that they are unable to do so outside of standard working hours. By affording lawyers an opportunity to engage in such work as part of their normal practice, organisations respond to a need felt by many lawyers to put something of value back into the community. Many PILCH matters raise unusual and interesting legal issues and fact situations which demand creative legal solutions from practitioners.

h. Staff secondments to PILCH

PILCH's secondment program offers solicitors and administrators an opportunity to work at PILCH. Most secondee solicitors work at PILCH full time for three to six months. The administrator secondees tend to work one day per week for two to three months. PILCH members have consistently made secondees available — a reflection of the value the secondment program can offer to members. The secondee positions have become integral to the effective operation of the organisation.

i. Law firm support for PILCH student fellowships

PILCH runs an extensive student volunteering program. The Student Fellowship fits within PILCH's volunteering program and allows firms to sponsor students to undertake a two week block of work experience at PILCH. The program is designed to foster student interest in pro bono work and strengthen the relationship between the law firm, the student and PILCH. Most firms will choose one of their seasonal clerks to complete the work experience at PILCH.

j. Regular publications

PILCH aims to provide members with practical information to assist and enhance their pro bono practice through a quarterly electronic publication, *PILCH Matters*. This publication covers recent developments in pro bono, relevant cases and general issues affecting practitioners in the pro bono area. It also features recent referrals to members and 'spotlights' an individual practitioner from a PILCH member. *PILCH Matters* is circulated to the legal profession and the wider community.

The PILCH website, www.pilch.org.au, provides accessible information about the programs offered by PILCH, forthcoming training and seminars, law reform campaigns, training materials, and pro bono practice resources.

k. Tax deductions

A law firm's membership fees and any other financial support to PILCH may be tax deductible as a marketing expense.

5. What does your law firm need to do to become a member of PILCH?

a. Complete an application form

If a law firm decides to take up membership of PILCH, the enclosed application form should be completed and returned to the Manager of PILCH. All applications for membership need to be approved by the PILCH Board.

b. Pay the annual membership fee

Once the Board has approved a law firm's application for PILCH membership, the law firm is invoiced for membership fees.