

PILCH

STRATEGIC PLAN 2006-2009

OCTOBER 2005

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1. INTRODUCTION

1.1 BACKGROUND

The Public Interest Law Clearing House (Vic) Inc (**PILCH**) was established in 1994 as a project of the Consumer Law Centre of Victoria (**CLCV**). PILCH is now an independent, not-for-profit legal centre and the major facilitator of pro bono legal services in Victoria. PILCH's core function is to receive and assess applications for legal assistance from the public and refer them to pro bono solicitors and barristers through four pro bono Schemes, the Public Interest Law Scheme, the Law Institute of Victoria Legal Assistance Scheme (**LIV LAS**), the Victorian Bar Legal Assistance Scheme (**VB LAS**) and the Homeless Persons' Legal Clinic (**HPLC**) (together, **the Schemes**).

PILCH is a member-based organisation which receives only a small amount of government funding for its Homeless Persons' Legal Clinic. It has a diverse membership of 27 law firms, 3 corporate legal departments, 21 community legal centres, 4 university law schools and 3 professional associations. PILCH receives membership fees from many of its members on an annual basis. This is the primary source of funds which sustains PILCH's operations.

PILCH has not had a formal written strategic plan since its 1997–2000 plan and now seeks to formalise a plan for the next three years which will contribute to a renewed sense of direction for the organisation. The Strategic Plan has been developed by PILCH's Executive Directors, staff and Board, and incorporates views of key stakeholders consulted as part of the development process. It reflects and builds on PILCH's achievements over the last 11 years, setting out PILCH's vision, values and goals, and the strategies PILCH will pursue to realise these goals.

1.2 HISTORY

Since its establishment in 1994, PILCH has grown from a small fledgling body, focusing solely on public interest matters, to a major facilitator of pro bono services in Victoria. A short chronology of that development is set out below.

1994-2000

From 1994 to mid 2000, PILCH operated as an organisation that referred only public interest matters to its members. It had three staff (one of them being a secondee). In mid 2000, PILCH moved out of premises it shared with the CLCV and into premises provided by the Victorian Bar. At the same time, PILCH took on the role of establishing and administering VB LAS.

2001

In early 2001, the Victoria Law Foundation advised PILCH that it would no longer provide PILCH with a grant which amounted to one third of its funding. Alternative funding was sought without success. To account for the funding shortfall, membership fees were increased by 100%, after extensive consultations were conducted to seek members' views about their desire to see PILCH continue. PILCH members also provided PILCH with an extra secondee solicitor to be able to manage the workload generated from running VB LAS in the PILCH office.

In late 2001, PILCH began operating its Homeless Persons' Legal Clinic after a small funding grant was secured from the Department of Human Services to run a pilot for 10 months. This project was seen by PILCH as a new way of creating public interest pro bono opportunities for private law firms, in addition to the existing responsive referral service. PILCH considered that the public interest criteria was met by providing

services in a range of areas of law to a defined section of the community experiencing extreme disadvantage and marginalisation. The client's individual matter did not need to be in the public interest.

2002

In late 2002, PILCH took on the administration of LIV LAS. It was a mutually beneficial arrangement for PILCH and the LIV to co-locate LIV LAS with PILCH's existing referral schemes, being the Public Interest Law Scheme and VB LAS. The benefits of co-location were most obvious to clients, who needed to contact only one place to access pro bono legal services. The evolution of a larger, more diverse organisation increased the attraction of PILCH as an employer of choice to staff who appreciated its enhanced reputation and the quality and coverage of its work. LIV LAS began with a part-time solicitor and a part-time administrator. In 2002, a part time administrative assistant was also employed for the HPLC for one day per week.

2003

In 2003, PILCH worked to consolidate its position as a 'one stop shop' provider of pro bono legal services, spending significant time explaining its expanded role via promotional materials. In 2003, the workload of VB LAS increased and a decision was made to employ a designated solicitor to work on VB LAS matters. This part time position was filled in mid-2003.

2004

2004 was a year of further growth in staff numbers at PILCH with the creation of a new full time solicitor position of PILCH Manager and the creation of the part time VB LAS administrative position. In addition, a publications assistant was employed one day per week to assist with the work associated with newsletters and the annual report. The VB LAS solicitor position and the LIV LAS solicitor position also became full time roles.

2005

PILCH has continued to flourish in 2005, with increasing client numbers and recruitment of new staff to fill positions vacated by staff who had been at PILCH for more than 2 years. New projects were initiated for a Human Rights Legal Centre and the Rural, Regional and Remote pro bono project.

1.3 CURRENT ENVIRONMENT - EXTERNAL

PILCH operates in an environment where there is a clear lack of affordable legal services. This is one factor contributing to high levels of unmet legal need amongst many people in the community. In the absence of adequate government funding of legal services, pro bono lawyers are being called on increasingly to satisfy the need for legal services of many individuals and community organisations. Given the cost of legal services, the courts are seeing an increase in the number of self-represented litigants. These include people who are employed, but whose incomes would not stretch to cover the payment of legal fees. These clients are often referred to PILCH from a range of sources such as courts and tribunals, community legal centres, and financial counsellors. The clients who are assisted by PILCH often present with multi-faceted problems which include some legal component, but which may also require the services of other agencies. PILCH seeks to make effective cross-referrals to address these non-legal needs.

There are significant limits to the funding available from Victoria Legal Aid (**VLA**) and strict eligibility criteria apply. VLA is funded by the Commonwealth and State Governments. Commonwealth Government funding to legal aid was cut from \$128.3 million in 1996/97 to \$109.68 million in 1997/98 and \$102.84 million in 1998/99. In 2003/04, Commonwealth Government funding was \$126.48 million, which is still below 1996/97 levels. Commonwealth legal aid funds can only be spent on Commonwealth legal matters, so the vast majority of civil cases, other than in the area of family law, are not funded by legal aid.

Community Legal Centres (CLCs) also provide legal services and engage in law reform and community education activities. This sector has limited financial resources and cannot always provide the range of services which clients require, or have waiting lists which mean that clients with urgent matters cannot be seen.

Although the Federal and State Governments have given limited financial support to pro bono referral programs, they have shown considerable commitment to the pro bono sector. The Victorian Government has made the performance of pro bono work a requirement for all law firms on its legal services panel since 2002. The State Attorney-General, the Hon. Rob Hulls MP, has offered considerable support for pro bono, and PILCH in particular. The Federal Attorney-General, the Hon. Phillip Ruddock MP, has also indicated some support for the legal profession doing pro bono work.

Federal Government support has been demonstrated by the funding of the National Pro Bono Resource Centre in the amount of \$1 million over four years. The Centre was established by the Federal Government and has the responsibility of developing a pro bono culture across Australia. The Centre works closely with PILCH.

In Victoria, there is considerable interest amongst lawyers in pro bono work. This has developed greatly over the last few years, and some key high profile cases (such as the *Tampa* litigation in 2001¹) and innovations, such as the PILCH Homeless Persons' Legal Clinic, have assisted in consolidating the profession's commitment to pro bono. This support is reflected in the institutional commitment by the Victorian Bar and the Law Institute of Victoria to a contractual arrangement with PILCH to administer their Schemes. These Schemes have a key role in PILCH and have seen increased demand in the last few years. Individual barristers and solicitors and law firms also demonstrate their support by accepting pro bono matters, participating in PILCH-initiated law reform work, attending pro bono-related training and events and, very importantly for PILCH, paying PILCH membership fees. Enthusiastic junior lawyers and law students are also the key to PILCH building a solid and on-going support base.

Many law firms have now appointed a national pro bono coordinator following trends overseas. The firms are interested in developing their community partnerships and making pro bono or volunteering opportunities available to all staff where those opportunities fit the firm's philosophy and their staff's interest.

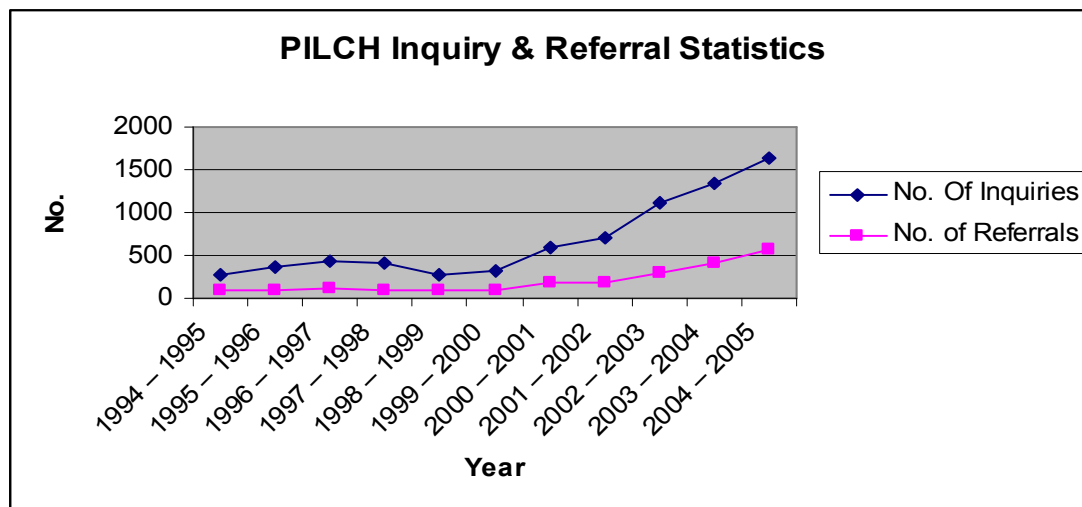
1.4 CURRENT ENVIRONMENT - PILCH

Legal referral services

PILCH operates the four Schemes from an office in Melbourne's CBD. Over the last 11 years, PILCH has created a more organised system for the provision of pro bono legal services and has successfully referred many people and organisations for legal assistance to its members. It has done so in a professional, efficient and effective manner with limited resources. Faced with an ever increasing demand for pro bono legal services, PILCH views the 'one stop shop' model – involving the co-location of the Public Interest Law Scheme, LIV LAS and VB LAS – as a very important feature of its service delivery model.

The chart below illustrates the continued increase in the number of inquiries and referrals for assistance to PILCH since 1994, including the Public Interest Law Scheme since 1994, VB LAS since its administration by PILCH in 2000, and LIV LAS since its administration by PILCH in 2002. The actual numbers of referrals and inquiries are set out in detail in Appendix 1.

¹ *Victorian Council for Civil Liberties Inc v Minister for Immigration and Multicultural Affairs* [2001] FCA 1297; *Ruddock v Vadarlis* [2001] FCA 1329.



Law reform, advocacy and training

PILCH's core business is its legal referral services. However, it has increasingly involved itself in legal policy and advocacy work and community education. These aspects of PILCH's work have developed greatly with the commencement of the HPLC which, in relation to a specific client group, was able to identify systemic legal problems which could be addressed through targeted law reform campaigns. There have been positive outcomes from this work. In particular, the success of the HPLC has demonstrated that PILCH has the skills to perform this work. PILCH staff are interested in being involved in policy and law reform work which provides the opportunity for important professional development. This work has also given some PILCH members the opportunity to contribute to law reform under the PILCH banner.

Stakeholders

PILCH is a relationship-based organisation. It has a large number of important stakeholders, without whom it would be unable to perform its work. In addition to PILCH's clients, these stakeholders include:

- PILCH member law firms and corporate legal departments;
- Victorian Bar;
- Law Institute of Victoria;
- university Law Schools;
- National Pro Bono Resource Centre;
- Legal Practice Board;
- Community Legal Centres;
- Victoria Legal Aid;
- courts and tribunals;
- Victoria Law Foundation;
- organised pro bono referral agencies (such as PILCH NSW and QPILCH); and
- Federal and State Governments.

Although all of these stakeholders play a role in the development and direction of the organisation and there is considerable commonality in their goals for PILCH (ie. the provision of pro bono legal services), there are sometimes divergent views amongst our stakeholders as to how to achieve these goals. PILCH needs to take these different views into account.

Funding

Each of the Schemes run by PILCH has separate funding sources. PILCH, as the overarching entity, and the Public Interest Law Scheme are funded solely by membership fees. Accordingly, it is important for PILCH to maintain current members and increase its law firm and corporate legal department members. LIV LAS and VB LAS are funded by the Legal Practice Board, with an additional portion of funding provided by the LIV and Victorian Bar respectively. HPLC receives some government funding and has also benefited from generous donations from National Australia Bank and Arnold Bloch Leibler. However, the HPLC still suffers a shortfall which must be met through dedicated fundraising and grants for specific projects.

None of the funding sources to PILCH is guaranteed. The funding position of VB LAS and LIV LAS is also somewhat unclear given the forthcoming dissolution of the Legal Practice Board. Appendix 2 shows the funding received by PILCH since 1994.

Staff

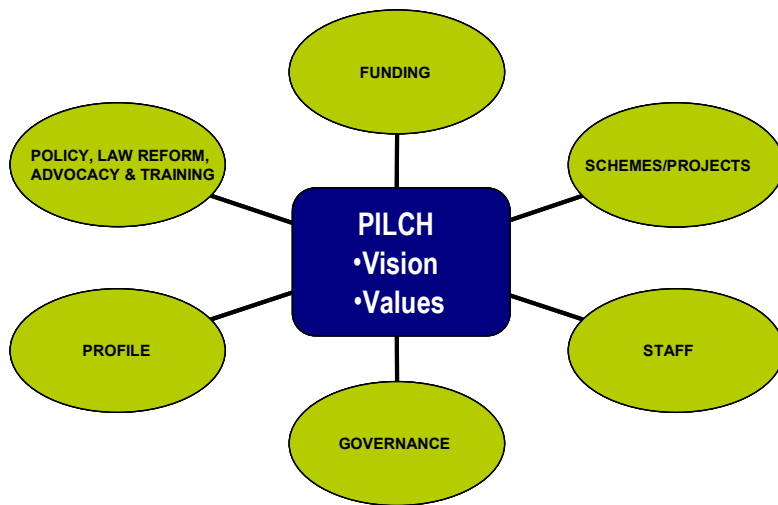
PILCH has been able to attract and retain some excellent staff. Its present group of staff is capable, committed and innovative.

1.5 PRINCIPAL CHALLENGES FACING PILCH

The main challenges facing PILCH over the next three years are:

- maintaining a secure funding base;
- maintaining and increasing membership of PILCH;
- managing and increasing numbers of requests for assistance from clients with multi-faceted problems;
- providing sufficient and quality referral services to increasing numbers of PILCH member firms within PILCH's limited resources;
- developing pro bono capacity across the legal profession;
- increasing knowledge about what we do within the broader community;
- maintaining the right balance between referral work, advocacy, policy and law reform work;
- increasing staffing numbers as required and retaining staff within limited funding constraints and in a work environment which does not have a highly defined career path; and
- maintaining and developing relevant policies and procedures including in relation to good governance.

The directions established by this Strategic Plan seek to address these challenges by identifying key areas of focus, setting goals in each area and establishing a set of readily identifiable and measurable objectives to achieve these goals. The key areas of focus may be illustrated as follows.



The Executive Directors will regularly report to the PILCH Board against these goals and objectives. Within this structure, priorities and timelines for achieving the various goals will be determined and monitored by the Board on an on-going basis.

2. PILCH PHILOSOPHY

2.1 VISION STATEMENT

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.

2.2 VALUES

PILCH is committed to:

- providing a responsive, effective and professional service to its members and the community .
- acting with integrity and fairness at all times
- treating all people equally and with dignity and respect
- innovation and creativity in pro bono

3. SCHEMES AND PROJECTS

3.1 OVERVIEW

PILCH has contributed to the better functioning of the pro bono legal sector over the last 11 years. It offers a place for the public to seek pro bono legal assistance and a process for assessing and preparing matters to be referred to members of the legal profession. PILCH has successfully referred many individuals and organisations for legal assistance to its members through its Public Interest Law Scheme and the HPLC and to other lawyers through the VB LAS and the LIV LAS. PILCH views its ability to centrally administer the four Schemes, along with a capacity to undertake specific project and policy work, as a key driver in promoting better and more accessible legal service delivery for the community. PILCH has also enhanced its ability to garner the support of the various parts of the legal profession to undertake pro bono work.

There are three main components to the services which PILCH delivers to the community through the Schemes. Firstly, there is the facilitation of pro bono legal services. Secondly, there is PILCH's increased involvement in targeted law reform and policy work. Thirdly, there is legal education and training.

A broad and varied group of people receive services from PILCH. Clients may be individuals who receive pro bono legal advice or representation, or who do not qualify for pro bono legal services through one of the Schemes but are referred by PILCH staff to an alternate source of legal or non-legal assistance. Clients may also be not-for-profit organisations or groups with public interest objectives who receive pro bono legal services through the Public Interest Law Scheme. Alternatively, clients may be people who benefit from PILCH's law reform or advocacy activities. They may also be people (e.g. volunteer law students, PILCH member firm solicitors or workers in the homelessness sector) who receive training or education through one of PILCH's training programs or seminar presentations.

PILCH has a reputation for the delivery of timely, professional, effective and innovative services to its clients and for its members. PILCH staff work diligently to maintain these standards. The increased staffing to PILCH in 2004-2005 year has also allowed for improved service delivery. As part of PILCH's commitment to improved legal service delivery for the community, PILCH is looking to make maximum use of any increased resourcing to develop new projects or services, in collaboration with other relevant agencies, to address issues of disadvantage, marginalisation or discrimination. To ensure the most effective use of its limited resources, PILCH always looks for a framework for project development against which the implementation of the new project or policy work can be measured.

The goals for PILCH in this area are:

- **Goal 1:** Improve and build PILCH's existing pro bono Schemes to ensure efficient and effective referrals and maximise community benefit.
- **Goal 2:** Adopt a proactive approach to project development to better meet the needs of the community and, in particular, address gaps in the provision of legal assistance to not-for-profit organisations and disadvantaged members of the community.
- **Goal 3:** Increase membership or participation (as applicable) by the legal profession for all the Schemes.
- **Goal 4:** Expand the case work services of the Homeless Persons' Legal Clinic.
- **Goal 5:** Establish the Human Rights Legal Centre.

3.2 GOAL 1: ENSURE EFFICIENT AND EFFECTIVE REFERRALS AND MAXIMISE COMMUNITY BENEFIT FROM EXISTING SCHEMES.

Since its inception, PILCH has come a long way in developing a culture of good client and member service delivery. PILCH faces challenges such as the potential for further decreases in legal aid funding as a percentage of GDP and the need for increased expenditure on the ageing population. To cope with a likely increase in service demand, each Scheme needs to build capacity and expertise to improve referrals of pro bono legal matters to the legal profession. PILCH will need to remain flexible in order to respond to the changing demographic demands of clients in coming years while improving our delivery of those services.

EXPECTED OUTCOMES

- The Schemes continue to provide high quality and appropriately targeted services to clients and members.
- The Schemes assist an increased number of people who are unable to access other legal services.
- The Schemes have an increased number of inquiries and referrals each year.
- The Schemes make their services more accessible to people outside the metropolitan area.
- There is increased client and member satisfaction in the way PILCH operates.
- There are improved pro bono practices amongst pro bono lawyers.

STRATEGY TO ACHIEVE OUTCOMES

- Conduct an applicant satisfaction survey for all the Schemes and review processes to ensure the Schemes are best meeting clients' needs.
- Conduct a PILCH member survey.
- Establish and regularly evaluate / update a client service charter.
- Refine the means test for all Schemes.
- Refine the public interest test.
- Prepare best practice guidelines for pro bono practitioners to assist them in their pro bono work.
- Better explain the PILCH complaints system for clients so they can easily use it.
- Form alliances with professional bodies likely to be involved in pro bono litigation such as doctors, engineers and dentists to facilitate increased pro bono capacity.
- Increase structured contact with interstate pro bono services providers to learn from their methods of service delivery (e.g. other PILCHs)
- Seek regular feedback from all stakeholders about areas of high need that the Schemes should be focusing on and monitor statistics on areas of law within the organisation.
- Improve access to pro bono legal services by promoting the services of the Schemes to the wider community in Melbourne and non-metropolitan Melbourne (also refer to Section 7 on Profile).
- Obtain a 1800 telephone number for regional and rural Victorians to better access PILCH's services.

3.3 GOAL 2: PROACTIVE APPROACH TO PROJECT DEVELOPMENT.

PILCH aims to provide a proactive and responsive service to clients in greatest need who are not able to access legal services provided by other agencies. Whilst, in the past, PILCH has taken a more reactive approach to the provision of services, its focus going forward is to take a more active role in assisting disadvantaged client groups. At this stage, those groups who may be assisted by pro bono legal services include people living in rural and regional Victoria, older members of the community and not-for-profit

organisations. PILCH wants to have in place a structure for responding to emerging legal needs in an innovative and creative manner.

EXPECTED OUTCOMES

- Pro bono legal services are more accessible to more members of the community.
- PILCH develops new and innovative models for pro bono service delivery.
- There is greater consistency in decision-making around the selection of projects for PILCH.

STRATEGY TO ACHIEVE OUTCOMES

- Establish a framework or set of criteria for project development within PILCH to be approved by the Board and against which the implementation of future projects may be assessed.
- Collaborate and work closely with stakeholders and other relevant bodies to implement new project ideas.
- Review the need of not-for-profit organisations for pro bono legal services and, if viable, implement a project to increase the provision of pro bono legal services to this client group.
- Review the need of clients in rural, regional and remote areas of Victoria for pro bono legal services and, if viable, implement a project to increase the provision of pro bono legal services to this client group.
- Review the need of older persons for pro bono legal services and, if viable, implement a project to increase the provision of pro bono legal services to this client group.

3.4 GOAL 3: INCREASE SCHEME MEMBERSHIP.

PILCH is particularly reliant on its members to provide financial and non-financial support so that it can run the Public Interest Law Scheme and PILCH itself (also see Section 6 on funding). LIV LAS and VB LAS are also reliant on members of the relevant representative bodies (barristers at the Victorian Bar and solicitor members of the LIV) to commit to accepting increasing numbers of pro bono referrals. Each Scheme needs to work hard to increase its profile to in turn attract more volunteer lawyers under the Schemes (also see Section 7 on Profile).

EXPECTED OUTCOMES

- Increased organisational stability.
- Increased resources to PILCH.
- Increased numbers of lawyers who can take matters on pro bono.

STRATEGY TO ACHIEVE OUTCOMES

- Conduct a membership drive for each Scheme annually.
- Promote the work being done by the Schemes with the relevant stakeholders.

3.5 GOAL 4: EXPAND THE CASE WORK SERVICES OF THE HOMELESS PERSONS' LEGAL CLINIC.

Supporting the existing flagship project of PILCH is, of all the PILCH projects, currently PILCH's highest project priority.

The HPLC has been operating since 2001 as a project of PILCH. It started with several clinics run as a 10 month pilot. HPLC aims to address procedural and substantive barriers to homeless people accessing justice by providing free legal services and conducting public policy advocacy. Similar services are offered

by QPILCH and PIAC Sydney. In Melbourne, the HPLC provides free civil, administrative and summary criminal law services on a weekly basis at eight crisis shelters, soup kitchens and welfare agencies. This outreach service model encourages and facilitates direct access by clients. Legal services are currently provided by more than 150 pro bono lawyers from Allens Arthur Robinson, Baker & McKenzie, Blake Dawson Waldron, Clayton Utz, Mallesons Stephen Jaques, Minter Ellison, the National Australia Bank's Legal Department, and Phillips Fox.

The HPLC also undertakes a significant amount of law reform activities and conducts public policy advocacy around issues relating to homelessness.

The HPLC needs another solicitor to work in the PILCH office with the existing Co-ordinator/Principal Solicitor and part-time administrator to be able to establish further clinics in Melbourne and continue to undertake the current levels of law reform and advocacy.

PILCH is very proud of, and in many ways reliant on, the HPLC for the added profile it gives to the organisation through its policy and law reform work in particular, and the pro bono opportunities it gives to PILCH members. Nevertheless, PILCH should regularly review whether HPLC should remain as a project of PILCH or whether it should become its own entity and develop as a stand-alone organisation as PILCH itself did with CLCV six years ago.

EXPECTED OUTCOMES

- Increased numbers of clinics operating in Melbourne.
- Increased PILCH member firm involvement in HPLC.
- Increased numbers of homeless persons assisted.
- Provide clarity as to the future of HPLC within PILCH.

STRATEGY TO ACHIEVE OUTCOMES

- Obtaining increased funding for PILCH to employ more staff to allow for increased work load for additional clinics.
- Identification of PILCH member firms wishing to staff a clinic.
- Identification of host agencies as locations for additional clinics.
- Regularly review HPLC's position as a project of PILCH.

3.6 GOAL 5: ESTABLISH THE HUMAN RIGHTS LEGAL CENTRE.

In early 2005, an Advisory Group was established to consider a proposal to establish a Human Rights Legal Centre (**HRLC**) in Melbourne. This proposal was drafted by PILCH and Liberty Victoria. The Boards of both organisations voted later in 2005 to establish the HRLC. Funding is currently being sought for this project so it can progress.

EXPECTED OUTCOMES

Establishment of the HRLC by PILCH and Liberty Victoria before the end of 2006.

STRATEGY TO ACHIEVE OUTCOMES

- Explore options for the HRLC to become incorporated.
- Obtain sufficient funding for the HRLC to be self-sustaining.
- Explore options for the co-location of the HRLC with PILCH.
- Seek expressions of support for, and interest in, involvement in the HRLC by PILCH members.

4. POLICY, LAW REFORM, ADVOCACY AND TRAINING

4.1 OVERVIEW

Since its inception, PILCH has been involved in attempting to address systemic legal issues as and when they have been identified through the applications which come to the organisation for referral. Issues addressed have been closely related to PILCH's core functions, namely pro bono practice and access to justice. This work has involved law reform submissions to various governmental inquiries and committees, and also to the Law Reform Commissions, the Human Rights and Equal Opportunity Commission and the Equal Opportunity Commission of Victoria.

Since 2002, PILCH has also become more involved in policy and advocacy work through its project, the Homeless Persons' Legal Clinic. The policy, advocacy and law reform of this project has related very closely to issues affecting homeless people.

Training and teaching is also a part of the role of PILCH. HPLC has played a major role in providing training to lawyers. This is necessary in order to train PILCH member firm lawyers on a regular basis in substantive areas of law that affect homeless people. PILCH has also provided training to pro bono lawyers in areas of law where there has been a need to expand the pool of lawyers who do work in high need areas (e.g. migration).

PILCH regularly presents lectures and seminars to university law students about pro bono and the work of PILCH. PILCH views its role of fostering public interest lawyering among law students and building closer relationships with its four University law school members as particularly important. HPLC also regularly presents to various welfare agencies and students on human rights and specific legal issues affecting homeless people.

Staff at PILCH have felt a great sense of satisfaction in doing law reform, advocacy and training work, both as a way of adding variety to their day to day referral work, and of addressing systemic legal issues which affect our clients.

The goals for law reform, policy, advocacy and training are:

- **Goal 1:** Continue to contribute to policy and law reform issues.
- **Goal 2:** Organise a quarterly seminar program.
- **Goal 3:** Organise training on an 'as needed' basis to equip lawyers and others with knowledge and skills to assist PILCH clients.
- **Goal 4:** Present seminars and conference papers and produce articles for publication.
- **Goal 5:** Participate in teaching university subjects related to public interest practice and homelessness.

4.2 GOAL 1: POLICY AND LAW REFORM.

EXPECTED OUTCOMES

- Identification and promotion of changes in the legal system which benefit the wider community.
- Improved reputation and profile of PILCH due to a willingness to engage in law reform and policy and advocacy work.

- Increased staff job satisfaction.

STRATEGY TO ACHIEVE OUTCOMES

- Identify opportunities for law reform submissions and promote public debate on topics relating to pro bono, public interest law, access to justice, human rights, corporate social responsibility or substantive areas of law which are related to key PILCH practice areas (e.g. homelessness).
- Encourage and facilitate support for PILCH staff to actively engage in this type of work.
- Seek support among PILCH members to assist, on an as needed basis, in the identification and development of submissions.
- Liaise with other providers of legal services in specialist areas to work collaboratively on law reform work.

4.3 GOAL 2: QUARTERLY SEMINAR PROGRAM.

A quarterly seminar program is beneficial for the legal profession to hear about interesting issues in public interest practice. It is also an excellent way to increase PILCH's profile and can double as a fundraising opportunity.

EXPECTED OUTCOMES

- Improved knowledge about public interest and pro bono issues for the legal profession.
- Increased profile for PILCH.
- Increased fundraising opportunities for PILCH.

STRATEGY TO ACHIEVE OUTCOMES

- Identify speakers, topics of interest and co-badging opportunities for the seminar program.
- Set seminar program dates at the beginning of each calendar year concluding with the AGM.
- Assess members' interest in being involved in the seminar program as part of their internal CLE programs.

4.4 GOAL 3: TRAINING.

EXPECTED OUTCOMES

- Improved knowledge of substantive legal issues that relate to public interest law and homelessness.
- Increased capacity of lawyers to carry out pro bono work in less familiar areas of their practice.

STRATEGY TO ACHIEVE OUTCOMES

- Identify areas of law where pro bono lawyers will benefit from training.
- Prepare training sessions for lawyers in the areas of need.
- Explore the use of law firm resources to organise and present training as required.
- Liaise with other providers of legal services in specialist areas (where relevant) to work collaboratively on training.

4.5 GOAL 4: CONFERENCES AND PUBLICATIONS.

PILCH should aim to present at several conferences and be involved in several seminars each year on topics that relate to pro bono, public interest law, access to justice (e.g. levels of legal aid funding) corporate social responsibility or substantive areas of law which are related to key practice areas (e.g. homelessness). It would also be valuable for PILCH staff to publish articles in these areas. Underlying these presentations and publications should be solid, academic and, where appropriate, empirical research into the relevant subject matter. PILCH staff should be able to provide intellectual leadership to the legal profession around the issues on which it focuses.

EXPECTED OUTCOMES

- Increased knowledge by PILCH staff of the theoretical underpinnings behind pro bono public interest law and human rights law.
- Gathering of relevant empirical data.
- Diversity of work for PILCH staff.
- Increased profile and leadership role played by PILCH on pro bono lawyering.

STRATEGY TO ACHIEVE OUTCOMES

- Conduct academic and empirical research into relevant subject areas.
- Present research outcomes at conferences/seminars each year.
- Publish research outcomes in relevant journals.

4.6 GOAL 5: UNIVERSITY SUBJECTS RELATED TO PUBLIC INTEREST PRACTICE AND HOMELESSNESS.

PILCH has been involved with our university members in the development of public interest law practice subjects. This is a worthwhile and important involvement for PILCH as it fosters a pro bono and public interest awareness among law students and develops relationships with our university members.

EXPECTED OUTCOMES

- Increased involvement with the PILCH member university law schools.
- Expanded knowledge of the theory of public interest law among PILCH staff.
- Increased knowledge of PILCH and pro bono among law students.

STRATEGY TO ACHIEVE OUTCOMES

- Continue to work with the universities to develop public interest practice subjects.
- Identify a manageable role for PILCH in contributing to public interest courses.
- Consider appropriate remuneration for PILCH staff involved in any teaching role.

5. STAFF

5.1 OVERVIEW

PILCH's staff is one of its most important resources. PILCH has a mixed workforce of full-time and part-time employees, solicitors and administrators on secondment from PILCH members, and law student volunteers ('staff'). The number of staff at PILCH has grown significantly over the last four years and they bring with them diverse backgrounds and experience. Due to the nature of secondments and volunteering, staff may only be at PILCH for short periods of time (e.g. two to six months).

PILCH has a reputation as a good and flexible employer, and an open, positive, innovative and rewarding workplace. For these reasons, amongst others, PILCH has been able to attract capable and committed staff over many years. PILCH has developed clearer and stronger employment policies and practices over the last few years to offer an organised and sustainable workplace to its growing staff. PILCH also aims to provide opportunities for professional development for staff. PILCH promotes equality of employment opportunity and consultative work practices.

The goals for PILCH in this area are:

- **Goal 1:** To maintain a sustainable and supportive work environment for staff.
- **Goal 2:** To retain and develop staff by recognising their commitment to the organisation.
- **Goal 3:** To attract and utilise the services of volunteers and secondees.

5.2 GOAL 1: A SUSTAINABLE AND SUPPORTIVE WORK ENVIRONMENT.

It is important that PILCH maintains a work environment which is sustainable in all important respects, such as maintaining an appropriate level of staffing to carry out PILCH's work, having staff who are appropriately trained and who act in accordance with its values, and offering professional support and development opportunities.

EXPECTED OUTCOMES

- High levels of staff competency and satisfaction.
- Increased length of service for staff.
- A written staff remuneration strategy document.

STRATEGY TO ACHIEVE OUTCOMES

- Recruit employees and volunteers who have the requisite skills and appreciate and practise PILCH's values.
- Recruit employees and volunteers to foster cultural, religious, linguistic, age and gender diversity at PILCH.
- Review organisational staffing structure and staff levels at regular intervals.
- Regularly review workloads and work practices and implement measures to improve the working environment.
- Prepare and regularly review position descriptions and required competencies for all employees.
- Review PILCH's remuneration strategy.
- Maintain a comprehensive employee and volunteer induction process.

- Provide appropriate internal training and access to external training for employees and volunteers.
- Create systems and processes to maintain appropriate employee and volunteer supervision and support.
- Undertake formal yearly performance reviews of all employees in time for budget submissions.
- Continue to develop systems for open and inclusive internal communication.
- Continue to develop appropriate workplace policies and procedures.
- Develop a formal debriefing process for exiting staff.
- Develop a staffing succession plan.
- Ensure staff have access to the resources necessary to effectively and efficiently perform their roles, including adequate library materials and IT resources.

5.3 GOAL 2: TO RETAIN AND DEVELOP STAFF BY RECOGNISING THEIR COMMITMENT TO THE ORGANISATION.

EXPECTED OUTCOMES

- Increased staff retention.
- Provision of a rewarding work place.
- Increased innovation in pro bono at PILCH.

STRATEGY TO ACHIEVE OUTCOMES

- Explore potential for increased contact, involvement and exchanges for staff with interstate and overseas pro bono agencies.
- Seek PILCH member support for the increased involvement of PILCH staff in international pro bono conferences.
- Explore secondment opportunities for staff with key stakeholder organisations in Melbourne.

5.4 GOAL 3: TO ATTRACT AND UTILISE THE SERVICES OF VOLUNTEERS AND SECONDEES.

The involvement of solicitor and administrative secondees from PILCH member firms and student volunteers, fellows and interns is very important to PILCH. PILCH aims to provide them with a challenging and rewarding opportunity to develop professionally and to experience the practice of public interest and pro bono lawyering. They add significant capacity to PILCH, raise the profile of PILCH amongst law students and junior law firm staff, and assist to build a professional commitment to pro bono.

EXPECTED OUTCOMES

- Increased interest in secondment and volunteering opportunities at PILCH.
- Increased capacity to offer secondment and volunteering opportunities at PILCH.

STRATEGY TO ACHIEVE OUTCOMES

- Offer speaker services to all university members of PILCH to raise profile of PILCH, pro bono and public interest lawyering and opportunities for volunteering.
- Liaise with all university members of PILCH to establish student placement programs for subject credits.
- Offer speaker services to all PILCH law firm members to raise the profile of PILCH secondments.
- Liaise with State and Federal Governments to extend opportunities for lawyers in government to undertake a secondment at PILCH.

- Liaise with Leo Cussen, College of Law and other graduate programs for lawyers to undertake placements at PILCH.
- Evaluate the PILCH secondment program.

6. FUNDING

6.1 OVERVIEW

Since 2001, PILCH has moved from a highly unstable financial position to reaching, in 2003, a satisfactory degree of financial stability. It is essential that this stability is maintained to allow PILCH to operate effectively.

PILCH derives the majority of its funding from membership fees, management fees for LIV LAS and VB LAS and a grant from the Victorian Government for HPLC. Whilst PILCH sees significant benefit in the coordination of the Public Interest Law Scheme, LIV LAS, VB LAS and HPLC 'under one roof', all Schemes need to achieve a stand-alone financial basis to ensure sustainability.

The goals for funding of PILCH are:

- **Goal 1:** Ensure existing Schemes and activities are adequately and securely funded.
- **Goal 2:** Obtain greater funding diversity with new funding sources and obtaining un-tied or non-cash funding.
- **Goal 3:** Seek Deductible Gift Recipient tax status for PILCH.

6.2 GOAL 1: ADEQUATE AND SECURE FUNDING.

Ensure continuing financial security by gaining adequate funding of existing Schemes.

EXPECTED OUTCOMES

- Individual Scheme funding matched to costs of operating Schemes and funding fixed for defined terms.

STRATEGY TO ACHIEVE OUTCOMES

- Prepare submissions to the Law Institute of Victoria and Victorian Bar, seeking to increase funding for the relevant Schemes and to fix management agreement terms of approximately three years.
- Prepare submissions to VLA and the Victorian Government for increased funding for the HPLC.
- Ensure all submissions for Scheme funding accurately reflect direct costs and indirect administration overheads (i.e. allocated overheads).

6.3 GOAL 2: FUNDING DIVERSITY.

Seek greater diversity in sources of funding with focus on funding that is not tied to specific Schemes, including free or discounted provision of goods or services.

EXPECTED OUTCOMES

- Additional funding and free, in-kind or discounted goods or services from non-government sources.

STRATEGY TO ACHIEVE OUTCOMES

- Actively promote PILCH and its activities.
- Identify several PILCH fundraising functions to be held each year and enlist the assistance of PILCH members to organise these functions.
- Increase membership by actively promoting the recruitment of new members by existing members.

- Actively engage with Australian Corporate Lawyers Association as a large potential source of membership and/or service support.
- Identify specific projects that fit strategically with PILCH's existing Schemes and apply for government funding or non-government funding for these projects.
- Review administration to assess further potential for goods or services to be provided on a free or subsidised basis by external parties.

6.4 GOAL 3: TAX STATUS.

Seek Deductible Gift Recipient taxation status for PILCH. This would be very beneficial in terms of seeking funding from philanthropic organisations, obtaining other donations and offering salary packaging to staff.

EXPECTED OUTCOMES

- PILCH is granted DGR status.

STRATEGY TO ACHIEVE OUTCOMES

- Seek legal or other assistance and support relevant to gaining DGR status.

7. PROFILE

7.1 OVERVIEW

A strong profile for PILCH and its activities and maintenance of constructive external relationships is seen by the Board and staff as important for both ensuring the effective delivery of services by PILCH and its ongoing sustainability.

PILCH's relationships with individuals and organisations across the community have been critical to its success since its inception in 1994. PILCH's current sphere of relationships cover a broad spectrum, including:

- law firms
- corporate legal departments
- Victorian Bar
- Law Institute of Victoria
- Community Legal Centres
- University law schools
- The National Pro Bono Resource Centre
- The Legal Practice Board
- Victoria Legal Aid
- various courts and tribunals
- the Victoria Law Foundation
- organised pro bono referral Schemes
- community organisations
- members of Federal and State Parliament
- Federal and State Government Departments

The support of PILCH's members and the organisations with which it maintains relationships is vital to PILCH's survival. Similarly, ensuring the broader community is aware of PILCH and its membership and the role it fulfils, assists both its survival and the effective delivery of its services. As PILCH continues to grow and evolve, it needs to ensure it clearly communicates its work to its stakeholders and those outside the immediate stakeholders' group. Doing so satisfies the needs not only of the community, who need to be made aware of PILCH's capacity to facilitate pro bono assistance, but also that of the members, who have usually joined PILCH as part of a conscious desire to provide pro bono services and, accordingly, expect a regular work flow.

PILCH will also need to be aware, in promoting its services and pro bono work generally, that there are limitations in capacity within its membership to do the corresponding work that may result. Some firms and barristers may have reached the limit of their pro bono capacity.

The goals for PILCH in this area are twofold:

- **Goal 1:** Maintain existing and develop new relationships with other individuals and organisations across the community; and
- **Goal 2:** Build PILCH's profile with its stakeholders and the broader community with particular, but by no means exclusive, focus on the legal sector.

7.2 GOAL 1: MAINTAIN AND DEVELOP RELATIONSHIPS.

Maintain existing and build new relationships with individuals and organisations relevant to PILCH's role.

EXPECTED OUTCOMES

- Strengthen existing relationships and knowledge of the services PILCH provides, thereby assisting the delivery of services and, in particular, maintaining a consistent and manageable flow of referrals to members.

- Growth in relationships with law firms, corporate legal departments, government and non-government agencies and community groups.

STRATEGY TO ACHIEVE OUTCOMES

- Communication of the PILCH Strategic Plan 2006-2009, including via the website.
- Establish a contacts schedule to ensure regular contact is made in key relationship areas and to check the capacity of existing members to take pro bono work.
- Identify agencies or individuals, association with whom would be relevant to the services PILCH provides, and make contact.
- As part of the contacts schedule, assess whether the organisation understands PILCH's role, the effectiveness of the current relationship and whether there may be further opportunities for referrals/relationship with PILCH.

7.3 GOAL 2: BUILD PILCH'S PROFILE.

Ensure continuing financial security and effective delivery of services by confirming that existing stakeholders and the broader community are aware of the services PILCH provides and the contribution PILCH and its members make to the community.

EXPECTED OUTCOMES

- Stakeholders, and in particular members, understand and value the role PILCH performs.
- Recognition of PILCH by the legal community as a key coordinator of pro bono legal services within Victoria.
- Recognition of the expertise of PILCH in the efficient delivery of pro bono services and, in particular, those addressing matters of public interest.
- Enhancing the sourcing of work flow which is passed on to members.
- Growth in membership.

STRATEGY TO ACHIEVE OUTCOMES

- Review existing PILCH publications to ensure they meet strategic objectives and client expectations.
- Prepare a promotional plan, outlining options for promotion of PILCH's activities among prospective members and the broader community. Initiate the plan subject to Board review and approval.
- Review and update the PILCH website to ensure it reflects the content of the Strategic Plan.
- Include a list on the website of PILCH referred matters with case citations.
- Distribute fliers about PILCH with other organisations' promotional material, such as the LIV, Alt LJ and VCOSS.
- Consider ways of providing greater prominence to members and reviewing the prospect for hotlinks to the PILCH website being placed on member websites.

8. GOVERNANCE

8.1 OVERVIEW

The effective governance of PILCH in accordance with high legal and ethical standards is clearly vital to its ability to deliver on the vision stated at the outset of this Strategic Plan. As a non-government organisation that receives funding from membership fees and through the provision of services under specific contractual obligations, and whose primary role involves coordinating numerous professional and non-professional bodies, it is essential that PILCH have a clear, unambiguous and effective governance structure.

In recent years, PILCH has continued to improve its internal and external policies and procedures. Whilst adequate for current purposes, it is recognised that, as PILCH continues to evolve, good governance requires that the organisation regularly reviews its operations and governance structures to ensure they meet the high standards demanded for an active member of the legal community.

The goals for PILCH in this area cover both specific and broader subject areas:

- **Goal 1:** Ensure policies and procedures are documented and remain up to date and reflect the operations and values of the organisation.
- **Goal 2:** Review and develop procedures for reporting to the Board.
- **Goal 3:** Review the role of the Board and Board sub-committees.

8.2 GOAL 1: POLICIES AND PROCEDURES.

It is essential that operating policies and procedures for PILCH are documented, current and reflect the values of the organisation. This requires regular review and, where necessary, redevelopment of operational procedures. Whilst resisting the temptation to 'lose' itself in inflexible paper policies and spend large amounts of scarce resources on theoretical documents that have little day to day application, PILCH recognises that core operational matters must be clearly identifiable and available to staff and relevant stakeholders.

EXPECTED OUTCOMES

- Up to date policies and procedures manual.
- Annual review of policy and procedures by Executive Directors.
- Executive Directors confirmation to Board, and subsequent Board endorsement, on an annual basis of currency of contents of policies and procedures manual.

STRATEGY TO ACHIEVE OUTCOMES

- Review existing policies and procedures and identify 'gaps' (including existing areas where updates are required).
- Prepare summary report for Board to confirm identified areas for development of new policies and procedures.
- Update policies and procedures with legal or other assistance provided in-kind.

8.3 GOAL 2: BOARD REPORTING.

A framework for regularly reporting to the Board exists for PILCH. However, as part of the strategic planning process, it is thought appropriate to review this framework to ensure it accurately records, in a timely and consistent fashion, the operations of PILCH.

EXPECTED OUTCOMES

- Review of the Board reporting framework.

STRATEGY TO ACHIEVE OUTCOMES

- Executive Directors to review and prepare for Board endorsement a proposed template for regular reporting covering six weekly, quarterly, half yearly and yearly reporting requirements.

8.4 GOAL 3: ROLE OF THE BOARD.

As PILCH continues to evolve, the requirements for both Executive Directors and its Board also evolve. As part of the various reviews to be undertaken, it is timely to also review the structure, function and composition of the Board of PILCH. Part of this review should involve some succession planning for the Board and also for the organisation as a whole.

EXPECTED OUTCOMES

- Clarify Board structure, function and composition.

STRATEGY TO ACHIEVE OUTCOMES

- Review the structures, roles and activities of Boards of not-for-profit organisations and identify relevant requirements for the PILCH Board.
- In light of the above, consider the profile of the PILCH Board and its activities. This is to include Executive Directors' views on what they would like vis-à-vis support from the PILCH Board.
- Review the degree of active participation by Board members and determine the extent to which specific roles could be assigned to Board members to assist Executive Directors to fulfil strategic and operational objectives.
- To the extent additional areas of expertise are identified, initiate recruitment of Board members with expertise in those areas.
- Revise the PILCH Rules for succession of office holders.

APPENDICES

1. INQUIRY AND REFERRAL STATISTICS

PILCH INQUIRY AND REFERRAL STATISTICS		
Financial Year	No. Of Inquiries	No. of Referrals
1994 – 1995	270	87
1995 – 1996	367	81
1996 – 1997	432	106
1997 – 1998	404	91
1998 – 1999	276	93
1999 – 2000	312	93
2000 – 2001	449 (591)	135 (185)
2001 – 2002	483 (702)	143 (192)
2002 – 2003	423 (1109)	144 (305)
2003 – 2004	473 (1352)	150 (420)
2004 – 2005	540 (1637)	235 (558)

Note: where applicable, total inquiries and referrals for all Schemes are in brackets.

2. FUNDING 1994-2004

These figures from taken from the PILCH Annual Reports 1994–2005.

1994 – 1995

Grant – Victoria Law Foundation ('VLF')	\$ 67,651
CLCV Contribution	\$ 25,000
Management Fees	<u>\$ 7,500</u>
	<u>\$100,151</u>

1995 – 1996

Grant – VLF	\$ 95,349
CLCV Contribution	\$ 25,000
Management Fees	\$ 27,500
Seminar Conference Registration	<u>\$ 1,440</u>
	<u>\$149,289</u>

1996 – 1997

Grants VLF and CLCV	\$159,607
Publication Sales	<u>\$ 69</u>
	<u>\$159,676</u>

1997 – 1998

Grants VLF and CLCV	\$157,626
Publication Sales	\$ 32
Sundry Income	<u>\$ 774</u>
	<u>\$158,432</u>

1998 – 1999

Grants VLF and CLCV	\$153,660
Publications Sales	\$ 10
Sundry Income	<u>\$ 9,177</u>
	<u>\$162,847</u>

1999 – 2000

Grant – VLF	\$ 50,000
Grant – CLCV	\$ 12,500
Membership	\$ 88,363
Interest	\$ 252
Other Income	<u>\$ 1,400</u>
	<u>\$152,515</u>

2000 – 2001

Grant – VLF	\$ 59,667
Membership	\$103,013
VICBAR	\$ 26,400
Donations	\$ 2,179
Interest Received	\$ 548
Other Income	\$ 506
Publications Sales	<u>\$ 160</u>
	<u>\$192,473</u>

2001 – 2002

Membership	\$120,000
Donations	\$ 80,375
HPLC	\$ 86,000

Appendices

VICBAR	\$ 27,171
Event Registration	\$ 5,514
Interest Received	\$ 3,590
Other Income	\$ 197
Publications Sales	\$ 10
	<u>\$322,857</u>

2002 – 2003

Membership	\$201,518
LIV LAS	\$ 97,576
VB LAS	\$ 69,169
HPLC	\$ 43,000
Other income to PILCH	\$ 27,585
Other income to HPLC	\$ 15,738
Other income to LIV LAS	\$ 176
	<u>\$454,763</u>

2003 – 2004

Membership	\$187,998
LIV LAS	\$ 96,022
VICBAR	\$ 81,156
HPLC	\$ 75,000
Other income to PILCH	\$ 9,687
Other income to HPLC	\$ 11,016
Other income to LIV LAS	\$ 1,992
Other income to VB LAS	\$ 2,152
	<u>\$465,023</u>

2004 – 2005

Membership	\$260,008
LIV LAS	\$126,912
VICBAR	\$114,633
HPLC	\$ 76,875
VFL Grant	\$ 2,727
PILCH event registration(dinner and seminars)	\$ 42,051
PILCH refunds	\$ 52,123
Other income to PILCH	\$ 10,929
Other income to HPLC	\$ 66,697
Other income to LIV LAS	\$ 3,269
Other income to VB LAS	\$ 5,261
	<u>\$761,485</u>