



# 15 years of law firm pro bono in Queensland 2001 – 2016



**A celebration of the Queensland legal profession's recent and historical pro bono efforts for individuals and not-for-profit organisations and a tribute to the members of the profession whose work is vital to an accessible and fair justice system.**

## **About QPILCH**

Queensland Public Interest Law Clearing House (QPILCH) coordinates pro bono civil law services for:

- the homeless and people at risk of homelessness
- self-represented litigants
- people experiencing mental ill-health
- young people transitioning from State care to independence
- refugees who have been in Australia for less than five years and
- others who cannot afford legal representation or obtain legal aid and whose matter warrants pro bono assistance.

PO Box 3631 South Brisbane BC QLD 4101

Phone: 07 3846 6317

Email: [admin@qpilch.org.au](mailto:admin@qpilch.org.au)

Web: [www.qpilch.org.au](http://www.qpilch.org.au)

## **About this publication**

The stories in this publication have been chosen because they reflect the variety of work performed by the law firms that support the services coordinated by QPILCH. There are many other cases that have been undertaken by the law firms mentioned and by other firms whose work has not been included for reasons of space, but whose contribution is just as important and valuable.

\*Except for the names of clients referred to in published cases, the names of clients used in these stories have been changed to preserve confidentiality and privacy.

Published by the Queensland Public Interest Law Clearing House Incorporated with financial assistance from the Queensland Law Society Incorporated.

September 2016

ISBN: 978-0-646-96263-4





## Contents

Foreword by The Honourable Catherine Holmes, Chief Justice of Queensland .....	ii
A message from Bill Potts, President of the Queensland Law Society Incorporated ....	iii
Welcome from Lucy Bretherton QPILCH president .....	iv
<b>Introduction .....</b>	<b>1</b>
QPILCH law firm members 2015-16 .....	2
<b>Referring civil law cases for pro bono representation .....</b>	<b>3</b>
Public Interest Referral Service .....	3
QLS Pro Bono Referral Service .....	8
<b>Helping the homeless .....</b>	<b>11</b>
<b>Legal Health Check .....</b>	<b>18</b>
<b>Assistance for refugees .....</b>	<b>19</b>
<b>LegalPod .....</b>	<b>21</b>
<b>Assisting people who are self-representing in Courts and Tribunals .....</b>	<b>23</b>
In the Queensland Courts .....	23
In the Federal Courts .....	26
In the Queensland Civil and Administrative Tribunal .....	27
<b>Legal help to alleviate mental ill-health .....</b>	<b>31</b>
<b>QPILCH milestones 2001-16 .....</b>	<b>35</b>



## **Foreword by The Honourable Catherine Holmes Chief Justice of Queensland**

It is a pleasure for me to contribute a foreword to this celebration of pro bono work in this State. It seems scarcely credible that it is now 15 years since QPILCH was set up, yet QPILCH's aims of serving the public interest and assisting the genuinely disadvantaged have been achieved to a remarkable extent. The attitude to pro bono work has matured alongside QPILCH's foundation and growth.

In times of increasing commercial pressures on firms and rapid growth in the number of law graduates, it would be easy for practitioners in the 21<sup>st</sup> century to drift away from the profession's traditions of altruism. Instead, the commitment of so many firms to pro bono work is an embodiment of the values which make the practice of law a profession, not a business. I would like to think that this publication would be widely read, particularly by students, to give them an understanding of how ideals can be realised in legal practice.

All those involved in the work described, those who coordinate and those who provide the services, are to be congratulated.



## A message from Bill Potts President of the Queensland Law Society Incorporated

We will never know the name of the first lawyer who did pro bono work – but whoever he or she was, set the standard by which the profession has judged itself ever since. The highest embodiment of a lawyer's duty to the administration of justice is to help those in need navigate the legal labyrinth simply because they need us, not because they pay us. Our profession has a proud tradition in this regard.

Perhaps the earliest example of pro bono in the legal sense can be found in Ancient Greece during the fourth and fifth centuries BC in the office of *synegoros*, by which a person acted as both advocate and character witness. Payment to the *synegoros* was illegal and their work was seen as a civic duty, although the recipient remained indebted to the advocate through a system of homage.

In modern society, the act of pro bono reflects the proud work of Queensland solicitors. It does not just mean a free service but means to take on the unpopular cases, the vulnerable clients, to improve the efficiency of the courts and to improve access to justice by providing education to your client and steering them through the legal process. To do this is to serve the administration of justice in the noblest way.

At the core of pro bono is the concept of serving the greater public and achieving this through representing the organisation or the individual. The Society advocates for good law and good lawyers, which, like all of the great unsung achievements, are comparable to an iceberg in that 90% is out of sight. This solidity gives weight to what lawyers who genuinely want to help clients carry out each and every day. The actuality of pro bono and why lawyers do what they do speaks to the fundamental aspects of humanity and community.

I would like to particularly thank all practitioners who volunteer their services to pro bono each year. In 2015-16, Queensland Solicitors undertook a total of 290,154.4 hours of pro bono work, which is an increase of 88.7% from last year's figures.

This book celebrates those who have selflessly discharged that duty; through their work they have made both our profession and the wider community better; for that they have my deepest thanks.





## Welcome from Lucy Bretherton, QPILCH president

Over the past 15 years, the pro bono work of Queensland law firms has grown in quantity and quality, with QPILCH working largely behind the scenes to make pro bono work as easy as possible to get involved in, efficiently performed, and always targeted at the most vulnerable people, people who might be beyond the reaches of help without a carefully coordinated approach.

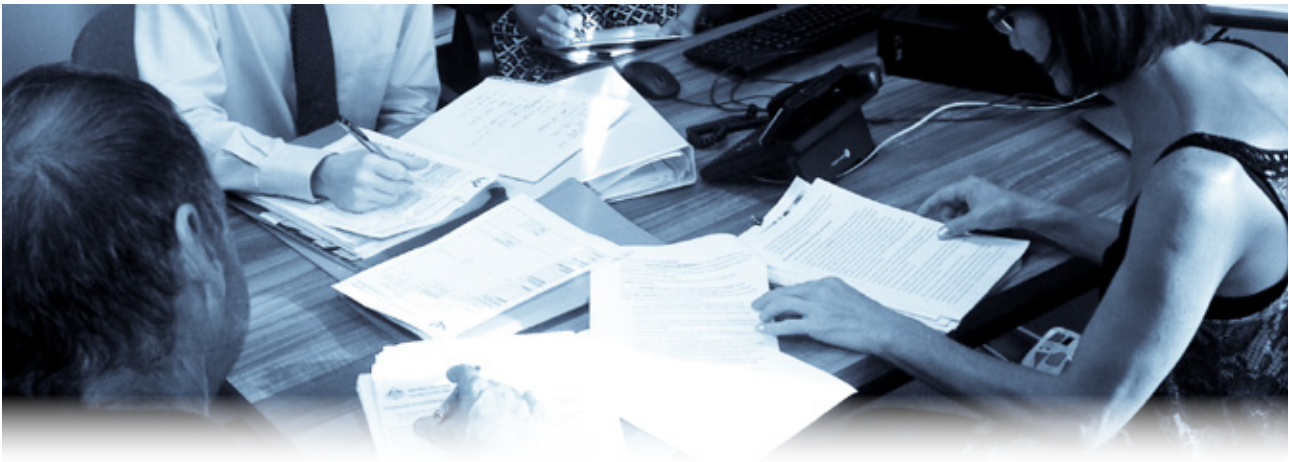
The firms that work with QPILCH have always stepped up to the plate as QPILCH has innovated and designed new programs that allow firms to engage with pro bono work in different ways that cater to the varying levels of capacity and areas of interest. Firms now have a varied menu of ways to get involved – with the commitment ranging from sending a solicitor to spend a couple of hours a month at the Self Representation Service to accepting referrals of cases that need full pro bono representation.

In 2001, when we approached firms seeking support to establish QPILCH, many firms were ready and willing to help. This was a marked change from several years earlier when similar approaches had not been as fruitful.

In 2016, we see a very professional approach to pro bono. The firms' attitude to pro bono work has continued to mature with many larger and mid-tier firms having dedicated pro bono coordinators, nationally-organised programs and priority areas identified after consultation with staff. Importantly, we see many firms offering fee relief to the lawyers for the pro bono work they do, which makes the contribution truly 'from the firm' and not just something the lawyer must squeeze in around paid work. Of equal importance are the small firms, including sole practitioners, who have contributed in many different but always practical ways.

Every lawyer I speak to in my role as QPILCH President is immensely proud of their firm's pro bono work, and takes pride in the particular features which make it unique. It is also reassuring to see how quickly firms will work together to help a client when the situation demands it.

I am sure the stories captured in this publication will demonstrate how much there is to be proud of for all lawyers and law firm staff who have been involved over the years – so many individual people helped, injustices addressed, and importantly, a strong culture of pro bono has become embedded in the profession to ensure that wherever the need arises, there will be firms willing to help.



## Introduction

The Queensland Public Interest Law Clearing House Incorporated (QPILCH) was established to address poverty and distress by coordinating pro bono services to:

- identify major issues of public interest needing legal assistance best provided by lawyers in the private sector;
- match disadvantaged and unrepresented individuals and associations with lawyers in private practice willing to provide legal services without charge or at reduced rates; and
- tap the diverse skills and resources of lawyers in private practice and other related service providers and bring them to bear on a broad range of public interest matters.

Looking back to these aims, framed by QPILCH's founders, they remain as true today as they were in 2001. The development of QPILCH over the last 15 years shows how the hopes expressed back in 2001 have been realised.

The founding members believed that community benefits would come through the creation of QPILCH:

- greater equity of access to the justice system;
- a centralised place for easier access to assistance; and
- maximising benefits and resources by focusing on the public interest.

Benefits for law firms were also apparent:

- new opportunities for staff in law firms outside their usual experience;
- spreading the load of pro bono work across firms;
- pro bono becoming the responsibility of firms and not just individual lawyers; and
- increased job satisfaction for young (and not-so-young) lawyers.

QPILCH was created by the legal profession in 2001 because of the reduction in government funding for

civil legal aid from the early 1990s as more and more funds were earmarked for criminal and family law for indigent citizens.

Delegates at the first national pro bono conference in 1999 resoundingly agreed that law firms and barristers could provide the legal skills and knowledge to help address the worst aspects of the cuts by helping those who had no chance of obtaining legal assistance. However, it was also recognised that government had a role to play in funding the coordination of pro bono work, as well as continuing to fund civil legal aid.

The unique Australian clearing house structure was developed in Sydney in 1992, followed soon after in Melbourne in 1994 to facilitate access to justice. Civil society cannot operate without a justice system that is founded on equal access. Equal justice is an ideal towards which all lawyers work, and the greatest impact is achieved if we work collaboratively.

The work done by QPILCH members is often the hard and complex civil law cases that other free legal services cannot provide. This work is for clients who would have nowhere to turn if QPILCH did not exist. Our members do this work because they are professional and experienced firms with skilled and confident lawyers. They are committed to providing the same level of legal service on a pro bono basis that they provide to paying clients.

In 2015-16, Queensland law firms provided more than 22,000 hours of structured pro bono work to Queensland communities through their involvement with QPILCH, and many more hours directly through the firm or with partners such as other Community Legal Centres.

This publication stands as a record of the work of the law firms that are members of QPILCH and that participate in the Queensland Law Society Pro Bono Service, managed by QPILCH for the QLS, as at

June 2016. It also documents some of the history of structured pro bono in Queensland since 2001.

The profession's small contribution in relative terms has developed new partnerships and new methods for providing legal services for the most disadvantaged – services that are targeted, innovative and timely. Partnerships between law firms, community legal services, community services, philanthropic organisations and government agencies have fostered new ways of operating within the legal assistance landscape.

The list of QPILCH members on the next page and the QLS Pro Bono Service participants listed in the referrals section of this publication is testament to the willingness of the legal profession in Queensland

to help fellow Queenslanders in order to make a difference in their communities.

This publication is not about QPILCH, although QPILCH is the organisation that gives structure, in part, to Queensland's pro bono efforts. It is about the work that Queensland law firms do for people who cannot afford private representation or obtain legal aid. It illustrates how the profession helps individuals and community groups by telling the stories of the clients they have helped.

QPILCH staff members and management committee members are privileged to be involved in this organisation that has such committed and generous members and skilled and assured volunteers.

## QPILCH LAW FIRM MEMBERS 2015-16

By June 2002, at the end of QPILCH's first year, 14 law firms had joined QPILCH and were accepting public interest referrals. Today, there are 39 member law firms that form the backbone of QPILCH's body of work.

The date shows the first year of membership.

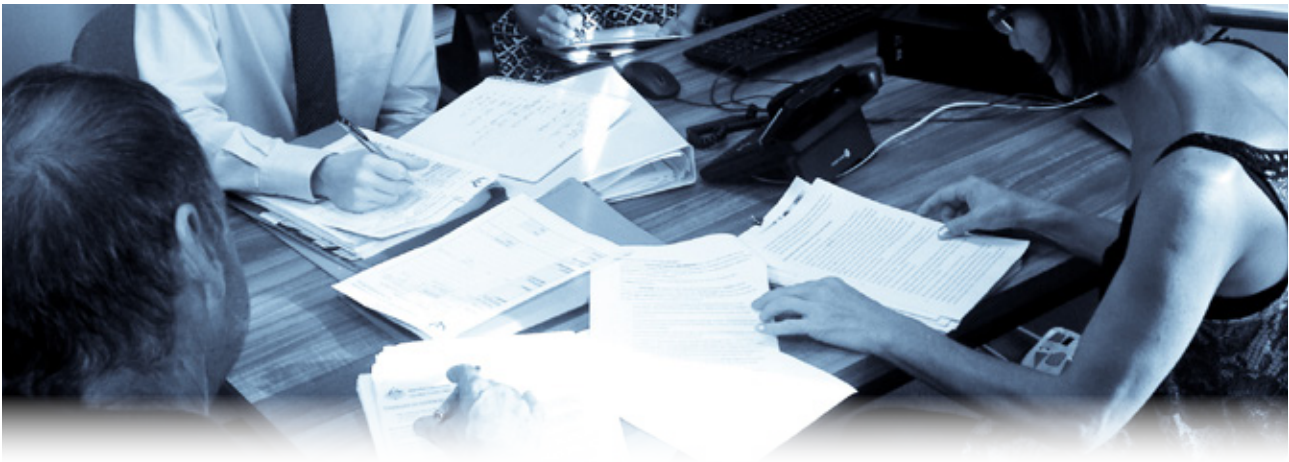
Allens (founding member 2001)  
Ashurst (founding member 2001)  
Australian Workplace Lawyers (2008)  
Baker & McKenzie (2015)  
Barry.Nilsson Lawyers (2012)  
Bartley Cohen (2002)  
Butler McDermott Lawyers (Nambour) (2011)  
Clayton Utz (founding member 2001)  
Colin Biggers & Paisley (2015)  
Cooper Grace Ward (2003)  
Corrs Chambers Westgarth (2004)  
DibbsBarker (2009)  
DLA Piper Australia (2004)  
Harper Finch Lawyers (2015)  
Henry Davis York Lawyers (2011)  
Herbert Smith Freehills (2002)  
Holding Redlich (2007)  
HopgoodGanim Lawyers (2016)  
HWL Ebsworth (2009)

King & Wood Mallesons (founding member 2001)  
K&L Gates (2012)  
Lander & Rogers Lawyers (2014)  
Maurice Blackburn Lawyers (2009)  
McCullough Robertson Lawyers (founding member 2001)  
McInnes Wilson Lawyers (2002)  
McPhee Lawyers (2005)  
MinterEllison (founding member 2001)  
Moulis Legal (2016)  
MurphySchmidt Solicitors (2002)  
Norton Rose Fulbright Australia (2003)  
Piper Alderman (2005)  
Shine Lawyers (2002)  
Slater+Gordon Lawyers (2008)  
Sparke Helmore Lawyers (2005)  
Splatt Lawyers (2014)  
TressCox Lawyers (2005)  
Walker Lawyers (Toowoomba) (2002)  
WF Yau Lawyers & Notary (2014)  
Wotton + Kearney (2014)

*"The work of QPILCH is of great importance to the due administration of justice; and it does great credit to the legal profession in Queensland."*

The Honourable Patrick Keane, Chief Justice of the Federal Court of Australia (now Justice of the High Court of Australia), by letter dated 18 December 2012.





## REFERRING CIVIL LAW CASES FOR PRO BONO REPRESENTATION

Comprised of the *Public Interest Referral Service* and the *QLS and Bar Pro Bono Referral Service*, QPILCH's Referral Service distributes matters to firms and barristers where the applicant cannot afford a lawyer or obtain legal aid and the case justifies pro bono assistance. Referral Service applicants are often highly vulnerable and at the 'end-of-the-line' in seeking legal help.

The Referral Service began in 2001 as QPILCH's primary function, and from which QPILCH drew its name as the central place to assess and broker cases for pro bono representation.

Membership of QPILCH (for which a membership fee is required) automatically entitles a firm to receive public interest referrals. The QLS Pro Bono Referral Service is open to any law firm and the referrals do not need a public interest element.

In the first year, 50 applications were assessed and 17 referred. In 2015-16, 461 applications were assessed and 131 referrals were taken up by law firms as a client of the firm. Over the last 15 years, almost 4,000 applications have been assessed and more than 1,200 people have obtained full pro bono representation.

The firms listed operate in many different ways. Some have sophisticated pro bono practices and clear guidelines and priorities. Others have less formal processes. Some prefer to do work for community organisations, while others focus on helping individuals experiencing hardship. However a firm operates, QPILCH works to create volunteer opportunities that fit all firm sizes and interests, and this has resulted in a high level of pro bono work in Queensland.

### Public Interest Referral Service

The Public Interest Referral Service refers matters that have a public interest element to *member* firms and barristers. This might mean that the matter:

- affects a significant number of people;
- raises issues of broad public concern;
- requires legal intervention to avoid a significant avoidable injustice; or
- particularly impacts on disadvantaged or marginalised groups.

### Partner firms

All the QPILCH members on the previous page participate in the Public Interest Referral Service.

### Public interest cases

Law firms and barristers traditionally work hand in hand – with law firms providing advice and preparing briefs and barristers providing specialist advice and advocacy. It is this relationship that supports an independent judiciary, which is central to the rule of law. The independence of the profession is also necessary in ensuring that people obtain advice regarding the existence and extent of their rights and duties, and this is no less important in the provision of pro bono services.

The stories below are just a few examples of the many referrals that show the breadth of the pro bono work undertaken by Queensland law firms, at times in partnership with members of the private bar.

Several QPILCH member firms give pro bono priority to helping Indigenous Australians. **Allens** assisted a number of Indigenous clients with 'Stolen Wages' claims. Up until the early 1970s, many Aboriginal and Islander people were forced to work under a restrictive scheme that saw them removed

## Team leader: **Jessica Thrower**



Since September 2015, **Jessica Thrower** has been Clayton Utz's Pro Bono Coordinator in its Brisbane Office. **Alyce Elder** has also acted as Pro Bono Coordinator

The Clayton Utz pro bono practice is focused on access to justice. It acts for low income and disadvantaged people who cannot obtain legal aid and for the not-for-profit organisations which support them, and has a particular focus on clients in regional and remote Australia.

Clayton Utz lawyers have always provided pro bono work, but the firm has had a structured pro bono practice in Brisbane since 2000 and was one of QPILCH's founding members. Clayton Utz was the first large Australian law firm to appoint a full-time pro bono partner - David Hillard.

Clayton Utz believes that all of its lawyers, regardless of their seniority or area of law, have a fundamental professional responsibility to conduct pro bono work as part of their everyday legal practice. To help institutionalise pro bono work, the firm: recognises pro bono work as

billable time; participation is part of every lawyer's annual performance review and is a financial KPI for every lawyer; has set internal targets to ensure that the majority of its pro bono work is for people rather than for not-for-profit organisations; has built pro bono performance into its bonus calculations; and has increased partner participation in the Brisbane office to a high of 84% in FY2016. One in every 27 hours of legal work conducted by Clayton Utz in FY2016 was for a pro bono client.

Jessica works alongside a senior lawyer and partner in the Brisbane office and works closely with the national team.

"I feel extremely privileged to be part of the Clayton Utz pro bono team. I have always had a strong sense of social justice, and it is incredible to see the resources of a large corporate firm help to 'fill the gaps' in access to justice. I love collaborating with the legal assistance sector and other pro bono colleagues to identify legal needs and barriers for disadvantaged groups, and develop mechanisms to assist. I'm very fortunate to be able to do this as part of my everyday work", Jessica said.

As Brisbane office coordinator, Jessica supervises Clayton Utz's referrals from QPILCH through the public interest and QLS services and its participation in all of QPILCH's clinics - Homeless Persons' Legal Clinic at Pindari Men's Hostel and Pindari Women's Hostel, LegalPod, the Self Representation Service - Queensland Courts, Federal Courts and QCAT.

Beyond QPILCH, Clayton Utz acted in FY2016 for clients referred from Caxton Legal Centre, Cairns Community Legal Centre and Women's Legal Service Queensland. Clayton Utz also conducts an Employment Law Scheme with Caxton Legal Centre. The firm acted for clients in 19 regional Queensland communities in FY2016 and also advised not-for-profit organisations in Queensland on a pro bono basis. It has also championed the development of the Health Justice Partnership model across Australia, including support for Women's Legal Service Queensland in its partnership with Logan Hospital.

"Of course, pro bono is about more than just the hours. Pro bono is about making the legal system accessible and achieving real and meaningful outcomes for our clients", Jessica added.

from their homes to work as stockmen and domestics around Queensland. Their wages were administered by the government and a portion was used for the upkeep of the government reserves where they lived and for other purposes. In 1999, the *Indigenous Wages Reparation Scheme* was established by the Queensland Government to compensate people who had worked under the regime. Some people sought advice about accepting the compensation offered, while others sought a return of the wages they believed had not been paid. **Allens** assisted claimants to navigate this

process, undertook detailed investigation and gave comprehensive advice.

**Ashurst**, an international firm that focuses on individual hardship, assisted a 70-year-old disabled man with significant health issues and who was at risk of homelessness. The applicant was seeking to recover the value of his beneficial interest in a property owned by his son-in-law. After his daughter and son-in-law separated, the applicant's son-in-law attempted to evict him for allegedly failing to pay rent. **Ashurst** successfully assisted the applicant defend the eviction application in the Queensland

Civil and Administrative Tribunal (QCAT) and subsequently lodged a caveat to protect his interest in the property. Ashurst then assisted the applicant to negotiate a settlement with his son-in-law recovering a large percentage of the money he invested. Cases involving elder financial abuse are frequently referred for pro bono assistance.

**Bartley Cohen** accepted a referral to assist an applicant, the owner of a residence in a residential park, who was concerned that the park owner in which he lived did not recognise his residence as being a “manufactured home” and therefore protected under the *Manufactured Homes (Residential Parks) Act 2003*. A confidential settlement was negotiated for the applicant. The firm also assisted residents of a mobile home park in relation to a development approval. This case became protracted litigation which was finalised in the clients’ favour after reaching the Court of Appeal.

**Barry.Nilsson Lawyers** assisted Sarah, a single mother with two children who was at risk of homelessness. Sarah and her ex-husband entered into a rental purchase agreement with the Department of Housing and Public Works. Barry.Nilsson assisted Sarah to obtain a property settlement through the Family Court of Australia and re-negotiate the purchase arrangements with the Department of Housing, ensuring that she retain her interest in the property, providing security for her and her children.

**Butler McDermott** assisted Jane, an elderly applicant with a contractual dispute arising from her failure to pay body corporate fees at a retirement village. Jane fell into arrears after her husband passed away. Butler McDermott assisted Jane to negotiate with the retirement village and entered into a payment plan to clear the debt. Jane was able to keep possession of her residence.

**Clayton Utz**, a national firm with a deep pro bono culture, assisted a 56-year-old indigenous man with literacy issues who lives in public housing. The applicant was involved in a motor vehicle accident while driving a truck for a freight company. The driver of the other vehicle commenced proceedings in the Magistrates Court seeking substantial damages. Clayton Utz, with the assistance of Stephen Colditz of Counsel, negotiated on the applicant’s behalf with the other driver and the freight company, and assisted the applicant to file a defence. Shortly after the defence was filed, the claim against the applicant was discontinued.

**DibbsBarker** has taken on several public interest referrals since joining QPILCH in 2009. The firm is currently assisting an elderly couple Greg and Fran in relation to a property ownership dispute with their

son. The son, who Greg and Fran discovered was listed as joint tenant on the title to their property despite not contributing to the purchase price, demanded that they sell the house and give him a substantial sum. DibbsBarker is assisting Greg and Fran to negotiate a resolution to their dispute. Past referrals include assisting: Jane to recover sale proceeds that were misappropriated by persons with whom she jointly owned property; Agnes to defend a proceeding brought against her by her former music management company; and Elaine to bring an appeal against a decision to evict her from her State housing accommodation.

**Harper Finch** provided assistance to a highly vulnerable man facing a minor criminal charge and subsequent deportation. Although QPILCH does not generally assist with criminal matters, this matter was referred because of the vulnerability of the applicant. Harper Finch provided assistance by making submissions in favour of the applicant at his sentencing hearing.

Alex was allegedly unfairly dismissed from her employment after being diagnosed with breast cancer and was at risk of homelessness. **HWL Ebsworth** and barrister Steven Hogg assisted her to negotiate a favorable settlement of her Federal Magistrates Court claim to compensate her for unpaid wages.

**HopgoodGanim Lawyers** and barrister Kasey McAuliffe-Lake are assisting Adam, a 23-year old man who is profoundly deaf. Adam is pursuing a discrimination complaint in the Queensland Civil and Administrative Tribunal (QCAT) after an internet service provider refused to communicate with him by email. HopgoodGanim are providing Adam with assistance to prepare statements of evidence, with Ms McAuliffe-Lake representing Adam at a compulsory conference.

**Maurice Blackburn** is assisting Trent, a 52-year old man with physical and intellectual disabilities who was medically retired from his employer after they assessed that his medical conditions impaired his ability to perform his duties. Maurice Blackburn provided advice to Trent in respect of his unfair dismissal claim, and in relation to a Total and Permanent Disability insurance claim.

With a strong commitment to professional responsibility, **MurphySchmidt Solicitors** readily accepted the first QPILCH referral that resulted in a court decision. In *Baker Johnson v Jorgensen*, the defendant was sued by her former solicitor for unpaid legal fees, which exceeded the damages awarded to her in a personal injuries case by more than 100%. MurphySchmidt successfully defended the claim. This case led to a review of the way



solicitors could charge in personal injuries cases and resulted in the Queensland Law Society's 50/50 rule, permitting lawyers to claim in costs no more than 50% of the damages award.

**MinterEllison** and barrister Mark Steele assisted Amy with a sexual harassment and victimisation claim. Amy planned to represent herself in QCAT; however she was advised to obtain legal assistance due to the complex nature of her claim. MinterEllison assisted Amy to prepare for her QCAT hearing and Mark assisted Amy settle the matter favourably prior to the hearing.

**Piper Alderman** assisted Ellen, a disabled pensioner in her fifties whose home was severely damaged in the 2011 floods. Ellen's insurer rejected her insurance claim. Piper Alderman provided advice to Ellen and successfully negotiated with her insurer, which paid out Ellen's claim. Piper Alderman is assisting a small business which provides services to small businesses, social enterprises and not-for-profit organisations with a specialist niche in the Indigenous sector. The firm is providing advice regarding third party contractors and data security.

**Shine Lawyers** provided sensitive and specialized support to the parents of children who had been in a government facility which provided long term in-patient mental health treatment for adolescents. Upon closure of the facility, the families alleged that their children were not transferred to appropriate alternate accommodation. They allege that this failure of care resulted in detrimental impacts with severe consequences. Shine Lawyers represented three families at the recently completed Commission of Inquiry into the facility's closure. They continue to support the families at the upcoming coronial inquests.

**Slater+Gordon Lawyers** assisted James, a 60 year old man who was bankrupt and suffering from severe depression, and his wife Mabel. James assisted his children to purchase a property on the condition that he could occupy it for life. Although the children were liable for the mortgage on the property, James and Mabel made significant improvements, paid the interest on the loan and contributed to the principal loan amount. In 2010, James' children obtained an order from QCAT evicting James and Mabel from the property. Slater+Gordon Lawyers and barristers Richard Lilley SC and David Chesterman assisted James and Mabel to reach a confidential settlement with the children, permitting them to remain in their home.

**Sparke Helmore** assisted Sarah who had been in protracted proceedings after the Office of the

Public Guardian (OPG) was appointed as guardian of her mother. Sarah was concerned about the accommodation and health services that her mother was receiving. Sparke Helmore and Chris Templeton of Counsel represented Sarah at an appeal of a Queensland Civil and Administrative Tribunal decision. Sarah's appeal was successful and her matter was remitted to QCAT for rehearing. At the rehearing of the matter Sarah was successful in having the OPG removed and was appointed as her mother's guardian.

## Helping not-for-profits

Law firms readily help community organisations established to support vulnerable communities with incorporation, tax status, rule changes and other issues that regularly arise, regarding a healthy and vibrant not-for-profit sector as a vital part of civil society. Requests by not-for-profit organisations (NFP) are referred through the Public Interest Referral Service.

**Corrs Chambers Westgarth** has accepted a number of referrals to assist not-for-profit organisations, assisting with matters as diverse as negotiating lease arrangements, providing advice on employment contracts, and assisting with the drafting of privacy policies.

**DLA Piper** is currently providing advice to a not-for-profit organisation that provides social and affordable housing services. The organisation is seeking to setup a community land trust with the aim of providing perpetual affordable housing and DLA Piper is assisting the organisation to finalise a property co-ownership deed.

**Cooper Grace Ward** assisted an organisation seeking to establish a charity to support siblings of children suffering serious illnesses. The firm provided general advice on the required business structure, insurance and taxation advice and assisted the organisation to apply for pre-endorsement approval as a deductible gift recipient.

**Holding Redlich** is currently assisting a not-for-profit community organisation that provides services to young women affected by homelessness and sexual assault to amend its constitution.

**King & Wood Mallesons** provided advice to a not-for-profit organisation that assists disabled elderly people maintain their independence. The firm reviewed and updated the organisation's policies and consent forms to comply with changes to the Australian Privacy Principles.

**K&L Gates** assisted a not-for-profit organisation with a leasing dispute. It had entered into a written general tenancy agreement with a verbal



agreement to contribute towards the payment of rates. Subsequent owners of the premises sought a declaration that the lease was invalid and commenced proceedings in QCAT. K&L Gates represented the organisation at the tribunal hearing where the lease was deemed valid.

**McCullough Robertson** has a strong not-for-profit practice as part of its suite of services. The firm assisted a disability group in regional Queensland in a substantial case in our first full-year of operation, instructing barrister Dan O’Gorman (then a member of the junior bar), in a five day Anti-Discrimination Tribunal hearing over a local authority’s facilities for the disabled. In addition to this case, McCullough Robertson has helped many not-for-profit organisations across Queensland and other parts of Australia. It has also provided extensive support to developing Queensland materials for *Not for Profit Law*, a national initiative of *JusticeConnect*.

In 2003-04 alone, **Norton Rose Fulbright** (formerly Deacons) assisted a community school to incorporate; a housing cooperative in relation to possible taxation and regulatory requirements which could impact on its not-for-profit status arising from proposed development of affordable housing; an educational foundation to apply for gift deductibility status with the Australian Taxation Office; a community group to understand a new service agreement required for government funding; and along with barrister Damien O’Brien (then a member of the junior bar), helped an Indigenous group determine the validity of a deed of assignment in relation to Native Title rights and dealing with a joint venture partner.

This year, the firm is providing advice to an unincorporated group which represents a number of Indigenous Australians alleging the Queensland government unlawfully withheld their wages. Norton Rose Fulbright is providing advice on whether the groups’ members have a claim for breach of trust and whether they can make a complaint to the Australian Human Rights Commission.

Planning cases can be difficult to refer because of potential legal conflicts. **Nathan Lawrys** advised two not-for-profit organisations with environmental planning matters, one resulting in a negotiated settlement.

**TressCox** is assisting a not-for-profit organisation that provides support and counseling services to people with eating disorders. The organisation reached an agreement with another NFP to submit a joint tender for government funding. The tender was accepted and they entered into a service agreement. As a result, TressCox is assisting the applicant to

enter into a sub-contract to operate in conjunction with an existing memorandum of understanding for therapeutic services. This contract will help them understand their roles and responsibilities and assist them to meet the outputs specified in the service agreement.

## Supporting Community Legal Centres (CLC)

Despite providing the bulk of free legal advice and information services, Queensland CLCs have operated under severe funding constraints since they were first established in Queensland in 1977. They have always had significant support from individual lawyers giving their free time to volunteer at evening advice sessions and in managing CLCs. In the last 15 years, law firms have played a greater role in providing pro bono support and advice to CLCs in a range of issues.

**Allens, Ashurst, Corrs Chambers Westgarth, Clayton Utz, Herbert Smith Freehills, McCullough Robertson** and **MinterEllison** have assisted QPILCH with legal advice and administrative support that has benefited QPILCH and other Community Legal Centres. This has included help in negotiating lease arrangements, providing advice on employment contracts and tax issues, assisting with the drafting of privacy and other policies, obtaining DGR status, information about compliance issues and association matters, setting up and maintaining computer systems and developing risk management and

## Consumer Law Advice Clinic

Except for a small service at Legal Aid Queensland for people who could qualify for its services, Queensland’s only specialised legal assistance in consumer law matters was closed in 1999. To address this chasm in legal need (at the time the largest legal need in Queensland), **Clayton Utz** in partnership with the TC Beirne School of Law and QPILCH established the Consumer Law Advice Clinic. Clayton Utz seconded a senior solicitor to QPILCH in 2004 for three days per week for five university semesters over 2.5 years. Many clients were assisted over this period. On completion of this secondment, **Ashurst** seconded a solicitor for a further semester. With the help of Clayton Utz and Ashurst, a submission was made by Caxton Legal Centre and QPILCH for funding to create a new full-time consumer law service at Caxton, a service that continues to this day. On 13 April 2005, the Consumer Law Advice Clinic was awarded the Minister for Fair Trading’s “Award for Excellence in Consumer Protection”.

administrative systems. **MinterEllison** is currently helping QPILCH with trademark and related issues.

**Colin Biggers & Paisley Lawyers** is assisting a regional legal service in relation to its family violence, family law and child protection pilot program. The program requires the service to work collaboratively with other legal and non-legal community service providers. CBP is providing advice about the service's privacy and confidentiality obligations in managing personal information.

**McInnes Wilson** assisted a regional community legal centre with the drafting and review of a self-help kit compiled for clients with personal injuries claims.

**McPhee Lawyers** is a small family law specialist firm in New Farm, Brisbane. It has helped a number of CLC lawyers with expert family law advice, an area of law in which clients are not routinely referred by QPILCH.

## QLS Pro Bono Referral Service

The QLS Pro Bono Service refers matters to participating firms where the applicant is experiencing hardship and the matter involves a meritorious legal claim.

### QLS PRO BONO SERVICE PARTNER FIRMS

<b>Aitken Whyte</b>	<b>K&amp;L Gates</b>
<b>Allens</b>	<b>Kafrouni Lawyers</b>
<b>Ashurst</b>	<b>Kelly Legal (Mackay)</b>
<b>Australian Workplace Lawyers</b>	<b>Kerrin Anderson</b>
<b>Baker &amp; McKenzie</b>	<b>KM Splatt &amp; Associates</b>
<b>Bartley Cohen Litigation Lawyers</b>	<b>Landers &amp; Rogers</b>
<b>Bealla Legal</b>	<b>Lee Turnbull (Townsville)</b>
<b>Berrigan Doube Lawyers</b>	<b>Macrossan &amp; Amiet (Mackay)</b>
<b>Bevan &amp; Griffin (Townsville)</b>	<b>Martinez Lawyers</b>
<b>BN Law</b>	<b>MD Lawyers</b>
<b>BT Lawyers</b>	<b>Murray &amp; Lyons (Cairns)</b>
<b>Butler McDermott (Sunshine Coast)</b>	<b>Payne Butler Lang (Bundaberg)</b>
<b>Byrnes Business Lawyers (Townsville)</b>	<b>Piper Alderman</b>
<b>CBP Lawyers</b>	<b>Queensland Lawyers (Cairns)</b>
<b>Clayton Utz</b>	<b>RGB Lawyers</b>
<b>Cronin Litigation (Gold Coast)</b>	<b>Rostron Carlyle Solicitors</b>
<b>DibbsBarker</b>	<b>RTB Legal (Mackay)</b>
<b>Franklin, Athanasellis &amp; Cullen</b>	<b>Ruddy Tomlins Baxter (Townsville)</b>
<b>Henry Davis York</b>	<b>Shine Lawyers</b>
<b>Herbert Smith Freehills</b>	<b>Slater+Gordon Lawyers</b>
<b>HopgoodGanim</b>	<b>Sparke Helmore Lawyers</b>
<b>HWL Ebsworth Lawyers</b>	<b>Tresscox Lawyers</b>
<b>HW Litigation (Gold Coast)</b>	<b>Trudie Rogers Medical Lawyers</b>
<b>International Aerospace Law &amp; Policy Group</b>	<b>Wettenhall Silva Solicitors (Cairns)</b>
<b>Irish Bentley</b>	<b>Williams Associates Lawyers</b>
	<b>Williams Graham Carman Lawyers (Cairns)</b>

## QLS referral cases

**BTLawyers** (formerly Bruce Thomas Lawyers) has assisted in a number of matters since QPILCH began managing the QLS Pro Bono Referral Service in 2008. In 2009-10, the firm assisted an elderly man claim an interest in property in which he had lived with his wife for 23 years. Shortly before her death, his wife willed the property to other family members, in circumstances where capacity and duress were in question. With Matt Black of Counsel, the firm also represented a man who was the primary carer of four children, including a baby with a disability, to successfully appeal the decision of the Social Security Appeals Tribunal regarding the assessment of income for child support purposes. In 2010-11, the firm and Matt Black of Counsel assisted a small building company to defend an appeal against an order granting a summary judgment; and assisted another client to resolve a dispute with his family over the ownership of property.

**Butler McDermott Lawyers** recently assisted Ken, a 21-year-old man with an intellectual impairment who alleged that he was physically, psychologically and financially abused by his family. Ken was withdrawn from his final year of high school and forced to work on the family farm where he worked long hours and was paid minimal or no wages. Ken alleged that during this time, his step-father and step-grandfather physically abused him and denied him access to medical services. Butler McDermott Lawyers provided the applicant with advice on his prospects of pursuing a number of different claims. Because of his poor health and personal situation, the applicant decided not to pursue the matter. Ken expressed his gratitude to Butler McDermott for providing advice on his rights and legal options.

**Cronin Litigation Lawyers** and Hugh Scott-Mackenzie of Counsel helped a 23-year old Turkish man recover his family's savings misappropriated by his mother-in-law to expand her business.

**Henry Davis York** is assisting a 68-year-old man to recover his interest in a property. The applicant borrowed a significant sum from his son-in-law and signed what he believed was security for the loan. The applicant's son-in-law subsequently took steps to sell the applicant's property at which point the applicant became aware that he had unknowingly transferred his property to his son-in-law.

**Irish Bentley Lawyers** recently assisted a 75-year-old man who paid a friend a large sum to construct an extension on their house for the applicant to live in for the rest of his life. The applicant was later hospitalised, at which point his friend evicted him from the house. As a result, the applicant was

forced to live in a hostel as he was unable to afford alternative accommodation. Irish Bentley Lawyers assisted the applicant to negotiate a favourable settlement agreement with the applicant's friend.

Cairns firm **Wettenhall Silva Solicitors** recently assisted Chloe, a young Indigenous woman from rural Queensland who was the victim of a sexual assault when she was three years old. The offender was found guilty and sentenced to nine years in prison. Wettenhall Silva solicitors assisted Chloe to make an application to Victims of Crime Queensland and she was able to obtain the maximum compensation payable under the *Victims of Crime Assistance Act 2009* (Qld) compensation scheme.

## Townsville office referrals

The following firms accept direct referrals from QPILCH's Townsville office and Brisbane based firms also accept regional referrals.

### TOWNSVILLE PARTNER FIRMS

**Anderson Fredericks  
Turner  
CBC Lawyers  
Connolly Suthers**

**Mackey Wales Law  
Purcell Taylor  
Wilson Ryan Grose**

**Anderson Fredericks Turner** (previously Fredericks Heywood) assisted an indigenous woman with a court application to ensure a deceased member of her family was buried in accordance with his declared wishes; and assisted an organisation to apply to QCAT for exemption under a statute because the provisions of the statute were culturally inappropriate and potentially a threat to the viability of the organisation.

**Ashurst** accepted a Townsville referral to advise an elderly disabled Aboriginal man in regard to a claim to an equitable interest in property and/or compensation following his substantial investment in improvements to a property he did not own and from which he had been evicted.

**McCullough Robertson** assisted key organisations in Townsville that are part of the community legal sector. They acted pro bono for the Aboriginal and Torres Strait Islander Women's Legal Service, Women's Legal Service North Queensland and QPILCH (in Townsville) to negotiate and finalise the leases of their premises.

**Wilson Ryan Grose** provided advice to a kindergarten in an employment matter; and also assisted an indigenous organisation by drafting an agreement to enter into a business joint venture with another organisation.

## Other legal and non-legal support

### Secondments

Since 2002, a number of firms have seconded legal staff to QPILCH to undertake projects and to assist in the assessment of applications. Without this significant support, staff members could not have assessed the number of often complicated cases, written the many submissions and reports, researched and started new projects and coordinated the profession's involvement. The work of secondees is outlined throughout this document. The secondments are now too numerous to list, but the following examples illustrate early and enduring support for the Referral Service.

**MinterEllison** made the first secondment to the Referral Service in February 2003, **Allens** seconded a solicitor in September 2003 and **McCullough Robertson** followed in March 2004 to help with referral assessment. In 2005, **Allens** also seconded a solicitor to develop a project to extend our services to rural, regional and remote Queensland. Three pilot projects were established between **Allens** and a small rural firm in Emerald, **Ashurst** and a small firm in Atherton and **Clayton Utz** and a small firm in Mt Isa. Clayton Utz also seconded a senior lawyer to the Taylor Street Community Legal Centre (Hervey Bay) in 2007 to help that centre develop its services.

**Corrs Chambers Westgarth** has an extensive secondment program across Australia, seconding legal staff to the state clearing houses and other Community Legal Centres. This support has given QPILCH an extra full-time staff member since March 2008, a resource that has significantly helped QPILCH to increase the capacity of the Referral Service to assess applications for assistance and match eligible clients with participating firms and barristers.

**Ashurst**, **DLA Piper**, **MinterEllison**, **Norton Rose Fulbright**, **Sparke Helmore** and **TressCox Lawyers** have all provided short term secondments during times of high demand.

### Research

Law firms have been ready to assist QPILCH to conduct legal and socio-legal research on many occasions.

**Ashurst** and then **Clayton Utz** updated the limitation schedule, originally developed by Caxton Legal Centre. The schedule provides an important resource of most limitation periods, primarily to assist Community Legal Centres to have ready access to this critical information.

**MinterEllison** undertook considerable research for a QPILCH submission on litigation funding, a report



## Pro bono partner: **Joanne Rennick**



“MurphySchmidt has benefitted enormously from its involvement with QPILCH” said **Joanne Rennick**, MurphySchmidt Managing and Pro Bono Partner and former QPILCH president (2007-10).

“As a small partnership (currently 5 partners), membership in QPILCH has given direction to our pro bono commitments and, at the same time, allowed us to participate in a much broader range of pro bono activities than would be possible if we were operating in isolation. Like many firms, our pro bono contributions pre-QPILCH were sometimes ad hoc and often influenced by partners’ personal interests. Within the QPILCH framework, we can be sure our services are being channeled into areas and to clients of most need.

“The work we undertake in various clinics also aligns quite well with the firm’s professional skills and allows us to optimize our involvement, in terms of both time and outcome. With the administrative aspects of the clinics being handled professionally and efficiently by QPILCH staff, our involvement can be purely client-focused.

“Our staff members see real benefit in their involvement and enjoy the collegiate atmosphere of QPILCH training sessions and functions. They take pride in being involved in a profession-wide initiative and participate willingly and enthusiastically in the firm’s pro bono activities.

I think it’s this feeling of belonging to something bigger than our individual contributions that is the secret to QPILCH’s success.”

that was subsequently used by the UK Civil Justice Council in its review of the issue.

**Corrs Chambers Westgarth** and barristers Damien O’Brien QC (then of the junior bar), Darryl Rangiah (as he then was) and Peter Lyons QC (as he then was) assisted QPILCH in drafting a research paper on the law on costs in public interest litigation and suggestions for reform, in preparation for a meeting with the Queensland Parliament’s Legal Constitutional and Administrative Review Committee.

Four member firms enabled QPILCH to make a detailed submission to the 2014 *Inquiry into Access to Justice Arrangements* undertaken by the Productivity Commission. The firms were **Ashurst, King & Wood Mallesons, McCullough Robertson**, and **MinterEllison**. McCullough Robertson also committed funds to enable QPILCH to employ a consultant to coordinate and contribute to the development of the submission.

**Baker & McKenzie** assisted QPILCH with research for a submission to the Human Rights Inquiry in Queensland. The firm provided detailed and helpful research about SPER, child protection, tenancy and mental health law which helped QPILCH shape its position.

### Training support

Many law firms assist QPILCH and other CLCs with speakers and hosting for training events. This has been a substantial commitment of resources over the last 15 years.

In 2005, **MurphySchmidt** and **Clayton Utz** hosted QPILCH’s first major training session on guardianship and administration, followed in 2006 with training on anti-discrimination law hosted by **Norton Rose Fullbright** (Deacons) and **DLA Piper** (Phillips Fox). **DLA Piper** also provided training on costs issues for CLCs and volunteers. Many hundreds of sessions on a range of legal issues have been hosted by member firms since. In 2015 and 2016, **Holding Redlich** hosted training on legal issues of relevance to Community Legal Centres.

### Resources

Over a number of years, **McCullough Robertson**’s IT section has provided computing training to QPILCH staff and has provided QPILCH with computers and IT support.

In 2002, QPILCH occupied for 12 months office space donated by **Shine Lawyers** (Shine Roche McGowan).





## HELPING THE HOMELESS

Homeless people are among the most vulnerable Australians. QPILCH identified this group in its first year as warranting special focus and in December 2002, the Homeless Persons' Legal Clinic (HPLC) was established. A number of firms immediately saw how they could use their resources effectively to assist these most vulnerable people in our communities. Member law firms have not shied away from helping the homeless since the HPLC's inception.

Despite broad attempts to reduce homelessness in Queensland, it continues to be a serious problem, due to the shortage of public housing and high levels of family violence and mental illness. This highlights the need for a two-fold approach – maintaining our efforts to assist individuals in crisis and addressing systemic problems that continue to present barriers to homeless people in finding housing and financial security.

Volunteer law firms work in collaboration with host community agencies across Queensland, where clients go for other social services and help. The HPLC delivers direct pro bono advice and representation to vulnerable people who are homeless or at risk of homelessness.

The HPLC started with three clinics in Brisbane and now operates in 17 locations across Brisbane and in Toowoomba, Townsville and Cairns.

### BRISBANE PARTNER FIRMS

<b>Allens</b>	<b>HWL Ebsworth</b>
<b>Ashurst</b>	<b>King &amp; Wood Mallesons</b>
<b>Clayton Utz</b>	<b>McCullough Robertson</b>
<b>Herbert Smith Freehills</b>	<b>MinterEllison</b>
<b>Holding Redlich</b>	<b>MurphySchmidt.</b>

The clinics are located at the New Farm Neighbourhood Centre, Brisbane Homelessness Service Collaborative, Pindari Men's Hostel, Pindari Women's Hostel, Mission Australia Roma House, Brisbane Youth Service, the 139 Club and West End Community House.

The HPLC model has also been expanded to create the Outreach Legal Clinic (OLC) for other vulnerable groups. The OLC is an innovative and collaborative phone-based model, which uses the Legal Health Check to connect vulnerable clients from four community agencies in outer Brisbane to **MinterEllison** volunteer lawyers.

### CAIRNS PARTNER FIRMS

<b>Maurice Blackburn</b>	<b>Miller Harris</b>
<b>MacDonnells Law</b>	<b>Shine Lawyers</b>

The Cairns HPLC is located at the Homelessness Service Hub.

### TOOWOOMBA PARTNER FIRMS

<b>Clewett Lawyers</b>	<b>MacDonald Law</b>
<b>Hede Byrne Lawyers</b>	<b>Kennedy Spanner</b>
<b>The Advocacy and Support Centre</b>	

The Toowoomba HPLC is located at The Basement.

### TOWNSVILLE PARTNER FIRMS

<b>Anderson Fredericks Turner</b>	
<b>Connolly Suthers</b>	<b>BCK Lawyers</b>
<b>Maurice Blackburn</b>	<b>CBC Lawyers</b>
<b>Roberts Nehmer McKee</b>	

The Townsville HPLC is located at the Women's Centre and Housing Connection.

Six of the clinics involve partnerships of several firms, demonstrating how law firms work together in providing pro bono assistance. The firms share responsibility for staffing client appointments and undertaking follow-up legal work.

## Case stories

The direct assistance provided by firm volunteers who staff the homeless clinics and the positive feedback from clients and caseworkers demonstrate the impact the HPLC has on the lives of this most vulnerable group. The practical legal help offered includes debt, housing, guardianship, victims of

## Pro bono coordinator: **Robert Reed**



**Robert Reed** is a Special Counsel and Pro Bono and Community Investment Coordinator at MinterEllison and a former QPILCH president (2010-13). He is Queensland's only full-time pro bono coordinator, overseeing a broad based community engagement and pro bono program. He was involved in establishing MinterEllison's Brisbane office structured approach to that work in 2000-2001, a model that was incorporated into the firm's national program in 2003. Under MinterEllison's Community Investment Program (CIP), he manages all partnerships with community organisations and the firm's pro bono legal work.

The CIP is overseen nationally by full-time Director, Anton Hermann. Across the firm nationally, many partners and staff coordinate various aspects of the CIP alongside their normal practices and the firm provides a number of full-time pro bono secondments (for example, to QPILCH's HPLC team).

"From the beginning we have strived to ensure that CIP work is treated as part of our business, that it is done properly and that it makes a real

and positive difference. This means we apply fee credits to pro bono legal work; focus on a number of key issues (homelessness, disadvantaged youth, alleviation of poverty, access to justice and, by extension, domestic & family violence) arrived at by surveying our partners and staff; and work in partnership with organisations that are 'on the ground' dealing with these key issues.

"In Brisbane, we commit significant resources to our HPLC participation and have worked with QPILCH on projects such as the development and launch of a telephone clinic. A highlight has been our involvement as QPILCH instructing solicitors in some significant criminal law matters for HPLC clients. We have successfully conducted a number of QPILCH-referred litigation matters for vulnerable and disadvantaged individuals and co-counselled with Caxton Legal Centre to assist a group of retirement village residents facing eviction to achieve favourable settlements. Our HPLC involvement extends to providing pro bono and in-kind assistance direct to participating host agencies" Robert said.

Robert added: "Through the CIP, all MinterEllison staff members have the opportunity to participate in effective programs to help those in need and the organisations working with them – whether that be through HPLC work, attending the Self Representation Clinics, attending Caxton Legal Centre's employment law clinic and being 'on call' to assist with research on civil law issues, taking on pro bono referrals, mentoring high school students and working with Australia's CEO Challenge to raise awareness of domestic and family violence and its impact on the workplace.

"Even after 15 years, I am still moved by client stories and outcomes achieved – both big and small – and I'm delighted to witness the passion of those who achieve those outcomes – whether they are the countless enthusiastic MinterEllison people involved in the CIP or those I meet in the broader pro bono and legal assistance sector.

"What I most enjoy about my role as CIP coordinator is being able to see and experience on a daily basis the incredible commitment of the legal profession to make a real and positive difference to those in need."

crime compensation and SPER fines and active referrals in criminal and family law.

The case stories range from the minor to the significant, and the small wins are just as important. As the first example shows, for a person who is homeless, the waiver of a small debt can make the difference between a meal and going hungry.

**DLA Piper** negotiated a reduced Centrelink monthly repayment amount from \$40 per week to \$15 per week for a mentally ill client who was having difficulty budgeting because of the amount of her

monthly repayments. This outcome permitted the client to eventually re-establish herself in housing.

Georgia was a single mother who had recently left a violent relationship and faced significant medical issues after being forced into homelessness. The Public Trustee was appointed to manage her affairs after she had a mental health episode. With the help of detailed submissions from the **Allens'** volunteer lawyers, Georgia had the Public Trustee's appointment revoked, letting her move forward with her life.

When Andrew met with **Herbert Smith Freehills** volunteer lawyers at the Homeless Persons' Legal Clinic (HPLC), he was experiencing homelessness after a period of hospitalisation with mental ill-health. He was also suffering financial hardship - facing a significant debt for a training course he had been unable to complete because of his ill-health. Through ongoing extensive legal advocacy, Herbert Smith Freehills successfully obtained a debt waiver of over \$5,000 for Andrew, allowing him to focus on his mental health recovery and secure stable accommodation.

Mya is a young Indigenous woman who was pregnant and 'sleeping rough' when she first met with **Holding Redlich** volunteer lawyers at the HPLC. Mya was also facing several minor criminal charges connected to her vulnerable circumstances. Through substantive legal advocacy, Holding Redlich obtained information from Police Prosecutions and secured a grant of legal aid representation for Mya. This assistance resulted in Mya receiving two years' probation, with no jail time or fine imposed. Mya expressed her gratitude to the HPLC, and she has now been able to secure stable housing and a car.

When Peter first met with volunteer lawyers from **HWL Ebsworth** and **MinterEllison** at the HPLC, he was facing recovery proceedings for significant debts. After the breakdown of his relationship and loss of his small business, Peter had fallen into a chronic cycle of homelessness and incarceration. The volunteer lawyers obtained pro bono tax assistance from a specialist accountancy firm and through substantive negotiations, achieved a withdrawal of prosecution regarding Peter's debts on 'public interest' grounds.

**King & Wood Mallesons** (K&WM) assisted James, a young man in crisis accommodation with a number of criminal law matters and SPER fines. K&WM volunteers helped James to have his criminal matters transferred from a regional court to Brisbane, successfully connected him to Legal Aid for representation and resolved his SPER fines.

**Maurice Blackburn** assisted May who was unable to work due to several chronic physical and mental ill-health conditions. When May first met with the firm's volunteer lawyers, she was facing severe financial hardship with significant debts to multiple creditors. Through on-going legal advocacy, May received \$10,000 worth of debt waivers, stabilising her financial position and allowing her to improve her health and housing.

When Belinda first attended the HPLC, she was struggling to pay numerous debts and unpaid fines totaling around \$47,000. Through urgent negotiations, **McCullough Robertson** volunteer lawyers were able to organise manageable payment plans and delay the repossession of Belinda's car. The volunteers also drafted urgent, detailed submissions to QCAT in relation to Belinda's residential tenancy dispute, and secured an outcome which allowed her to continue living at her property until she was able to find alternative accommodation. Belinda is now able to focus on the wellbeing of her children and reconcile her family's financial position.

**MinterEllison** took on a complex case that impacted on homeless policy. In 2006, volunteers from the firm met Bruce Rowe at the HPLC's Mission Australia Café One. Mr Rowe was a 67 year old pensioner who had become depressed and subsequently homeless after the death of his wife. He had been charged with several street offences arising from an incident in the Queen Street Mall. He had refused to leave the public toilet until he had changed his clothes after attending church and was violently arrested. Mr Rowe pleaded not guilty to the offences and was represented by QPILCH, but the work to defend the charges was performed by MinterEllison volunteer lawyers. Mr Rowe was convicted in the Magistrates Court and the conviction was upheld on appeal to the District Court. On 27 June 2008, the Queensland Court of Appeal ruled in favour of Mr Rowe, holding that the direction given by police and the arrest were unlawful. The proceedings were greatly assisted by barristers Peter Callaghan SC, Shaun Gordon, Jean Dalton SC (as she then was) and Kerri Mellifont. Subsequently, **Boe Williams Anderson Lawyers**, a firm that specialises in criminal law, assisted Mr Rowe to take an ultimately successful private prosecution against an arresting officer because he believed the police service did not take appropriate disciplinary action, and another firm **Woods Prince Lawyers** made detailed submissions to the Crime and Misconduct Commission regarding disciplinary action.

*"I am writing to thank you for all your help with my SPER fines. My financial affairs are improving and my health is also coming good. So again thank you so much."*

HPLC client's feedback about the effective legal representation he received from Herbert Smith Freehills.



## Team leader: **Colin Harris**



**Colin Harris** is the Queensland Pro Bono Coordinator for HWL Ebsworth. HWL Ebsworth's pro bono practice in Queensland was formalised in 2009 when a pro bono coordinator was appointed to implement the pro bono policy that had been developed with contributions from across the firm. Time spent on approved pro bono matters is counted towards a fee earner's overall performance. The firm believes that pro bono involvement increases job satisfaction and assists both recruitment and retention of staff.

HWL Ebsworth's pro bono practice has expanded with the firm's growth, including to all mainland States and Territories. In Queensland, it has focused on contributing through clinics coordinated by QPILCH, including the HPLC, QCAT Self Representation Service and LegalPod, and through establishing close relationships with organisations and referral sources which align with the firm's key pro bono objectives, which focus on homelessness, welfare rights and supporting the indigenous community.

Colin was appointed the Queensland pro bono coordinator in 2009 as the firm expanded its pro bono program into Queensland. His role includes establishing and maintaining relationship with pro bono stakeholders, sitting on the national pro bono committee to submit and vet proposals, matter supervision, training and working to foster a pro bono culture throughout the firm.

"I have personally enjoyed assisting a number of homeless clients to piece together events in their early lives when they suffered abuse in State care or other facilities and, over time, assisting them in obtaining treatment, to tell their story and obtain redress for those who wanted to proceed with those options", Colin said.

"As the HWL team leader, the role has reaffirmed the need to go to first principles to work problems through, including identifying the skill sets required to respond to challenging pro bono requests. The role provides a great opportunity to engage people from different walks of life and across all areas of the firm."

Colin added: "The sheer volume of people we have directly assisted has been a highlight in HWL Ebsworth's pro bono program. Particular case highlights have included assisting a number of people who have been terminated by their employer upon disclosing they are undergoing cancer treatment and assisting charities with governance, funding and commercial arrangements to allow them to focus on service delivery."

### **Regional case stories**

#### **Toowoomba**

The HPLC in Toowoomba started in 2007, with support from local firm **Walker Lawyers** and **The Advocacy and Support Centre**.

When Mary came to see the HPLC in Toowoomba, she and her dependent family were living at risk of homelessness in a property which was severely damaged. When Mary had raised concerns directly with the property's agent, she was threatened with immediate eviction and a claim for unsubstantiated rental arrears. The volunteer lawyers entered into negotiations with the agent, obtaining a successful settlement based on Mary's personal and financial vulnerabilities, allowing Mary and her family to avoid eviction into homelessness and helping bring stability to their lives.

#### **Cairns**

The HPLC in Cairns commenced in 2014.

People experiencing homelessness and chronic disadvantage are disproportionately affected by criminal justice responses, particularly in regional Queensland. The Homeless Persons' Legal Clinic (HPLC) in Cairns provides advice, legal advocacy and representation to vulnerable people about their criminal justice interactions.

Jason's story shows how the HPLC in Cairns effectively supports clients who are facing pressure and being entrenched in debt by Queensland's criminal justice system. Jason is a 33 year-old Aboriginal man from North Queensland. He has been chronically homeless for a number of years and mostly sleeping rough. During his adult life, Jason has struggled with personal hardship and health concerns, and has struggled to positively engage with crisis or community support services. Jason completed the Legal Health Check with his support worker at a specialist homelessness agency



in Cairns and identified that he wanted legal help to resolve his SPER debt of over \$17,600. Over the years, Jason had been fined over 100 times for minor criminal offences mostly related to his homelessness, including being drunk in public, public nuisance and shoplifting. The HPLC helped Jason to successfully apply for a Fine Option Order to work off the majority of his SPER debt through community service at a local homelessness agency.

### Townsville

The HPLC in Townsville is supported by **Anderson Fredericks Turner**, **BCK Lawyers**, **CBC Lawyers**, **Connolly Suthers** and **Maurice Blackburn**.

**BCK Lawyers** and **CBC Lawyers** assisted Tina who had vacated her rental property after falling behind in her rent. Tina had accrued over \$800 in arrears. This debt grew to over \$1,000 after her ex-partner took her keys and vandalised the property after she had left. Tina was assisted in negotiating to have half of the debt waived and enter into a payment plan that the client was able to afford.



Cairns HPLC staff members and volunteers from Shine Lawyers

**CBC Lawyers** assisted a disability support pensioner and tenant, Jane, to have her lessor's breaches of the tenancy agreement remedied to enable her to safely occupy the premises.

**Connolly Suthers** assisted Mary, a single mother with a disabled child. Mary had escaped domestic violence and suffers from anxiety and depression. She

## Team leader: Kaylene Gregory



Since March 2014, **Kaylene Gregory** has been the team leader in Townsville of Maurice Blackburn's pro bono work. Kaylene works predominantly in the field of Plaintiff Personal Injury Law. Before Kaylene joined Maurice Blackburn in Townsville she had worked at another QPILCH member firm Murphy Schmidt in Brisbane and had got to know QPILCH whilst working there.

Maurice Blackburn, which first opened in 1919, has a long and proud history of pro bono work throughout Australia and this tradition is continued in Townsville. Maurice Blackburn sees its pro bono contribution as an extension of its everyday professional work which is underpinned by a commitment to access to justice for all Australians.

In Townsville, Maurice Blackburn has focused its pro bono contribution on those most vulnerable in the community, the poor and homeless. Predominantly through the regular volunteering by Kaylene, Maurice Blackburn has supported the Homeless Persons Legal Clinic now based at the Housing Connections Hub in Aitkenvale.

The community of Townsville is experiencing a number of economic and social set backs. Townsville has the highest rate of unemployment in Queensland and over 1500 people are homeless or at risk of homelessness. The Homeless Persons Legal Clinic has particular importance in Townsville at this time and the work volunteer lawyers do is of critical importance to the Townsville community.

Kaylene says of her pro bono work: "I want to help the most vulnerable people in our community; these people are often facing a significant crisis in their life and it is important that they too have access to legal assistance. At the clinic I am given an opportunity to use my legal knowledge to make a real difference in the lives of the most vulnerable people in our community. I find the work very satisfying but also challenging. My pro bono work has exposed me to a whole range of clients and cases I don't normally come across and has therefore also helped me professionally by broadening my knowledge and skills."

Maurice Blackburn has strongly supported lawyers from its office to do pro bono work by allowing them time to attend and giving them credit for time spent at the clinic.

*“Thanks for the submissions for “Melanie”, it was helpful to have them this morning...Melanie was successful in adjourning all her minor criminal matters...so she will get them all heard at the same time... We really appreciate all your help.”*

**Youth support worker feedback about a HPLC client assisted by Holding Redlich.**

attended the clinic and sought assistance with several debts. One debt and half of another were waived. Assistance in seeking further debt waivers and payment plans for other debts is continuing. Since this financial stress has been lifted, she has been able to obtain stable housing for her and her child.

**Anderson Fredericks Turner** assisted disability pensioner Joan to obtain substantial relief from a judgment debt in favour of a bank for \$220,000. The debt was claimed against Joan as many years earlier she had agreed to be guarantor for a loan for her ex husbands business for no benefit to herself. A successful negotiation was concluded on behalf of Joan resulting in forgiveness of half the debt enabling her to retain substantial equity in her home and set aside something for her retirement.

**Maurice Blackburn Lawyers** assisted a young woman on a disability support pension who had suffered significant injuries from a car accident to terminate a

tenancy early without penalty to enable her to move into more supportive and sustainable housing.

## Other legal and non-legal support

### Secondments

In 2002, **Ashurst** seconded to QPILCH a young solicitor who worked tirelessly over 15 months to research homelessness in Queensland, identify best practice in service delivery, meet with homeless agencies, recruit firms, develop training materials and organise the first clinics which began in December of that year. She then implemented the first three clinics, monitored their implementation and conducted a detailed internal evaluation. This service was QPILCH's first significant program beyond the referral service and set the standard and methodology for the development of QPILCH's subsequent targeted services.

**MinterEllison** has made a significant contribution to the HPLC through the on-going provision of secondees. MinterEllison's commitment to addressing homelessness expanded from their first clinic at Mission Australia Café One to staffing the coordination of the HPLC with four successive secondees over two years from October 2003. It has provided the HPLC with secondee lawyers from time to time since 2013, enabling the HPLC to enhance its service delivery, undertake research, conduct groundbreaking litigation, respond to systemic issues, develop innovative outreach legal clinics and justify government funding to continue the successful operation of the HPLC.



HPLC volunteer and secondee lawyers from **MinterEllison** at Homeless Connect.

The Honourable Catherine Holmes, Chief Justice of Queensland, with The Big Issue's Street Soccer players and **Ashurst** volunteer lawyers





## Research

In 2007, **King & Wood Mallesons** and **Gilshenan & Luton** gave significant assistance to the drafting of QPILCH's submission to the National Inquiry into Youth Homelessness. The submission was a collaboration involving QPILCH, the Brisbane Youth Service, the Youth Outreach Service and the Australian Red Cross.

With support from our partner firms, the HPLC has advocated for fairer systems and better outcomes for clients with SPER and the Department of Housing and Public Works and Child Safety.

## Resources

From 2002, **Clayton Utz** provided technical assistance to QPILCH in setting up its first website. It continues its IT support by hosting and maintaining an extranet used by firms participating in the Homeless Persons' Legal Clinic to manage client files and internal documents such as precedents and templates.

## Events

Law firms participate in many events for QPILCH and other organisations to raise funds and promote legal issues and charitable causes.

The HPLC regularly coordinates events which offer valuable social inclusion and service delivery opportunities, attracting support from partner law firms and community agencies.

### Homeless Connect

The Brisbane City Council established Homeless Connect to offer social, legal and government support to people experiencing homelessness and related disadvantage. HPLC volunteer and staff

*"I received a call from one of your volunteer lawyers about the resolution of a young person's debt issue. Thank you heaps for the brilliant and immediate outcome. You guys do an awesome job."*

**Youth worker feedback about a young client supported by King & Wood Mallesons.**

lawyers have attended Homeless Connect since the event's inception in November 2006, offering legal assistance and connecting clients to the legal clinics. This event has helped over 13,500 marginalised Queenslanders.

The HPLC partner firms that support this event are **Ashurst, MinterEllison, MurphySchmidt, Allens, Clayton Utz, Herbert Smith Freehills, McCullough Robertson** and **Holding Redlich**.

### Street Soccer

Since 2012, in partnership with the Big Issue's Street Soccer program, the HPLC has held an annual Street Soccer Tournament. This tournament is a socially inclusive event run to support people experiencing homelessness, refugees, people with mental health concerns and vulnerable young people. The event has been financially supported by the Lady Bowen Trust for several years.

Each year, teams from partner firms, community support agencies and other supporters such as the Queensland Police Service participate in the tournament. The event also raises funds for the HPLC and the Big Issue's Street Soccer program. The following firms support this event: **Allens, Ashurst, Clayton Utz, Corrs Chambers Westgarth, Herbert Smith Freehills, HopgoodGanim, McCullough Robertson** and **MinterEllison**.

Annemaree Callander from Brisbane Youth Service (on the far right), the team leaders from **Holding Redlich**, team leader and lawyers from **King & Wood Mallesons** and QPILCH staff members on presentation of the Legal Health Check.





## LEGAL HEALTH CHECK

The Legal Health Check (LHC) was developed by QPILCH and piloted by a member firm to help identify the multiple legal needs of disadvantaged clients. It is also an important tool for developing close partnerships between legal services and community agencies. Identification of all of a client's legal problems and then addressing them holistically is critical to a person's escape from disadvantage and improved well-being.

### Case stories

The two stories below illustrate how the *Legal Health Check* has benefitted clients experiencing homelessness and related forms of disadvantage.

Claire met with **Allens** volunteer lawyers and completed the Legal Health Check at a Brisbane clinic. Through several follow-up appointments and on-going collaboration with Claire's caseworkers, the volunteer lawyers provided substantive advice in relation to the guardianship arrangements of Claire's adult child, including assisting with submissions to the Queensland Civil and Administrative Tribunal; negotiated an infringement notice waiver from a local council; and facilitated manageable arrangements for Claire's SPER fines. Claire is now

*"The LHC assisted me during early intervention in case management with clients. The LHC prompted me to ask questions that I may not have asked for many weeks, if at all, with clients.*

*...the client's factual answers enabled me to provide more specific support and relevant referrals. I appreciate the easiness of this tool and have integrated it into my case management sessions."*

Community worker

### Developing Legal Health Check

**Herbert Smith Freehills** (HSF) first partnered with the Homeless Persons' Legal Clinic in 2003, sharing a clinic location with MinterEllison, but was interested in doing something more. Annette Bain, the then director of the Freehills Foundation met with QPILCH to discuss our proposal to develop and test a structured diagnostic tool which could be used by community workers and lawyers alike to identify and address the multiple legal needs which clients had but did not recognise. HSF enthusiastically committed staff to work with QPILCH to develop the content and structure of the tool which became known as the Legal Health Check (LHC). Freehills then participated in the 2009 pilot of the tool at a new homeless clinic at Roma House, a residential service for people experiencing chronic

residing in more secure accommodation and was able to meet with her child for the first time in 10 years.

Harry was disconnected from his family, threatening suicide and struggling with alcohol abuse. He was charged with a drink-driving offence and based on his criminal history, he faced imprisonment. While Harry was at Roma House, the **Herbert Smith Freehills** volunteers liaised with Harry's caseworker and his psychologist to ensure support; represented Harry at a suburban court (prior to a successful grant of legal aid), enabling referral of the charge to the Special Circumstances Court and a non-custodial sentence; and gave advice about a workers' compensation payment, which was critical to Harry securing long-term, stable housing. Harry secured public housing, experienced an improved mental state, commenced rehabilitation for his alcohol issues and demonstrated genuine efforts to re-connect with his kids.





## ASSISTANCE FOR REFUGEES

Human Rights are at the heart of the work of some firms' pro bono policies and many solicitors and barristers have a strong interest in helping refugees.

In 2007, **Corrs Chambers Westgarth**, worked with Queensland's Multicultural Development Association in Brisbane and QPILCH to develop a civil law advice and assistance service (not immigration law) for refugees who have lived in Australia for less than five years. This service was needed as Queensland's primary immigration law service had refocused its resources on immigration law. The *Refugee Civil Law Clinic* (RCLC) was launched by the then Chief Justice of Queensland, the Honourable Paul de Jersey AC, on 12 September 2007.

### Case stories

**Corrs Chambers Westgarth** assisted with the following cases that exemplify its work for refugees.

Corrs volunteer lawyers represented Ravi, a Sri Lankan refugee with very limited English, and his 13 year-old daughter. After suffering a violent assault, Ravi and his daughter were struggling to pay for ongoing personal and health expenses. The RCLC significantly advocated for Ravi and his daughter to secure two compensation payments of over \$1,500 and continue to effectively address their other legal needs.

Samand, a young refugee from Iraq with very limited English, was experiencing significant hardship. By entering into ongoing negotiations and making detailed submissions regarding Samand's marginalised circumstances and the applicable law, Corrs volunteer lawyers successfully obtained a debt waiver of over \$35,000 from a bank. The bank also agreed to a manageable payment plan for the remaining balance of \$3,000, allowing Samand to stabilise his financial and personal status.

Elsa, a refugee from Eritrea experiencing multiple chronic health conditions was helped with a debt

### Refugee and Immigration Legal Support

**King & Wood Mallesons** (formerly Mallesons Stephen Jaques) has actively supported clients with challenges to their human rights. In April 2003, the firm seconded a solicitor to QPILCH to develop the **Refugee and Immigration Legal Support** (RAILS) project. In a four month period, the secondee was able to generate enormous enthusiasm from the profession to assist the expected burgeoning number of refugees seeking permanent residence in Australia and secured funding for a part-time position for a further year to help clients on Temporary Protection Visas to navigate through Australia's complex immigration system.

matter. Elsa was driving her car during a period of heavy rain and accidentally hit a traffic light when she tried to avoid hitting another car. Elsa received an invoice for around \$10,000 from a company in relation to the traffic light. As a single mother with seven dependent children and unable to obtain ongoing employment, Elsa could not repay the debt and was concerned about the potential impact on her young family. Through effective legal advocacy, Corrs volunteer lawyers obtained a full debt waiver from the company on compassionate grounds, enabling Elsa to prioritise the wellbeing of her children and work towards securing employment.

For several years, Corrs addressed the legal needs of Samita, a vulnerable refugee who was experiencing trauma after escaping domestic violence. Corrs volunteers assisted Samita with various debts, a change of ownership of a vehicle and a claim under her Loan Protection Insurance to pay off her car loan in full. The volunteers also advised Samita of

## Pro bono partner: **Daryl Clifford**



**Daryl Clifford** is the Corrs Chambers Westgarth Pro Bono Partner in Queensland.

“Corrs has been privileged to be able to support QPILCH in its partnership with the Multicultural Development Association to deliver the Refugee Civil Law Clinic since its inception in 2007.

“Launched by the then chief justice, the RCLC is an appointment based clinic held on a fortnightly basis at the offices of MDA. Each second Monday a senior lawyer and a junior lawyer attend the clinic, meeting clients and obtaining instructions. Matters are then allocated to a senior lawyer and junior lawyer at Corrs, who handle matters on behalf of QPILCH.

“The RCLC provides a much needed service over a wide range of areas – such as claims for criminal compensation, bond and tenancy disputes, utilities disputes, motor vehicle defects and accidents and correcting names on immigration papers.

“Corrs lawyers benefit in many ways – not just the pleasure of achieving positive outcomes and widening their knowledge of refugee needs and cultures. It also provides challenges in obtaining instructions via telephone interpreters and coping with situations for which there is no legal remedy. The RCLC gives lawyers (particularly junior lawyers) face to face contact with clients obtaining instructions and experience in dealing with a wide range of matters – often outside their existing areas of experience.

“The RCLC can utilise lawyers across all areas of the firm – litigation and commercial. Furthermore it gives lawyers from disparate practice areas the opportunity to work together on matters.

“The RCLC is well led by a dedicated, hardworking committee which sets policies, allocates files, checks progress and conducts matter audits.

“Since its inception almost 10 years ago the RCLC has provided support to hundreds of refugees and allowed many Corrs lawyers the opportunity to assist some of the most needy members of our community.

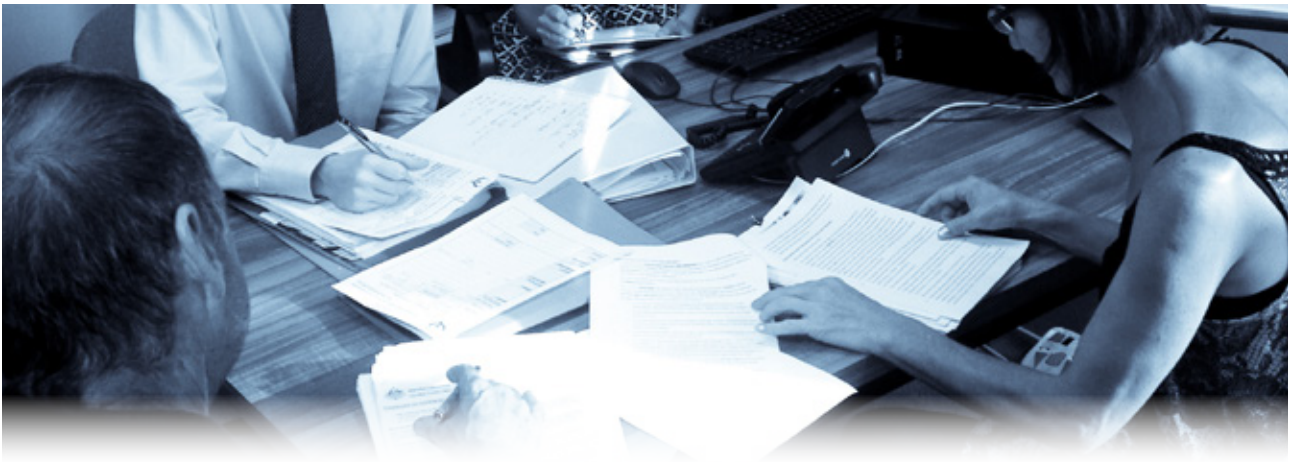
her legal rights and entitlements as a victim of crime. Samita relocated to Queensland in accordance with a safety program after a violent assault by her husband. She was assisted to apply for compensation for her injuries and she was ultimately awarded \$75,000, the maximum available. This payment allowed Samita to reconcile her financial position and focus on rebuilding her life.

Corrs volunteers helped Sofia, a single-mother refugee with a limited understanding of English, with her concerns about her dependent children's access to health, education and social security. After fleeing Ethiopia, Sofia put her children's wellbeing first and took steps to establish a stable life for her children. However, difficulties arose as

her children's dates of birth had been incorrectly recorded on their arrival in Australia, resulting in them being enrolled in the incorrect school grade and changing their entitlements to essential government services. By collaborating with Sofia's caseworker, the volunteers helped her to gather the necessary supporting evidence to correct the government's records, including facilitating bone age x-rays for her children. The volunteers also prepared extensive submissions and successfully applied to the government for Sofia's children's dates of birth to be amended. Sofia's children are now able to access suitable education and appropriate health and social services, and continue stabilising their lives in Australia.

*“This will have such a significant impact on our client's mental health and the financial situation of her whole family”*

Feedback from an MDA caseworker about a successful debt waiver obtained by the RCLC.



## LEGALPOD

Young people exiting State care are at high risk of becoming homeless. LegalPod was developed to address their legal needs to help reduce this problem. Small teams of lawyers and other staff from member law firms are matched with a young person transitioning from State care to independence. The “Pod” of lawyers connects with the client (and their support agencies) for up to four years to help with the multiple legal issues that can emerge on the journey to independence.

### PARTNER FIRMS

Allens	HopgoodGanim
Ashurst	HWL Ebsworth
Baker & McKenzie	King & Wood Mallesons
Clayton Utz	MinterEllison
Herbert Smith Freehills	MurphySchmidt

### Case stories

**Allens** has been assisting Josh through LegalPod since April 2015. Josh was referred by the CREATE Foundation for help with a number of criminal matters. His LegalPod volunteers assisted him to connect to the duty lawyer service and also made detailed submissions about his personal circumstances. Josh’s volunteer lawyers also assisted him to put in place a manageable payment plan with SPER. More recently, Josh has asked his LegalPod lawyers for help to manage various expenses that he could not afford on his current Centrelink allowance. The volunteer lawyers assisted Josh to cancel his gym membership and negotiate some delayed payment arrangements, giving him time to assess his position. Since leaving care, Josh has lived in a few different houses and has found this movement stressful. Very recently, he has settled in stable housing.

**Ashurst** has been helping Mary through LegalPod since May 2014. When Mary’s LegalPod first met her, she was homeless, had a number of debts for payday loans and fines and had a number of

*“[In] ... the eyes of the community I was a drop kick that wouldn’t make it in life but thanks to the support and belief provided by [the legal team] I was able to confidently make a change in my lifestyle and change my ways.*

*This wouldn’t have been possible if it wasn’t for the awesome eye openers I was shown... none of what [I] accomplished would have been possible without LegalPod and [QPILCH] guiding [me] through the entire journey so thank you.”*

**A quote from Josh about his experience with LegalPod.**

outstanding charges in court. Mary’s LegalPod helped her negotiate with SPER and her payday lenders to reach manageable outcomes for these debts. LegalPod also gave Mary practical advice about her criminal court appearances and briefed the Legal Aid duty lawyer on the matters. LegalPod also supported Mary and her support worker to access her personal records from Child Safety, allowing Mary to apply for adequate funding from Disability Services Queensland for ongoing support.

Many vulnerable clients have outstanding criminal matters but due to limited resourcing, it is uncommon for these clients to have ongoing legal assistance or support in the Magistrates Court. Consequently, many clients face difficulties communicating their circumstances and experiences to the Court.

Bobby was initially referred to LegalPod in 2014 by her disability support worker. She presented with a number of legal needs, including a criminal charge as a result of breaching a Domestic Violence



## Team leader: **Tuck Chung**



**Tuck Chung** is the pro bono coordinator of Baker & McKenzie's Brisbane office for matters relating to LegalPod.

Baker & McKenzie has a long tradition of active involvement in pro bono work. Its Australian pro bono policy focuses on health, poverty, youth (including education), the arts and the environment. Pro bono work in the firm is treated the same as other fee-paying client work and counts towards 'billable' time. The firm recognises that the provision of pro bono legal services is a fundamental professional responsibility.

Baker & McKenzie is a signatory to the Australian Pro Bono Centre's Aspirational Target of at least 35 hours of pro bono legal work per lawyer per year. In 2014-15, the firm as a whole contributed more than 6,600 pro bono hours to more than 200 individual Australians, charities and other not-for-profit organisations and about 82 percent of its legal staff worked on pro bono matters.

Baker & McKenzie is relatively new to Queensland, establishing its Brisbane office in 2014. In a short time it has made a notable

contribution to pro bono and is continuing to develop its pro bono practice.

Tuck is a keen supporter of pro bono. He has previously been involved in the Homeless Person's Legal Clinic at the Salvation Army's Pindari Men's Hostel and volunteered at the Asylum Seekers' Resource Centre when he was completing his undergraduate studies.

He actively participates in the Baker & McKenzie Brisbane office's pro bono efforts with the support of the firm's Sydney based pro bono team, including: providing research assistance for QPILCH's submission to the *Legal Affairs and Community Safety Committee* of the Queensland Parliament in response to the Human Rights Act Inquiry. This work enabled the firm's research team members to learn about the level of protection afforded by legislation relating to social housing, mental health child protection and other areas of social importance and provide a comparative analysis against laws in other Australian states.

Tuck coordinates and participates in LegalPod (with colleagues Sarah Merrett, Lucinda Coman and Sewok Yang), advising two young people transitioning from State care to independence.

"Whether the matter involves helping a client to negotiate a payment instalment plan with creditors, or briefing a duty lawyer to make an appearance on behalf of a client 48 hours before the client is due to appear in court, the matters I have been involved in were personally very rewarding to me because they gave me opportunities to make an impact on the way the legal system affects the lives of vulnerable people", Tuck said.

(Protection) Order. An **Ashurst** partner attended the Magistrates Court with Bobby for this charge and successfully advocated for the order to be varied, allowing Bobby to focus on re-building positive relationships with her family of origin. Bobby's volunteer lawyers have continued to work with her to effectively address her other legal needs. She recently gave birth to her first child, is in stable housing and not facing any ongoing legal issues.

*"Pro bono work allows lawyers (particularly young lawyers) to develop confidence and improve their legal, managerial and time management skills as they increase their abilities to assist vulnerable clients."*

Danielle Barry, Lawyer, Clayton Utz

When David first connected with **King & Wood Mallesons** through LegalPod, he was unemployed, couch surfing and suffering from anxiety. David was applying for Centrelink and was concerned about his ability to pay his SPER fines during this time. King & Wood Mallesons arranged a manageable payment plan for David's SPER debt and secured his Centrelink entitlements. David was then evicted on short-notice from his government housing. King & Wood Mallesons volunteers located David's belongings and made collection arrangements with the government. Now David's immediate legal matters have been resolved, he hopes to find permanent accommodation and apply for tertiary education.





## ASSISTING PEOPLE WHO ARE SELF-REPRESENTING IN COURTS AND TRIBUNALS

In his speech launching QPILCH in April 2002, the then Chief Justice of Queensland, The Honourable Paul de Jersey AC, identified that the increase in self-representation in the courts was the result of the reduced availability of legal aid, the increased costs of legal services, the extended reach of the law and the demystification of the law and growth in self-help culture.

QPILCH's Self Representation Service was the first of its kind in Australia. It was established with the benefit of research over two years conducted in partnership with the QUT Faculty of Law. Allens hosted a seminar, chaired by Court of Appeal President, The Honourable Justice Margaret McMurdo AC, in the presence of other Judges of Appeal, other Supreme Court judges and representatives of law firms, the bar and academia. This full-day seminar presented the research findings, profiled the concerns of self-represented litigants and examined what a self-representation service would look like. With the support of the Chief Justice and a financial contribution from the Attorney-General and Minister for Justice, the Self Representation Service was launched in 2007 in the trial divisions of the Supreme and District Courts and the Queensland Court of Appeal.

Many people are unable to avoid becoming embroiled in litigation. They may be unable to afford representation to get early legal advice or to engage a lawyer once proceedings have commenced. And most free legal services have limited resources to help with the complexities of litigation. As the place where legal rights are ultimately adjudicated, equal access to the courts and tribunals is vital for the effective operation of our justice system.

Undertaking civil litigation on a pro bono basis can be costly and resource intensive, even for the largest of law firms. The Self Representation Service was

developed to enable firms to tailor their assistance for self-represented litigants within available resources. The Self Representation Service is a perfect vehicle to apply the skills and expertise of lawyers in limited scope services in the courts.

The service now works in all major jurisdictions in Queensland and QPILCH's model has been adopted across Australia in the Federal jurisdiction and in the Supreme Court of South Australia. It provides discrete task assistance at all stages in litigation and has demonstrably helped litigants to navigate court processes and obtain just outcomes. It has also helped litigants without meritorious cases to find alternative avenues to resolve their disputes.

Volunteers in the Self Representation Service assist clients in each step of their case and some clients may see a number of different lawyers throughout the proceedings. Many of the stories below demonstrate how firms collaborate in helping clients with complex cases over a long period of litigation.

### In the Queensland Courts

In the civil jurisdictions of the Supreme and District Courts and the Queensland Court of Appeal, the service is available to self-represented parties with existing or prospective proceedings in person in Brisbane and Townsville and by telephone across the State.

#### PARTNER FIRMS BRISBANE

Allens  
Ashurst  
Barry.Nilsson  
Bartley Cohen  
Clayton Utz  
Cooper Grace Ward  
Corrs Chambers  
Westgarth  
Crown Law

DibbsBarker  
DLA Piper Australia  
K&L Gates  
King & Wood Mallesons  
McCullough Robertson  
Lawyers  
McInnes Wilson  
MinterEllison  
MurphySchmidt Solicitors

## Team leader: **Bridget Camilleri**



**Bridget Camilleri** is a member of K&L Gates Pro Bono Committee (Australia) and the team leader for the firm's participation in the Self Representation Service.

K&L Gates has an international pro bono target of 50 pro bono hours per lawyer per year. Pro bono hours are treated the same as client billable hours for the purpose of bonuses at K&L Gates and each lawyer's contribution to pro bono work is an important factor in performance reviews.

Each office has a pro bono coordinator and there is also a global pro bono committee comprised of partners from various offices/regions. Its pro bono practice became a formal part of the firm's Queensland practice approximately four years ago under the leadership of partner Harry Nicolaidis, the pro bono co-ordinator for the Brisbane office.

The firm's pro bono practice does not focus on any particular area. Instead, its current focus is on increasing participation on a firm wide basis. Consistent with this, the contribution by the Brisbane office to pro

bono work has steadily increased year on year.

K&L Gates is part of QPILCH's Self Representation Service, provides training to QAILS and other community legal centres and takes on many QPILCH referrals.

In her role as the Self Representation Service team leader for K&L Gates, Bridget is responsible for appropriately staffing appointments at both the State Courts and QCAT, and ensures that there are no conflicts with the firm assisting. Importantly, this role also sees Bridget maintain ongoing communication with the Service to ensure that clients are getting the best service possible.

"In my role, I most enjoy seeing the outcomes we achieve and the real benefit it can have on people's lives is rewarding. I think all matters, even the smaller ones, are a highlight in their own way. Being able to encourage others to become involved in that is fantastic" Bridget said.

"The Self Representation Service provides volunteers with a variety of unique matters, which are always challenging and rewarding, and the benefit is always measured in the outcome achieved for the people for whom we provide our services. We have a very interesting matter at the moment assisting an elderly woman in a dispute regarding her real property and her debt to the retirement home. The woman's health has meant that she is now in a retirement home, so resolving the dispute has become even more essential to ensure she can meet her ongoing living expenses", Bridget added.

### **Case stories**

**Bartley Cohen** assisted David, a disabled man living on a disability support pension with two dependent children. David had obtained a domestic violence order against his estranged adult daughter and came to the service after his daughter filed an appeal in the District Court against the protection order. Volunteers from Bartley Cohen drafted David's

*"During the period that LegalPod has been engaged with Sally, we have observed a definite shift from crisis driven responses to early intervention and future planning work. This has been a very positive transition."*

**Youth worker feedback about a vulnerable client supported by LegalPod.**

outline of argument for the hearing of the appeal and David was successful in having the appeal dismissed.

A client was representing herself as a defendant to a claim for specific performance of a contract, after selling her home when she was an inpatient in a mental health ward of a hospital. The Public Trustee is generally reluctant to become a litigation guardian, but in this case agreed to be appointed as the client's administrator for financial matters and become litigation guardian on the basis that **Clayton Utz** provided pro bono representation. The court proceedings were favourably resolved for the client through mediation.

Volunteers from **DibbsBarker** assisted Leanne, a single parent relying on Centrelink, to prepare her submissions and affidavit material for her trial in the District Court in long-running de facto property proceedings. Leanne obtained the orders that she was seeking.

Patrick, a retiree and internet enthusiast applied to QPILCH for assistance to defend District Court proceedings brought against him after an electric appliance he bought and then re-sold from a popular website apparently caused a fire destroying the ultimate buyer's rented home. Patrick approached the Service for assistance shortly before his trial was initially listed and he could no longer afford to fund his own representation. Volunteers from **Barry.Nilsson Lawyers** helped Patrick to respond to a Notice to Admit Facts, and volunteers from **MurphySchmidt Solicitors** helped him to successfully apply for an adjournment of the trial. Volunteers from **McCullough Robertson and Ashurst** helped Patrick to finalise his defence for further proceedings brought by the buyer's landlord. Volunteers from **MurphySchmidt Solicitors**, **DibbsBarker**, **King & Wood Mallesons** and **Crown Law** helped Patrick prepare for his two day trial. The District Court rejected the plaintiff's argument that Patrick (as opposed to the importer) was liable for the damage to the plaintiff's property, finding that Patrick's activities were not conducted in the course of a business and that he did not owe a duty of care to the plaintiff.

**King & Wood Mallesons** volunteers helped Marco, an elderly pensioner from a non-English speaking background, urgently draft amendments to his pleadings in District Court proceedings where Marco sought recognition of his contributions to the purchase of a home registered in the name of his daughter. Marco's Amended Statement of Claim put his best case forward, helping him to negotiate a settlement with his daughter before he passed away. James and his partner Jade contacted QPILCH for assistance after their small business collapsed and proceedings were commenced against them for repayment of money the clients had thought was an investment, but the plaintiff asserted was a loan. James and Jade were struggling financially with three children and although they initially engaged private legal representation they became self-represented before trial. **King & Wood Mallesons** and **Crown Law** helped James and Jade understand the requirements of disclosure and prepare for trial. **Allens** assisted them to prepare a letter to the other side proposing to settle the matter under an instalment schedule and gave them information about free financial counselling. Although the matter did not settle and James and Jade represented themselves at trial, they achieved a good outcome. The magistrate found that they only had to pay a portion of the amount claimed by the plaintiff and they were allowed to make the payments in manageable instalments.

*"I am a self-representing litigant and I have had the opportunity to have the assistance of QPILCH's Self Representation Service in a commercial litigation which started in 2014.*

*This case had a very big impact on our family and it was complicated. I can only give very positive feedback on all the support and help that I have received during these two years.*

*Without the help of QPILCH, I would not have been able to go to Court. I can say that all the persons who I have met at QPILCH have been very supportive and helpful.*

*I am very grateful to all the volunteer solicitors who have helped me in regard to the preparation of all the legal documents, the advice on the proceedings."*

#### **SRS State Courts client**

**MinterEllison** assisted several clients who were defendants in the Supreme and District Courts to a common plaintiff, a lender who purchased and leased back business property in contracts with exorbitant default penalty clauses. The destitute clients were threatened with loss of their homes because they were unable to deal with the forceful tactics of the plaintiff. After the Service applied to the court to forestall the court action, **MinterEllison** represented the clients in mediations that resulted in just settlements for the clients.

**MurphySchmidt Solicitors** advised Garry, a 53-year-old man who had suffered an acquired brain injury several years earlier. Garry had been awarded substantial damages in personal injury proceedings when the Public Trustee was also appointed under a trust instrument to manage Garry's finances. Garry sought assistance after obtaining a declaration from QCAT that he had capacity for financial matters, which had the effect of removing the Public Trustee but not winding up the trust. With the assistance of volunteers from **MurphySchmidt Solicitors**, Garry was able to arrange for the Public Trustee to apply to wind up the trust on his behalf, effectively saving him from having to represent himself in court proceedings.



## In the Federal Courts

In the Federal Court of Australia and Federal Circuit Court the service provides assistance in the following areas: bankruptcy; judicial review; anti-discrimination; competition and consumer; information privacy; fair work; and appeals.

### PARTNER FIRMS

**Allens** (until 2015)  
**Ashurst**  
**Clayton Utz**  
**Clyde & Co Australia**  
**Corrs Chambers**  
**Westgarth**  
**DLA Piper Australia**  
**Henry Davis York**  
**HopgoodGanim**  
**K&L Gates** (until 2015)

**McCullough Robertson**  
**Lawyers**  
**McInnes Wilson**  
**MinterEllison**  
**Norton Rose Fulbright** (until 2014)  
**Piper Alderman** (until 2015)  
**TressCox Lawyers**  
**Wotton + Kearney**

### Case stories

**Allens** helped Harold, a small business owner from a non-English speaking background who had been served with a creditor's petition. Volunteers from **Allens** advised Harold and helped him oppose the petition on the basis that the debt was owed by Harold's company. Harold was successful – the creditor's petition (and the default judgment against him) was dismissed, and Harold avoided bankruptcy.

Zoe and Jill, two young women from a non-English speaking background living on Centrelink Newstart payments, had worked for a company for around two years and were paid just over half of the award rate. Volunteers from **Ashurst** and **McCullough Robertson Lawyers** helped Zoe and Jill to prepare initiating documents to file in the Federal Circuit Court. Zoe and Jill successfully obtained an order that their former employer pay them a combined total of just over \$26,000.

Dominique was a UK citizen who was assigned to work with the Australian arm of her employer under a 457 Visa arrangement. After a dispute about her salary could not be resolved, Dominique resigned. During Dominique's notice period, her employer deducted amounts from her wages, alleging that she owed them money. Dominique initially approached the Service for assistance to progress a general protections dispute in the Federal Circuit Court. Volunteers from **McInnes Wilson** advised Dominique that a general protections claim had limited prospects of success and instead advised her to commence a claim for unauthorised deductions to her wages. **Clayton Utz** and **McCullough Robertson Lawyers** assisted Dominique to prepare and file her initiating documents. After serving the documents, Dominique received an offer of settlement and

finalised her matter without the need for a court hearing.

Stephanie, an Indigenous woman reliant on Centrelink, was pursuing her former employer in the Federal Circuit Court for alleged contraventions of the general protection provisions under the *Fair Work Act* 2009. Over three appointments, **McCullough Robertson Lawyers** assisted Stephanie to draft her initiating documents; **Corrs Chambers Westgarth** provided her with advice about serving her documents and attending her first court date; and **DLA Piper Australia** helped Stephanie to start work on her affidavits. Stephanie then received an offer from her former employer to settle proceedings outside of court. Volunteers from **McInnes Wilson** helped Stephanie to consider this offer and request changes to a settlement deed. Stephanie was successful in negotiating an out of court settlement and was able to resolve her legal matter without the need for a hearing.

**MinterEllison** assisted Penny, a 59-year-old woman who had recently lost her job. Following her dismissal, Penny's employer failed to pay her several weeks of unpaid wages and other entitlements. Volunteers from **MinterEllison** assisted Penny to draft her initiating documents to file in the Federal Circuit Court and to understand her legal position ahead of her first scheduled court date. Penny's employer then made an offer to settle the matter outside of court, which Penny accepted.

**Wotton + Kearney** assisted Cindy and her son Max who has a pervasive developmental disorder with autistic tendencies, with a discrimination claim in the Federal Circuit Court. Cindy had struggled for some years to maintain her son's position in mainstream schooling. Cindy had enrolled her son in two state primary schools and alleged that the arrangements, actions and assessments imposed on her son were discriminatory. Volunteers from **Wotton + Kearney** helped the client to understand the Federal Circuit Court rules concerning the representation of a minor and begin preparing her affidavit evidence. As Cindy was not able to represent her son without legal representation, the Service then worked with the QPILCH Referral Services to urgently secure representation for Cindy and her son. **Bartley Cohen** and **Sean Radich** of Counsel represented them in a mediation at which they were able to reach a positive resolution.

Matthew was a former defence force member who suffered from severe depression. Matthew approached the service for assistance to appeal an Administrative Appeals Tribunal (AAT) decision to the Federal Court of Australia (FCA). The AAT had



## Team leader: **Elizabeth Conlan**



**Elizabeth Conlan** is a Senior Associate and the pro bono coordinator in the Brisbane office of Wotton + Kearney. Her role includes supervision of the firm's participation in the Self Representation Service at the Federal Courts.

Before joining Wotton + Kearney in 2014, Elizabeth worked in the international development sector and had previously volunteered to assist QPILCH's pro-bono referral service, Self Representation Services at the State Courts and the Federal Courts and Caxton Legal Centre. Elizabeth has assisted a range of clients referred by QPILCH, including several residents of a caravan park on the Sunshine Coast who were threatened with eviction on account of development plans for the park.

The overarching focus of Wotton + Kearney's emerging and growing pro bono practice is to provide access to justice to those who are disadvantaged, marginalised and vulnerable. 'Community Footprint', the firm's pro-bono and corporate social responsibility program, was established in January 2012. Over the last four years, it has become a key initiative in its Sydney, Melbourne and Brisbane offices: assisting

asylum seekers in respect of judicial review applications; helping members of the Stolen Generation to access records about their time in out of home care; and assisting not for profit organisations by providing them with advice on a range of legal issues. Community Footprint has a focus on empowering women and children.

The level of participation in pro-bono work at Wotton + Kearney has increased each year, with the appointment of a dedicated pro bono partner, Heidi Nash Smith, and the introduction of fee relief for lawyers working on pro bono matters.

When Elizabeth joined Wotton + Kearney as an Associate in 2014, she immediately became an active contributor to Community Footprint by helping to build a relationship between the Brisbane office and QPILCH.

In coordinating and supporting the Self Representation Service in the Federal Court, Elizabeth: manages the participation of 8 volunteers in the Self Representation Service; attends appointments with clients of the Self Representation Service; reviews advice and documents prepared by junior solicitors volunteering for the Self Representation Service before they attend appointments; and encourages volunteers to show their support for the Self Representation Service and other services provided by QPILCH by participating in the annual *Walk for Justice*.

Wotton + Kearney's relationship with QPILCH has been instrumental in enabling the firm to increase its participation in pro-bono work and develop a culture which values social justice and community engagement.

affirmed a decision of the Repatriation Commission to refuse the client a pension for an alleged defence-caused injury under the *Veterans' Entitlements Act* 1966 (Cth). A volunteer from **Henry Davis York** provided the client with preliminary advice and the Service solicitor assisted the client to draft an amended notice of appeal. The FCA set-aside the AAT decision and remitted the matter back to the AAT. Before the AAT hearing, the Repatriation Commission conceded Matthew's claim.

### **In Queensland Civil and Administrative Tribunal**

In the Queensland Civil and Administrative Tribunal (QCAT) the service provides assistance in the following areas: administrative review; anti-discrimination; children and young people; disciplinary matters; guardianship and

administration; information and privacy rights; manufactured homes; residential tenancies and rooming accommodation disputes if they involve termination of an agreement or domestic violence issues; retirement villages; and appeals.

#### **PARTNER FIRMS**

**Colin Biggers & Paisley**  
**Clayton Utz**  
**Cooper Grace Ward**  
**Energex**  
**HWL Ebsworth**  
**K&L Gates**

**McCullough Robertson**  
**Lawyers**  
**McInnes Wilson**  
**MinterEllison**  
**MurphySchmidt Solicitors**  
**Shine Lawyers**  
**TressCox Lawyers**

### **Case stories**

Mary applied to QCAT for review of a decision of the Public Safety Business Agency (PSBA) to cancel her Blue Card. Mary, who has an acquired brain injury, had her Blue Card cancelled after a change

in her police information caused by a protracted dispute with her neighbour. Mary's employment was terminated as a result, which caused Mary and her family significant distress and hardship. **TressCox** Lawyers assisted Mary with obtaining an extension of time to comply with QCAT directions. **Colin Biggers & Paisley** helped Mary amend her statement of evidence and draft a response to the PSBA decision. **HWL Ebsworth** and **Shine Lawyers** helped Mary finalise her response and write a brief life story to be filed as directed by QCAT. **MurphySchmidt Solicitors** helped Mary prepare for a compulsory conference and **MinterEllison** assisted Mary to represent herself at the final hearing. In February 2016, QCAT granted Mary's review application. Mary is now working toward regaining employment in her chosen field.

Jamie, a 59-year-old man experiencing post traumatic stress disorder and schizophrenia, obtained a declaration about his capacity in QCAT and needed help to recoup rental over-payments made by his former administrator to his landlord. **MurphySchmidt Solicitors** and **Clayton Utz** helped Jamie prepare an application to QCAT and obtain a waiver of the filing fee. With the assistance of **K&L Gates**, Jamie filed submissions in support of his application. **HWL Ebsworth** helped Jamie obtain leave to be represented at the hearing. QCAT ordered the landlord to pay Jamie the full amount sought. Jamie received payment just before Christmas and was able to focus on improving his health.

**Cooper Grace Ward** helped John to be appointed a guardian and administrator for his son, who was a declared missing person. John's son had mortgage payments in arrears, enforcement proceedings on foot against him, Centrelink arrangements to be unravelled and tenants living at his property without paying rent. **Cooper Grace Ward** volunteers helped John prepare an urgent application to QCAT seeking an interim guardianship and administration order to protect his son's interests. They also assisted John to prepare a financial management plan for his missing son. John now has the required authority to manage his son's personal and financial affairs in his absence, and feels better equipped to deal with this difficult situation while grieving for the loss of his son.

**MurphySchmidt Solicitors** assisted Yolanda to progress an application for review of a decision of the Department of Communities, Child Safety and Disability Services to restrict Yolanda's contact with her child, who is under a long term child protection order. With the firm's assistance, Yolanda prepared submissions in response to the Department's application to strike out the review proceeding

on the basis that the Department's decision was not reviewable by QCAT. The Tribunal accepted Yolanda's submissions and refused the strike out application. **Clayton Utz** then helped Yolanda prepare for a compulsory conference with the Department. Yolanda reached an agreement with the Department about contact with her child.

**TressCox** helped Daniel to successfully appeal a decision of QCAT after a protracted tenancy dispute with his lessor. After vacating the rental property, Daniel responded to the lessor's application to QCAT seeking payment of \$6,000 as compensation for repairs of damage to the property allegedly caused by Daniel and his family. Daniel alleged that amount was excessive and was an attempt by the lessor to renovate the property at his expense. QCAT partially granted the application and ordered payment of the bond monies to the lessor. **TressCox** helped Daniel to prepare an application for leave to appeal and appeal, which was granted by the QCAT Appeal Tribunal. The Appeal Tribunal ordered the lessor to refund part of the bond monies to Daniel. As a result, Daniel's liability for the repairs was significantly reduced.

**Shine Lawyers**, **McInnes Wilson Lawyers**, **MinterEllison Lawyers**, **Clayton Utz** and **CBP Lawyers** (formerly Hemming+Hart) assisted Emma, who was terminally ill, to successfully respond to QCAT proceedings brought against her by a service provider in 2013. She then successfully resisted an application for leave to appeal the decision of QCAT dismissing the originating application against her.

## Townsville Self Representation Service

Townsville firms and barristers assist clients in Supreme and District Courts, Magistrates Court and QCAT proceedings.

### PARTNER FIRMS TOWNSVILLE

<b>Roberts Nehmer McKee</b>	<b>Slater+Gordon Lawyers</b>
<b>Brad Robins Legal Centre</b>	<b>CBC Lawyers</b> (Crosby
<b>Connolly Suthers</b>	Brosnan and Creen)
<b>BCK Lawyers</b>	<b>MacDonnells Law</b>
(Boulton Cleary Kern)	

## Case stories

**Connolly Suthers** assisted Kaye, a single unemployed woman suffering from osteoarthritis who had been summarily made redundant from her employment as an office manager. Kaye had owing to her redundancy pay, long service leave and wages totalling in excess of \$20,000. Initially Kay had obtained limited private legal assistance but whilst unemployed she could no longer afford to pay legal fees and sought assistance from QPILCH.

Connolly Suthers assisted Kaye to determine her correct redundancy entitlements, draft a claim and statement of claim and filing and service of the claim. The company employer subsequently went into liquidation and Connolly Suthers advised Kaye on her right to claim from the liquidator, the priority of her claim and the process of making a claim. Kaye is currently awaiting advice as to the funds available for distribution to creditors. Whilst the outcome was less than satisfactory Kaye was satisfied she had done all she could to maximise her chance of recovery of what was owing to her.

**MacDonnells Law** assisted disability pensioner Mary in executing a judgment in the Magistrates Court against a body corporate to require it to carry out substantial repairs arising from a water leak emanating from common property. The body corporate had ignored the judgment for over two years, causing the pensioner financial loss, stress, anxiety and inconvenience. The Service worked with Independent Advocacy Townsville, an organisation which advocates on behalf of people with a disability, to ensure the repair works were completed.

**Roberts Nehmer McKee** assisted Maureen, a 74 year old aged pensioner who had obtained judgment in her favour in QCAT for veterinary bills arising from a dog attack. The respondent had failed to pay the judgment debt and his whereabouts were unknown. Maureen was intimidated by the court process and anxious about enforcing the judgment. The volunteer lawyers assisted Maureen with advice about how to enforce the judgment, locate the debtor and write a letter of demand. The client was ultimately able to find the debtor and agree on a payment arrangement which led to the judgment debt being paid without the need for formal enforcement proceedings.

**Slater+Gordon Lawyers** assisted Jim and Alice, who ran a small business. Alice developed a serious mental illness requiring hospitalisation. Jim and Alice had to sell the business and rely on a pension. The purchaser of the business defaulted in payment of the balance of the purchase price. Slater+Gordon Lawyers volunteers advised Jim on his right to sue independently of Alice, who then lacked capacity, and assisted him to sue the purchaser in QCAT for the balance of the purchase price. Jim successfully recovered the debt.

### **Diverting unmeritorious cases**

Helping where matters lack legal merit, and explaining to litigants why this is so, is an important aspect of the Self Representation Service because it saves both the parties and the court unnecessary time and expense.

*"I volunteer for a number of reasons. An important issue for me is access to justice and equality before the law.*

*Access to basic legal advice can be even more important for those less fortunate, without it, a person's life can unnecessarily spiral out of control.*

*Professionally, volunteering enables me to assist people with legal problems I never come across in my usual practice.*

*Personally, I am very grateful for the opportunities I've had and it is it's important to take those opportunities and make a contribution to the lives of those who haven't had the same opportunities.*

*Lastly, I get great satisfaction in using my skills as a lawyer to assist others and I always walk away feeling great."*

**Jessica Ashwin – formerly of Connolly Suthers now of Roberts Nehmer McKee, Townsville.**

**Barry Nilsson** volunteers assisted Michelle, a retiree involved in Family Law property proceedings in the Federal Circuit Court who wanted to re-litigate in the State Courts a debt owed to her by her former mother-in-law. Volunteers explained the difficulties that Michelle was likely to incur and the effect of the Consent Orders made in the Federal Circuit Court. Michelle accepted the advice of the Barry Nilsson volunteers that further proceedings were unlikely to be successful.

John was in immigration detention on Christmas Island after his visa was cancelled under section 501 of the *Migration Act* 1958 (Cth) following a charge of driving without a license. John had brought a judicial review application in the Brisbane Registry of the Federal Court of Australia (FCA). After an urgent referral from the FCA, QPILCH instructed **Chris Crawford** of counsel to appear on a one-off basis at an urgent interlocutory hearing. QPILCH and Mr Crawford were able to obtain consent orders allowing John to abandon an interlocutory order he was seeking, without any order as to costs. **Corrs Chambers Westgarth** then gave John advice about the difficulties he would face in succeeding in his judicial review application. John accepted this advice, electing to wait for the Department of Immigration to make a decision about an application for revocation of the cancellation of his visa and John



was helped to negotiate for a discontinuance of his application without any order as to costs.

Cindy was a single 62 year old woman from a non-English speaking background with no formal qualifications. Cindy had recently lost her job as a kitchen hand and was relying on the temporary support of friends for housing and necessities. Cindy believed that she was fired because her supervisor had a problem with her race and had therefore made unfavourable reports about her to the owner of the business. Cindy came to the Service after the Australian Human Rights Commission (AHRC) terminated a complaint she had made about her dismissal. **Ashurst** volunteers assisted Cindy to consider her former employer's response to the AHRC and gave Cindy advice about what she would need to demonstrate to be successful in an application to the Federal Circuit Court. Cindy agreed that she would face difficulties proving her case and that it was best to let the matter go so she could focus her efforts on finding a new job and stable housing.

Volunteers from **McCullough Robertson** met with Angela, a resident of sheltered accommodation, who had been ordered to leave her former partner's house when QCAT found that Angela was a tenant. Angela had commenced an application to the Court of Appeal seeking to appeal QCAT's re-activation of a warrant for possession after Angela failed to comply with previous orders of QCAT when she obtained a stay. Volunteers from **McCullough Robertson** advised Angela that the Court of Appeal did not have jurisdiction to hear an appeal from that order and that her appeal had poor prospects of success. After receiving this advice Angela successfully discontinued her appeal with the agreement of her former partner with no order as to costs.

Neil sought advice about his appeal against a decision of QCAT to add a gift clause to administration arrangements for his 92 year old mother, Mary. Neil was Mary's administrator for all financial matters and gifted approximately \$2,000 every year to Mary's grandchildren for swimming lessons and presents. After reviewing administration accounts provided by Neil, QCAT amended the administration order for Mary, capping gifts to family members to

*"I want you to know just how much you helped me and how much I appreciated your kindness, advice and support in all your dealings with me... Simple words cannot express my gratitude."*

Emma commenting about the help she received.

\$1,500 per year in light of Mary's current financial position. Neil appealed that decision on the basis that the gift clause was added without his consent or knowledge as administrator. Volunteers from **TressCox Lawyers** and **K&L Gates** advised Neil about the reasons for the QCAT decision and about the merits of his appeal. Neil accepted the advice and received assistance to apply to the QCAT Appeal Tribunal for leave to withdraw his appeal.

## Other legal and non-legal support

### Secondees

**TressCox Lawyers** supported the service in the Federal Courts by providing a secondee to assist with staffing in 2014 and **K&L Gates** supported the service with a secondment in 2015.

In 2015, **Colin Biggers & Paisley** supported the Self Representation Service in QCAT by making a generous donation towards the costs incurred by QPILCH in replacing the service solicitor during a period of extended leave.

### Mediation Panel

The Self Representation Service maintains a panel of accredited mediators who are willing to conduct pro bono (or reduced fee) mediations. The panel, comprised of barristers and solicitors, is available to clients of the service who are seeking to undertake alternative dispute resolution, but are unable to afford the cost.

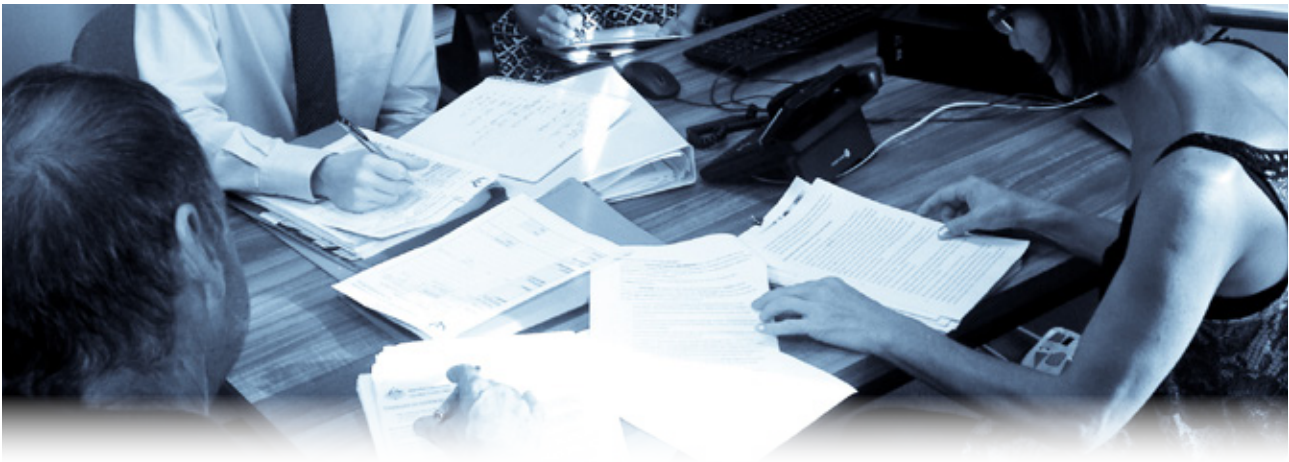
QPILCH had referred an aged pensioner for representation by **Rodgers Barnes & Green Lawyers** to secure the client's interest in a granny flat in her daughter and son-in-law's home. The Self Representation Service arranged Karl Manning from the Mediation Panel to conduct a pro bono mediation, successfully resolving the dispute between the parties.

After contacting the Self Representation Service for help, a client who had commenced proceedings against his former business partner for defamation decided to try resolving the dispute out of court. **McInnes Wilson** and **Natalia Wuth** conducted a mediation between the parties on a pro bono basis. While the mediation did not settle, the issues in dispute between the parties were significantly narrowed.

**McInnes Wilson** successfully mediated a property dispute in the Supreme Court of Queensland between two elderly clients and their son.

**Australian Workplace Lawyers** supports QPILCH by conducting pro bono mediations for minor debt unpaid wages claims in the Federal Circuit Court.





## LEGAL HELP TO ALLEVIATE MENTAL ILL-HEALTH

A structured response to mental ill-health has been established in Queensland by three community legal centres - Queensland Advocacy Incorporated (QAI), The Advocacy and Support Centre, Toowoomba (TASC) and QPILCH. QAI and TASC receive small government grants and QPILCH's Mental Health Law Practice (MHLP) is entirely funded by philanthropic grants and the support of its members. There is no other structured and dedicated civil law assistance for people who cannot afford legal representation with mental health and related problems. Queensland has one of the lowest levels of representation for people who need help with Involuntary Treatment Orders (ITOs), ECT applications and other legal issues arising out of the application of mental health law, including advice about patient rights under the Mental Health Act. People with mental ill-health often develop other civil law problems such as debt and homelessness. Mental ill-health is a cause of legal stress, and the failure to address legal problems prevents a return to health.

The MHLP provides free legal advice and assistance to people with mental illness or impacted by mental health law. The MHLP provides direct advice about issues arising under the Mental Health Act and has an advocacy service that coordinates advocates for patients appearing at their Mental Health Review Tribunal review hearings. The MHLP operates two outreach clinics at Open Minds (Woolloongabba) and Footprints (New Farm) to assist with civil law matters; and operates three Health Justice

*“Thank you for your assistance in making this housing result happen. I am really happy and hoping it will be a fresh start.”*

Feedback from Susan about the legal assistance she received from Allens.

Partnerships at the Princess Alexandra Hospital Psychiatric Unit, St Vincent's Hospital Neurological Unit and the Mater Hospital.

Much of the advocacy work is provided by senior law and social work students. However, secondees have also advocated for clients and firm volunteers that support the clinics are instrumental in providing civil law casework and referral assistance.

### Outreach clinics

Two member firms, **Allens** and **DLA Piper**, are imbedded with two mental health support agencies in Brisbane to provide civil law advice and assistance to people experiencing mental health concerns.

### Case stories

When Susan first met with **Allens** at the Footprints clinic, she had recently been released from hospital and was experiencing on-going mental health concerns. Susan was also suffering physical abuse and threats from her neighbours, and feared for the safety of her two young children. Through substantive submissions and legal advocacy, Allens volunteer lawyers successfully negotiated with the government to secure a 'very high needs' public housing transfer for Susan. This outcome has enabled Susan and her children to escape their violent neighbours, providing them with safe housing to help stabilise their lives.

Claire needed help to prepare for her Involuntary Treatment Order (ITO) review hearing at the Mental Health Review Tribunal. An **Ashurst** secondee advocated for Claire on the day of the hearing. Claire was very happy with the support, saying that she had previously felt isolated and had no rights but that she now felt heard and understood the clinical report better.

A **Corrs Chambers Westgarth** secondee helped Robert at the review of his ITO. Robert had been voluntarily receiving treatment for over 25 years for

## Team leader: **Elizabeth Campbell**



DLA Piper has an extensive pro bono practice throughout its international offices. Worldwide, it has around a dozen dedicated pro bono counsel. In Australia, the pro bono practice is led by Asia Pacific Pro Bono Director, Cate Martin. Each Australian office has a Local Pro Bono Coordinator.

Given the breadth of pro bono matters and clinics in the Brisbane office, **Elizabeth Campbell** is Joint Local Pro Bono Coordinator with colleague **Kate McKenzie**.

The firm's pro bono practice is committed to improving access to justice for marginalised and disadvantaged individuals (with a particular focus on Indigenous Australians, women experiencing or surviving violence and children) and advancing human rights. DLA Piper also takes on a range of other pro bono matters - both in the clinics and as referrals.

DLA's solicitors are provided with secondment opportunities to community legal centres locally and pro bono clients abroad. This year, the Brisbane office was DLA Piper's pro bono office of the year.

Elizabeth's involvement in the firm's pro bono practice started as a paralegal assisting with follow up work for the Brisbane office's pro bono clinics before being seconded to the Prisoners' Legal Service as a paralegal for four months prior to starting DLA Piper's graduate programme. Following this, Elizabeth volunteered at DLA's various clinics as well as taking on pro bono matters in the corporate group such as advising not-for-profits around corporate structures and charity registrations. She then acted as team leader of its largest clinic, the QPILCH Mental Health Civil Law Clinic at Open Minds, a role she continues along with her role as Joint Local Pro Bono Coordinator.

The clinic is a tripartite arrangement among DLA Piper, QPILCH and Open Minds (a not-for-profit community-based organisation that provides support services to people with mental illness. Open Minds hosts the clinic appointments and support MHCLC clients). The clinic provides advice and assistance to clients with mental health concerns in relation to their civil law matters, including debt, guardianship, administration and mental health, Centrelink and tenancy matters. This may involve one-off advice about a client's rights or obligations or follow up work from DLA Piper's offices, such as contacting counterparties or government agencies to progress and resolve a client's matter.

Elizabeth manages the volunteer roster, arranges induction training for volunteers and liaises with Open Minds. Her role also involves guiding and providing suggestions to volunteer lawyers, reviewing correspondence and advice drafted by volunteer lawyers and liaising with QPILCH for the settling of correspondence and advice.

Elizabeth said: "I love that my role as Joint Local Pro Bono Coordinator allows me to both take carriage of pro bono matters as well as engage with solicitors within the office to build excitement and passion about our pro bono work. I find the pro bono work we undertake keeps us connected with the community around us. I enjoy collaborating with community legal centres in Queensland, support agencies and pro bono colleagues in DLA Piper's offices throughout Australia in order to deliver pro bono advice, advocacy and training."

a mental illness before the ITO was put in place. Under the ITO, the hospital had started treating Robert with anti-psychotic medication which resulted in significant physical deterioration. The secondee assisted Robert to prepare for the review of the ITO at the Mental Health Review Tribunal. At the hearing, the secondee argued that the treatment criteria under the Mental Health Act had not been met and that a less restrictive way of Robert receiving treatment would be as a voluntary patient, which was Robert's preference. The Tribunal revoked the ITO.

Through the Open Minds clinic, **DLA Piper** helped Tom, a young man who struggled to keep track of his finances and his personal wellbeing due to mental ill-health. The volunteer lawyers successfully negotiated with Tom's creditors to effectively address his financial hardship, obtaining over \$20,000 worth of debt waivers, and also gave Tom guardianship and administration advice. By collaborating with his Open Minds caseworker, the volunteer lawyers actively connected Tom to financial counsellors to better manage his money.

## Other legal and non-legal support

### Secondees

The support of law firms, particularly through timely and extensive secondments, has been instrumental in increasing the level of assistance QPILCH can give clients needing urgent help.

**Herbert Smith Freehills** has supported the Mental Health Law Practice by providing three secondees lawyers (in 2013 and 2014) and a small grant to help with the operation of the MHLPr.

**Corrs Chambers Westgarth** seconded a solicitor in 2013 and **Ashurst** provided two secondees to augment QPILCH staffing to meet an increase in demand for this service in 2015 and 2016.

### Resources

Less than 3% of people appearing at the Mental Health Review Tribunal have access to legal representation. **Norton Rose Fulbright** lawyers have been assisting QPILCH to develop a self help kit for patients appearing before the Tribunal in Involuntary Treatment Order (ITO) review hearings, with the aim of equipping patients with the information they need to participate more fully in the review process.

A growing area of legal need and evolving law is advance care planning. **TressCox** researched and drafted materials for the Mental Health Law Practice on the Advance Health Directive, which when married with other materials will provide the community with practical and accessible resources on advance care planning.

## Team leader: Gillian Hayden



**Gillian Hayden** is the Allens coordinator of QPILCH's Mental Health Civil Law Clinic at Footprints.

The Allens pro bono practice commenced in 2000 when Allens merged into a single national firm. Since then, Allens has refined its pro bono focus areas, increased its focus on direct client assistance such as helping individuals instead of non-profit organisations, involved a greater proportion of partners and staff in pro bono work and developed relationships within the community legal sector.

Allens has priority focus areas for its pro bono work in human rights (with a particular focus on asylum seeker and LGBTIQ rights), alleviating disadvantage (with a particular focus on homelessness and mental health), reconciliation and protecting the environment.

Pro bono work at Allens counts towards its lawyers' billable hours and aids in the retention of staff members who are attracted to working at Allens because of its strong pro bono involvement and staff have found their personal pro bono involvement a highlight of their time at Allens.

"I became the clinic coordinator in 2015 after being an active Footprints clinic volunteer lawyer for a year before that. When the opportunity to become the clinic coordinator presented itself, I put my hand up immediately", Gillian said.

The clients have a community support worker that works directly with the client throughout their recovery process, helping the Allens volunteers to keep the client in contact or to help the client to action items that the lawyers need to have done, having a great impact on progressing a matter because it means that the client does not lose contact with the service.

Seeing the immediate difference that the assistance can make to clients is a source of enjoyment in Gillian's role. "Even a single phone call to a creditor to seek a waiver or reduction of a debt can have an instant response and positive impact for the client."

Many of the clients that QPILCH refers to the Allens clinic have outstanding debts that they have incurred while dealing with mental illness.

Gillian adds: "During their recovery our clients want to actively rectify their financial situation and seek our assistance in dealing with their creditors. One case that stands out particularly is a client who had incurred several different debts with various creditors and was at risk of homelessness. By seeking waivers of each debt and providing support letters to the creditors from the client's support team (including doctors and community support workers), we were able to have each debt waived. Not having to worry about mounting debt and financial hardship helps our clients through their recovery process."



## Seconded: **Mia La Burniy**



**Mia La Burniy** was seconded by Herbert Smith Freehills.

“It might appear clichéd to say, but no two days of my secondment were ever the same and no day was ever like my ordinary ‘day job’. I could have been representing a client at the MHRT on a couple of hours’ notice, facilitating communication between a client and their treating team, assisting a client to understand their rights under the MHA, or driving between hospitals in South-East Queensland to take urgent instructions. I quickly learnt that the only way to get through it was to be as flexible as possible.”

While Mia worked on a range of matters, her main experience was as a legal representative in Involuntary Treatment Order (ITO) review hearings in the Mental Health Review Tribunal (MHRT).

Patients are placed on ITOs by psychiatrists because they meet all the treatment criteria outlined in the Mental Health Act. The MHRT is made up of three members – a lawyer, a psychiatrist and a community member with experience in mental health, and the purpose of the

review hearing is for the members to review whether all the treatment criteria continue to apply to the patient and assess whether a patient’s ITO should be confirmed, revoked or the category should be changed.

The purpose of the MHLP’s advocacy service is to arm clients with knowledge about the review process, assist them to understand their clinical report and advocate on their behalf at the review hearing. Without assistance from the MHLP many patients would not be represented.

## Seconded: **Bianca Kabel**



**Bianca Kabel**, was seconded by Ashurst.

“I joined the Mental Health Law Practice in June 2015 as a seconded from Ashurst. Although my time there was brief, I learned an enormous amount about the work of the MHLP, the substantive law and serious practical difficulties relating to the regulation of Involuntary Treatment Orders in Queensland and the very real struggles of community legal centres in providing assistance to our society’s most disadvantaged. In my time with the MHLP, I was also exposed to a wide variety of work including drafting submissions, interviewing clients in person and over the telephone, legal research, appearing at the Mental Health Review Tribunal, attending the Mental Health Court and supervising student volunteers.

“My secondment to QPILCH and the MHLP was an experience of immeasurable benefit to my personal and professional development. First, being exposed to clients who are so significantly disadvantaged inevitably invites a young lawyer to question and analyse the broader effects and implications of legal structures and systems – a skill which I

believe is also applicable to much of commercial practice. Second, working at QPILCH gave me the opportunity to significantly improve a number of practical legal skills including drafting, interviewing and advocacy (both individual and systemic). I expect that these skills will translate into commercial legal practice and will continue to be of use for many years to come. Third, as a junior lawyer, the opportunity to supervise law students gave me real insight into and appreciation of the not insignificant effort put in by my supervisors to correct and give feedback on my work. It also highlighted the importance of carefully reviewing feedback and considering earlier feedback in future situations.”



## 2001-16 QPILCH MILESTONES

- 28 November 2000** - first formal meeting of founding member representatives to plan establishment of QPILCH.
- 1 February 2001** - second formal meeting to confirm rules, funding and a timeline for incorporation.
- 5 March 2001** - The Honourable Paul de Jersey AC, Chief Justice of Queensland, agrees to be the patron of QPILCH.
- 5 April 2001** - Special General Meeting held to resolve to incorporate.
- 8 June 2001** - QPILCH incorporated.
- September 2001** - six foundation law firms (Allens Arthur Robinson (Allens), Blake Dawson Waldron (Ashurst), Clayton Utz, Mallesons Stephen Jaques (King & Wood Mallesons), McCullough Robertson and MinterEllison fund the establishment of QPILCH.
- December 2001** - first staff member employed on part-time basis.
- December 2001 to March 2002** - QPILCH accommodated at the offices of Legal Aid Queensland.
- March 2002** - QPILCH moved to office space donated by Shine Roche McGowan (Shine Lawyers).
- 19 April 2002** - launch of QPILCH by The Honourable Paul de Jersey AC, Chief Justice of Queensland at Customs House, Brisbane.
- July 2002** - first student clinic with Griffith University law students commenced.
- July 2002** - first secondee to QPILCH from Ashurst (Blake Dawson Waldron) to research and develop homeless persons' legal service.
- 10 December 2002** - launch of the Homeless Persons' Legal Clinic by the Hon Rod Welford MP, Attorney-General and Minister for Justice at St Vincent's Homeless Men's Hostel.
- March 2003** - QPILCH moves to new offices in Margaret Street, Brisbane.
- 15 July 2003** - QPILCH and Griffith University co-host seminar on International Developments in Pro Bono, hosted by Allens.
- 14 August 2003** - QPILCH holds seminar on Human Trafficking, Sex Slavery and the Law, organised by Mallesons Stephen Jaques secondee, seconded to start a new QPILCH service for refugees on Temporary Protection Visas.
- 20 August 2003** - first Public Interest Address presented by lawyer and journalist David Marr on "Tampa and the Rule of Law".
- 3 September 2003** - first in a series of secondments from Allens and McCullough Robertson to undertake case assessments.
- 20-21 October 2003** - QPILCH co-hosts and representatives address the Second National Pro Bono Conference in Sydney.
- December 2003** - the Queensland Government provides a small grant for the operation of the HPLC and referrals service.
- December 2003** - small grants by Myer Foundation and Gambling Community Benefit Fund to establish a service for refugees on temporary protection orders for 12 months.
- December 2003** - first in a series of secondees from MinterEllison to coordinate the HPLC.
- March 2004** - first Rural Regional Remote project commenced with secondment from Allens.
- 9 July 2004** - launch of the Consumer Law Advice Clinic, a partnership of the TC Beirne School of Law, Clayton Utz and QPILCH, by the Hon Rod Welford MP, Attorney-General.
- August 2004** - Administrative Law Clinic started with Bond University Law School.
- August 2004** - participation in research for Rights in Public Space Action Group for submission on review of the *Vagrants, Gaming and Other Offences Act*.
- April 2005** - employment of first projects coordinator.
- March 2005** - first homeless policy researcher appointed with secondment from M cCullough Robertson.

- August 2005** – first grant from the Department of Communities to employ a coordinator for the HPLC.
- August 2005** – first external training event on guardianship and administration in partnership with BAQ.
- September 2005** – publication of Limitation Schedule for CLCs in partnership with Caxton Legal Centre, Ashurst and Clayton Utz (now on [legalpediaqlld.org.au](http://legalpediaqlld.org.au)).
- January 2006** – first homeless policy coordinator employed with a grant by the Department of Communities.
- March 2006** – HPLC student clinic commenced with UQ students.
- April 2006** – research begins into self-representation in partnership with QUT Law School.
- 21 June 2006** – HPLC forum on human rights.
- 5 October 2006** – appearance before Senate committee on Indigenous wages.
- 5 October 2006** – forum on Indigenous rights with Dr Elouise Cobell, elder of the Blackfoot Nation.
- 13 September 2006** – Public Interest Address presented by the Master of the Rolls, Sir Anthony Clarke and the UK Pro Bono Envoy Michael Napier.
- 10 March 2007** – first HPLC Art Show.
- 7 March 2007** – launch of UQ Law/QPILCH report “Nowhere to Go: The impact of Move-on Powers on Homeless People in Queensland”.
- March 2007** – commencement of CLC support project, culminating in a firms/CLCs forum in May 2007.
- 30 March 2007** – forum with the Court of Appeal to discuss self-representation research and develop a self-representation service.
- July 2007** – grant from Queensland Law Foundation to establish NFP training program.
- July 2007** – first confirmed recurrent funding for QPILCH from the Legal Practitioners’ Interest on Trust Accounts Fund.
- September 2007** – Self Representation Service in the Supreme and District Courts and Court of Appeal commences.
- 12 September 2007** – Refugee Civil Law Clinic, a partnership of the Multicultural Development Association, Corrs Chambers Westgarth and QPILCH, launched by The Honourable Paul de Jersey AC, Chief Justice of Queensland.
- 25 September 2007** – launch of the first regional HPLC in Toowoomba by QLS president Megan Mahon.
- 24 November 2007** – QPILCH’s first fundraiser “Cocktails for a Cause” occurs, organised by solicitors from Mallesons Stephen Jaques and MacDonnells. Proceeds used to establish Disbursement Fund.
- 12 December 2007** – launch of the Self Representation Service in the Supreme and District Courts and Court of Appeal by the Hon Kerry Shine MP, Attorney-General and Minister for Justice.
- 26 March 2008** – Townsville HPLC commenced.
- 19 May 2008** – first Walk for Justice held.
- 8 October 2008** – QPILCH granted PBI status with the assistance of Freehills.
- December 2008** – Mediation service at State Courts started with assistance of Holding Redlich.
- June 2009** – QPILCH begins management of the Queensland Law Society Pro Bono Service and the Bar Pro Bono Service.
- July 2009** – commencement of the Mental Health Law Practice with a grant for three years from the *English Family Foundation* and subsequently from the *Sylvia and Charles Viertel Foundation*.
- 2009** – development of the Legal Health Check through a partnership of Roma House, Herbert Smith Freehills and QPILCH.
- 2009** – Self Representation Service in the Queensland Civil and Administrative Tribunal commences.
- 6 July 2010** – three year funding for the HPLC provided by the Queensland Department of Communities.
- 23 July 2010** – first *Red Wine for Justice* fundraiser held.
- 9 June 2011** – Celebration of QPILCH’s 10<sup>th</sup> anniversary at the Public Interest Address by the Chief Justice of Queensland, the Honourable Paul de Jersey AC.
- 27 July 2011** – launch of pilot Self Representation Service in the Federal Courts by the Federal Attorney General, the Hon Robert McClelland MP, in the presence of The Honourable Patrick Keane, Chief Justice of the Federal Court.
- 25 July 2012** – first Street Soccer held.
- 5 November 2013** – Launch of the Legal Health Check videos, a guide to using the LHC, by the Hon Jarrod Bleijie MP, Attorney-General and Minister for Justice.
- 11 December 2013** – the Queensland Government provides a grant to staff the HPLC in Cairns.
- February 2014** – launch of QPILCH’s Townsville office.
- 23 April 2014** – launch of the Self Representation Service in the Federal Courts by Senator, The Hon George Brandis MP, Attorney General for the Commonwealth.
- 18 March 2015** – launch of the *Civil Justice Fund* by The Honourable Justice Margaret McMurdo AC, President of the Court of Appeal and the patron of the fund.



**A celebration of the Queensland legal profession's recent and historical pro bono efforts for individuals and not-for-profit organisations and a tribute to the members of the profession whose work is vital to an accessible and fair justice system.**



15 years  
of law firm  
pro bono  
in Queensland  
2001 – 2016

September 2016