

pro bono forum bulletin

Pro Bono Matters



Nick Hanning, F.Inst.L.Ex.
Chair, ILEX Pro Bono Forum

The continued impact of the recession has led to increased demand for help from advice agencies of all types while in many cases there has been a reduction in the resources available to those agencies. As a result, the importance of pro bono and the value of the work being done by volunteers has never been greater.

It is appropriate then that a great deal of work has been done to develop pro bono services, make additional resources available and, particularly as far as ILEX is concerned, help our members get involved. Forum members have been active in establishing numerous regional legal support trusts and the Forum is getting ready for the imminent formal launch of the Joint ILEX Pro Bono Forum and Bar Pro Bono Unit Scheme ("JIB"). This Scheme will finally enable ILEX to take its place as a genuine pro bono provider.

Work of a more prosaic but no less significant nature has been going on in amending the Pro Bono Protocol. The Protocol is a crucial statement of intent and commitment by pro bono lawyers about the nature and mode of delivery of pro bono work. What will be significant about the revised version is the recognition of the importance of work outside the delivery of legal services. Bringing the law into schools and local communities is of considerable and long term benefit. What is more, it provides excellent opportunities for trainee lawyers to be involved in projects which help in the development of their skills too.

So, cliché or not, it is has been a busy time and with National Pro Bono Week, which launches with another Pro Bono Conference, just around the corner it is only going to get busier. And with new legal support trusts, Street Law and JIB, it is all very exciting too!

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ILEX Members Needed for Upcoming Regional Sponsored Walks!



Last year members of the legal and voluntary community took part in the inaugural regional legal support trust walks to raise monies for legal advice agencies in their respective regions. This year, the legal support trusts are holding their sponsored walks on the **24th of September** and ILEX is seeking both participants and sponsors.

The 'Reaching Justice Wales' or 'Cyrraed Cyfiawnder Cymru', will be holding the Three Courts Walk in Cardiff. For further information on this walk, please contact Lynne Squires on lsquires@ilex.org.uk.

The Midlands Legal Support Trust is holding a 'Two Cities Walk' for Birmingham and Nottingham. For information on the Nottingham walk, please contact Jamil Karkach on jkarkach@ilex.org.uk. For information on the Birmingham walk, please contact Anne-Marie Dhillon on adhillion@ilexrepa.fsnet.co.uk.

Finally the North West Midlands Legal Support Trust is holding a walk in Manchester. For further information on this walk, please email ILEX Greater Manchester Branch, Membership Secretary - Mia Azicate on M.Azicate@mmu.ac.uk.



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Section 194 Chain Reaction

Last October saw the introduction of Section 194 of the Legal Services Act 2007. Section 194 is ground breaking legislation as it introduced costs orders in pro bono cases.

In litigation it is usual for the losing party to pay some or all of the winning party's legal costs. Prior to the introduction of Section 194, if a case was won using pro bono lawyers the losing party did not have to pay the winning party's costs – it was pro bono, so technically there were none. This was a gain for the losing party and, also, there was no incentive for a losing party to settle as there was no costs penalty at any stage in the proceedings.

This is no longer the case. Section 194 introduced costs awards in pro bono cases. These costs do not go to the winning party's lawyers but to the Access to Justice Foundation.

A pro bono win with a Section 194 costs order has a double benefit for access to justice. There is the benefit of the party winning their case having had pro bono help, and the opportunity for funding to be available to assist other agencies that provide pro bono assistance – double your money.

The Access to Justice Foundation, an independent charity, was set up to receive the proceeds from Section 194 orders, together with other new resources, and to distribute in a strategic manner to appropriate organisations. The Foundation is already seeing funds coming through from Section 194 orders (a recent case secured an order of over £20,000) and is aware that the threat of costs orders has enabled some cases to be settled bringing justice to a party earlier.

It is vital that all pro bono lawyers and anyone being represented pro bono is aware of Section 194 orders and apply for costs orders where ever possible. Remember the Diana Ross song 'Chain Reaction'? – Section 194 is a chain reaction. Every order will enable more people to receive pro bono assistance and real access to justice.

Please look at the Access to Justice Foundation website www.accessjusticefoundation.org.uk for further information. The Foundation welcomes donations in addition to Section 194 costs orders.

Calling all Fellows

interested in joining the Joint ILEX Pro Bono Forum and Bar Pro Bono Unit (JIB) Scheme

Many of you will by now know that the ILEX Pro Bono Forum has been trying for some time to launch the JIB Scheme in conjunction with the Bar Pro Bono Unit (BPBU). However a major hurdle in launching JIB has been a professional indemnity insurance policy. The ILEX Pro Bono Forum is now pleased to announce that a policy has been developed and we are actively seeking volunteers for the Scheme.

If you would like further information on this Scheme or would like to consider volunteering, please email probono@ilex.org.uk.

We are happy to answer any questions you may have and will send you a JIB Scheme application form. There will be no obligation on your part and you can withdraw from the scheme at any time.



Joint National Pro Bono Conference



The biennial Joint National Pro Bono Conference will take place on 9 November 2009 at Friends' House, London and will launch National Pro Bono Week (NPBW) 2009. On 10 November, the Conference will move to the Civil Justice Centre in Manchester.

Workshops will include:

- Sustaining pro bono in a down-turn economy
- Measuring impact: quantifying that added value
- Take the first steps: starting your own pro bono scheme

The Conference is being hosted by the ILEX Pro Bono Forum, the Bar Pro Bono Unit and LawWorks and is in association with Advice Services Alliance and the Personal Support Unit. The Conference is also being supported by the Institute of Legal Executives, the Law Society and the Bar Council.

For further information, including sponsorship opportunities, please contact Vicky O'Keefe probonoconference@mail.com

National Pro Bono Week 2009

NPBW will be taking place this year from 9-13 November. Once again events will be taking place throughout England and Wales to celebrate and highlight Pro Bono Work. If you are interested in organising a pro bono event in your area, please contact Valerie Robertson on vrobertson@ilex.org.uk. If you wish to find out further information about events taking place during NPBW, please visit www.probonouk.net

Left:

Delegates enjoy last year's Pro Bono Week
From left to right:
Judith Gordon-Nichols, ILEX President
Sandra Barton, Vice Chair of the ILEX Pro Bono Forum and
Lynne Squires, ILEX Regional Liaison Representative



Pro Bono Service Comes of Age

Bournemouth & Poole Pro Bono (BPPB) is 3 years old this month but, according to the Chair of its Trustees, Nick Hanning, like a good wine, it has matured slowly and is now ready to hit new heights.

BPPB is a service initiated by the ILEX Bournemouth & District Branch dedicated to providing free legal help to local charities and voluntary groups serving the community. These groups are often faced with legal problems or need advice but cannot afford to spend their limited resources on lawyers fees. "Legal advice is vital" says Nick, "but it can be expensive and diverts funds from the core aims of the charity or voluntary organisation. By finding a local lawyer willing to provide that advice for free, both the organisation and the community as a whole benefit."

In its first 3 years, Nick estimates BPPB volunteers have given advice worth around £10,000 to a wide variety of local groups but he hopes to increase that significantly by raising the profile of the service and recruiting more volunteers.

A major boost for potential volunteers is the inception of professional indemnity insurance to cover the work done by volunteers. Most lawyers are only insured for work done



through their employer and not for voluntary work done in their own time.

Bournemouth & Poole Pro Bono may have achieved new heights but the aim is considerably higher. "We are looking to develop additional services targeted at individuals who need help through community based advice sessions and will be working with local schools to bring legal education into the classroom through Street Law projects" Nick says.

Street Law is particularly exciting as it is specifically aimed at those still in training. The group develops role plays which demonstrates to the school or community audience the law about a particular topic; say, knife crime or drugs. These are written, presented and performed by the group under the supervision of a volunteer lawyer.

To know more about BPPB and what it does, to register as a lawyer volunteer or to ask for help, go to

www.badilex.co.uk/bppb.htm
or email
bppb@badilex.co.uk.

Regional Legal Support Trusts



Many members of ILEX may have heard about the various legal support trusts that have been developed over the last year or about the new ones currently being discussed. Highlighted below are further details on the Trusts that are fully developed and the ones that are just about to be launched.

The Midland Legal Support Trust (MLST) was formed in 2008 and is a registered charity. The MLST was developed to give financial support to charities and advice agencies in the Midlands that provide free legal advice. Trustees include members of the judiciary, the bar, solicitors and representatives from the College of Law and ILEX. President of the MLST is the Honourable Mr. Judge Teacy. To >>>

ILEX Tutor earns prestigious pro bono recognition

and is developing the first ILEX Student Pro Bono Project...



Alex Simmonds is an ILEX Course Tutor at Doncaster College, and also works for the Children and Family Court Advisory Support Service (CAFCASS) in Sheffield.

Whilst a BVC student in Nottingham, Alex devised the 'Bars in Their Eyes' programme as a Streetlaw-style pro bono project. The project was designed to educate prisoners about the importance of disclosing criminal convictions in future employment applications, by way of law students delivering interactive presentations directly to prison inmates.

So far the project has been run 12 times at 6 different prisons and has enabled many law students in

Nottingham to get involved in pro bono work and gain practical experience. Alex has achieved great recognition for his project including:

- **Exceptional Winner** Higher Education Volunteering Awards 2008
- **Student Volunteering England Gold Award** for Leadership Dedication and Achievement 2008
- **Runner Up** Best Contribution by an Individual Student - LawWorks & Attorney General Student Awards 2009
- **Highly Commended** Best New Pro Bono Activity - LawWorks & Attorney General Student Awards 2009

- **Exceptional Winner** Higher Education Volunteering Awards 2008
- **Student Volunteering England Gold Award** for Leadership Dedication and Achievement 2008

Alex has now begun work on another pro bono project with ILEX Regional Liaison Officer, Jamil Karkach. The project will be the first ILEX Student Pro Bono Project and will help ILEX Students into pro bono work whilst developing their practical legal skills. The focus of the project is planned to be debt issues and the legal rights and processes relevant to individuals and small businesses. It is hoped that the project will be launched later in 2009, with the first ILEX Students to take part coming from the Doncaster area.

find out more information on the MLST please go to www.accesstojusticefoundation.org.uk/regional-trusts/midland/

The North West Legal Support Trust (NWLST) was recently formed in 2009. Its intention is to become a grant making charity that aims to support charities in the North West of England. The NWLST Patron is His Honour Judge Holman. To view Draft Pages of the NWLST web site please go to www.nwlst.org.uk/23rettd567rj/

The Eastern Region LST is also a newly formed legal support trust which will be based in Cambridge. Since its first meeting, arrangements are being made to select prospective trustees and to explore developing the legal support trust further. If you would like to assist with any of the above Trusts, please contact Anne-Marie Dhillon on

adhillon@ilexrepa.fsnet.co.uk

Reaching Justice Wales or Cyrraed Cyfiawnder Cymru was formed in 2008. Its intention is to become a registered charity and aims to contribute to the availability of legal advice across Wales. It is being led by a steering group that comprises the judiciary, the bar, solicitors and representatives from Cardiff University and ILEX. To find out more about Reaching for Justice Wales, please visit <http://www.reachingjusticewales.org.uk> or contact Lynne Squires on lsquires@ilex.org.uk.

South West Legal Support Trust has just had its first meeting. If you are interested in learning more about this Trust, please contact either Judith Gordon-Nichols on jgnichols@beachcroft.com or Lynne Squires on lsquires@ilex.org.uk.

School Allies

ALLIES is an acronym for “a local lawyer in every school”. It was introduced during National Pro Bono Week 2008 with the aim of achieving certain objectives by National Pro Bono Week 2009.

ALLIES is a strategic alliance with twin purposes. It aims to bring together qualified lawyers who are already serving school governors in order to raise awareness, improve communications, spread best practice, and encourage mutual support and training. It will also work to encourage other qualified lawyers to consider applying to become school governors.

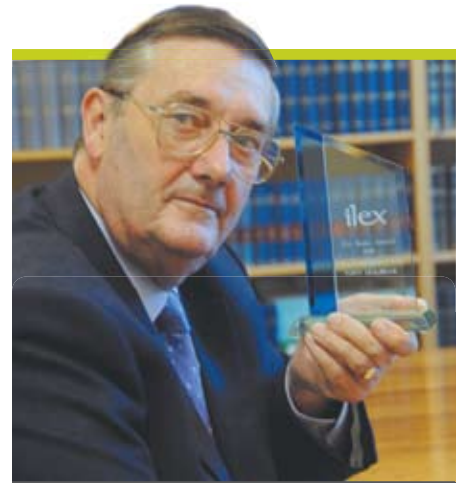
The steering group has given itself a number of areas of focus during 2009. Its first step was to carry out an audit of existing engagement in governing bodies by lawyers. A questionnaire has been launched and can be accessed through the website at <http://www.sgo.org.uk/allies/index.htm>. ALLIES is also working with NCOGS (the National Coordinated Governor Services) and the Law Society to look at awarding Law Society CPD accreditation for appropriate training material for school governors. Throughout, the initiative will be focusing on adding value in areas where there are significant vacancies – acknowledging that there are areas already well served

by governors and where the legal community has already established best practice in school engagement.

Currently, work is being undertaken to identify an appropriate pilot area to launch ALLIES in National Pro Bono Week 2009 – the week beginning 9 November.

Looking ahead, the ultimate aim of ALLIES is to be able to establish a communications channel, through lawyers on governing bodies, to help schools access public legal education programmes and other value-added benefits of engagement with the legal profession.

It is a crucial element of the ALLIES operation that the group works to support other relevant organisations instead of duplicating existing processes. ALLIES is careful not to undervalue the contribution made to governing bodies by non-lawyers. Rather, the purpose and strength of ALLIES is to leverage its contacts within the legal profession to pilot good practice in engaging an entire profession in school governance.



Pro Bono Award win for ‘unsung hero’

The winner of the ILEX 2008 Pro Bono Award winner is Tony Dolbear.

Tony a Legal Executive Fellow with the Bournemouth law firm of Horsey Lightly Fynn, is one of the ‘unsung heroes’ of Pro Bono work.

Someone who shies away from the limelight, Tony has been a key member of the team that recognised the need for local voluntary and community groups to have access to legal advice, which led to the creation of Bournemouth and Poole Pro Bono. Since its creation, he has continued to be staunch supporter and key volunteer.

On a personal level as a volunteer, he has acted in a pro bono capacity for a local charity that provides care, support and development to recovering drug addicts as well as a local Community Centre on debt recovery.

The Award, sponsored by Peverel Management Services, carries with it a donation of £750 to a charity of the winner’s choosing, as well as a trophy for the winner. Tony requested the donation should go to Julia’s House, the Dorset Children’s Hospice in Poole, Dorset.

“My congratulations to Tony,” said ILEX President (2008/09), Mark Bishop. “He has worked tirelessly over many years to help others and is an example to all of us in the legal profession. Tony is a very worthy winner of the award and an inspiration to all legal executives who are involved in Pro Bono work.”