



– National Survey –

**Report on the pro bono legal work of individual
Australian Solicitors**

December 2007

Appendix VI

**Responses to Survey Questions; Western Australia, South
Australia, Northern Territory, Australian Capital Territory and
Tasmania (combined)**

NATIONAL PRO BONO RESOURCE CENTRE

Centres Precinct, Law School Building
University of New South Wales NSW 2052
www.nationalprobono.org.au

This work is licensed under a Creative Commons Attribution-Noncommercial-Share Alike 2.5
Australia licence www.creativecommons.org/licenses/by-nc-sa/2.5/

Acknowledgements

Sincere thanks are due to:

- * Associate Professor Belinda Carpenter, School of Law, QUT
- * Social policy and research company *Urbis JHD*.
- * Online research specialists, *Yellow Squares*, www.yellowsquares.com.au/
- * Queensland Law Society for financial assistance
- * All State and Territory Law Societies for their support
- * Staff at NPBRC especially Jenny Lovric, Olivia Wellesley-Cole, John Corker, Lynne Spender & Laura Soley.

Appendix VI

Responses to Survey Questions; Western Australia, South Australia, Northern Territory, Australian Capital Territory and Tasmania (combined)

Please indicate the state or territory where your office is located:

Table 1

State	Number	Percentage
ACT	7	1%
NSW	327	37%
NT	9	1%
SA	43	5%
Tas	23	3%
Vic	200	23%
WA	53	6%
Qld	225	25%
Total	887	100%
WASANT ACTTas		
	135	15%

Due to the small percentage of responses from WA, SA, Tas, NT and ACT (less than 7% each) they have been combined into one group known as WASANTACTTas with a total of 135 respondents equivalent to 15% of the total.

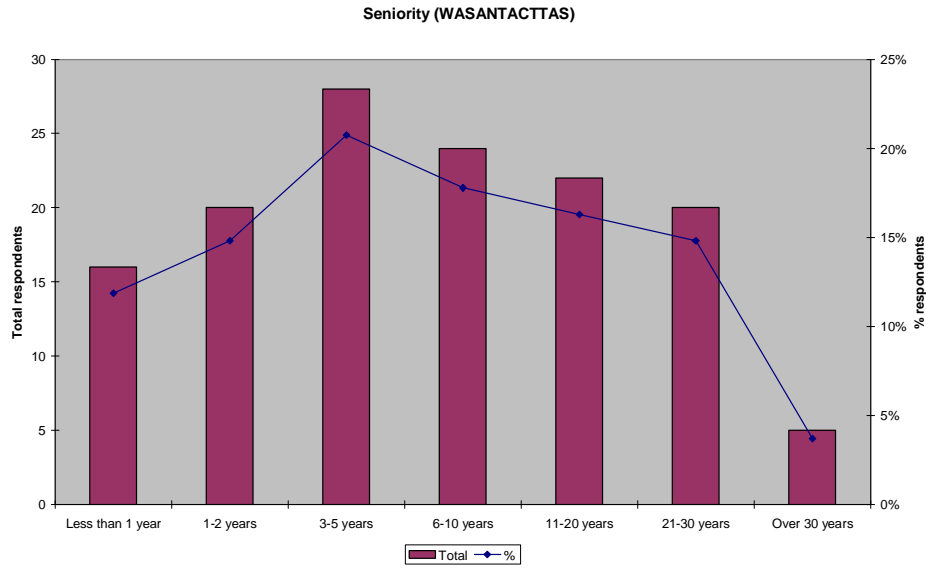
Section 1 - About you

1. How long have you been admitted to practice?

Table 1.1

Seniority	Total	%
Less than 1 year	16	12%
1-2 years	20	15%
3-5 years	28	21%
6-10 years	24	18%
11-20 years	22	16%
21-30 years	20	15%
Over 30 years	5	4%
Total	135	100%

Figure 1.1

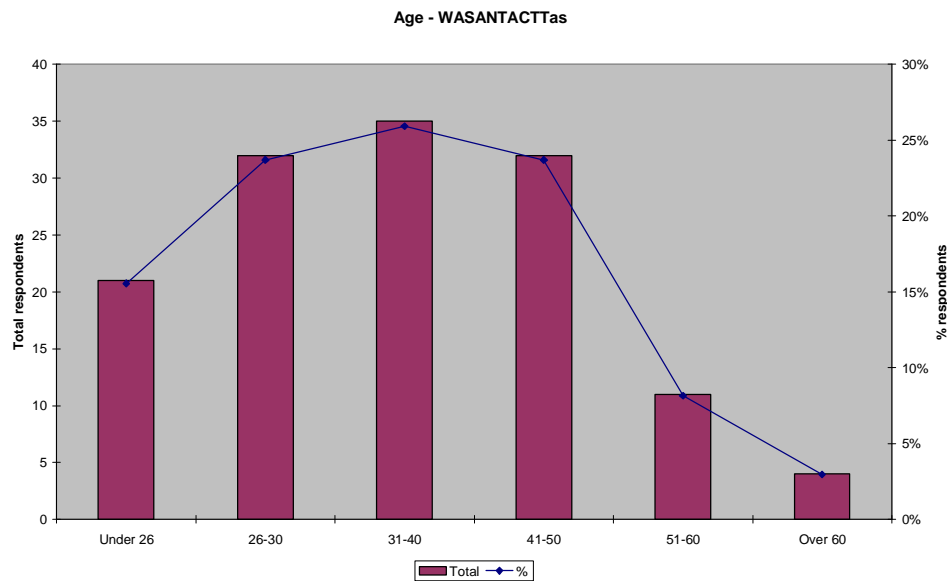


2. How old are you?

Table 1.2

	Total	%
Under 26	21	16%
26-30	32	24%
31-40	35	26%
41-50	32	24%
51-60	11	8%
Over 60	4	3%
Total	135	100%

Figure 1.2

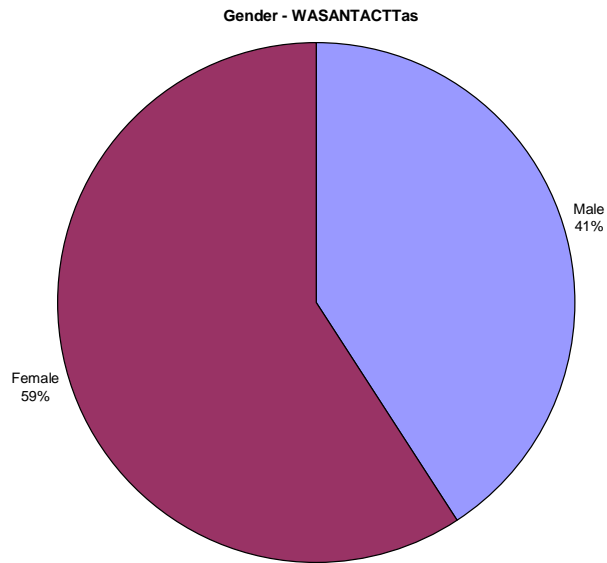


3. Are you...?

Table 1.3

	Total	%
Male	55	41%
Female	80	59%
Total	135	100%

Figure 1.3



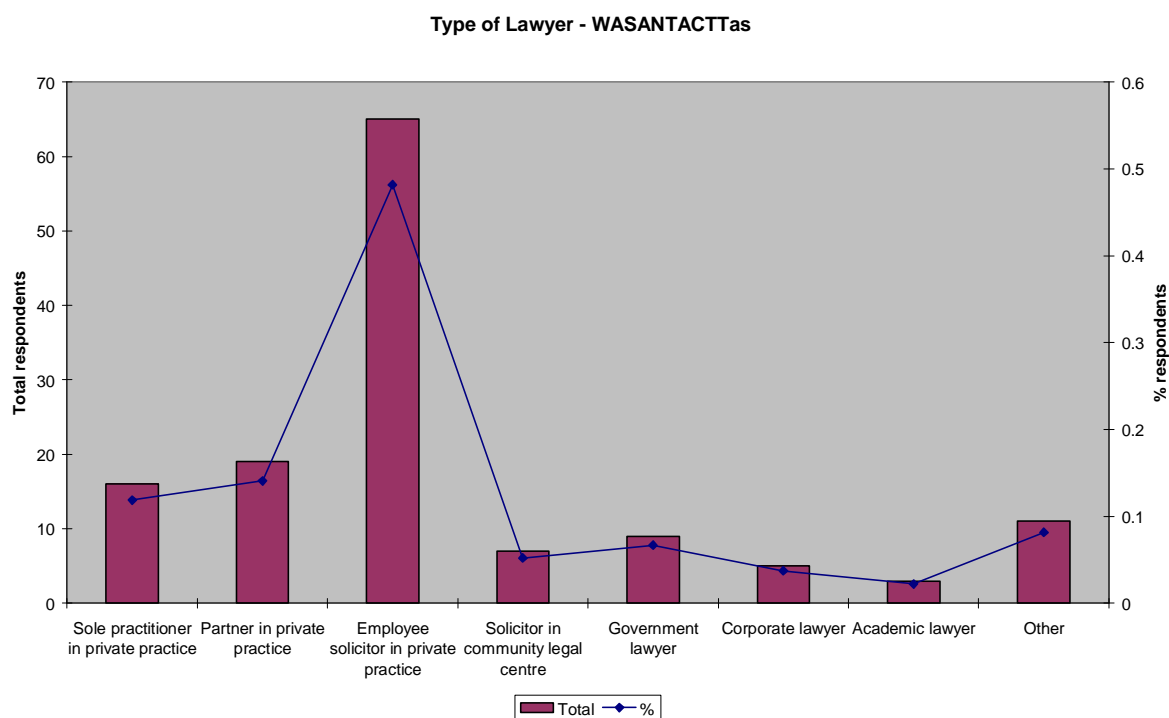
Section 2 - About your job

1. What is your position?

Table 2.1

	Total	%
Sole practitioner in private practice	16	12%
Partner in private practice	19	14%
Employee solicitor in private practice	65	48%
Solicitor in community legal centre	7	5%
Government lawyer	9	7%
Corporate lawyer	5	4%
Academic lawyer	3	2%
Other	11	8%
Total	135	100%

Figure 2.1

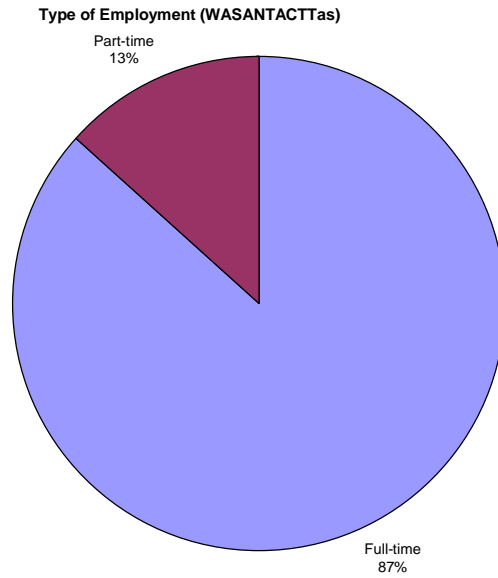


2. Do you work...?

Table 2.2

	Total	%
Full-time	117	87%
Part-time	18	13%
Total	135	100%

Figure 2.2

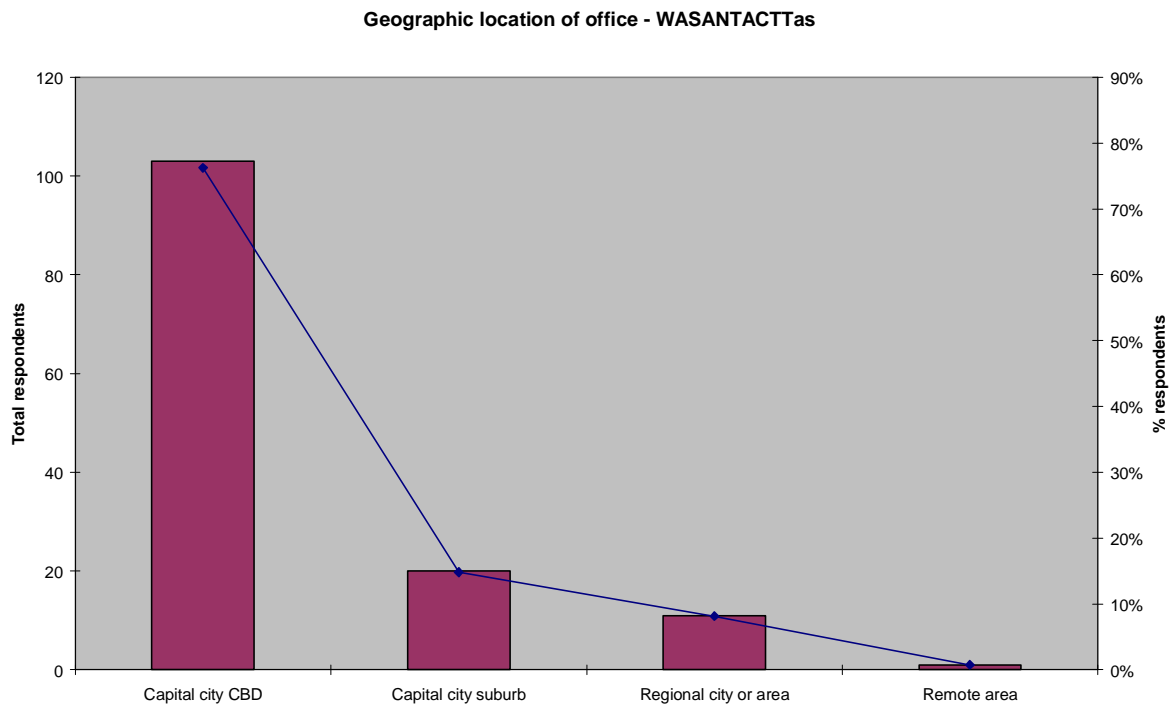


3. Where is your office located?

Table 2.3

	Total	%
Capital city CBD	103	76%
Capital city suburb	20	15%
Regional city or area	11	8%
Remote area	1	1%
Total	135	100%

Figure 2.3



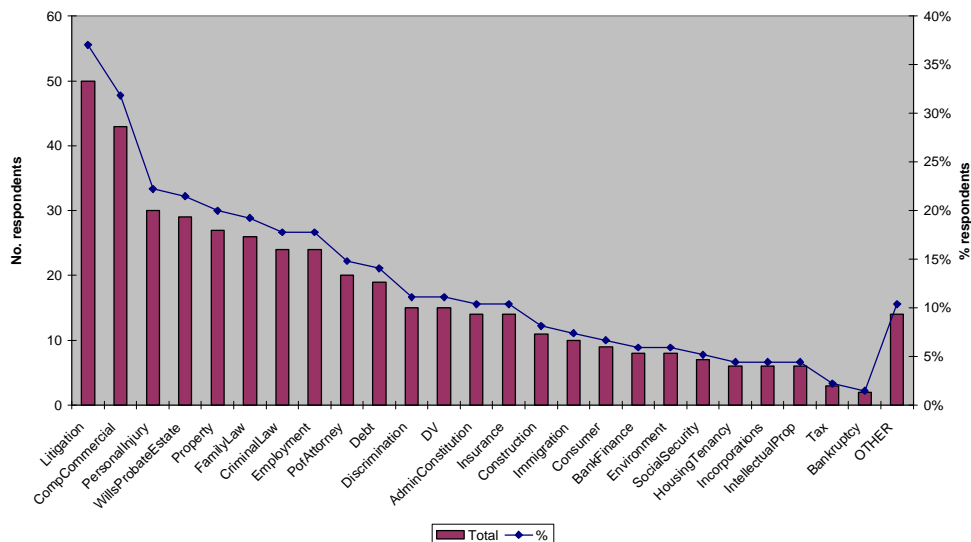
4. In which area(s) do you practice?

Table 2.4

Main areas of practice	Total	%
Litigation	50	37%
CompCommercial	43	32%
PersonalInjury	30	22%
WillsProbateEstate	29	21%
Property	27	20%
FamilyLaw	26	19%
CriminalLaw	24	18%
Employment	24	18%
PofAttorney	20	15%
Debt	19	14%
Discrimination	15	11%
DV	15	11%
AdminConstitution	14	10%
Insurance	14	10%
Construction	11	8%
Immigration	10	7%
Consumer	9	7%
BankFinance	8	6%
Environment	8	6%
SocialSecurity	7	5%
HousingTenancy	6	4%
Incorporations	6	4%
IntellectualProp	6	4%
Tax	3	2%
Bankruptcy	2	1%
OTHER	14	10%
Total	135	100%

Figure 2.4

Main areas of practice (WASANTACTTas)



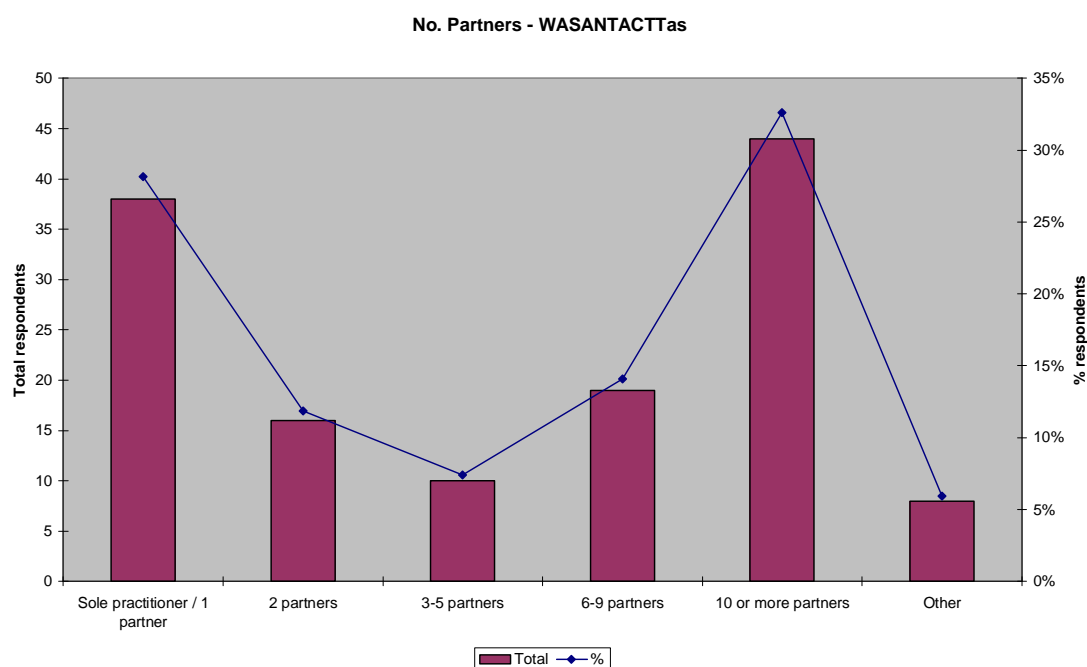
Section 3 - Brief details of your firm/office

1. How many partners are there in your office?

Table 3.1

No. partners	Total	%
Sole practitioner / 1 partner	38	28%
2 partners	16	12%
3-5 partners	10	7%
6-9 partners	19	14%
10 or more partners	44	33%
Other	8	6%
Total	135	100%

Figure 3.1

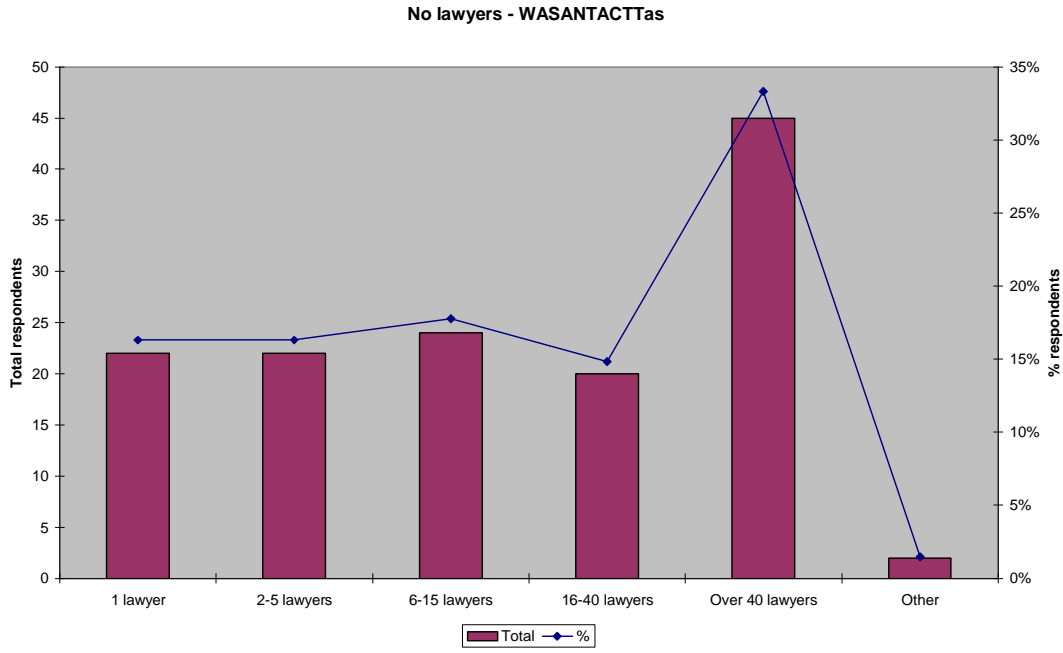


2. How many lawyers (including partners) are there in your office?

Table 3.2

No of lawyers	Total	%
1 lawyer	22	16%
2-5 lawyers	22	16%
6-15 lawyers	24	18%
16-40 lawyers	20	15%
Over 40 lawyers	45	33%
Other	2	1%
Total	135	100%

Figure 3.2

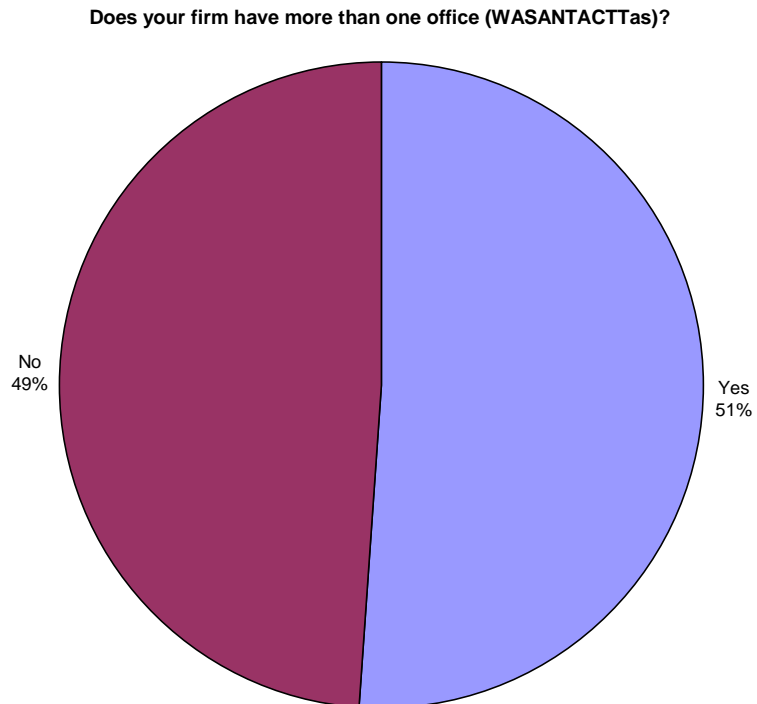


3. Does your firm have more than one office?

Table 3.3

	Total	%
Yes	69	51%
No	66	49%
Total	135	100%

Figure 3.3

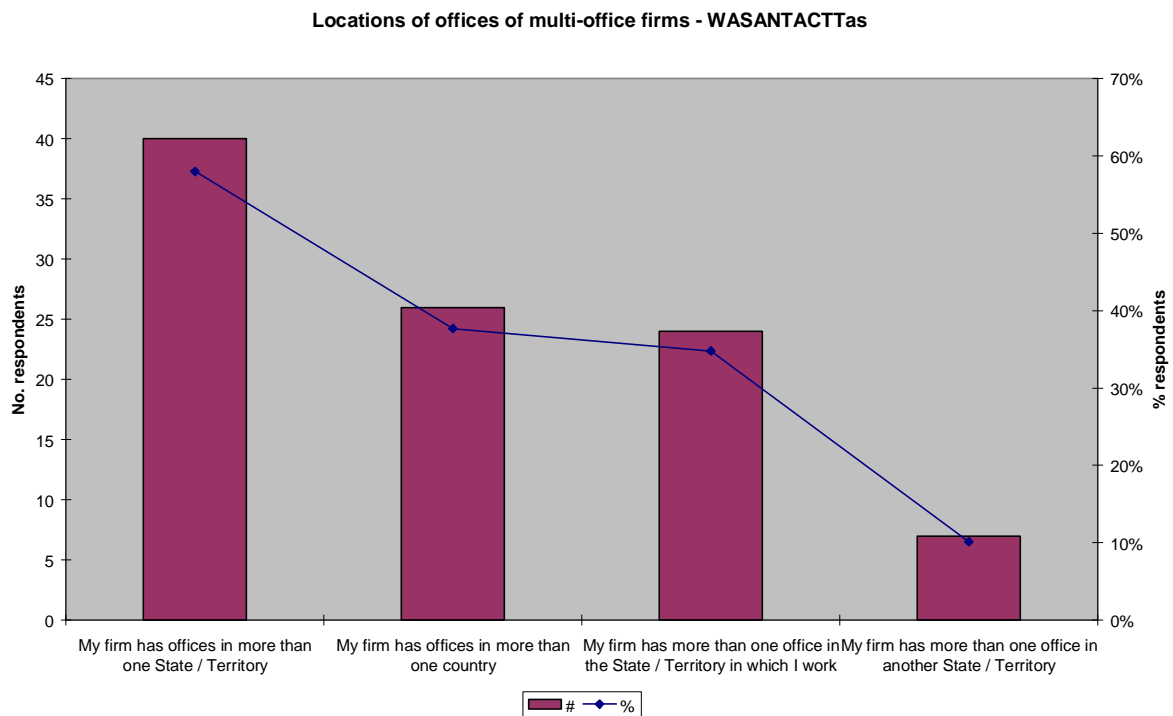


4. About your firm's offices...

Table 3.4

Locations of offices of multi-office firms	#	%
My firm has offices in more than one State / Territory	40	58%
My firm has offices in more than one country	26	38%
My firm has more than one office in the State / Territory in which I work	24	35%
My firm has more than one office in another State / Territory	7	10%
Total	69	100%

Figure 3.4



Section 4 - Your Participation

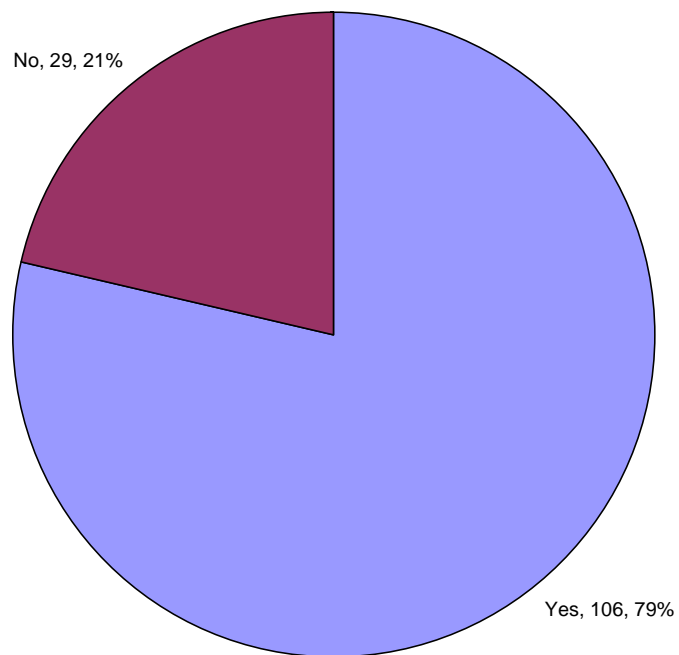
1. In the past 12 months have you spent time doing or coordinating the provision of pro bono legal work?

Table 4.1

Pro Bono legal work undertaken in past 12 months?	Total	%
Yes	106	79%
No	29	21%
Total	135	100%

Figure 4.1

Pro Bono legal work undertaken in past 12 months? - WASANTACTTas

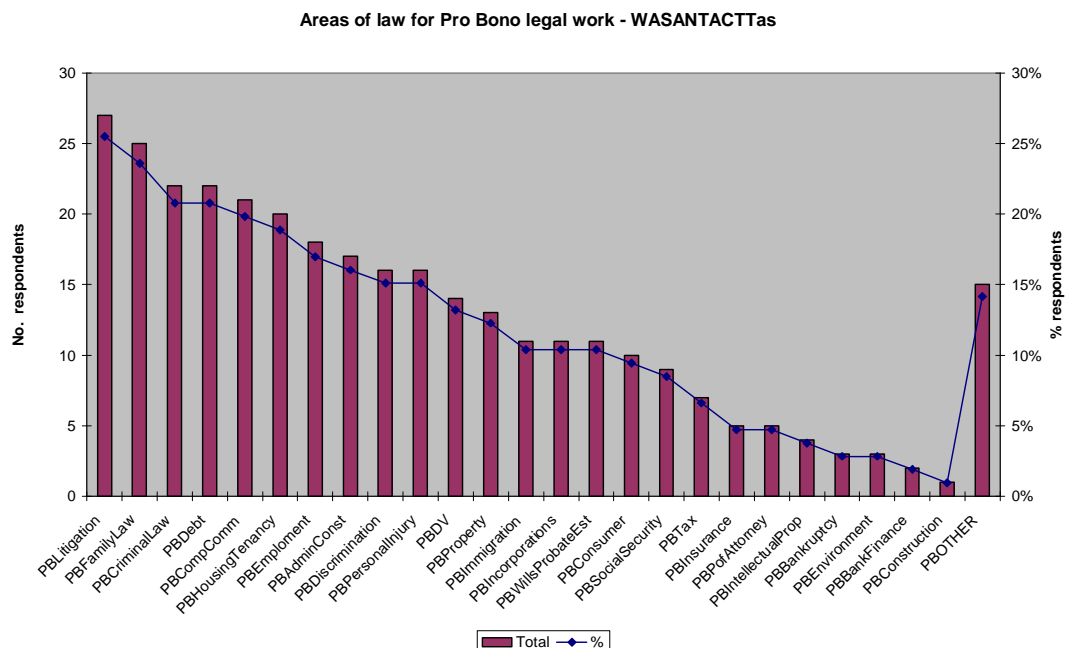


2. In which of the following areas of law have you done pro bono legal work in the last 12 months?

Table 4.2

Areas of law for Pro Bono legal work	Total	%
PBLitigation	27	25%
PBFamilyLaw	25	24%
PBCriminalLaw	22	21%
PBDebt	22	21%
PBCompComm	21	20%
PBHousingTenancy	20	19%
PBEmploment	18	17%
PBAdminConst	17	16%
PBDiscrimination	16	15%
PBPersonalInjury	16	15%
PBDV	14	13%
PBProperty	13	12%
PBImmigration	11	10%
PBIncorporations	11	10%
PBWillsProbateEst	11	10%
PBConsumer	10	9%
PBSocialSecurity	9	8%
PBTax	7	7%
PBInsurance	5	5%
PBPofAttorney	5	5%
PBIntellectualProp	4	4%
PBBankruptcy	3	3%
PBEnvironment	3	3%
PBBankFinance	2	2%
PBConstruction	1	1%
PBOTHER	15	14%
Total	106	100%

Figure 4.2

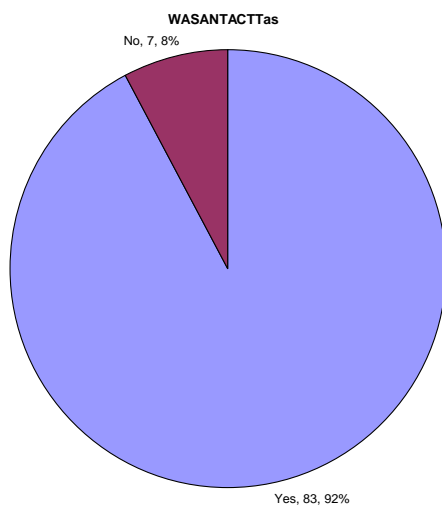


3. Is your pro bono legal work undertaken with your firm's knowledge?

Table 4.3

Firms' Knowledge	Count	%
Yes	83	92%
No	7	8%
Total	90	100%

Figure 4.3

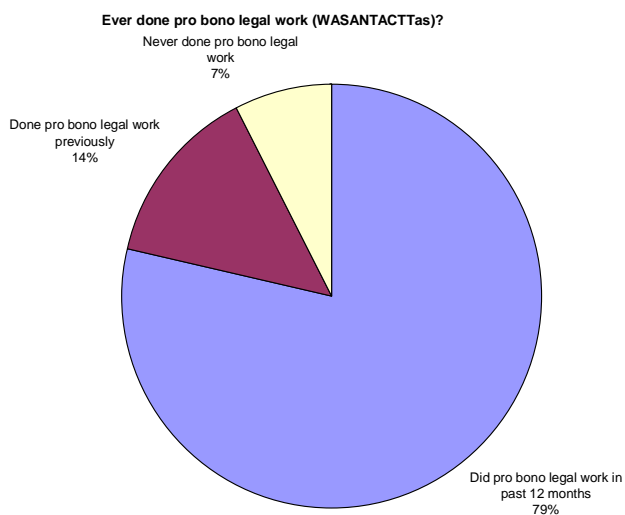


4. Have you ever done pro bono legal work?

Table 4.4

	Total	%
Did pro bono legal work in past 12 months	106	79%
Done pro bono legal work previously	19	14%
Never done pro bono legal work	10	7%
Total	135	100%

Figure 4.4



Section 5 - Types of pro bono legal work

1. How have you done pro bono legal work in the past 12 months?

Table 5.1

	Total	%
PB work in firm	78	74%
PB by volunteering	35	33%
PB by being seconded	6	6%
PB in specialist service	1	1%
PB on duty roster	1	1%
Other types	16	15%
Total	106	100%

Figure 5.1

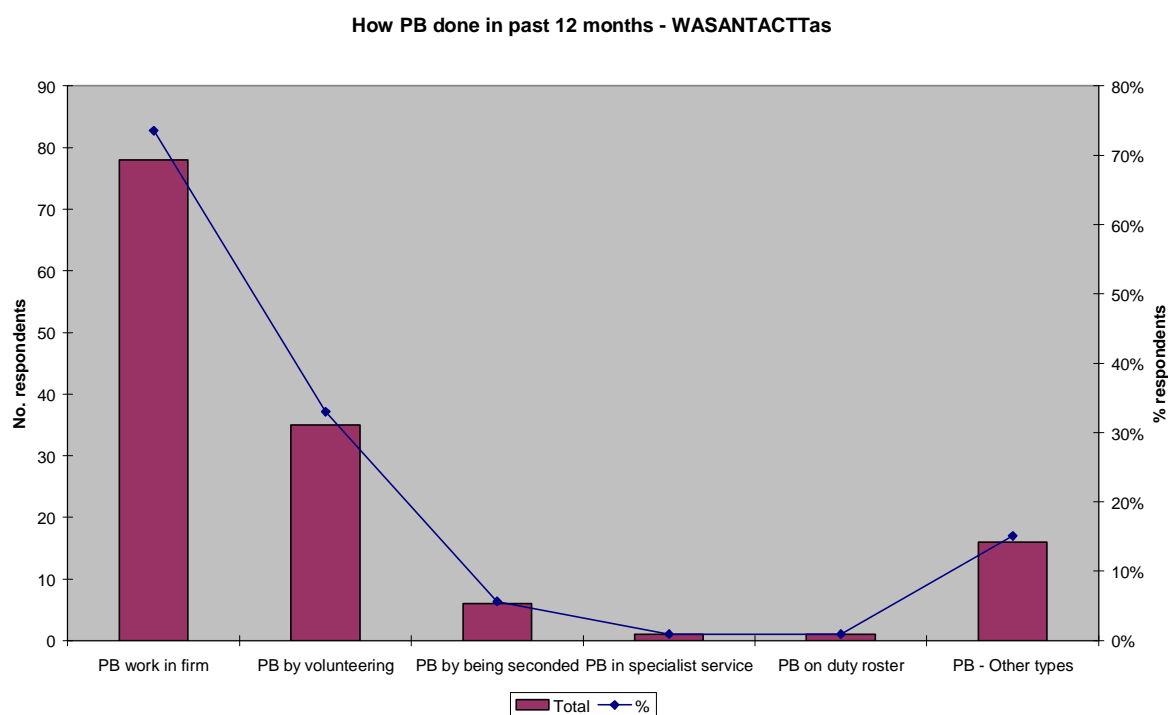
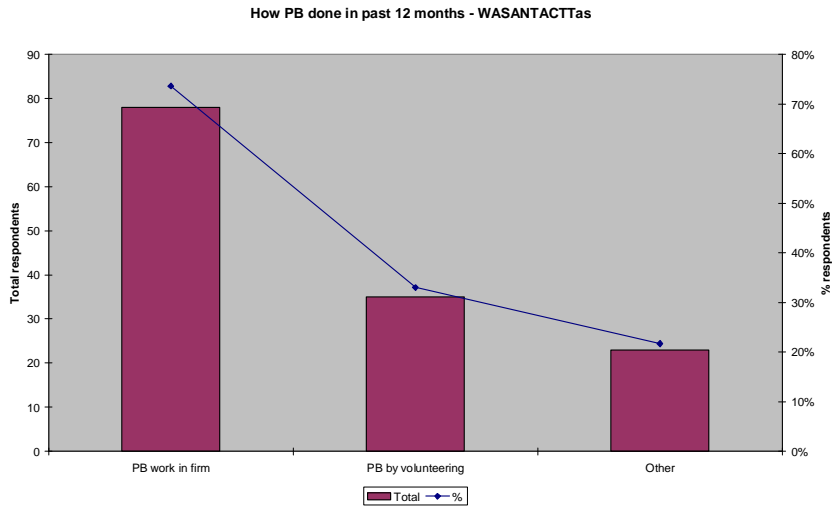


Table 5.2

How Pro Bono legal work was done in past 12 mths	Total	%
PB work in firm	78	74%
PB by volunteering	35	33%
Other	23	22%
Total	106	100%

Figure 5.2

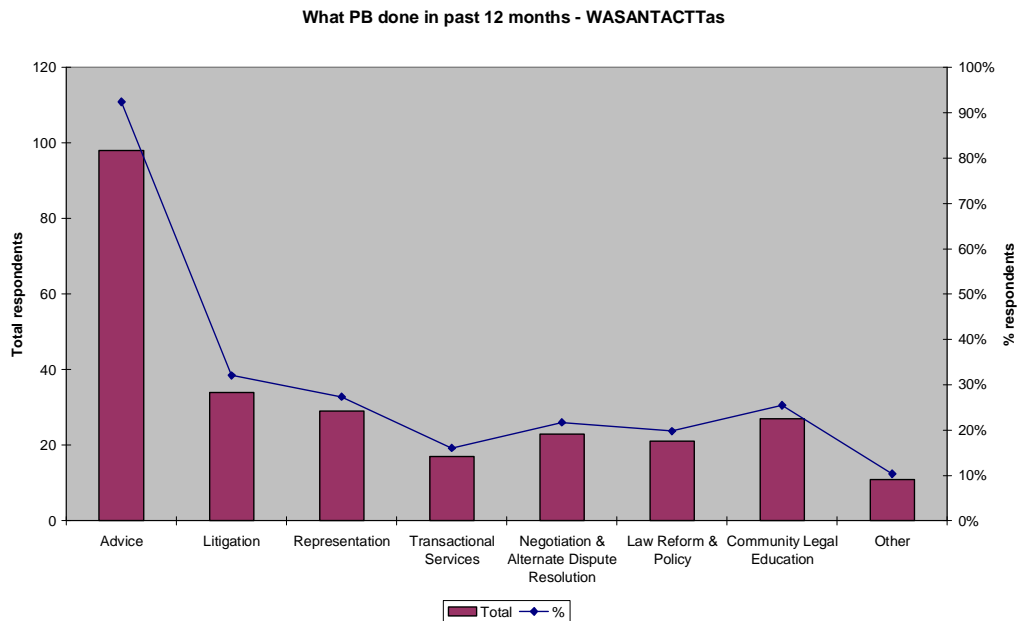


2. Which of the following pro bono legal work have you done in the past 12 months?

Table 5.3

What PB done in past 12 months	Total	%
Advice	98	92%
Litigation	34	32%
Representation	29	27%
Transactional Services	17	16%
Negotiation & Alternate Dispute Resolution	23	22%
Law Reform & Policy	21	20%
Community Legal Education	27	25%
Other	11	10%
Total	106	100%

Figure 5.3



4. Please could you tell us for whom this pro bono legal work was done?

Table 5.4

PB undertaken in past 12 mths, by 3 client groups	Total	%
Individuals	69	65%
Community Legal Organisations	39	37%
Other Not-for-Profit organisations	54	51%
Clients not Identified	7	7%
Total	106	100%

Figure 5.4

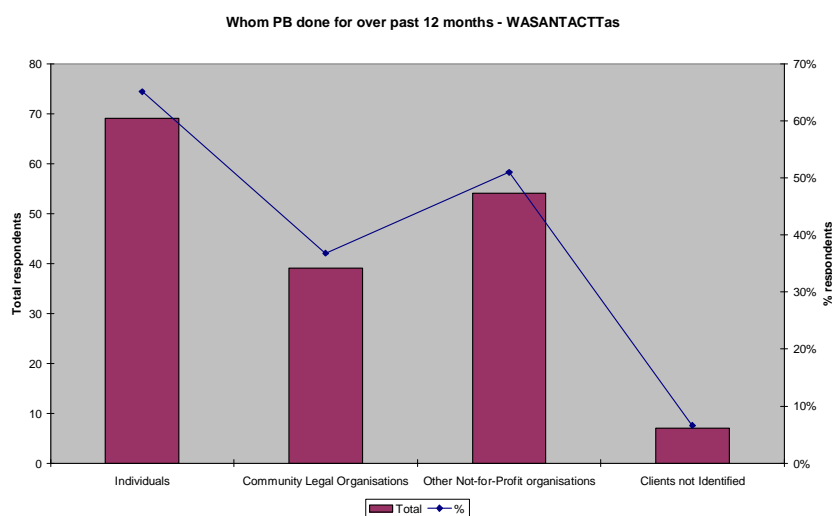
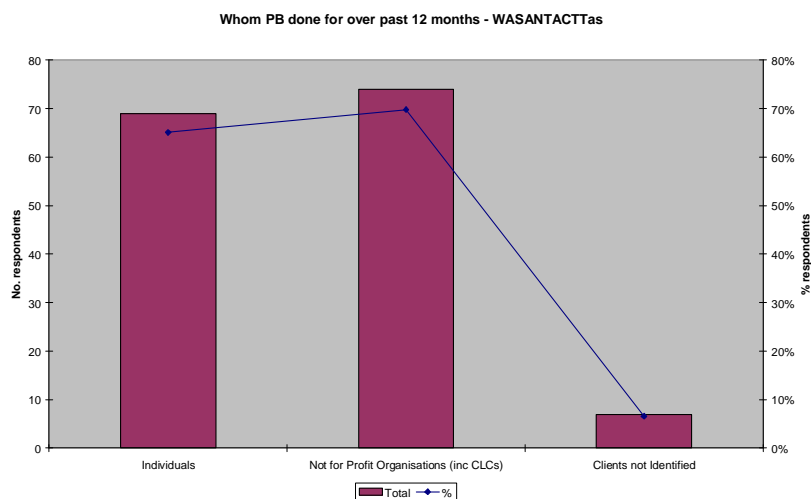


Table 5.5

Pro bono legal work undertaken, by 2 client groups	Total	%
Individuals	69	65%
Not for Profit Organisations (inc CLCs)	74	70%
Clients not Identified	7	7%
Total	106	100%

Figure 5.5



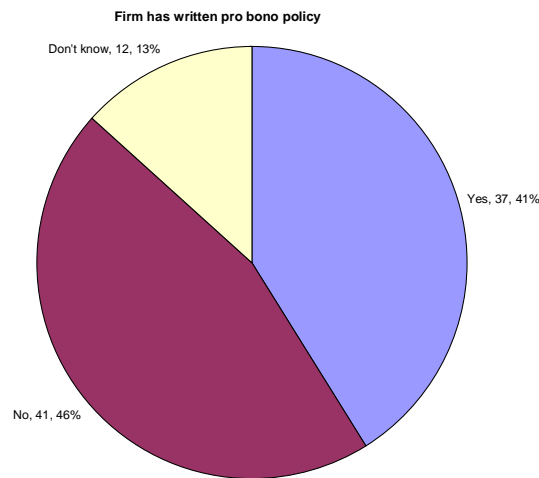
Section 6 - Practice Issues

1. Does your firm have a written pro bono policy?

Table 6.1

Written Policy	Total	%
Yes	37	41%
No	41	46%
Don't know	12	13%
Total	90	100%

Figure 6.1

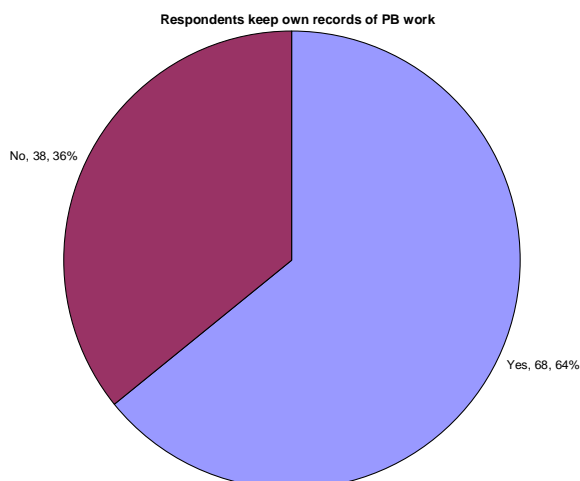


2. Do you keep any record of the pro bono work that you are doing?

Table 6.2

You Keep Record	Total	%
Yes	68	64%
No	38	36%
Total	106	100%

Figure 6.2

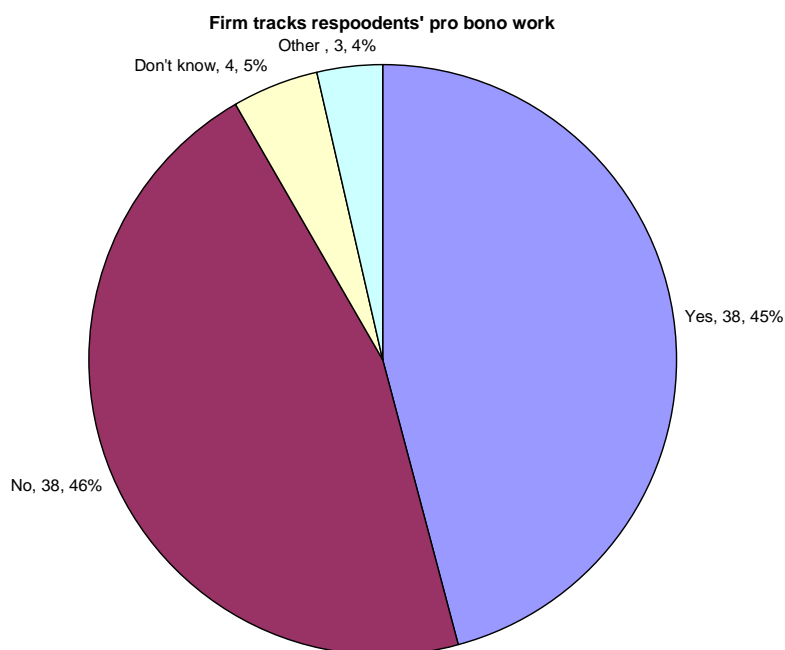


3. Does your firm track how much pro bono work you do?

Table 6.3

Firm track probono work?	Total	%
Yes	38	46%
No	38	46%
Don't know	4	5%
Other	3	4%
Total	83	100%

Figure 6.3



4. Does your firm take your pro bono legal work into account (in a positive manner)?

- In your performance appraisal?
- When considering you for promotion or advancement?
- In your salary reviews?
- In meeting billable hours targets?
- In meeting financial targets?

Table 6.4

PB work taken into account in:	Yes		No		Don't know		N/A		Total	
	#	%	#	%	#	%	#	%	#	%
Billable Hours Target	36	43%	23	28%	7	8%	17	20%	83	100%
Performance Appraisal	33	40%	18	22%	17	20%	15	18%	83	100%
Financial Targets	30	36%	27	33%	12	14%	14	17%	83	100%
Promotion & Advancement	22	27%	21	25%	24	29%	16	19%	83	100%
Salary Review	21	25%	31	37%	16	19%	15	18%	83	100%

Figure 6.4

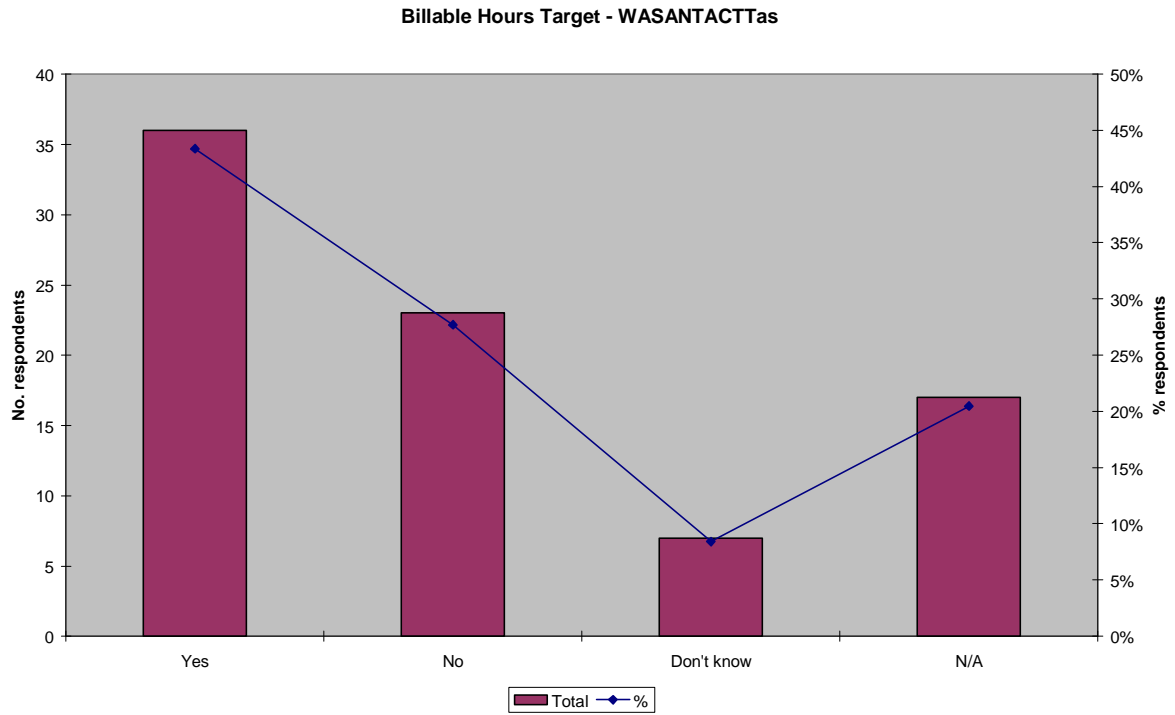


Figure 6.5

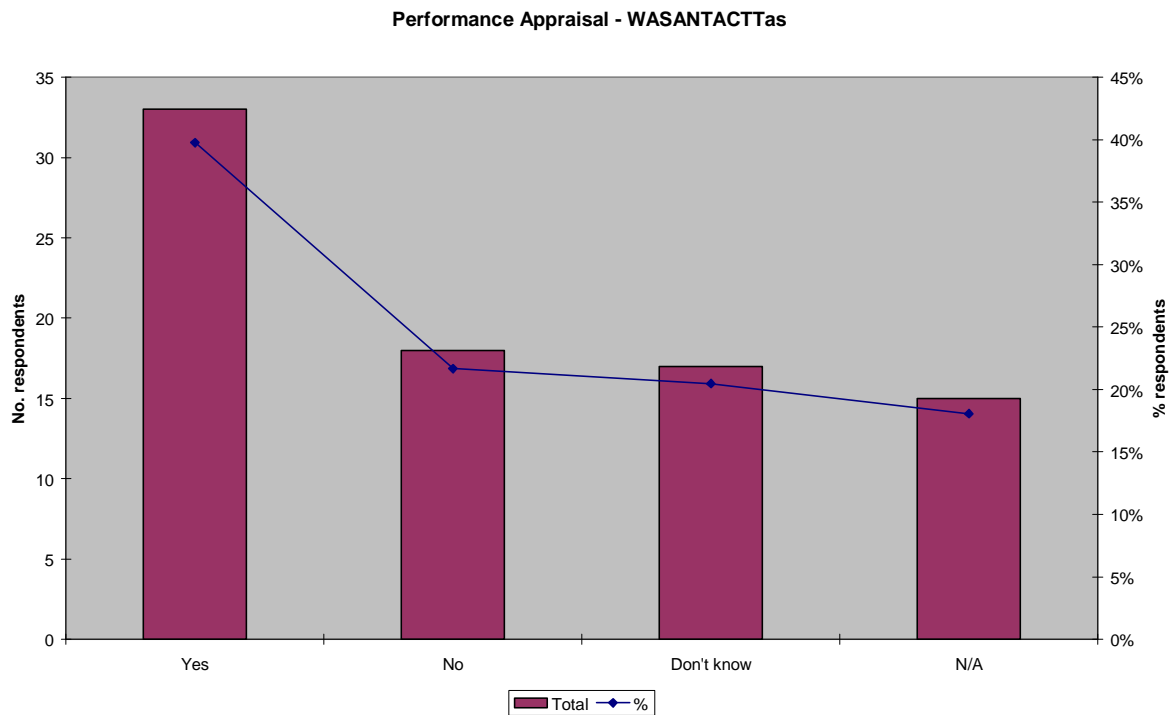


Figure 6.6

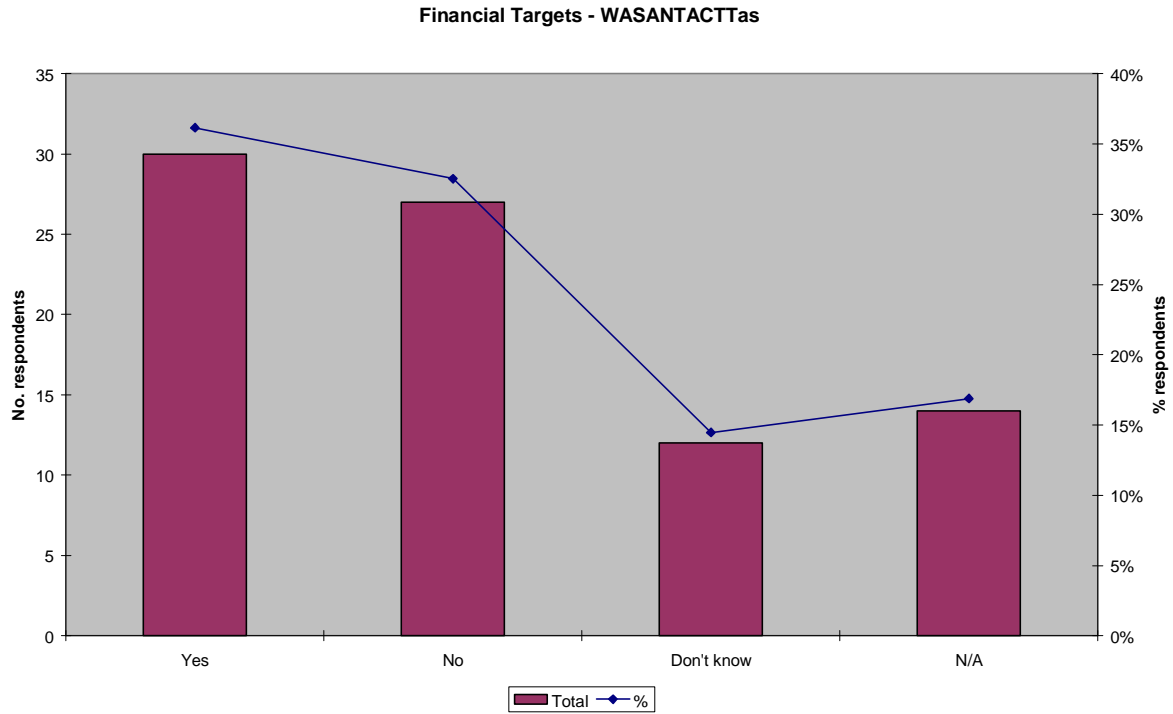


Figure 6.7

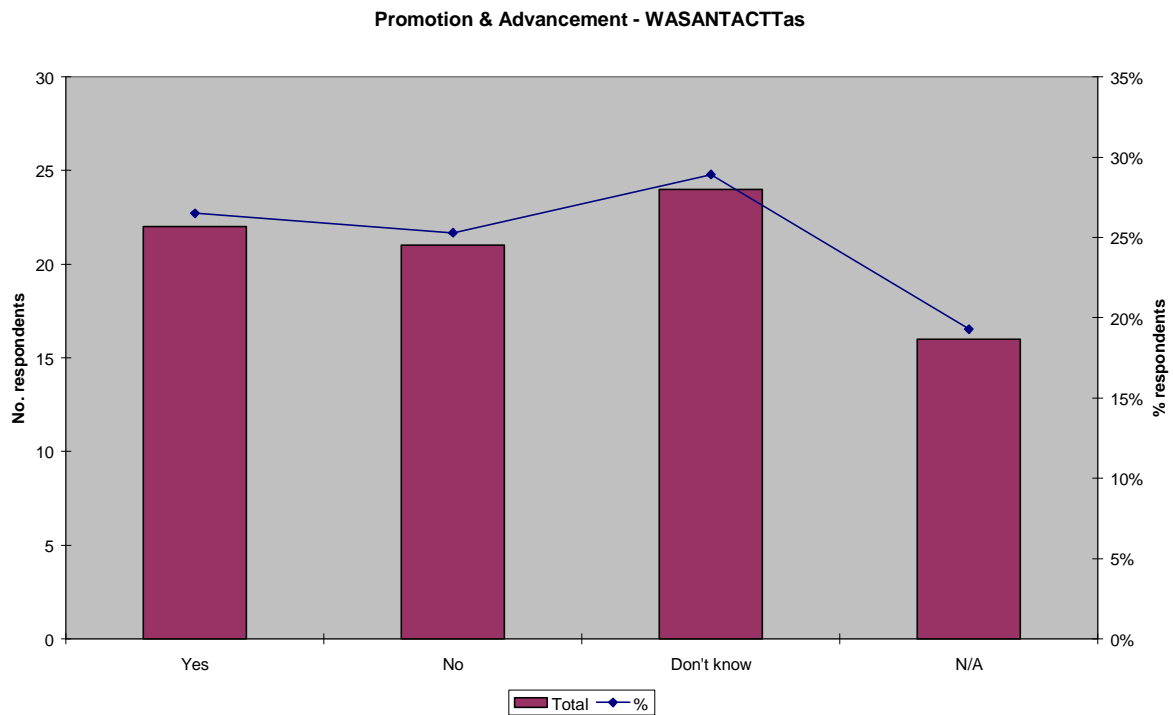
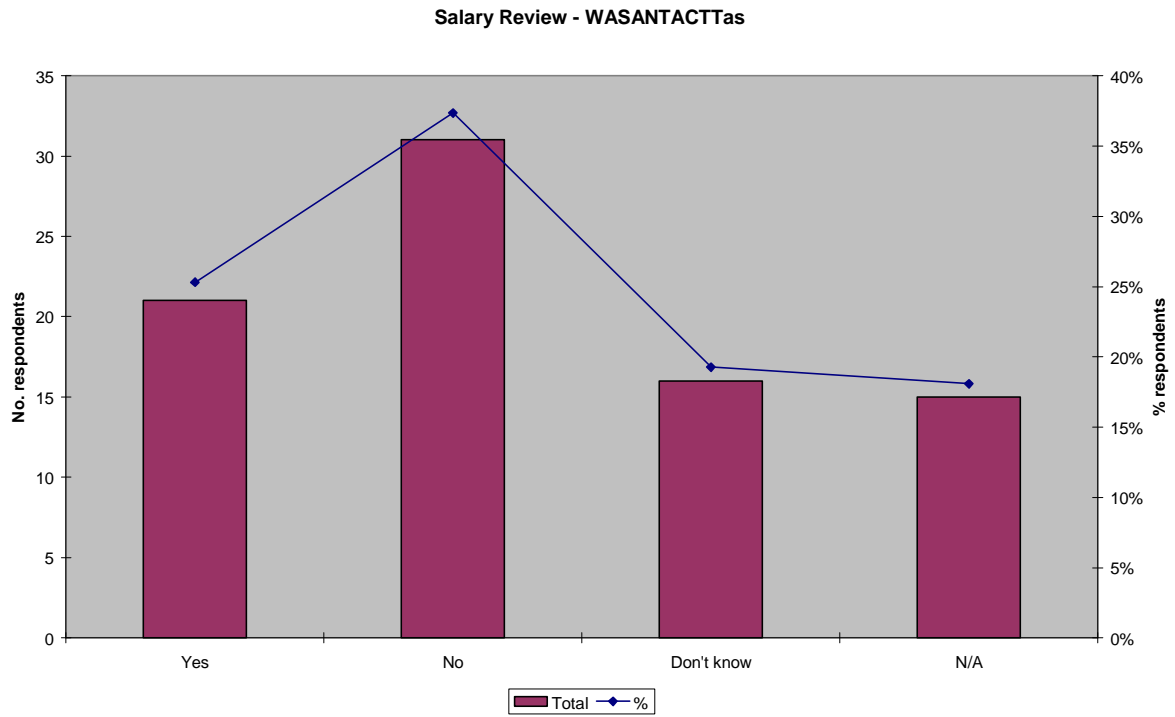


Figure 6.8



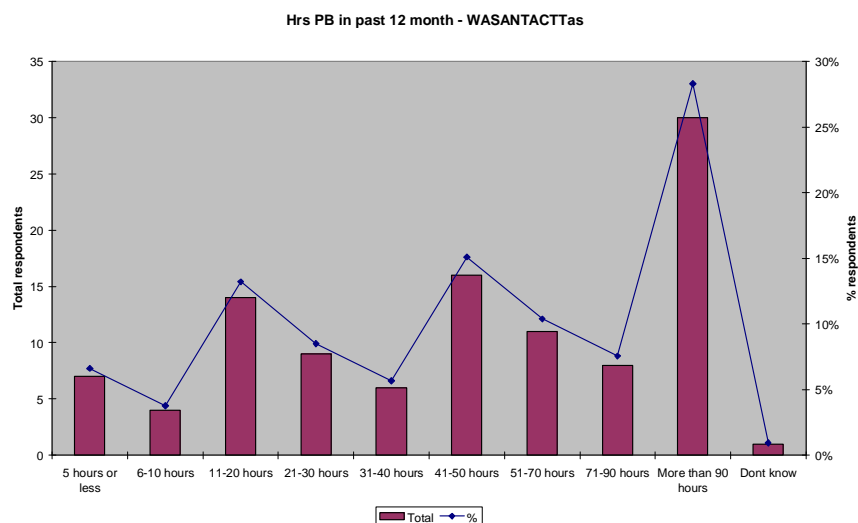
Section 7 - Amount of pro bono work

1. Can you estimate how many hours of pro bono legal work you have completed in the last 12 months?

Table 7.1

	Total	%
5 hours or less	7	7%
6-10 hours	4	4%
11-20 hours	14	13%
21-30 hours	9	8%
31-40 hours	6	6%
41-50 hours	16	15%
51-70 hours	11	10%
71-90 hours	8	8%
More than 90 hours	30	28%
Don't know	1	1%
Total	106	100%

Figure 7.1

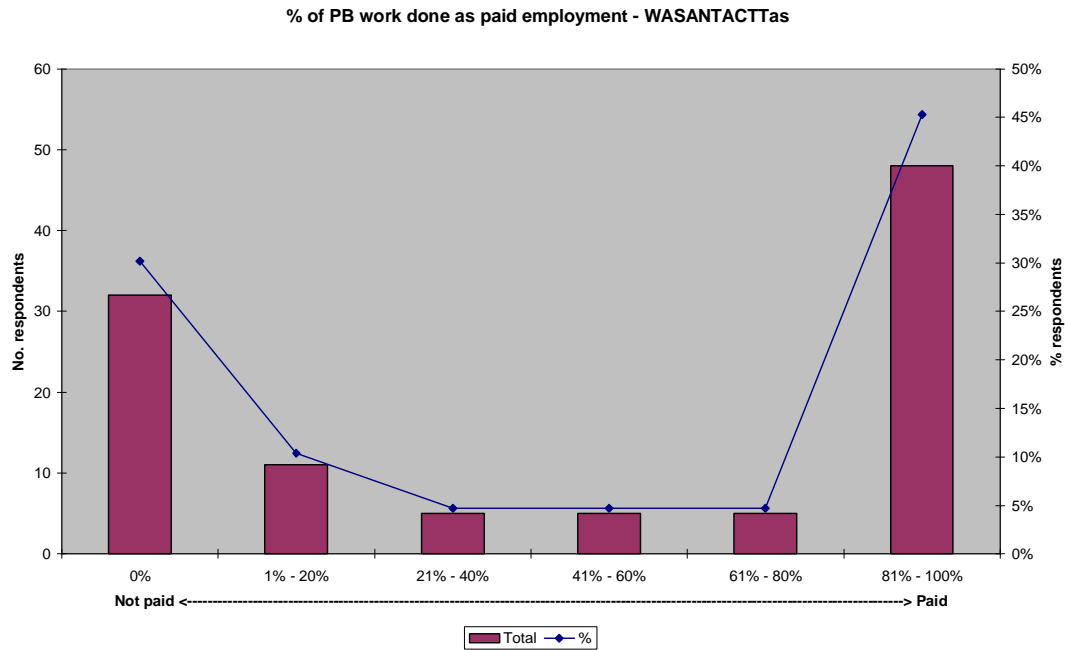


2. How much of this work was done as part of your paid employment?

Table 7.3

% pro bono work as part of paid employment?	Total	%
0%	32	30%
1% - 20%	11	10%
21% - 40%	5	5%
41% - 60%	5	5%
61% - 80%	5	5%
81% - 100%	48	45%
Total	106	100%

Figure 7.2

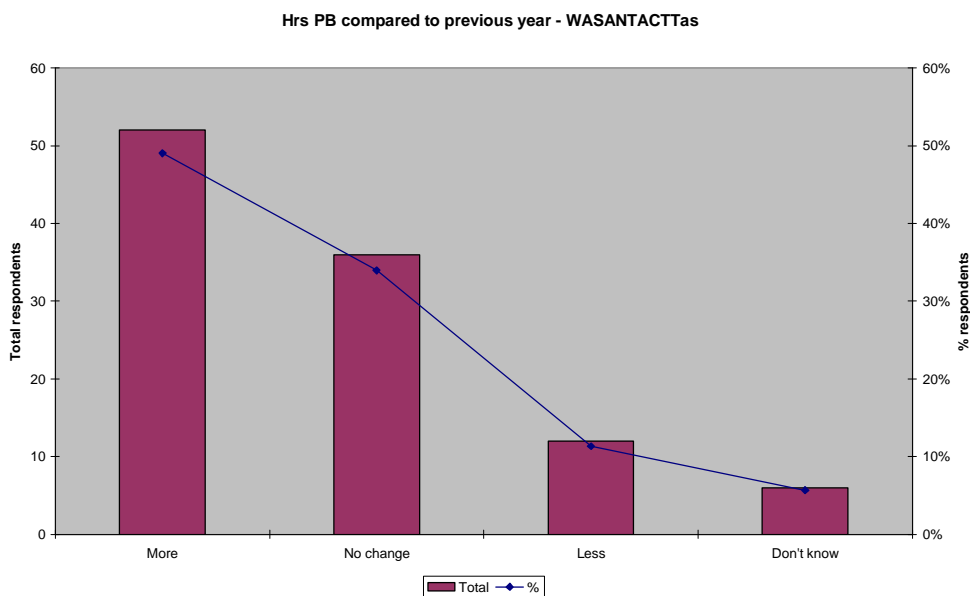


3. Have you spent more or less time in pro bono legal work in the past 12 months than in the previous 12 months?

Table 7.3

	Total	%
More	52	49%
No change	36	34%
Less	12	11%
Don't know	6	6%
Total	106	100%

Figure 7.3



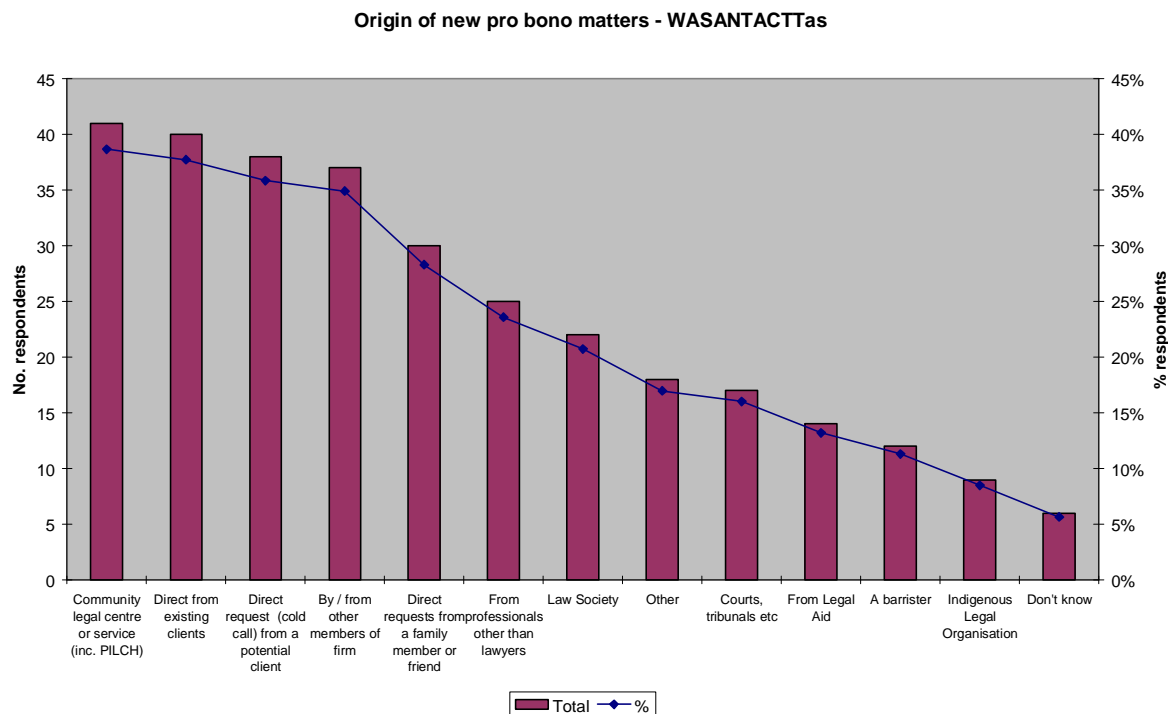
Section 8 - Sources of pro bono work

1. When you take on new pro bono matters, from where do those new matters originate?

Table 8.1

Origin of new Pro Bono matters	Total	%
Community legal centre or service (inc. PILCH)	41	39%
Direct from existing clients	40	38%
Direct request (cold call) from a potential client	38	36%
By / from other members of firm	37	35%
Direct requests from a family member or friend	30	28%
From professionals other than lawyers	25	24%
Law Society	22	21%
Other	18	17%
Courts, tribunals etc	17	16%
From Legal Aid	14	13%
A barrister	12	11%
Indigenous Legal Organisation	9	8%
Don't know	6	6%
Total	106	100%

Figure 8.1



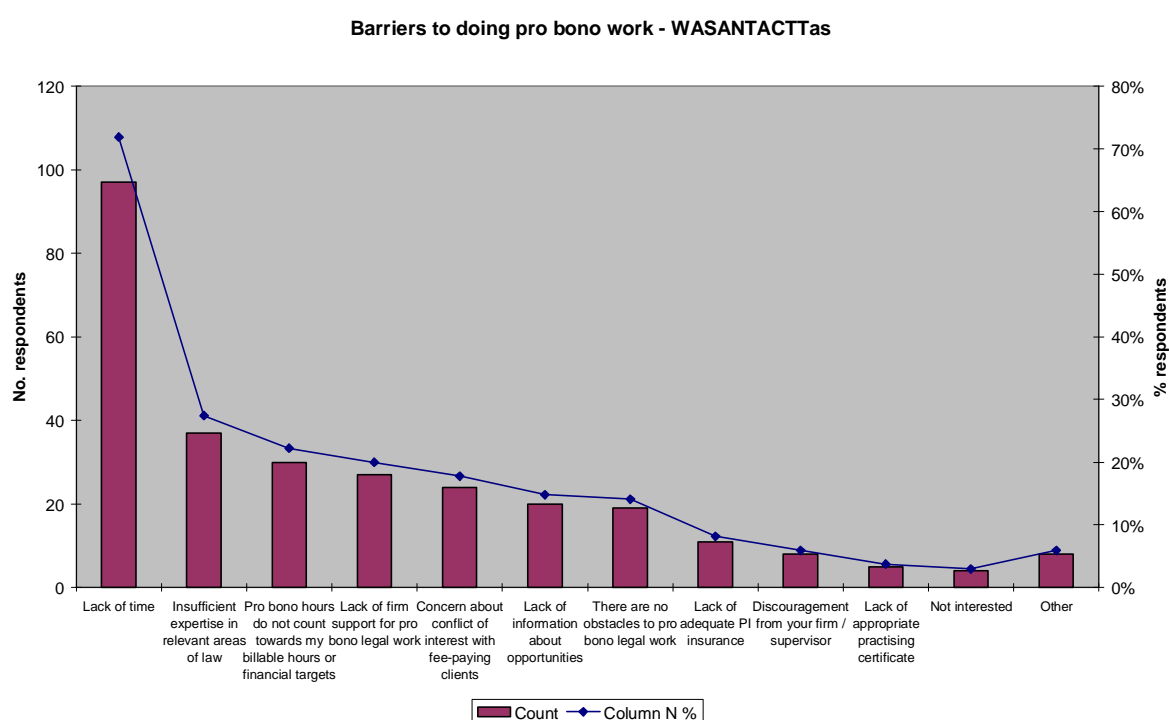
Section 9 - Obstacles to & Encouragement for Pro Bono

1. What gets in the way of you doing pro bono legal work?

Table 9.1

Obstacles to doing pro bono legal work	Total	%
Lack of time	97	72%
Insufficient expertise in relevant areas of law	37	27%
Pro bono hours do not count towards my billable hours or financial targets	30	22%
Lack of firm support for pro bono legal work	27	20%
Concern about conflict of interest with fee-paying clients	24	18%
Lack of information about opportunities	20	15%
There are no obstacles to pro bono legal work	19	14%
Lack of adequate PI insurance	11	8%
Discouragement from your firm / supervisor	8	6%
Lack of appropriate practising certificate	5	4%
Not interested	4	3%
Other	8	6%
Total	135	100%

Figure 9.1

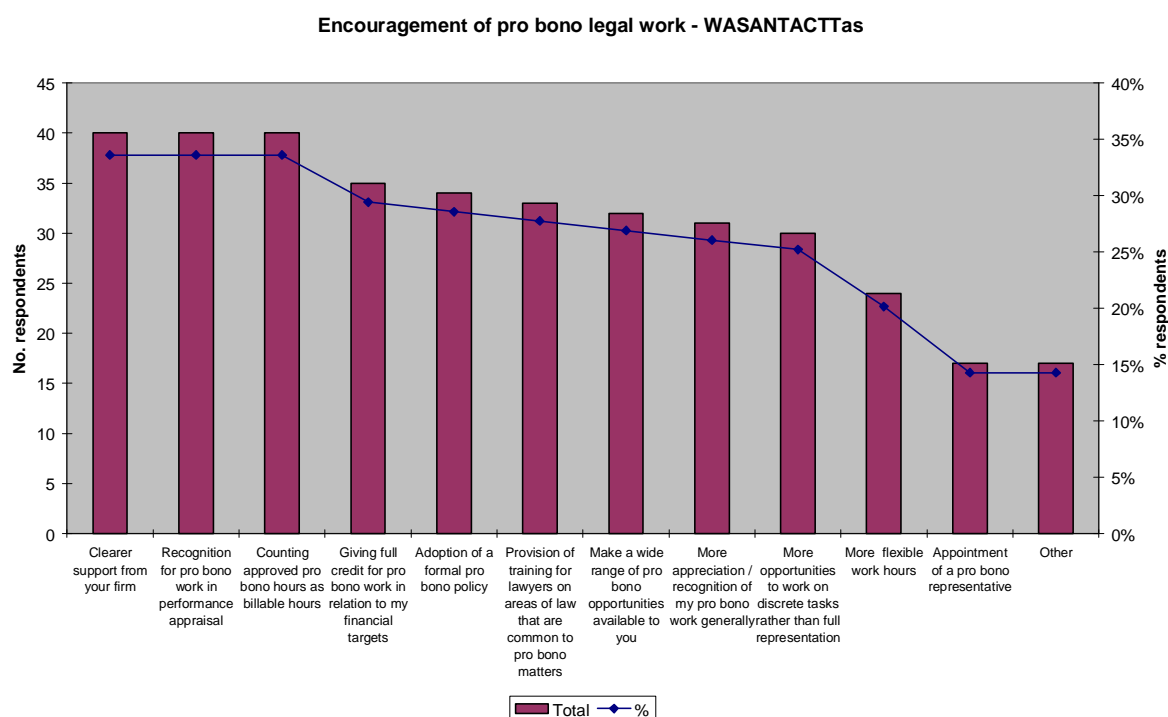


3. What actions could your firm take that would encourage you to do more pro bono?

Table 9.2

Actions firms could take to encourage more pro bono legal work	Total	%
Clearer support from your firm	40	34%
Recognition for pro bono work in performance appraisal	40	34%
Counting approved pro bono hours as billable hours	40	34%
Giving full credit for pro bono work in relation to my financial targets	35	29%
Adoption of a formal pro bono policy	34	29%
Provision of training for lawyers on areas of law that are common to pro bono matters	33	28%
Make a wide range of pro bono opportunities available to you	32	27%
More appreciation / recognition of my pro bono work generally	31	26%
More opportunities to work on discrete tasks rather than full representation	30	25%
More flexible work hours	24	20%
Appointment of a pro bono representative	17	14%
Other	17	14%
Total	119	100%

Figure 9.2



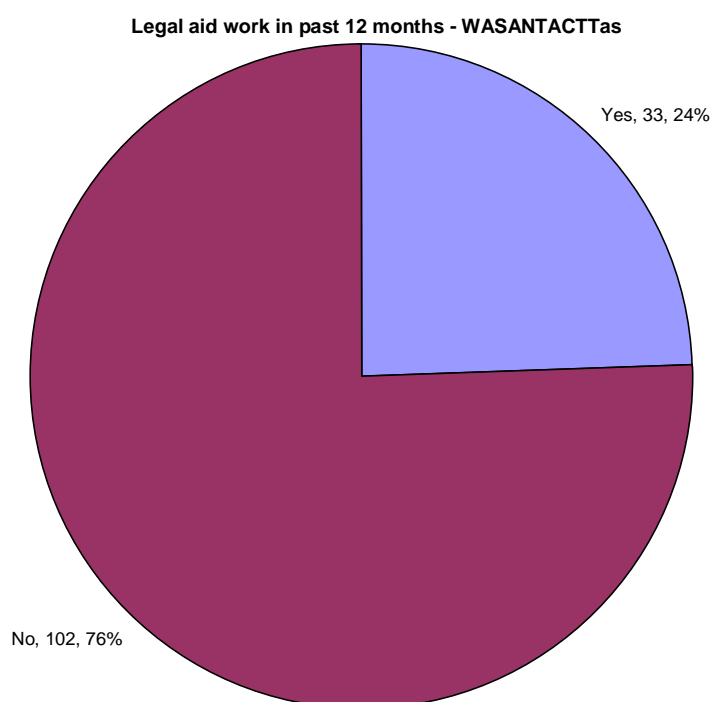
Section 10 - Legal Aid work

1. Did you do any legal aid work in the last 12 months?

Table 10.1

Legal aid work in last 12 mths?	Total	%
Yes	33	24%
No	102	76%
Total	135	100%

Figure 10.1

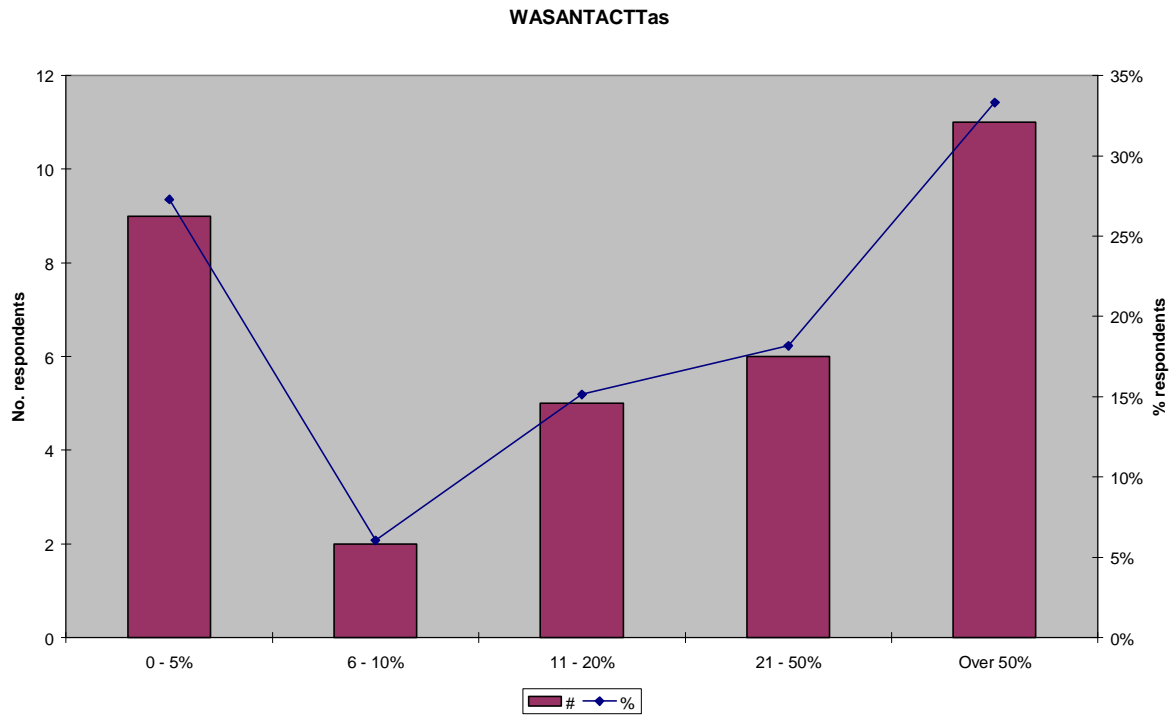


2. In the last 12 months, approximately what percentage of your time was for legally aided clients?

Table 10.2

In the last 12 months, approximately what percentage of your time was for legally aided clients?	#	%
0 - 5%	9	27%
6 - 10%	2	6%
11 - 20%	5	15%
21 - 50%	6	18%
Over 50%	11	33%
Total	33	100%

Figure 10.2



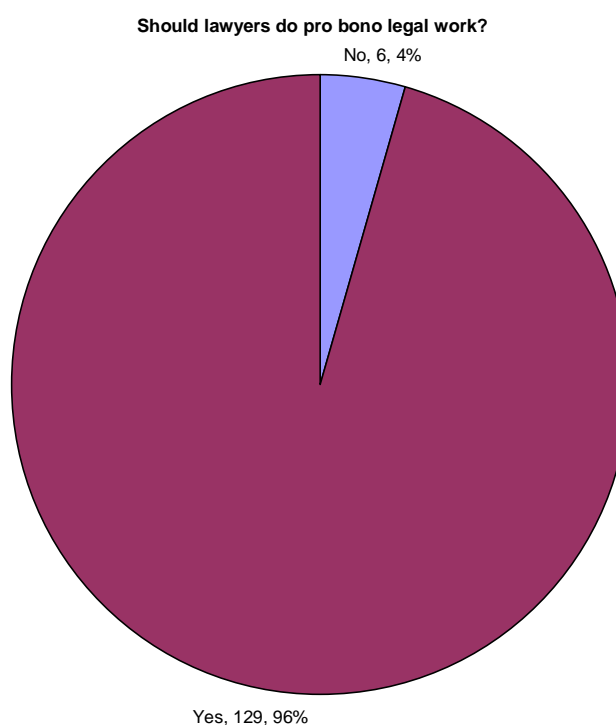
Section 11 - Attitudes to pro bono legal work

1. Do you think that lawyers should do pro bono legal work?

Table 11.1

Should Lawyers do PB?	Total	%
No	6	4%
Yes	129	96%
Total	135	100%

Figure 11.1

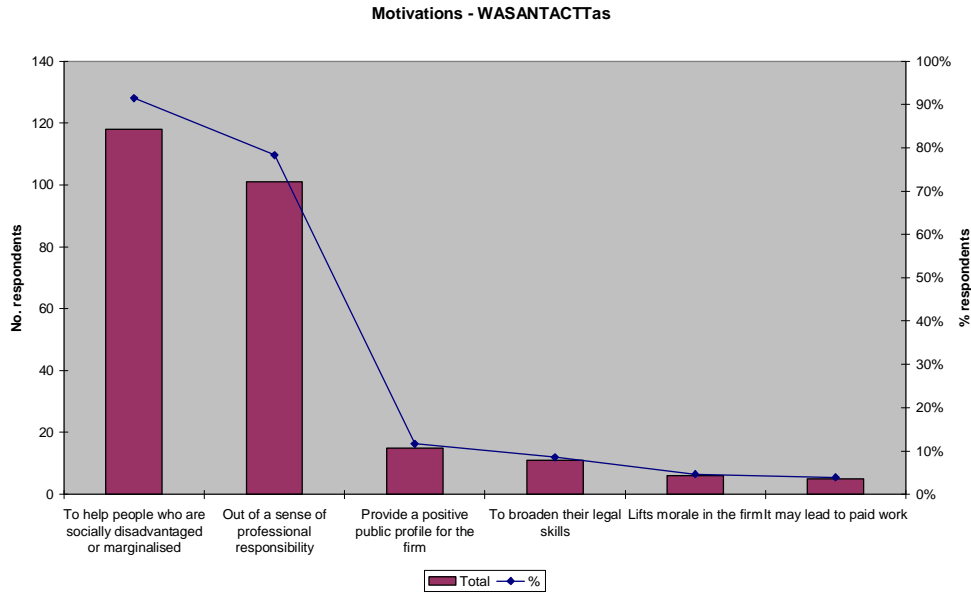


2. Tick the top two factors as to why you think lawyers should do pro bono legal work.

Table 11.2

Why lawyers should do pro bono legal work	Total	%
To help people who are socially disadvantaged or marginalised	118	91%
Out of a sense of professional responsibility	101	78%
Provide a positive public profile for the firm	15	12%
To broaden their legal skills	11	9%
Lifts morale in the firm	6	5%
It may lead to paid work	5	4%
Total	129	100%

Figure 11.2

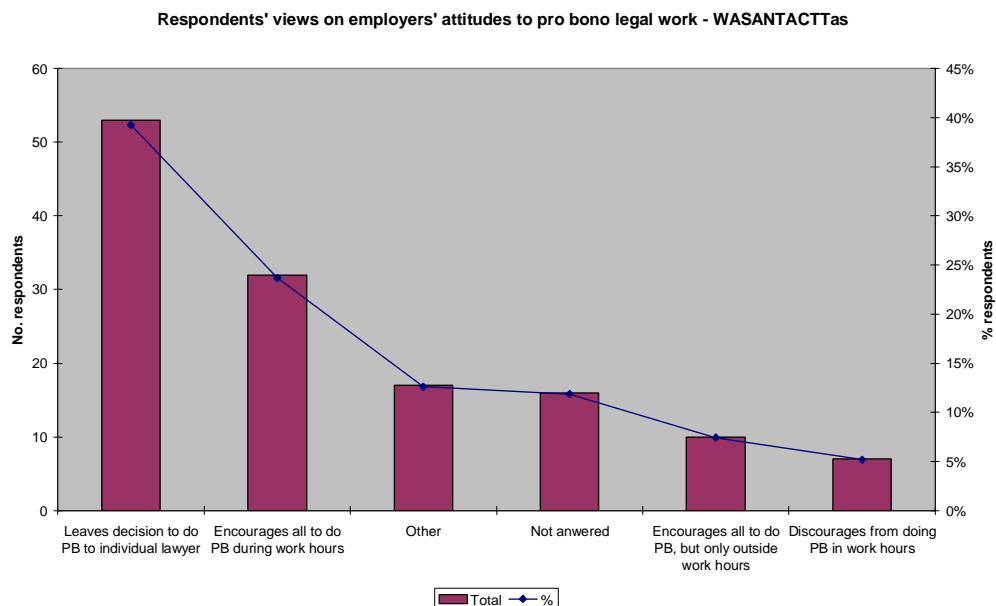


3. What do you think is your firm’s/employer’s attitude to pro bono?

Table 11.3

What do you think is your firms/employers attitude to pro bono?	Total	%
Leaves decision to do PB to individual lawyer	53	39%
Encourages all to do PB during work hours	32	24%
Other	17	13%
Not answered	16	12%
Encourages all to do PB, but only outside work hours	10	7%
Discourages from doing PB in work hours	7	5%
Total	135	100%

Figure 11.3

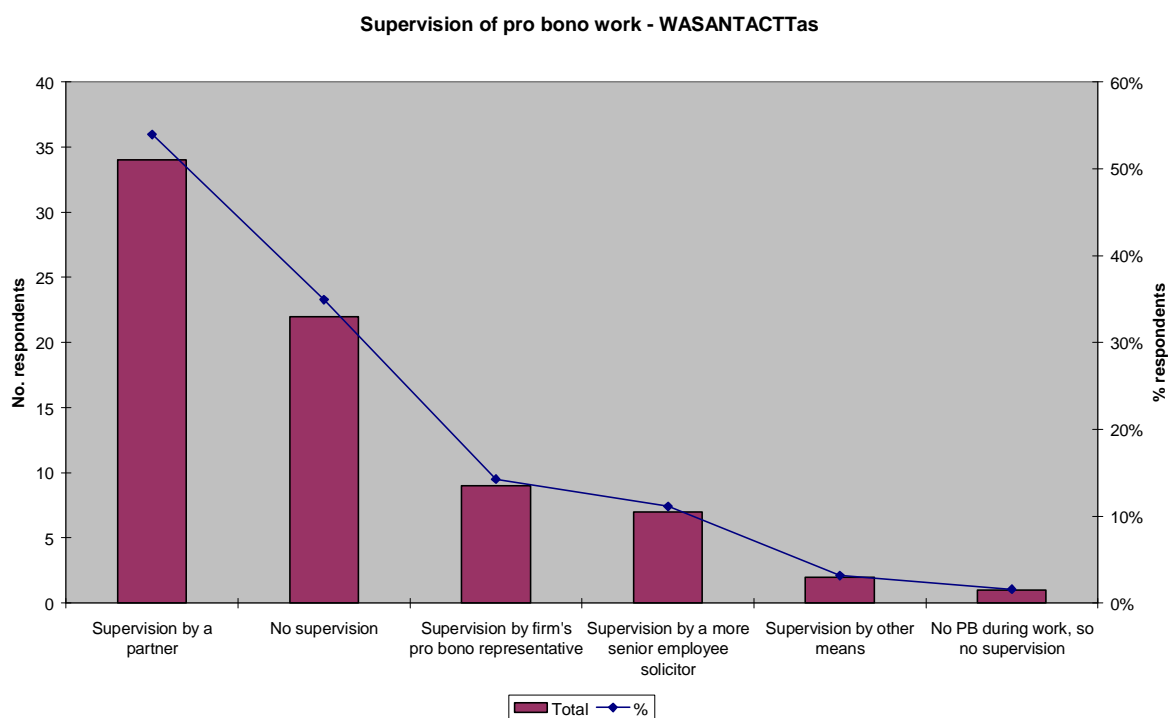


4. In relation to pro bono matters that you carry out during work hours, who supervises that pro bono work?

Table 11.4

Supervision of pro bono matters carried out during work hours	Total	%
Supervision by a partner	34	54%
No supervision	22	35%
Supervision by firm's pro bono representative	9	14%
Supervision by a more senior employee solicitor	7	11%
Supervision by other means	2	3%
No PB during work, so no supervision	1	2%
Total	63	100%

Figure 11.4



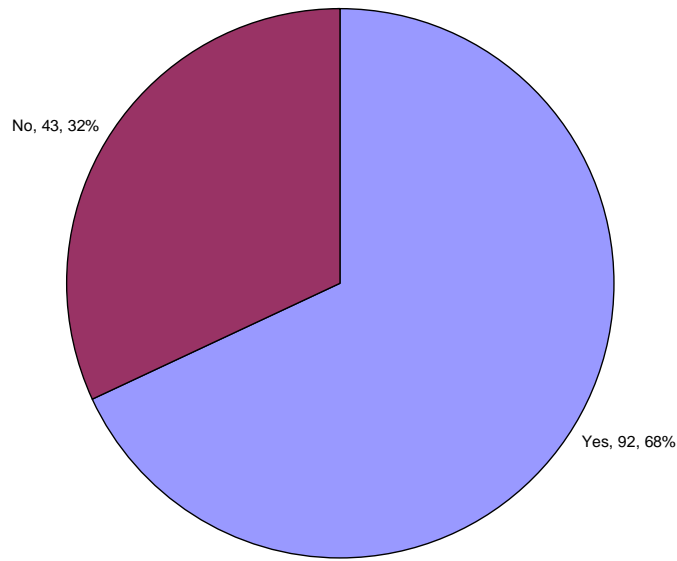
5. Do you think that the Law Society should issue a policy statement about lawyers' commitment to pro bono services?

Table 11.5

	Total	%
Yes	92	68%
No	43	32%
Total	135	100%

Figure 11.5

Should Law Society issue a policy statement about lawyers' commitment to pro bono services? - WASANTACTTas



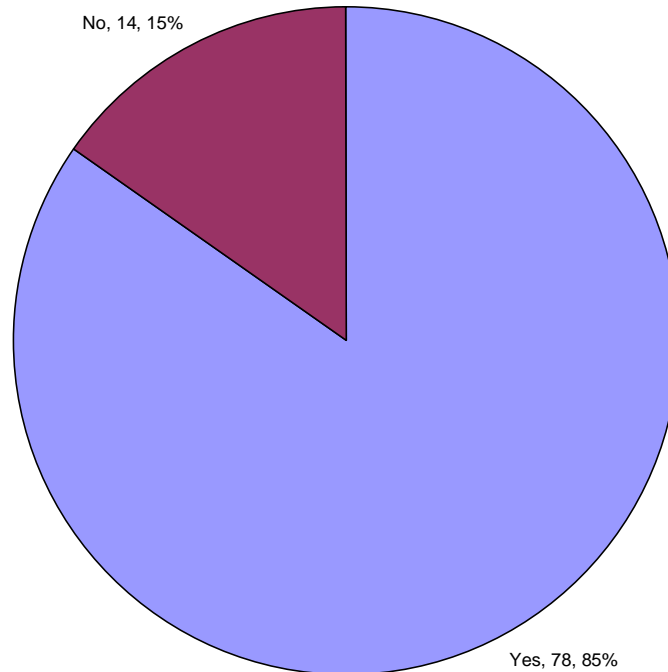
6. Do you think it should include a voluntary pro bono goal to encourage all lawyers to aspire to perform pro bono legal work?

Table 11.6

	Total	%
Yes	78	85%
No	14	15%
Total	92	100%

Figure 11.6

Should statement include a voluntary pro bono goal? - WASANTACTTas



Section 12 - Australian Pro Bono Manual

1. Are you aware of the Australian Pro Bono Manual – a Practice Guide and resource Kit for Law Firms?

Table 12.1

	Total	%
Yes	30	22%
No	105	78%
Total	135	100%

Figure 12.1

Respondents' awareness of Australian Pro Bono Manual - WASANTACTTas

