



PRO BONO NEWS

Issue 6, December 2011

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Season's Greetings

Our Christmas Drinks on Wednesday 7 December was a great opportunity for JusticeNet to say thank you to our members and supporters who are the backbone of our pro bono referral service. Thanks again to Fisher Jeffries for providing the excellent food, wine and venue.

We take this opportunity to wish everyone a safe and happy festive season and we look forward to working with you in 2012.



Tessa Colliver (JusticeNet), Mark Johnson (Comunet)



Hamish Gilmore (LSC), Gabrielle Canny (JusticeNet), Richard Mellows (Torrens Chambers)



Helen Pertsinidis (counsel), Tegan Knight and Jonathon Comas (Kain C+C)



Jessica Hackett, Kirsty Braybon, Michelle Richards (Fisher Jeffries)



Justice John Sulan, Carolyn Mitchell (JusticeNet), Tania Sulan (IMF)



Paula Stirling, Gabrielle Canny and Tim Graham (all of JusticeNet)

A year in review

JusticeNet reached a significant milestone in December 2011, facilitating a total of \$1 million of free legal services to low-income and disadvantaged South Australians since our launch in mid-2009. For more, read this article [“Lawyers open their hearts”](#) which appeared in the Advertiser SA Business Journal on 6 December.

Our clients are from a marginalised cohort for whom no alternate avenue of legal assistance is available. As a ‘service of last resort’, our members and supporters take on clients and cases when no one else can. Some clients are cautious and anxious about accepting help from lawyers, and may have had difficult experiences with lawyers in the past. Others have unrealistic expectations about what assistance a lawyer can offer to resolve problems that may be many-faceted. For those reasons it is always satisfying when a client is referred for pro bono legal assistance.

It is even more rewarding when a client’s legal matter is resolved with the help of their pro bono lawyer. Getting feedback from satisfied clients is universally welcomed by practitioners, and JusticeNet is no different. A good example is the case of ‘Kerry’ who wrote to us after her matter was finalised to tell us the following:

“Very satisfactory settlement. My solicitor Tegan Knight from Kain C+C was a real champion. Beyond happy and elated! Our barrister Helen Pertsinidis was brilliant and well prepared to fight a tough battle at trial. All of my legal team put in far above and beyond the call of duty! I was expecting nothing. I am overwhelmed by the effort of all persons involved.”

Thank you to all our members and supporters who contributed to our service throughout 2011. Here are some key numbers for the 2010/11 financial year taken from our Annual Report:

25	corporate members
63	pro bono referrals
375	referrals to other agencies
1800	estimated pro bono hours worked on matters referred by JusticeNet
\$489,631	estimated value of pro bono work donated by members and supporters

Become a Friend of JusticeNet

JusticeNet plays a vital role in facilitating access to justice in South Australia. However, we need your support to ensure the long-term future of our service. While membership subscriptions are currently our most significant single source of income, they cover less than 50% of our annual operating costs. Nor do we receive State or Federal Government funding.

By donating as little as \$10 per month, you will be helping JusticeNet to continue providing vital pro bono legal services to disadvantaged and marginalised members of our community.



The Hon. Robyn Layton QC, Ambassador for *Friends of JusticeNet* says:

“For those in our community who cannot afford a lawyer, legal problems can have far-reaching consequences on their dignity, well-being and financial security. I understand how important it is to have expert legal advice, and I am proud of the work done by the members and supporters of JusticeNet to assist those who cannot afford legal advice or representation.

As a ‘Friend of JusticeNet’, I know that I am helping to ensure the long-term future of this service. I encourage you to join me in making a monthly donation that will assist JusticeNet to continue its important work in facilitating access to justice in South Australia.”

Benefits of becoming a *Friend of JusticeNet* include:

- Your donation is 100% tax deductible (receipts are emailed to you monthly and at the end of the financial year)
- You only need sign up once to make an ongoing contribution
- As administrative costs are minimal, more of your donation can go directly to JusticeNet’s service provision
- Reduced JusticeNet membership fee (50% discount)
- Priority booking for future JusticeNet events
- Public recognition of your support (unless you advise us otherwise).

[Click here to become a *Friend of JusticeNet* using the secure online facility of *GiveNow.com.au*](#)

We are very proud of what we have achieved over the past two and a half years and with your help, we look forward to accomplishing so much more. Thank you for your support.

JusticeNet CPD seminars – Friday 3 February 2012

JusticeNet is delighted to offer 3 high-quality CPD seminars (including 2 required units) in early 2012.

The seminars will give participants a unique opportunity to accrue CPD units before the 31 March deadline, while supporting the vital work of JusticeNet SA. All proceeds will support JusticeNet’s pro bono referral service for low-income and disadvantaged South Australians. If you have already met your requirements for this CPD year, units earned from these seminars can be carried forward to the 2012/13 CPD year.

- **Generous discounts for JusticeNet members, Friends of JusticeNet, young lawyers and students**
- **20% discount for Early Bird registrations by 13 JANUARY 2012**
- **Register and pay online at <http://www.trybooking.com/BBHK>**

VENUE: Flinders University - City Campus, Level 2, 182 Victoria Square Adelaide

WHEN: 2:30pm – 6:00pm Friday 3 February 2012 (3 x 1 hr sessions, 1 CPD unit per session)

Time	Presenter	Seminar Title	Summary
2:30 – 3:30 pm (1 CPD Unit)	Rachel Spencer <i>University of South Australia</i>	Don't believe what you see on TV! (Required Unit: <i>Practical Legal Ethics</i>)	A practical analysis of ethical issues raised by the depiction of lawyers in popular culture. An entertaining and informative session that will analyse a variety of ethical situations depicted in film and television and compare the fiction to the reality of working within the Conduct Rules and other ethical boundaries in South Australia.
3:45 – 4:45 pm (1 CPD Unit)	Carolyn Mitchell <i>Cowell Clarke</i>	Work/life balance: An elusive goal for high achievers? (Required Unit: <i>Practice Management and Business Skills</i>)	What does work/life balance mean? What are the obstacles to achieving work/life balance? This seminar explores a very topical issue for the modern lawyer. Drawing on the presenter's extensive experience managing and leading lawyers, the seminar will examine the struggle to find work/life balance, while recognising that it means different things at different stages of our lives.
5:00 – 6:00 pm (1 CPD Unit)	Justice Gray	Advocacy: Trial and Error	A practical discussion of a variety of aspects of advocacy including manner of delivery, answering questions from the bench, written submissions and cross-examination. Presented with insights and examples from the presenter's wealth of experience as an advocate.

Pricing		
	Non Members	JusticeNet Members & Friends, lawyers < 5 years PAE, students & concession
1 Session	\$75	\$60
2 Sessions	\$140	\$110
3 Sessions	\$195	\$140

Trybooking.com (online booking service) is proud to sponsor this event and will donate all booking fees (\$0.30 per ticket) to JusticeNet SA.

For more information contact Louise Young at admin@justicenet.org.au or 8313 5005.

WISH Project

Mark Trumble of the Photographyroom has generously supported JusticeNet in 2011 and in return, we are pleased to promote his coffee-table book project, titled WISH, featuring the children of South Australia. A previous project, 'Children of Adelaide' raised more than \$10,000 for Make-A-Wish Australia and Mark is hoping to achieve a similar result with WISH. And your child(ren) could be one of up to 150 families included in this timeless volume of images, celebrating the children of our SA. Participation can be secured with a nomination fee of \$50, with all funds donated to Make-A-Wish Australia.

Places are strictly limited! Call Mark today on (08) 8272 4311.



Walk for Justice 2012

Next year's Walk for Justice will be held on Monday 14 May 2012. And it's shaping up to be bigger and better than ever before with the support of our Gold Sponsors:

- Ferrier Hodgson Forensics

- Bendigo Bank, Grenfell St Branch
- Phil Hoffmann Travel

Phil Hoffmann Travel is also offering JusticeNet a unique fundraising opportunity, whereby PHT will donate 1% of bookings made by those within our network back to JusticeNet in the form of travel vouchers. Simply mention that you are part of the 'JusticeNet community' when making a booking. We hope to be able to offer a travel voucher as a prize for the individual walker who raises the most sponsorship money. [Click here for further details.](#)

Our Facebook page will be updated regularly, so to receive the latest Walk for Justice news, simply click on the below button & "like" our page. Registration details will be announced in early 2012.



Case Studies

Michael* was referred to Fox Tucker lawyers for help to appeal a decision of the Travel Compensation Fund to compensate him for a substantial amount that he lost when the agent he made a booking through went into liquidation. The Fund rejected his application for compensation on grounds that Michael was not a resident of Australia at the time of the booking. Fox Tucker and Jonathon Wells QC of counsel successfully appealed the decision of the Travel Compensation Board and obtained an order that Michael receive compensation from the Fund.

Kain C+C lawyers and Helen Pertsinidis of counsel helped **Kerry*** resolve a long-standing legal dispute after accepting a referral from JusticeNet. Kerry had approached JusticeNet in desperation after defending a claim in the District Court for over two years. For most of that time Kerry was self-represented in a factually and legally complex matter. Kerry faced a substantial monetary claim that if successful, would have easily bankrupted her. At short notice, Kerry's lawyers invested a substantial amount of time preparing the matter for trial, meeting with the clients and pursuing negotiations with the other side. Ultimately, they were able to procure a very positive outcome for Kerry by reaching a settlement before any substantial hearing of the trial had commenced.

Peter* was referred to JusticeNet because he was facing deportation following the cancellation of his visa on character grounds. At very short notice, JusticeNet secured the assistance of Kerry Clark of counsel to assist Peter. The relevant provisions of the Migration Act contain onerous deadlines for the hearing of reviews before the AAT. Counsel was unavailable on the day of the hearing but prepared written submissions, which given the short notice, were outside the time limit prescribed by s500(6J) of the Migration Act. Ultimately, Peter's application for review was unsuccessful, but the decision by the Tribunal that the submissions were not excluded by the operation of s500(6J) may be of assistance to others facing similar matters under the Migration Act.

Tom* had signed a contract for educational software and tuition. He was not provided with information informing him of his rights, including his right to rescind. Several days later Tom informed the vendor that he wished to cool off. Notwithstanding, the program was subsequently couriered to his house, where it was accepted by Tom's wife, who had only limited command of English. Tom contacted the vendor again and reiterated his desire to rescind the contract. The vendor's representative informed him that the cooling off period had expired. JusticeNet obtained the services of Michel Doyle of counsel, who along with Piper Alderman (also acting on a pro bono basis), persuaded the vendor to abandon its claim.

*Names have been changed to protect the privacy of clients.

JusticeNet Members

We welcome our three new corporate members:



Aged Rights Advocacy Service



Central Community Legal Services



Riverland Community Legal Service

JusticeNet acknowledges the ongoing support of our existing members, including:

Corporate members: Aged Rights Advocacy Service, am legal, Blake Dawson, Campbell Law, Central Community Legal Services, Clayton Utz, Cowell Clarke, DMAW Lawyers, Donaldson Walsh, Fisher Jeffries, Fox Tucker Lawyers, Gilchrist Connell, Griffins Lawyers, Hanson Chambers, Johnston Withers, Kain Corporate and Commercial Lawyers, Kelly & Co, Lipman Karas, Mellor Olsson, Piper Alderman, Public Trustee, Riverland Community Legal Service, SANTOS, Southern Community Justice Centre, Sparke Helmore, UniSA Law School, Wallmans Lawyers

Individual members: Martin Anders, Melissa Ballantyne, The Hon Justice Barry Beazley, The Hon Justice Bleby QC, Peter Cannell, Gabrielle Canny, Kerry Clark, David Crocker, Samuel Doyle, Phillip Foreman, Tim Graham, Gregory Holland, Margaret Kelly, Stephen Kenny, Kerry Kovacs, Anthony Kuppe, The Hon Robyn Layton QC, Nicholas Linke, Domenic Lipari, Mark Livesey QC, The Hon Judge Lunn, Arlene Macdonald, Michael Magarey, Philip McNamara QC, Alan Merritt, Michael Mills, Carolyn Mitchell, Neville Morcombe QC, The Hon Judge Geoffrey Muecke, The Hon Justice Margaret Nyland, Claire O'Connor, Harry Patsouris, Mark Pickhaver, Ian Robertson SC, Emily Rutherford, George Stathopoulos, Paula Stirling, Edward Stratton-Smith, Gillian Walker, Noëla Washyn, Jonathan Wells QC, Louise Young

JusticeNet also acknowledges the support of the Law Foundation of South Australia, the University of Adelaide, the Law Society of South Australia, the Legal Services Commission and the South Australian Bar Association, and IMF (Australia) Ltd.

We would also like to thank Comunet Pty Ltd for their support as our Principal Technology Partner.

For more information about membership of JusticeNet go to: <http://justicenet.org.au/members.html>.

Subscription and Feedback

To subscribe or unsubscribe to Pro Bono News or for more information about any item in this newsletter, please send an e-mail to admin@justicenet.org.au or contact us by phone (08) 8313 5005.

What is JusticeNet?

JusticeNet is an independent not for profit organisation that coordinates pro bono legal assistance in South Australia. JusticeNet facilitates access to justice by matching charitable organisations and individuals who do not have the means

to afford a lawyer, and cannot otherwise obtain the requisite legal assistance, with a member law firms and/or barristers, who are willing to act pro bono.

For more details of our referral service and eligibility criteria, see the JusticeNet website at www.justicenet.org.au.