



# PRO BONO NEWS

Issue 9, March 2012

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## Executive Director's report

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Welcome to the 8<sup>th</sup> edition of Pro Bono News. A review of our activities over the last 12 months reveals that JusticeNet had a successful 2012. We referred more matters for pro bono assistance than ever before. See [Pro Bono Referrals and Case Studies](#) for more details. Our membership has also steadily expanded, allowing us to connect more deserving clients with pro bono lawyers. We now have nearly 36 corporate members representing a broad cross section of South Australian legal profession.

Forget 'Mad March' - the Walk for Justice is on again on Tuesday May 15 (here at JusticeNet we call it 'Mad May'). The Walk is our flagship fundraising event and we encourage our members and supporters to join us again in 2013. See [Walk for Justice 2013](#) for more details.

In late 2012 JusticeNet welcomed Elizabeth Boxall as our new Referrals Lawyer. Originally from Adelaide, Elizabeth returned from London to take up her position with us. Elizabeth has taken over responsibility for the day-to-day operation of our referral service. In the short time that she has been with us, Elizabeth has already made a positive contribution to the operation of our service.

We are also delighted to launch not one but two seminar programs in 2013. The first is our **Legal Seminar Series** program for the balance of 2013. See [Legal Seminar Series](#) for more information about how you can attend high quality professional development seminars and support JusticeNet at the same time. The second is our **Community Sector Seminars**: our innovative, capacity building seminars for the not-for-profit sector proudly presented by JusticeNet and members firms. See [Community Sector Seminars](#) for more information.



JusticeNet is on Facebook. 'Like' us and keep up to date with upcoming events and issues relevant to pro bono law in South Australia and nationally.

## Walk for Justice 2013

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Join us on **Tuesday 14 May** for the 6<sup>th</sup> annual Walk for Justice. The Walk is a 4.5 km sponsored walk that raises vital funds for JusticeNet SA. Last year, about 300 walkers helped make it the most successful walk ever. This year, with your help, we hope to do even better.

Registrations are now open at <http://walkforjustice2013.gofundraise.com.au/>

Anyone can register (you don't have to be a lawyer) and registration is free in 2013. We just ask that you to register with the intent to fundraise for this important cause. We encourage all walkers to seek sponsorship from colleagues, family and friends. By registering, walkers create their own online fundraising page which can be easily shared using email or Facebook. You can also set up a team fundraising page.

The Walk starts at 7:30 am from the Adelaide Law School forecourt and finishes at the Hilton Adelaide. Post-walk drinks and refreshments are provided courtesy of the Law Society and the Hilton Adelaide. Don't delay, register now and start fundraising:

*The most successful fundraising team in 2013 will be awarded the inaugural **Walk for Justice Cup***

*The individual who raises the most funds will win an **ipad mini!***

We look forward to you joining JusticeNet and our Walk for Justice Ambassadors for Adelaide's largest legal walk.

The 2012 Walk for Justice is proudly supported by:



## Pro Bono Referrals and Case Studies

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In 2012 JusticeNet made 73 pro bono referrals, up from 63 in 2011. We are grateful to the lawyers who so generously donate their time and expertise to assist JusticeNet clients.

While JusticeNet provides a service of last resort for clients unable to obtain the help they need elsewhere, many people that contact us are unaware of other avenues for resolving their issues. Consequently, in 2012 nearly 350 applicants were referred to alternate legal service providers such as the Legal Services Commission, Community Legal Centres or other more appropriate agencies. Only matters which satisfy our eligibility criteria are referred for pro bono assistance. This ensures that finite pro resources are distributed equitably and efficiently.

We are always keen to increase participation in our pro bono referral service. If you or your firm is interested in registering with JusticeNet, or would like to become a member, please contact Tim Graham at [tim.graham@justicenet.org.au](mailto:tim.graham@justicenet.org.au). You can also find further information and membership forms on at [www.justicenet.org.au](http://www.justicenet.org.au).

The following are some examples of pro bono referrals finalised in late 2012:

**Imani\*** approached JusticeNet seeking legal assistance to appeal a decision of the Department of Immigration and Citizenship to reject her husband's application for a Partner (Provisional) Visa. The visa was rejected because the Assessing Officer was not persuaded that the spousal relationship between Imani and her husband was genuine and continuing. Following the favourable advice received from Paul Charman of counsel, Hamdan Lawyers assisted Imani to successfully appeal the Assessing Officer's decision in the Migration Review Tribunal. Her husband has been granted a Partner Visa and is scheduled to arrive in Australia shortly.

**Amand\*** sought pro bono help from JusticeNet to resolve a dispute with the vendor of a house and land package he had purchased of the plan. The vendor had failed to adequately disclose the existence of an easement on the property. During the construction of his home, Amand discovered a large transformer was being constructed on his land. The transformer adversely affected Amand's use of the land and detracted from the amenity. With the help of Cowell Clark, Amand negotiated a favourable settlement with the other party. Without the help of JusticeNet and Cowell Clark, Amand would have gone without legal assistance he needed to protect his rights.

**Dan\*** was referred to JusticeNet by a rural financial counselling service. Dan was a director of a family operated farming business that was on the verge of insolvency. Dan sought advice regarding the liability of both the company and his family members personally should they continue to trade in the circumstances. The family was experiencing severe financial hardship and were also facing the real prospect of repossession of the farming property, which was the family home for some of the family. Fox Tucker assisted Dan and his family to negotiate a settlement with their bank that kept family business solvent. Fox Tucker also provided advice to the Directors regarding their rights and liabilities as directors and procedures regarding the removal or resignation of directors.

**Suzie\*** was referred to JusticeNet for legal assistance to have bankruptcy proceedings adjourned pending determination of her application for payment of monies out of the Supreme Court Suitor's Fund. Suzie was experiencing financial difficulties, and was a party to several interrelated legal proceedings, arising from financial dealings entered into by her ex-partner without her consent, including loans arranged in her name. Hunt and Hunt assisted Suzie to negotiate an outcome of the Supreme Court Suitor's Fund application, which included an agreement to discontinue the bankruptcy proceedings. Given the complex commercial issues involved in this matter, the positive outcome achieved by Hunt and Hunt could not have been realistically achieved by Suzie if she did not have pro bono representation.

Other recent referrals include:

- **Kelly & Co** are assisting a not-for profit organisation with an intellectual property matter;
- **Cowell Clarke** have accepted a referral to assist a disabled client recover money misappropriated by a carer;
- **Claire O'Connor** of counsel provided legal advice about a criminal law matter;
- **Ashurst** accepted a referral to assist an artist in a dispute with a previous employer;
- **Lawson Smith** has provided defamation advice to a disabled client;
- **Stephen MacDonald, Edward Stratton-Smith, and Nicholas Eid** of counsel have provided immigration advice;
- **Lipman Karas** is assisting an elderly pensioner who was the victim of negligent building works; and
- **Campbell Law** is assisting clients facing mortgage repossession

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

## CPD Seminar Series

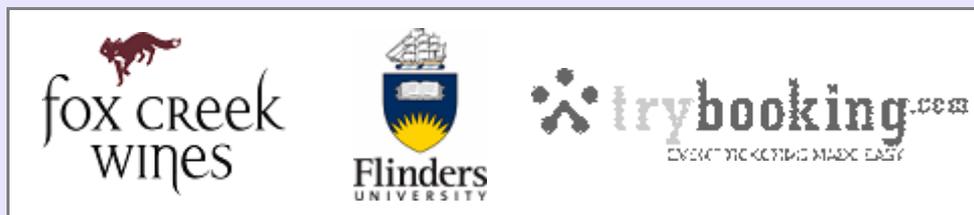
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JusticeNet held a 'CPD Intensive' on 7 and 8 February 2013. The event was well attended, and will become a fixture on our annual CPD program. Many thanks to our wonderful presenters, including:

- **Tim Cogan**, Costs Law SA
- **Jonathan Wells QC**, Hanson Chambers
- **John Goldberg**, Cowell Clarke
- **Magistrate Andrew Cannon**
- **Steve Georgiadis**, SG Law Partners
- **Mike Sinkunas**, Small Business Commissioner
- **Federal Magistrate Christine Mead**
- **John McGinn**, Hugh Burton Chambers

Our program for the rest of 2013 is almost finalised and will be launched soon. We will be presenting one seminar every 6-8 weeks for the rest of the year. We are delighted to be able present a range of seminars featuring some of Adelaide's best and brightest.

Our thanks to Fox Creek Wines, Flinders University and Try Booking for their ongoing support for our Legal Seminar Series.



## Community Sector Seminar Series

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JusticeNet is delighted to join with our corporate members to present our Community Sector Seminars designed to support community and not-for-profit organisations to be better run, so they can achieve their missions and help their clients, and the public can have trust and confidence in them.

Our program for 2013 will be launched soon, but here is a preview:

Title	Presenter	Date
Legal Duties of Board and Committee Members	Cowell Clark	TBC
Work Health and Safety Law and your community organisation	Santos/Thomsons Lawyers	June
Tax basics – DGR concessions and exemptions for community organisations	Finlaysons	August/September
The internet and social media: legal considerations for your organisation	Fisher Jeffries	TBC
Employment-related legal issues for not-for-profits	Bourne Lawyers/Australian Government Lawyers	TBC

Thank you to all our corporate members who expressed interest in participating in our Community Sector Seminars.

## Become a 'Friend of JusticeNet'

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JusticeNet plays a vital role in facilitating access to justice for low-income and disadvantaged South Australians. While membership subscriptions are currently our most significant source of income, they cover less than 50% of our annual operating costs, and we don't receive government funding.

As a Friend of JusticeNet you can help ensure the long-term future of our service for as little as \$10 per month. Benefits of becoming a Friend of JusticeNet include:

- Complimentary registration for one JusticeNet CPD seminar per year.
- Reduced JusticeNet membership fee (50% discount).
- Public recognition of your support (unless you advise us otherwise).
- Your donation is 100% tax deductible.

[Click here to join Friends of JusticeNet using the secure online facility of GiveNow.com.au](#)

## Other events of interest

### **Adelaide Law School Breakfast Seminar Series**

The Adelaide Law School is a founding member of JusticeNet SA. We are pleased to support their Breakfast Seminar Series. The next session is:

**Social media: Communication and consequences in a global networked environment**

**Presenters:** Peter Campbell (Kelly and Co), Dr Melissa de Zwart (University of Adelaide)

**Chair:** Lisa Jarrett (Kelly & Co)

**When and where:** 7:30am, 28 March 2013, National Wine Centre

Further information about this and other events in the Adelaide Law School Breakfast Seminar Series is available at:

<http://www.law.adelaide.edu.au/professional-development/>.

### **The Assange Affair: freedom of speech and freedom of information, a global perspective**

A free public lecture by Justice Stefan Lindskog of the Supreme Court of Sweden. Justice Lindskog will be joined in a panel discussion on freedom of speech in Australia. Adelaide barrister, Claire O'Connor, will chair a panel comprised of eminent barrister and advocate for the protection of human rights, Julian Burnside QC, leading Australian constitutional law expert and public commentator, Professor George Williams and other eminent panellists.

**When and where:** 7pm – 9pm, 3 April 2013, Elder Hall

For more information visit: [www.law.adelaide.edu.au/events/lindskog/](http://www.law.adelaide.edu.au/events/lindskog/)

## JusticeNet Members

We welcome our new corporate members:

**Beach Energy Limited**



**Bourne Lawyers**



**Lawson Smith Lawyers**



**Finlaysons**



**Aleecia Murray**

**Ruth Beach Lawyer & Mediator**

### *Friends of JusticeNet Honour Roll*

Robyn Layton QC AO  
Kieren Chester  
Tim Graham  
George Karzis  
Christopher Legoe QC  
Nicholas Linke  
Shaun Mercer  
Alex Reilly  
Paula Stirling

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

**Corporate members:** Aleecia Murray, Adelaide Law School, Aged Rights Advocacy Service, Ashurst Australia, Beach Energy Limited, Bourne Lawyers, Campbell Law, Central Community Legal Services, Cowell Clarke, DMAW Lawyers, Donaldson Walsh, Environmental Defenders Office, Finlaysons, Fisher Jeffries, Fox Tucker Lawyers, Gilchrist Connell, Hunt & Hunt, Johnston Withers, Kelly & Co, Lawson Smith Lawyers, Lipman Karas, Mellor Olsson, Piper Alderman, Riverland Community Legal Service, Ruth Beach Lawyer & Mediator, SANTOS, South East Community Legal Service Incorporated, Southern Community Justice Centre, Sparke Helmore, UniSA Law School, Wallmans Lawyers

**Individual members:** Martin Anders, Lucas Arnold, Melissa Ballantyne, The Hon Justice Barry Beazley, The Hon David Bleby QC, Christopher Brohier, Peter Cannell, Gabrielle Canny, Joseph Carney, Kerry Clark, Jane Cox, Aussie De Silva, Samuel Doyle, Phillip Foreman, Tim Graham, Gregory Holland, Chad Jacobi, Manjit Kaur, Margaret Kelly, Stephen Kenny, Robert Lawton, Robyn Layton QC, The Hon Christopher Legoe, Cathrynne Lester, Nicholas Linke, Mark Livesey QC, The Hon Judge Lunn, Arlene Macdonald, Michael Margarey, Philip McNamara QC, Michael Mills, Carolyn Mitchell, Neville Morcombe QC, The Hon Judge Geoffrey Muecke, The Hon Justice Margaret Nyland, Claire O'Connor, The Hon Mark Parnell, Harry Patsouris, Mark Pickhaver, Ian Robertson SC, Rick Sarre, Carolyn Scholefield, John Shortt-Smith, Tom Simpson, George Stathopoulos, Paula Stirling, Edward Stratton-Smith, Mike Wait, Gillian Walker, John Ward, Noëla Washyn, Jonathan Wells QC, Senator Penny Wright,

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, 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

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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](mailto:admin@justicenet.org.au) or contact us by phone (08) 8313 5005.

## What is JusticeNet SA?

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JusticeNet is an independent not-for-profit organisation that coordinates pro bono legal assistance in South Australia. JusticeNet matches individuals who do not have the means to afford a lawyer, and cannot otherwise obtain the requisite legal assistance elsewhere, with a member lawyers, who are willing to act pro bono. We also assist not-for-profit and community groups.

For more details of our referral service and eligibility criteria, see the JusticeNet website at [www.justicenet.org.au](http://www.justicenet.org.au).