



PRO BONO NEWS

Issue 10, September 2013

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Executive Director's report

On September 18 JusticeNet will launch the 'Self-Representation Service', a pilot pro bono legal service for self-represented parties in the civil jurisdiction of the Supreme Court of South Australia. This new service will complement our existing referral work by providing discrete task assistance to eligible litigants who cannot afford a private lawyer. We are delighted to announce that the service will be officially launched by Christopher Kourakis QC, Chief Justice of the Supreme Court of South Australia at JusticeNet's Annual General Meeting on 18 September 2013. Click [here](#) to RSVP for the launch – hurry seats are limited.

A big thank you to the law firms who have agreed to participate in the service: Minter Ellison, Fisher Jeffries, Finlaysons, Cowell Clarke, Lawson Smith and Johnston Withers. JusticeNet also acknowledges the support of Flinders University (which will provide GDLP students to support our pro bono lawyers), the Law Foundation and IMF (Ltd). See below for more information about this innovative new service and how your firm can participate.

JusticeNet also welcomes the recent announcement by the Cth Attorney-General Mark Dreyfus to provide \$4M in funding for legal services for self-represented litigants in the Federal Courts. We anticipate that the funds will be allocated to the courts and pro bono clearing houses including JusticeNet. The funding announcement follows on the success of a pilot service conducted by the Queensland Public Interest Law Clearing House (QPILCH). We applaud the Commonwealth Government's commitment to funding innovative legal services.

And in case you haven't heard, this year's Law Society Justice Award was shared by two very deserving candidates, both of whom are long time JusticeNet supporters: the Honourable Robyn Layton AO QC, who is, amongst many other things, an Ambassador for JusticeNet, and Nick Linke, partner at Fisher Jeffries and JusticeNet SA Treasurer. The Justice Award recognises the enormous contribution that Robyn and Nick have made to promoting access to justice in South Australia, particularly for socially and economically disadvantaged people. Congratulations to them both.



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.

New contact details for JusticeNet SA

Please note that JusticeNet's telephone number is now **(08) 8313 5005**. Our old number (08) 8303 5005 is now disconnected.

Notice: JusticeNet Annual General Meeting

The 5th JusticeNet SA Annual General Meeting will be held on Wednesday, 18 September 2013 6:00pm at Minter Ellison Lawyers, Level 10, 25 Grenfell Street, Adelaide.

The AGM will be followed by a presentation from The Honourable Chief Justice Christopher Kourakis QC, Chief Justice of the Supreme Court of South Australia. Chief Justice Kourakis will launch JusticeNet's Self-Representation Service. All are welcome, drinks and refreshments will be provided.

An agenda and proxy, nomination and membership forms are **attached**. Please RSVP by registering [here](#) by Friday, 13 September 2013.

Pro Bono Success Stories

JusticeNet helped a family of five Iranian asylum seekers by arranging for a sole practitioner solicitor and counsel to commence judicial review proceedings against an unfavourable assessment that Australia did not owe them protection obligations under the Refugees Convention. Proceedings were instituted in the Federal Circuit Court on Christmas Eve 2012. A primary allegation was that the assessor had failed to take into account the fact that photographs showing members of the family (who arrived by boat during the short period in which the Malaysian Solution was in place) had been published in both the mainstream media and on a Farsi website, and that there was a real chance that the Iranian authorities would thereby identify them as asylum seekers. There is significant evidence that failed asylum seekers are persecuted upon return to Iran. In May 2013, solicitors for the Minister for Immigration and Citizenship conceded that the family had been denied procedural fairness and agreed that the family's matters should be reassessed. The family will now receive a fresh determination on their applications.

Gilchrist Connell provided specialist assistance to a client of a regional Community Legal Centre in relation to a motor vehicle accident matter. The police report indicated the other driver, who was driving a hire car, was at fault. The car hire company initially accepted that there was third party insurance covering the accident, but then denied liability, alleging that the driver had breached the car hire contract. The car hire firm also refused to disclose any documentation to the client. The pro bono solicitor from Gilchrist Connell provided advice to the CLC solicitor about how to advance the matter. The CLC solicitor was then able to negotiate a favourable settlement for the client without the need to commence formal proceedings.

Fox Tucker Lawyers accepted a referral from JusticeNet to represent client who provided contract teaching services to a non-government organisation. In 2009 'David' had been unsuccessful in renewing his contract as a teacher with the organisation. He was informed at the time that the organisation wanted a female to deliver the courses that he taught. As a result David suffered loss of income and significant distress to him and his family because their long running involvement with the organisation came to a premature and acrimonious end. David eventually brought a sex discrimination claim against the organisation. Proceedings were originally commenced in the Equal Opportunity Commission. With the assistance of his pro bono lawyer, David filed a new claim with the Australian Human Rights Commission and successfully negotiated a favourable settlement.

Alexander Manos of Howard Zelling Chambers assisted a client who had appealed to the Administrative Appeals Tribunal for a review of a decision by the Veterans Review Board denying him a special rate of his Royal Navy pension. The client served in the Navy for 14 years and had developed medical conditions which were identified as service related. He had therefore applied to have his pension rate increased. With the assistance of Alexander Manos and an interstate law firm which was acting on a 'no-win no-fee basis', the decision was successfully appealed.

Marita Pangelo of **Pangelo and Associates** assisted a client who had made an application for an intervention order. The respondent was a well-known radio pest who was abusing the client on radio and posting defamatory material about him on the internet. The client lived on a disability support pension and could not afford private legal assistance. He had received some preliminary assistance from the Legal Service Commission, but they were unable to represent him. With Marita's timely assistance final orders were agreed at a directions hearing. Marita was also able to arrange for some of the defamatory material to be removed from the internet.

Finlaysons accepted a referral to assist CORENA (Citizens' Own Renewable Network Australia), a newly established environmental not-for-profit organisation. CORENA's main objective is to use funds raised by the organisation to support renewable energy efficient projects such as interest free loans for solar installations. CORENA needed advice about their draft loan agreements and advice on potential legal issues they may face with regards to their long term ambition to fund the construction of a large-scale solar power plant. Finlaysons provided the required advice and prepared for them a disclaimer of liability and privacy statement. CORENA described the assistance they received from Finlaysons as 'very enabling'. With their

help CORENA has resolved all of the legal issues facing them and is moving forward with their energy sustainability projects.

Walk for Justice 2013

On Tuesday May 14 JusticeNet held the most successful Walk for Justice ever. Over 350 walkers braved inclement weather to raise much-needed funds for JusticeNet. This year our walkers exceeded all expectations and raised almost \$40,000 for JusticeNet's pro bono legal services.

The Walk for Justice is JusticeNet's flagship fundraising event. It is also an opportunity to celebrate the commitment of pro bono lawyers to help those on low-incomes and experiencing disadvantage. Congratulations to Lipman Karas for winning the inaugural Walk For Justice Cup. Team Lipman Karas raised \$5,370. Congratulations to Katrina Bochner, who was our highest individual fundraiser, raising \$2,131.

Thank you to all of our walkers, supporters and sponsors for making this year's Walk for Justice such a big success. Here are some snapshots of the 2013 Walk for Justice.



The JusticeNet Team



Walkers gathering outside University of Adelaide Law School



Hon Tony Piccolo, Patrick Giam (Lipman Karas) and Tim Graham (JusticeNet)



Elizabeth Boxall (JusticeNet), the Hon. Tony Piccolo and Tim Graham (JusticeNet)



Some of our fantastic Lead Walkers



Chief Magistrate Elizabeth Bolton, Acting Chief Judge Geoff Muecke and Sean Fewster, Chief Court Reporter, Advertiser

The 2013 Walk for Justice is proudly supported by:



Community Sector Seminar Series



Tim Graham (JusticeNet SA) and Demitra Ritossa

JusticeNet offers a program of legal information seminars for the community sector. The seminars commenced in June and have been very well received. Two sessions have been held so far in 2013, and the feedback from participants has been very positive. There is clearly demand in the community sector for the quality legal training which our members are well placed to provide. We have had several requests to run repeat seminars in-house and for regional communities.

(Santos) at the inaugural Community Sector Seminar for 2013.

The Community Sector Seminars are provided with the generous assistance of our member law firms. We are also delighted to have the support of SACOSS and Volunteering SA/NT as our community partners.

For more information and online registration: http://justicenet.org.au/community_sector_seminars.html

If you or your firm is interested in participating in our 2014 Community Sector Seminar program, we'd love to hear from you. Please contact Tim at tim.graham@justicenet.org.au or on 8313 5005.

CPD Seminar Series

Don't miss out on the next seminar in our CPD program [Recent Developments in Corporate Governance](#) presented by Dr Suzanne Le Mire (University of Adelaide) and Michael Durrant (Kelly & Co) on Tuesday 24 September.

For more information and online registration visit: <http://justicenet.org.au/events.html>. The seminar will run from 1:00 to 2:30pm. Complementary lunch generously sponsored by **Pittstop Catering** will be available for participants from 12:30pm.

1.5 CPD units can be claimed for this seminar. All proceeds from the seminars support JusticeNet's pro bono legal services.

In July Robyn Layton AO QC and Michael Hourigan presented a mesmerising seminar, **Human rights make a difference everywhere, everyday**.

If you or your firm is interested in participating in our 2014 CPD program, we'd love to hear from you. Please contact Tim at tim.graham@justicenet.org.au or on 8313 5005.

Refugee and Asylum Seeker Project Update



JusticeNet staff and two practitioners participating in RASP. From L to R: Elizabeth Boxall, Referrals Lawyer, JusticeNet SA; Simon Bourne, Bourne Lawyers; Rachel Grey, Howard Zelling Chambers; Tim Graham, Executive Director, JusticeNet SA

'RASP' as we call it, has been successful in coordinating pro bono legal services for asylum seekers who may have a right to judicial review of unfavourable decisions regarding their protection claim. Since the establishment of RASP we have assisted about 45 asylum seekers with advice and representation. You can read about one successful outcome below.

In May this year, JusticeNet hosted a migration law seminar at Fisher Jeffries: **How to identify jurisdictional error in asylum cases**. Designed as an introduction / refresher course for pro bono lawyers, the seminar was booked out in a week and 50 people attended. Our sincere thanks to Steven MacDonald of Hanson Chambers and Paul Charman of Wright Chambers for presenting, and Fisher Jeffries for hosting the seminar.

Such was the interest in the seminar that JusticeNet has significantly increased the number of pro bono lawyers participating in RASP. We are looking forward to holding a follow up seminar soon.

JusticeNet is also exploring the feasibility of establishing an outreach service as part of RASP. The outreach service would enable us to meet with potential clients and key stakeholders (such as case workers, interpreters and social workers) in the one location early on in the visa application process. JusticeNet would then be able to provide clients with initial legal information and advice, establish clear lines of communication with clients and stakeholders, and facilitate a better quality service overall.

Launch of the Supreme Court Self-Representation Service

JusticeNet and Flinders University have secured funding from the Law Foundation of South Australia and a corporate benefactor, IMF (Australia) Ltd, for a 12-month pilot of a Self-Representation Service.

The Service will provide legal advice and assistance for self-represented parties in the civil jurisdiction of the Supreme Court of South Australia. The Service is modeled on the 'Self-Representation Service' successfully operated by the Queensland Public Interest Law Clearinghouse (QPILCH) since 2007.

The Service will assist self-represented parties who cannot afford a private lawyer by providing them with 'discrete task' assistance, but not representation. For many low-income or disadvantaged individuals, the cost of legal representation and advice for civil problems is out of reach, but self-representation leaves them ill-equipped to meaningfully understand and assert their rights. The service will help them to understand their legal rights and present their case in the best possible manner, while at the same time improving compliance, reducing court congestion and discouraging the commencement or discontinuation of unnecessary litigation.

The Service is an exciting opportunity for JusticeNet and our members and supporters to meet a recognised legal need by the targeted delivery of pro bono legal resources. Participating firms include: Minter Ellison, Fisher Jeffries, Finlaysons, Cowell Clarke, Lawson Smith and Johnston Withers.

If you or your firm is interested in participating in our Self-Representation Service, we'd love to hear from you. Please contact Tim at tim.graham@justicenet.org.au or on 8313 5005.

The Self-Representation Service will be formally launched by Christopher Kourakis QC, Chief Justice of the Supreme Court of South Australia at our Annual General Meeting on 18 September 2013. Click [here](#) to RSVP for the launch and AGM.

Other news and items of interest



Images of Justice Photographic Competition

The Adelaide Law School is running their second annual Justice Photographic Competition. For more details, and to submit an entry, please visit:

<http://www.law.adelaide.edu.au/images-of-justice/>

Fox Creek Special Offer

JusticeNet is delighted to announce the following special offer to our members and supporters courtesy of Fox Creek Wines, the sponsor of our CPD seminar series:

Visit the Fox Creek Cellar Door and upon presentation of this newsletter you can enjoy one of Fox Creek's regional platters, perfect for two people, with two glasses of our award winning wine for only \$20!

To book phone (08) 8557 0000 - Offer is subject to availability - Valid until **30 November 2013**. The Cellar Door is located at 90 Malpas Road, McLaren Vale.



You will also be entitled to a 15% discount on any wine you purchase at Cellar Door. (Alternatively, visit www.foxcreekwines.com and enter the code 'PROBONO' at the checkout to receive your 15% wine discount online!)

Fox Creek's nineteenth century Cellar Door stone cottage is located between the villages of McLaren Vale and Willunga on the Fleurieu Peninsula. The Fox Creek Cellar Door has regular art exhibitions and a sculpture garden with a free treasure hunt for children. Complimentary winery tours are held every Monday and Friday from 10.20am. Bookings essential.

Voluntary Board Position - Playgroups SA

Playgroups SA is a non-profit, community based organisation which is committed to providing quality services to families with young children throughout South Australia. They are seeking expressions of interest to join the board of Playgroups SA. If you

are interested, please contact Carley Jones, Executive Officer, Playgroups SA on 8344 2722.

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: Acting for Government in Litigation

Presenters: Dr Gabrielle Appleby (University of Adelaide), Dr Suzanne Le Mire (University of Adelaide)

Commentator: Adam Kimber SC (Director of Public Prosecutions)

When and where: 7:30am, 25 September 2013, National Wine Centre

For registrations, please visit, <http://adelaide-cpd-sept25.eventbrite.com>

Become a 'Friend 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 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 recurrent 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](#)

JusticeNet Members & Supporters

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, David Bleby QC, Christopher Brohier, Paramjit Budwal, Peter Cannell, Gabrielle Canny, Joseph Carney, Kerry Clark, Jane Cox, Aussie De Silva, Samuel Doyle, Phillip Foreman, Tim Graham, Gregory Holland, Chad Jacobi, Andrew Jantke, Manjit Kaur, Margaret Kelly, Nerissa Schwarz, Stephen Kenny, Lisette Knobel, Robert Lawton, The Hon 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, Jocelyn Redden, Ian Robertson SC, Rick Sarre, Catherine Sarre, Carolyn Scholefield, John Shortt-Smith, Tom Simpson, George Stathopoulos, Paula Stirling, Edward Stratton-Smith, Elise Thomson, 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.

JusticeNet also acknowledges the support of the Minter Ellison Charity Foundation. We are delighted to working with the Foundation as a charity partner for the next two years.

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 SA?

JusticeNet is an independent not-for-profit organisation that coordinates pro bono legal assistance in South Australia for individuals experiencing disadvantage and the community organisations that support them.

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