



IMPACT REPORT

2024

LAW ACCESS

lawaccess.org.au

Law Access

Law Access is a not-for-profit organisation that facilitates the giving of pro bono (free or low fee) legal assistance by the Western Australian legal profession to those who cannot afford a lawyer.

We are a service of last resort for those who cannot get legal assistance from Legal Aid WA, a community legal centre or other legal services.

Law Access considers applications from not-for-profits and individuals in genuine need of legal assistance.

Genuine need is assessed by considering an applicant's financial circumstances, the merit in their case and whether resolving their issue may have a broader positive effect on vulnerable groups in the community.

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1. The Context

1.1 Unmet Legal Need in Western Australia

The Legal Assistance Strategy 2022-2025 released by the Department of Justice provides a roadmap for the provision of legal assistance services in Western Australia, including identifying Priority Areas of Law and Priority Client Groups.

Priority Client Groups

First Nations people	People in custody
Children and young people (up to 24 years)	People from regional, rural or remote areas
Older people	People who are culturally and linguistically diverse
People who have experienced family violence	People who identify as LGBTQIA+
People at risk of homelessness	People with a disability or mental illness
Women	

Priority Areas of Law

- | Family Law | Criminal Law | Civil Law |
|---|---|--|
| <ul style="list-style-type: none">• Where the safety or welfare of children are at risk• Involving allegations of family violence• Assisting people with property settlement matters if they are experiencing financial disadvantage or are at risk of homelessness | <ul style="list-style-type: none">• Where the defendant is a child• Where the defendant is being charged with a criminal offence where a sentence of imprisonment is likely to apply• Assisting persons being detained in custody | <ul style="list-style-type: none">• Bankruptcy matters• Child protection• Consumer law• Employment matters• Extradition matters• Human rights and anti-discrimination• Insurance law• Migration• Social security law• Tenancy matters |

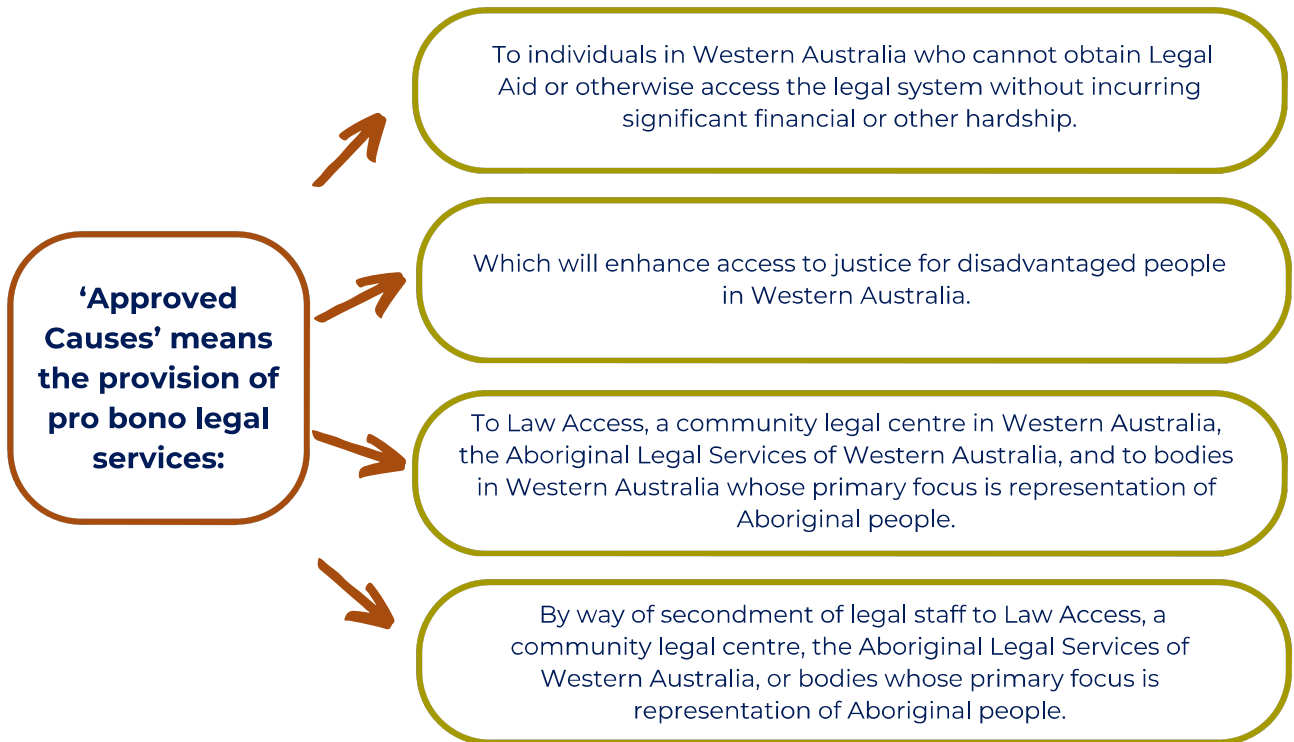
1.2 The Department's Strategic Focus Areas

The Department of Justice's Legal Assistance Strategy contains the following focus areas:

- **FOCUS AREA 1**
 - Client-centred services for vulnerable people.
- **FOCUS AREA 2**
 - A strong, sustainable and responsive legal assistance sector which delivers quality services.
- **FOCUS AREA 3**
 - State-wide access to appropriate, timely legal assistance for people experiencing vulnerability and disadvantage.

1.3 The Pro Bono Model in Western Australia

The Western Australian Government sought to encourage pro bono participation by requiring that law firms who provide legal services to government undertake pro bono work for 'Approved Causes' to the value of at least 10% of the total value of each law firm's government contract(s).



1.4 The Referral Pathway



2. Our Impact

2.1 Who sought legal help



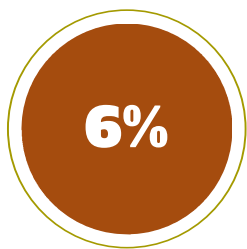
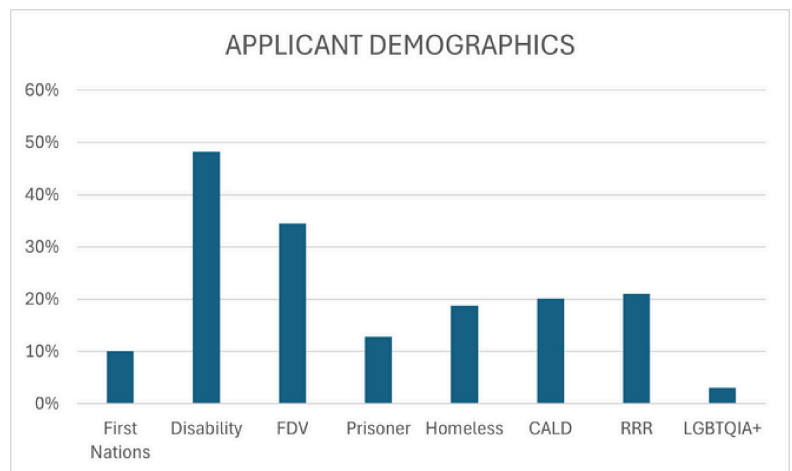
853
Inquiries



756
Applications

Law Access assisted individuals in genuine need of legal assistance with experience of the following categories of disadvantage:

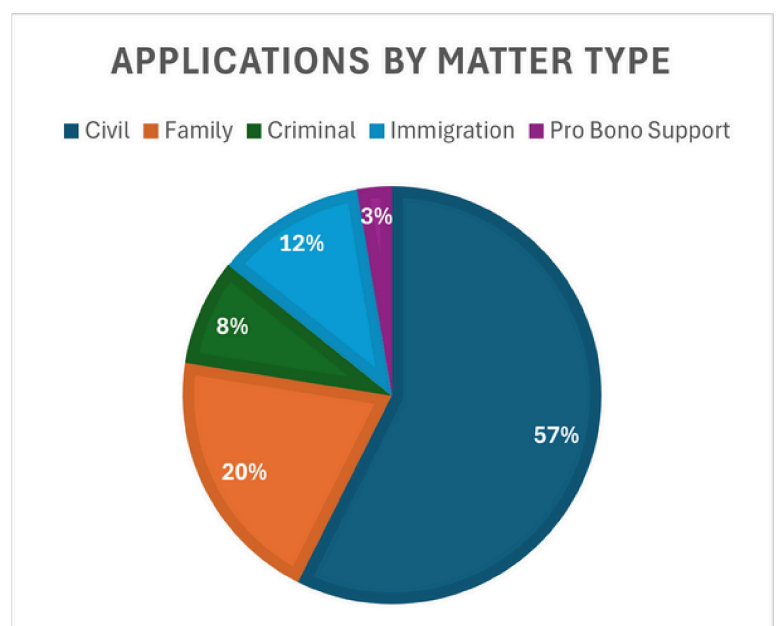
- 10% First Nations
- 48% Disability/Mental Health/Serious Health issue
- 35% Experiencing/experienced FDV
- 13% Prison/Detention
- 19% Homeless/ At risk of homelessness
- 20% CALD (Culturally and linguistically diverse)
- 21% RRR (Regional, rural and remote)
- 3% LGBTQIA+



Applicants said they would be assisted by an interpreter

Law Access received the following applications by matter type:

- 57% Civil
- 20% Family
- 8% Criminal
- 12% Immigration
- 3% Pro Bono Support



2.2 Who We Assisted

Successful applicants



151

Matters referred to lawyers



11

Meritorious matters not able to be placed

Ineligible applicants

309

Matters unsuitable for referral

The Application did not meet the eligibility requirements

Law Access referral process



Over 80% of individual applicants said that:

- the application and referral process was easy to understand, and
- the referral to their pro bono lawyer went smoothly.

100% of not-for-profit applicants were very satisfied with the application and referral process.

Very happy that this service exists in Australia and is helping lots of people under financial distress. This is a very important service.



Value of legal service provided



7223*

Estimated total pro bono hours



\$2.47m*

Estimated value of pro bono

* Estimates are based on the pro bono lawyer survey results extrapolated to the number of lawyers who took referrals.

Making a difference for applicants

I felt so out of my depth with my situation, but the lawyers were able to do an honest assessment of my case and help me act to find a solution to the problem.



85% of individual applicants said: My lawyer treated me with respect.

Best thing about having lawyers assist

I was in a situation I'd never experienced before & this in turn brought feelings of confusion, anxiety etc however my lawyer had been a shining light at the end of a very dark tunnel. His knowledge and skills have been exceptional to help me better understand and feel at ease.

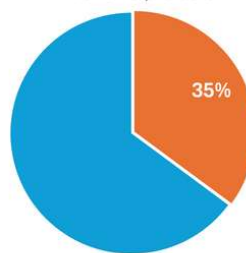
It was good to have somebody explaining the process and guiding me through the maze.

The benefit of warm referrals

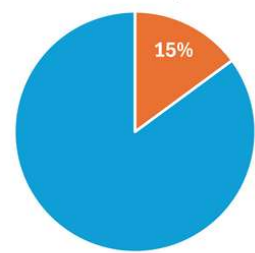
The referral pipeline from the legal assistance sector (and other support services) is an invaluable support to applicants and also facilitates effective referrals.

Warm referred matters are more likely to be eligible for, and found, pro bono legal assistance.

Proportion of warm referred matters placed



Proportion of matters not warm referred placed



Case Stories



Rex Vines, Francis Burt Chambers

Young CALD father allowed to remain in Australia with his son

The applicant was in custody when he received notice of cancellation of his visa. On release from prison, he was transferred to 'administrative' detention. The applicant was a young CALD man who had emigrated to Australia as a teenager and who had no meaningful connections to his place of origin. He made some bad choices towards the end of high school, including taking drugs, and had some mental health issues.

Rex Vines helped him tell his story and convince the AAT that he 'had another reason to stay', including a young son. His father also offered his support should the applicant be released. The applicant told Rex that this was the first time in his encounters with the justice, and the immigration detention, system that anyone had looked so long and so closely at his circumstances (as he had pleaded guilty to both his offences).

The AAT allowed him to stay. Rex said: *"I was pretty much on the edge of my seat with my heart in my mouth by that point. He was released later that afternoon... no real integration or post custody help, just a couple phone numbers to the likes of the Wirrpunda foundation.... it was surreal."*

In a post script... the next day the applicant went to Centrelink where he was told that the computer was saying he was in custody! Rex emailed Centrelink a copy of the Tribunal's order.

"The whole thing was a really powerful insight into the control and disruption that the law can have and exercise over people's lives and how powerless you can end up in the face of it all. I was also conscious that many are not as fortunate as he and, whether or not they deserve it, do end up deported and having an awful time of it wherever they are deported to."

Case Stories continued

Home restored to First Nations single mother

A First Nations single mother accessed an Indigenous home owner scheme to purchase a home for herself and her son. The home was occupied by illegal tenants who were not paying rent or maintaining the property, and refused to vacate. The applicant brought proceedings in the Magistrates Court for eviction.

Jennifer Flinn helped the applicant prepare the required court documents and evidence to support her application, and advised her on court process. Advice on restraining orders was also provided due to threats made by the occupants.

The application was successful and the illegal tenants were evicted. The applicant is now remediating the damage caused to the property, and may seek compensation from the former tenants. She has her home back, and was very grateful for the assistance she received through the Law Access referral.



"It was a pleasure to be able to assist the applicant achieve this outcome."

Jennifer Flinn, Murray Chambers



Elder Rights - interest in home protected

The applicant had provided financial contributions toward the mortgage and building costs for a house in the name of her children, and subsequently moved into the home. Unfortunately, their relationship broke down and the applicant was unable to continue living in the home. The applicant's age, retiree status and past and current health issues made her particularly vulnerable.

The applicant was referred to the Real Estate and Projects team at HWL Ebsworth Lawyers, who advised on her potential equitable interest in the property. As her children had indicated an intention to transfer their interest to another family member, the applicant was advised to lodge a caveat.

"It was a valuable and rewarding experience for our team to assist a vulnerable person in kickstarting their access to a genuine legal interest which would have significant impact on her life." - Selina Yu



Pictured (top to bottom): Shaun McNaught and Selina Yu, HWL Ebsworth Lawyers

CALD applicant's unfair dismissal claim resolved

This matter involved a long-running and complex unfair dismissal claim. The applicant had a CALD background and had struggled to articulate his case and grapple with some of the more complicated legal aspects. After the applicant received pro bono legal advice and assistance to prepare a comprehensive witness statement, documentary evidence and legal submissions, the employer agreed to settle the case.

"This was something the client had been trying to achieve for the previous two years. Working with the client and helping to reach that outcome was a very rewarding and satisfying experience."

Liam Nicholls, Francis Burt Chambers



Not-for-profit Organisations

100% of NFP applicants said their lawyer helped them to better understand:

- their organisation’s legal issues
- their legal options and responsibilities
- how to deal with their legal issues

100% of NFP applicants said their lawyer gave them all the information they needed to make the best decisions.



The pro bono legal team confirmed that the community was on the right track regarding our legal options and enabled us to engage a barrister (at a greatly reduced fee) with confidence.

Public Interest



“Not having a driver’s licence is a major barrier that prevents disadvantaged individuals from accessing basic services, gaining employment, and leading an independent life.”
Corrs Chambers Westgarth



Corrs’ Driver’s Licence Program: Corrs Chambers Westgarth developed a pro bono program that included a guide to applications for extraordinary driver’s licences and for the removal of lifetime disqualifications. In FY2024, Law Access facilitated a partnership between the firm and Pilbara CLC, providing remote pro bono support to CLC lawyers on the ground.

Enablers and Barriers

Disbursement fund

Law Access maintains a disbursement fund to ensure that applicants can obtain legal assistance and representation without out-of-pocket expenses creating a barrier to access to justice. Applicants are required to demonstrate the need for the disbursement and that they cannot afford to pay for it. This financial year, Law Access approved reimbursements for expert reports, court and Landgate lodgement fees, a probate search, interpreters and translation.

\$7,328.18 plus GST	Total disbursement support to pro bono applicants
\$6,197 plus GST	Disbursement support for interpreters and translation
\$775 plus GST	Disbursement support for expert reports

Referrals to the legal assistance sector



48 people who had “fallen through the gaps” were referred to legal assistance providers

2.3 Pro Bono Culture

Pro Bono Lawyers

201

Lawyers took a pro bono referral



40

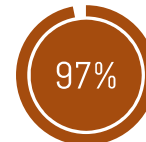
of those lawyers took multiple referrals



Law Access is the preferred referral pathway.



The referral had clearly defined scope/boundaries.



The process for taking a referral was efficient.

I prefer receiving pro bono referrals through Law Access because the scope of the assistance is clear for both the client and the practitioner.

The vast majority of the material had already been collected from the client which saved significant time.

The Experience of Pro Bono Lawyers



Over 90% of lawyers said:

My work on this referral helped me fulfil my professional obligation to give back to the community.

I found it very rewarding and it genuinely reinvigorated my love for the law when I was becoming slightly cynical.

Very fulfilling work. Client was very appreciative of every minute we spent helping them, which is not a common experience with commercial clients.

94% of pro bono lawyers said:

I would recommend to other lawyers that they undertake pro bono work.



Other Supports



Resources for Pro Bono Lawyers

This year, Law Access assembled a suite of resources for pro bono lawyers in cultural competence. These include training materials and other information on working with First Nations and CALD communities. The resources are available via articles in the Law Access Portal.

Students, Graduates, Volunteers



8

student and graduate
interns



34

legal and admin
secondees



5

student / legal / admin
volunteers



717

hours (not included in pro
bono lawyer hours)



1916

hours (not included in pro
bono lawyer hours)



360

hours (not included in pro
bono lawyer hours)

The Experience of Students and Secondees

100%

100% of secondees and volunteer lawyers said their work at Law Access:

- helped them fulfil their professional obligation to give back to the community.

I enjoyed being able to see how each client file was being progressed by my work even if each contribution I made was small, it all added up.

Really enjoyed it, it was a great experience, recommend it to anyone and the service they offer is incredibly vital. Any money contributed towards Law Access is going to both an essential cause and an effective organisation.

Education and Careers



Law Access participated in many events with students and graduates during the year to promote pro bono culture in WA.

We partnered with universities and students in academic programs, internships and attended Careers Fairs.

The passion for access to justice within the student and graduate community bodes well for the future of pro bono work through the next generation of young professionals.

Law Access Reward and Recognition

We express our sincere thanks to our pro bono lawyers and other supporters through the Reward and Recognition Project, providing Certificates of Appreciation.



Thank You Event

Our Thank You Event was held on 28 November 2023, generously hosted by MinterEllison.



The Law Society Lawyer of the Year, Tom Monks, addressed the attendees.



Law Access congratulated the 2023 Pro Bono Lawyer of the Year, Tom Lettenmaier.



Thank you again to all lawyers who took referrals, and we hope you join us at this year's event on 14 October 2024.

2024 Walk for Justice



948 registered participants

Over \$186,000 raised



Prize Winners for 2024

Top Individual Fundraiser
Charmaine Tsang

Top Team Fundraiser
Family Law Practitioners Association WA

Top University Team
Curtin Student Law Society

Walk for Justice Sponsors

Principal Supporter

McCusker Charitable Foundation

Gold Sponsor



MinterEllison



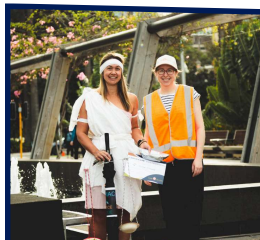
PiperAlderman

Corporate Sponsors

University Sponsors



School of Business & Law



2.4 Research, Policy, Reform and Innovation

Family Law Project



Property Steps (our family law project) progressed in partnership with CLC partners, funded by a grant administered by Perpetual Impact Philanthropy. Resources were created for CLCs, applicants and pro bono lawyers to facilitate the roll-out of the service model.

The model defined bundled (limited scope) services that can be referred to pro bono lawyers with the applicant receiving on-going support from CLCs. Assessment of the outcomes of the pilot will be undertaken and we hope to see expansion of the service model to all our Family Law referrals.

Whole of Sector Review

Law Access plays an integral part in the legal assistance sector, providing a last resort solution for those who fall through the gaps. The referral of vulnerable people to pro bono practitioners also facilitates the leveraging of public funds through the generosity of the profession.

The National Legal Assistance Partnership was reviewed by Dr Mundy this year, culminating in a renewed commitment from the Commonwealth Government to increased funding for the legal assistance sector. Law Access is currently not funded under the NLAP.

The WA Department of Justice also published its Commissioning Strategy for legal assistance services going forward beyond the end of the current funding cycle (30 June 2025).

Law Access has been participating in sector consultations and hopes they result in long-term equitable funding for the legal assistance sector. In particular, Law Access has been advocating for pay parity in the legal assistance sector to remove the pay-gap between solicitors employed by the different employers in the system.

Law Reform



Law Access became a coalition member of the advocacy network: Western Australians for a Human Rights Act. Law Access supports the introduction of the human rights legislation, particularly to the benefit of disadvantaged people.

The Australian Pro Bono Centre undertook consultation with pro bono referral agencies and firms over the definition of “pro bono legal work”, for the purposes of the national target. The consultation included review of pro bono for small businesses impacted by natural disasters.



Informational videos in languages

This year Law Access produced our informational videos for applicants in other languages - Kriol (Kimberley region), Indigenous languages from Pilbara / Goldfields (Ngaanytjarra, Nyangumarta, Pilbara Martu), as well as Vietnamese and Persian / Farsi. Thanks to all our translators.

We also enhanced our website with audio instructions to guide those who have difficulty reading through our online webforms.



3. Looking Ahead

This year, Law Access focused on reaching marginalised groups including First Nations people and those from culturally and linguistically diverse backgrounds.

Our inaugural First Nations Action Plan and CALD Strategy were released.

We completed customer-focused actions, cultural competence training, and secured access to training resources for pro bono lawyers. We continue to provide pro bono lawyers (and applicants) with access to interpreter services.

In the coming year, we expand our focus on access and inclusion to people with disability.

We continue to provide meaningful ways for the legal profession in WA to contribute to the vital work of the legal assistance sector.

A number of firms contributed secondees to both Law Access and to Community Legal Centres (legal and non-legal), significantly contributing to capacity-building.

The future will see greater opportunities to harness the power of technology in remote service provision. We encourage pro bono firms to support CLC lawyers in the regions. A number of CLC / pro bono partnerships and secondments have already ventured into this space, but there is yet greater potential.

We continue to explore ways to deliver wills to First Nations people in rural, regional and remote areas. Going forward, we will be focusing on pro bono and CLC partnerships for provision of remote support.

Our family law project (Property Steps) piloted discrete-scope referrals in 2024 and we hope to roll out the service model to all family law referrals in 2025.

Pro Bono work is a vital piece of the puzzle in ensuring access to justice for all, and we continue to work with the Department of Justice and our legal assistance colleagues to plan for future legal needs in our community.

All our contributors and supporters are vital to our work. In December 2024, we celebrate our 10th Anniversary. We hope to continue to strengthen these important relationships in the years to come, and thank everyone who has walked with us on the journey so far.

We hope the legal profession will continue to value pro bono work as both an important community service and as an integral part of the culture of the profession.

Alana Dowley
Chief Executive Officer



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