



Pro Bono Pledge Ireland Impact Report 2022



A welcome from PILA – Coordinator of Pro Bono Pledge Ireland



This report covers the first year of reporting for the Pro Bono Pledge Ireland.

In a year witnessing a tentative return to normality following the unprecedented changes catalysed by Covid-19, it is clear that the Irish legal profession has shown great resilience. This report highlights how lawyers have responded to the challenges they have faced and continued to provide access to justice to those that would otherwise be excluded from having their rights vindicated by the law.

In this inaugural report, we attempt to provide an insight into the work being done by Irish lawyers to bridge the gap for those who cannot afford the legal services they require. We believe that universal access to justice and legal service is essential to the rule of law, to the vindication of rights, and to the functioning of a democratic society. Many, especially low income, disadvantaged, and marginalised

people, cannot get access to justice because they cannot afford legal services. Signatories to the Pro Bono Pledge Ireland are committing to change the existing status quo and to correcting the imbalance of a justice system weighed in favour of those who can afford access to that justice system.

We recognise that the legal profession has a privileged role and a unique purpose and position in the legal system, in society, and in matters of justice. This report shines a light on the pioneers who are leading the way to create a legal system where engaging in pro bono work is a key part of a career in the legal profession.

Pro bono works most effectively when it complements and supports wider legal and advice provision and is tailored to particular areas of need. We are grateful to all Pledge signatories for reporting, particularly at a time when resources are so stretched. It helps us pull together this snapshot

of the past year, and we will continue to work with our signatories to refine what we ask for, so that we capture, with the least administrative burden for our partners, the work being carried out. PILA is very proud to be working with and supporting our Pledge signatories to coordinate the Pro Bono Pledge Ireland.

“Thank you to PILA for all of your work coordinating the Pledge. It is a fantastic initiative and we are delighted to be a part of the pro bono sector in Ireland. The work of gathering, analysing and reporting on data is important to developing the network. In time it will be useful to organise events and professional development for pro bono lawyers.”

Pro Bono Pledge Ireland – A Network in a Challenging Environment

Pro Bono Pledge Ireland is the first collaborative effort in Ireland to articulate the shared professional responsibility of lawyers to promote access to justice and provide pro bono legal assistance to those in need. The Pledge was developed by an independent grouping of law firms, barristers, and in-house teams with a presence in the Republic of Ireland who came together to affirm their commitment to delivering pro bono services in Ireland. The Pledge is coordinated by PILA (the Public Interest Law Alliance, a project of FLAC).

“
I think that the Pro Bono Pledge is a fantastic initiative. It is very helpful to introduce a minimum expectation
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Since launching in 2020 the Pledge has the support of



Pro Bono Pledge
Ireland – Impact in
Numbers

The Pledge’s aspirational target is that all lawyers will carry out (on average) 20 hours’ pro bono legal work annually. The infographic relates to pro bono work undertaken by those signatories who reported under this inaugural report.

33 SIGNATORIES
REPORTED
UNDER THE
PLEDGE

37,109
HOURS PRO BONO
LEGAL WORK

40% OF LAW FIRMS REPORTED THAT
ON AVERAGE LAWYERS IN THEIR
FIRM COMPLETED OVER 10 HOURS
OF PRO BONO WORK

LAW FIRM PARTNER
PARTICIPATION RATE
RANGED FROM
11-100%

SOLICITOR PARTICIPATION
RATE RANGED FROM
20-100%

Case studies

Stories of Collaboration

CASE 1

The Voluntary Assistance Scheme of the Bar of Ireland (VAS), The Free Legal Advice Centres (FLAC) and a junior and senior counsel.

I am very happy to be part of a formal framework through which the importance of such work can be promoted

The Traveller Legal Service (TLS) is an initiative run by the Free Legal Advice Centre’s (FLAC) Independent Law Centre and overseen by a Steering Group of all national Traveller organisations. The TLS was established in March 2020 to address unmet legal need in the Traveller community through a multifaceted approach consisting of the provision of legal representation to Travellers in cases of strategic merit and by acting as a source and conduit for local and national Traveller organisations to access legal advice on matters of legislation and policy relevant to the Traveller community.

Since its inception the TLS has received over 200 referrals and provided representation in 40 cases. Cases where representation have been granted, predominantly concern issues of accommodation, evictions and discrimination. In its advisory capacity, the TLS has provided advice to, and obtained legal opinions for, national Traveller organisations on matters such as the implementation

of recommendations of a Government commissioned Expert Review on Traveller accommodation; eviction procedures and a pilot loan scheme for the purchase of mobile homes.

Said the junior counsel

“All of my pro bono hours this year came from one project, for the Traveller Legal Service in the Free Legal Advice Centre (FLAC). I was contacted through VAS to provide a Joint Opinion for FLAC on legislative changes needed to facilitate the construction of Traveller accommodation in light of various identified planning law deficiencies. I attended a consultation with FLAC, and then researched and drafted the Opinion together with Senior Counsel.”



CASE 2

Project Afghanistan

Law firms unite to support the work of the Irish Refugee Council (IRC) and Immigrant Council of Ireland (ICI) assisting the Afghan community in Ireland to reunite with families

The Afghan/Irish community were provided with pro bono legal assistance to avail of family reunification under the Afghan Admissions Program (AAP) and discretionary visas issued by the Department of Justice.

In mid-August 2021, desperate Afghans sought to flee Afghanistan through Kabul airport. By December 2021, an estimated 3 to 4 million people had left Afghanistan; with hundreds of thousands more on the move. With existing commitments and small size of their legal teams the Immigrant Council of Ireland and the Irish Refugee Council, were unable to meet the enormous demands placed on their services. The law firms

responded and quickly assembled legal teams to assist the Afghan/Irish community. It meant clients had access to legal representation at a critical, deeply stressful point in time, when the lives of their family members were at significant risk. It resulted in greater access to legal representation in discretionary family reunification applications and latterly through the Afghan Admission Program than could otherwise have been reached by the law centres acting alone.

Each law firm coordinated and managed an internal panel of volunteer lawyers who contributed their time, legal skills and experience to assist individual Afghan clients. 248 volunteer lawyers from all levels (partners, associates, solicitors, trainees and legal executives) and specialist practice areas across the firms were involved.

One law firm stated: **“To date over 100 (of our) lawyers have assisted 23 Afghan clients and their families. An example of the impact of this pro bono work can be seen in the**

recent successful application for a discretionary visa for an Afghan client’s husband. Her husband, who was in danger in Afghanistan, will now be reunited with his wife, and their two young children.”

One client said: **“When the road is darker, suddenly there are people with lights in their hands, like lighthouses in the sea, taking care of others in legal matters, giving me back some hope”.**

Excellent pro bono partnerships should seek out opportunities where legal skills can be used to support those in need of legal assistance and with limited opportunities to avail of supports elsewhere. The project is unique to the Irish legal market and the first time several corporates have come together to collaborate in such a time of crisis. It created a space to build consensus on best practice and deliver legal representation. This model is currently being replicated in a pilot project to support Ukrainian refugees coming to or recently arrived

in Ireland. One of the lasting outcomes of the projects has been the ongoing collaboration amongst law firms working together to support unmet legal need in the community.



CASE 3

Collaboration
between law firms
for Pro Bono Week
2021

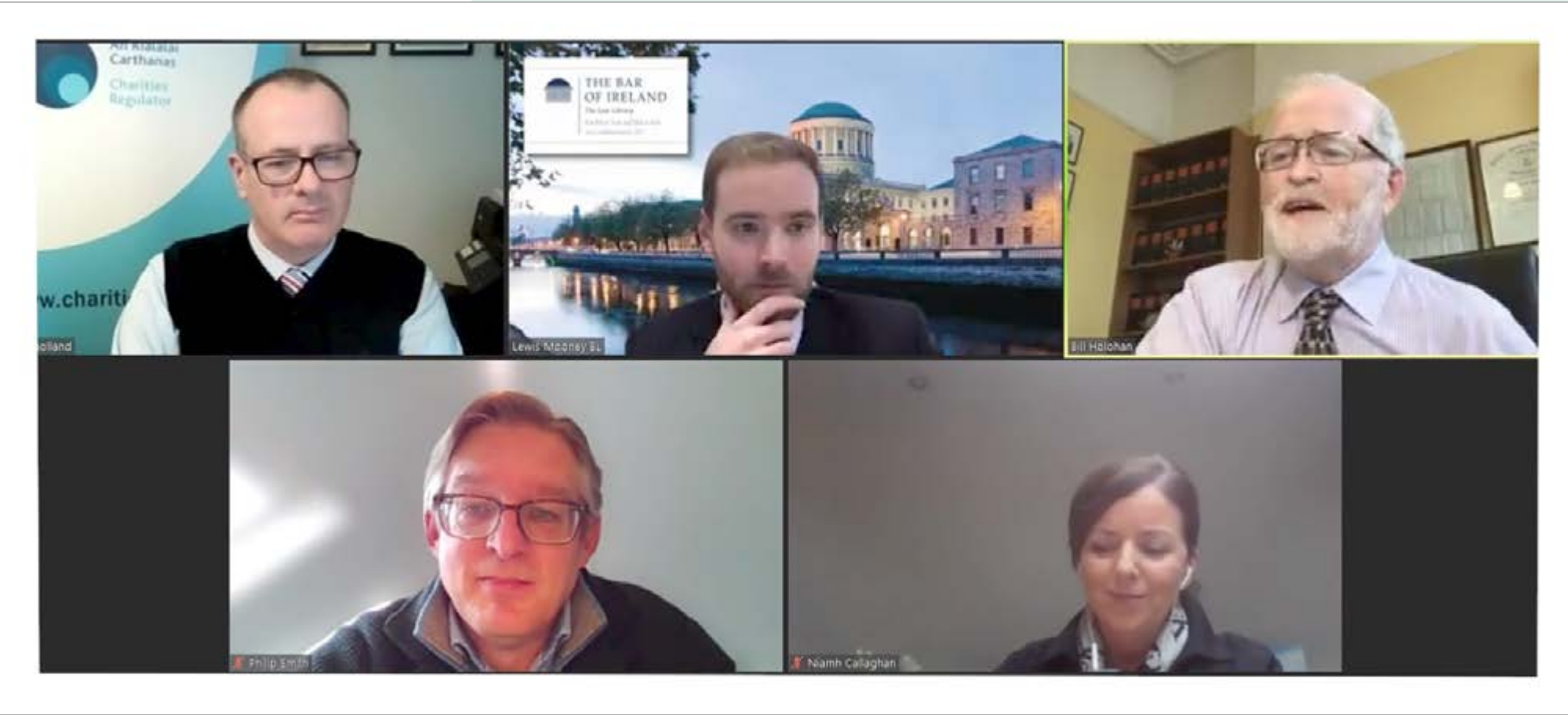
A central objective of Pro Bono Week 2021 was to bring together various stakeholders in the pro bono ecosystem – lawyers, law students, non-profits, social enterprises, academics and businesses – for an engaging conversation on the impact and role of pro bono in tackling social and legal issues.

While still all working remotely hundreds gathered online to share ideas and knowledge on the use of law to tackle social injustice. One example was the unpacking of common legal issues facing civil society in their day to day operations and strategic decision making and policy positions.

Said one firm:

“A member of our data protection team, presented alongside other law firms at a Pro Bono Week Workshop, facilitated by PILA. The Workshop was entitled “Strengthening the Legal Capacity of Civil Society in Ireland – A Day in the Life of an NGO Workshop”. Our staff member presented to a range of NGO’s and did a follow up Q&A session with lawyers from other firms.”

“For me, the benefit of participating in the Pledge is engaging with the increasingly vibrant pro bono community in Ireland”



CASE 4

Irish Red Cross
Collaboration –
collaboration to
provide pro bono
support to the
people of Ukraine

Over 840 Ukrainian Refugees arrived at Maynooth University, Co. Kildare from late July 2022 to a temporary Ukrainian refugee facility which was entirely volunteer led. It quickly became apparent to the Irish Red Cross (IRC) that Ukrainians required dedicated bespoke legal assistance. Two local law firms, via the Ukraine Ireland Legal Alliance (UILA), worked directly with the IRC to develop the first of its kind Irish onsite legal information clinics.

In collaboration with the Irish Red Cross, the firms developed a framework to operate a bespoke legal information clinic on a weekly basis and these ran from 31 July - 31 August 2022. The Clinic provided information and sign-posting on a range of matters including accessing services in Ireland, such as employment, social welfare, education, setting up a business in Ireland and housing etc. In order to develop an effective and efficient legal service, we operated a pilot clinic and following that (i) researched and prepared detailed sign-posting

material / key resources document (translated into Ukrainian); (ii) drafted and negotiated a legal framework and operating protocol and a terms of service; (iii) provided training to volunteers.

The firms anticipate that the framework model will serve as the blueprint for future collaborations with the Irish Red Cross.



CASE 5

**Law firm
collaboration with
families of children
with disabilities**

We work with families of children with disabilities on an on-going basis to access services for their children with special needs, compelling the HSE to carry out its statutory duties under the Disability Act 2005. Clients come to the organisation through referrals from past clients and colleagues; also through Google search and our Facebook page.

The law firm was able to provide legal assistance from the application for the Assessment of Need report to the issuing of same and advise in respect of its content in accordance with the law. We also assist the parents in the complaint procedure with the Disability Complaints officer in respect to the failure to commence or complete the Assessment of Need report within the statutory timeframe.

In some occasions, the matter has to be brought to court as a way of Judicial Review to secure the Child’s rights under the 2005 Act. On a few occasions, these cases were considered “tests cases” and its judgment provided guidance and law interpretation. ([2021] IECA 283; [2022] IEHC 131)

Lastly, we provide advice in respect of Disability Care Allowance refusal (DCA) application refusals and its appeal process and advise whether the Judicial Review proceeding is more appropriate.

“
I have always volunteered my services and skills. To do so in a more structured format is useful.
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Pro Bono Pledge Ireland

We believe that universal access to justice and legal service is essential to the rule of law, to the vindication of rights, and to the functioning of democratic society. Many, especially low income, disadvantaged, and marginalised people, cannot get access to justice because they cannot afford legal service.

We recognise that the legal profession has a privileged role and a unique purpose and position in the legal system, in society, and in matters of justice.

This gives us the means and opportunity, and therefore the duty, to promote and, in collaboration with civil society and others, to assist in securing access to justice and respect for human rights and the rule of law. An important part of this duty is providing legal services at no cost to those who cannot afford

them, pro bono publico. The legal profession in Ireland and elsewhere has traditionally contributed to meeting otherwise unmet legal needs in this and other ways.

We regard the services provided by the Legal Aid Board as vital for individuals and families of limited means. Civil legal aid in Ireland, however, is not adequately resourced to bridge the gap in access to justice, leaving critical legal needs unmet. Pro bono legal services are not, nor can they be, a substitute for a properly funded system of legal aid.

We define pro bono legal services as legal services provided free of charge, and with no reasonable expectation of payment, to

- Low income, disadvantaged or marginalised individuals and communities, who cannot

afford to pay for effective legal services without incurring significant financial hardship, and whose legal needs would otherwise be unmet, and

- Certain charitable, other non-profit groups and social enterprises that work with the groups identified above or for the public good,
- Individuals and organisations on matters of public interest that may not otherwise be pursued.

We declare as follows:

- Members of the legal profession have a responsibility to provide pro bono legal services.
- Pro bono legal services should be provided with the same quality of service and standards of professional conduct as services to paying clients.
- Members of the legal profession should co-operate with each

other and with professional organisations, independent law centres, other civil society organisations, law schools and others to enhance the effectiveness and availability of pro bono legal services.

We commit that, in a manner consistent with our role in the legal profession:

- We will endeavour to provide more than 20 hours of pro bono legal service per individual lawyer per year. For law firms and legal departments, we will endeavour to provide an average of more than 20 hours pro bono legal service per lawyer per year.
- We will, in consultation with other signatories to this Pledge, review this target in 3 years with a view to increasing it.
- We will collaborate with other signatories to this Pledge to

improve the effectiveness and availability of pro bono legal services, including by sharing appropriate information and developing agreed guidance and protocols.

- We will contribute data and case studies for annual reports on pro bono work in Ireland in accordance with an agreed protocol.

This Pledge is open for signature from November 2020 by solicitors, barristers, law firms and in-house legal departments in Ireland

Pro Bono Pledge Ireland – Reporting Guidelines

Pro Bono Pledge Ireland is the first collaborative effort in Ireland to articulate the shared professional responsibility of lawyers to promote access to justice and provide pro bono legal assistance to those in need. The Pledge sets out the core values of such work to assist both those who undertake it and their clients.

The Pledge was developed by an independent grouping of law firms, barristers, and in-house legal teams with a presence in the Republic of Ireland who have come together to affirm their commitment to delivering pro bono services in Ireland. The Pledge is coordinated by PILA (the Public Interest Law Alliance, a project of FLAC).

Launched in 2020, the Pledge provides a common definition of pro bono, a commitment to a minimum aspirational target of 20 pro bono hours per lawyer per

year, and a mechanism to benchmark progress through annual reporting of anonymous pro bono data.

All barristers, law firms, and in-house legal teams are welcome to join the Pledge. Further information can be found at www.probonopledge.ie or by contacting Shamika Dwarika at Shamika.dwarika@flac.ie. These Guidance Notes provide additional information on annual reporting requirements.

2022 will mark the first year of reporting for signatories to the Pro Bono Pledge. The Reporting Period (as agreed by Pledge Stakeholder Signatories) is a 12-month period of signatories choice and signatories undertake to report consistently on this basis going forward. In 2022, Reports are due on 1 September. This timeframe would allow PILA to analyse the data reported by firms and prepare an Impact Report.

The Aspirational Pro Bono Target

The Pledge promotes an aspirational target of 20 hours per lawyer per year as an appropriate minimum commitment.

The Pledge recognises that Signatories will achieve the target within different timescales and that some Signatories may set higher pro bono hours targets. The intent is to collaborate to achieve

the target while respecting that substantial difference will exist between Signatories as regards their current levels of pro bono activities.

What can be reported?

The definition of ‘pro bono legal services’ provides information on how to determine whether the work you or your firm are delivering qualifies as pro bono for the purposes of reporting on the target. Only work that involves the delivery of pro bono legal services as defined for the purposes of the Pledge should be reported.

The work is considered pro bono only if it is free to the client, without reasonable expectation of payment to the lawyer, law firm, or in-house team regardless of the outcome, and provided voluntarily either by the lawyer or his or her firm.

‘Pro Bono Legal Services’ under the Pledge

The definition of ‘pro bono legal services’ provides information on how to determine whether the work you or your firm are delivering qualifies as pro bono for the purposes of reporting on the target. Only work that involves the delivery of pro bono legal services as defined for the purposes of the Pledge should be reported.

The work is considered pro bono only if it is free to the client, without reasonable expectation of payment to the lawyer, law firm, or in-house team regardless of the outcome, and provided voluntarily either by the lawyer or his or her firm.

The definition follows international best practices and ensures that lawyers can use varied legal skills in a broad range of activities in order to meet their pro bono responsibility.

While many lawyers undertake charitable work of different kinds, this Pledge concentrates specifically on the provision of legal skills by lawyers.

Who can deliver ‘Pro Bono Legal Services’?

- Any barrister or lawyer employed by a law firm or within an in-house team, including trainees, professional support lawyers, and Pro Bono Associates.
- Lawyers that have been seconded to the public interest or non-profit organisation in a legal role.
- Paralegals and interns can be included in pro bono data, however, they must then be included as part of the full headcount of employed lawyers. Firms may choose to exclude trainees, paralegals, and/or

interns from both reported hours and head-count.

- Non-legal employees do not qualify.

How do I calculate the number of lawyers and partners in a firm?

- The number of lawyers should be calculated for reporting purposes by using the average of the number of full-time equivalent (‘FTE’) lawyers employed on the first day and the last day of the year.
 - » lawyers on 1 January + lawyers on 31 December) / 2
- The same calculation can be used when reporting on the number of partners per firm.

What counts as ‘Pro Bono Legal Services’?

Pro bono legal services are legal services provided without reasonable expectation of a fee when the matter commences. This does not include discounted work or work taken on ‘no foal, no fee’, save where any costs awarded will be reinvested in the pro bono practice or used to support organisations that provide services to low-income, disadvantaged, or marginalised communities.

Charging for disbursements, fees, stamp duty, expert reports or other costs does not prevent the work from being pro bono.

- Pro Bono legal work may include, but is not limited to:
 - » Legal advice, assistance, representation, and research, drafting agreements, policy documents, or legislative instruments, as well as attending legal clinics or

supervising pro bono matters.

- » Training sessions, seminars, and webinars for pro bono clients on legal topics.
- » Attending or delivering training that is essential to the delivery of pro bono practice. International pro bono legal services or projects undertaken by lawyers based in Ireland.

- Pro Bono legal work **does not** include:

- » Time spent volunteering in a non-legal capacity such as:
- » Work done by pro bono coordinators in managing a firm’s pro bono programme or other administrative roles related to the pro bono programme.
- » Acting as a pro bono committee member.
- » Time spent acting as a board member of a non-profit.
- » Offering training sessions on

legal topics in schools may be considered pro bono if undertaken for public interest reasons such as improving the employability of disadvantaged groups; mentoring young people or presenting on careers in law would not.

- » Sponsorship of cultural or sporting events, business development projects, and other marketing opportunities, even if done without payment.

Reporting under the Pledge

- In September each year, Signatories will be contacted by PILA to complete an online reporting form detailing their pro bono performance. The reporting questions can be found on pages 7-9.
- Within 3 months, PILA will aim to publish a public infographic demonstrating the collective performance under the Pledge, including the number of signatories, level of participation, and the percentage that have met the target within each category. PILA will NOT publish the names of those Signatories that have met or not met the Target. More detailed data will be shared within the group in a de-identified way.
- New Signatories will be provided with a grace period of 12 months before requiring that they complete the annual questionnaire.
- Each Signatory should have systems in place to ensure that accurate records are kept of the pro bono legal work performed.
- Signatories that have not achieved the target during the year are welcome to contact PILA for support in reaching the target in future.
- Signatories that do not submit their annual report within 6 months will be removed from the Pledge.

Pro Bono Reporting – Law Firms

- How many lawyers as defined by the Pledge were employed by your firm in the Republic of Ireland in 2021 - 2022? Please indicate whether trainees, professional support lawyers, paralegals, or interns are included.
- How many partners were in your firm in 2021 - 2022?
- How many hours of pro bono legal work were provided by your firm in 2021 - 2022?
- What was the average number of pro bono hours provided per lawyer in 2021 - 2022?
- What percentage of lawyers employed by your firm undertook some pro bono legal work in 2021 - 2022?
- What percentage of partners

undertook some pro bono legal work in 2021 - 2022?

- Please provide a brief overview of your current pro bono practice, with three examples of pro bono work undertaken during 2021 - 2022.

Pro Bono Reporting – In House

- How many lawyers as defined by the Pledge were employed by your company in the Republic of Ireland in 2021 - 2022? Please indicate whether interns are included.
- How many hours of pro bono legal work were provided by your company in 2021 - 2022?
- What was the average number of pro bono hours provided per lawyer in 2021 - 2022?
- What percentage of lawyers employed by your company undertook some pro bono legal work in 2021 - 2022?
- Please provide a brief overview of your current pro bono practice, with three examples of pro bono work undertaken during 2021 - 2022.

Pro Bono Reporting – Barristers

- How many hours of pro bono legal work were provided by you in 2021 – 2022?
- Please provide a brief overview of your current pro bono practice, with three examples of pro bono work undertaken during 2021 – 2022?



Pro Bono Pledge Ireland

Impact Report 2022

Disclaimer

The data contained herein has been provided by the pro bono practitioners that reported. It is unverified by PILA and PILA takes no responsibility for the accuracy hereof.