

# PRO BONO & CSR REPORT

## 2016/17 Financial Year

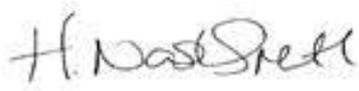


## INTRODUCTION

At Wotton + Kearney we are committed to and extremely proud of our Pro Bono and Corporate Social Responsibility (CSR) program **Community Footprint**. Contribution to our community is a way of life at Wotton + Kearney. It's at the core of how we conduct ourselves and how we do business.

*Community Footprint* was established in January 2012. Since then, it has become a key initiative across the firm's offices. Through our pro bono work we assist those who are unable to obtain legal aid or afford legal representation, while the CSR initiative enables us to contribute in other ways to charitable organisations.

We are pleased to provide this report on Wotton + Kearney's Pro Bono and CSR activities for the financial year from 1 July 2016 to 30 June 2017. We also outline our program for 2018 and our partnership with International Justice Mission Australia (IJM) to tackle modern slavery.



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## 2016/17 HIGHLIGHTS

**149%**

Increase in  
pro bono hours

**> 1/2**

More than half of  
our lawyers worked  
on a pro bono matter

**2** Major charity  
partnerships

*So They Can &  
OzHarvest*

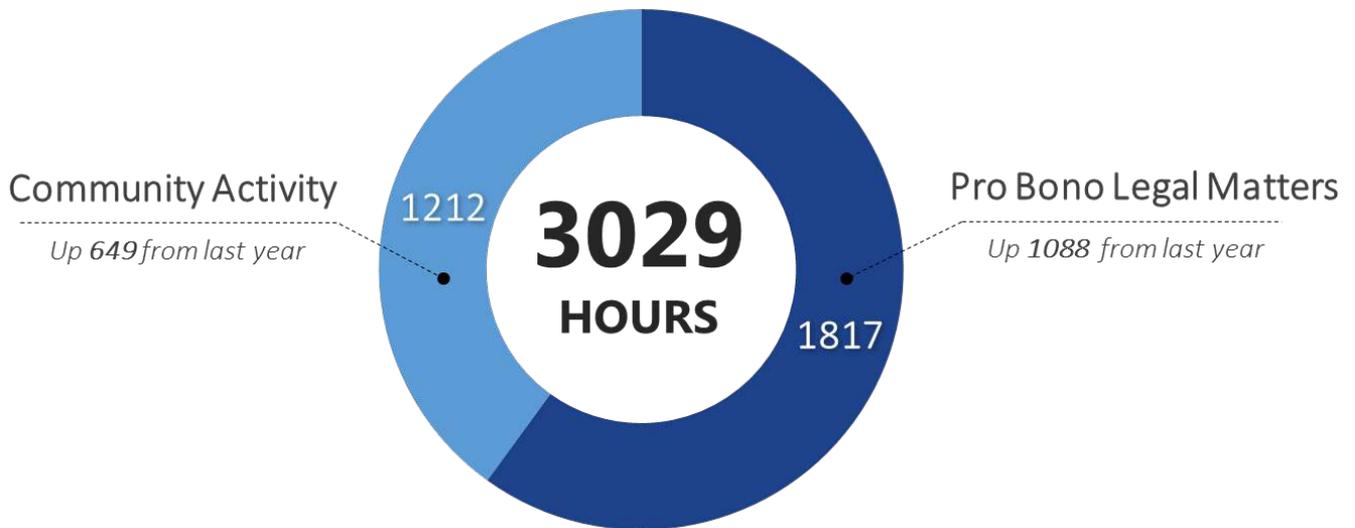


More time  
spent supporting  
our community  
than ever before

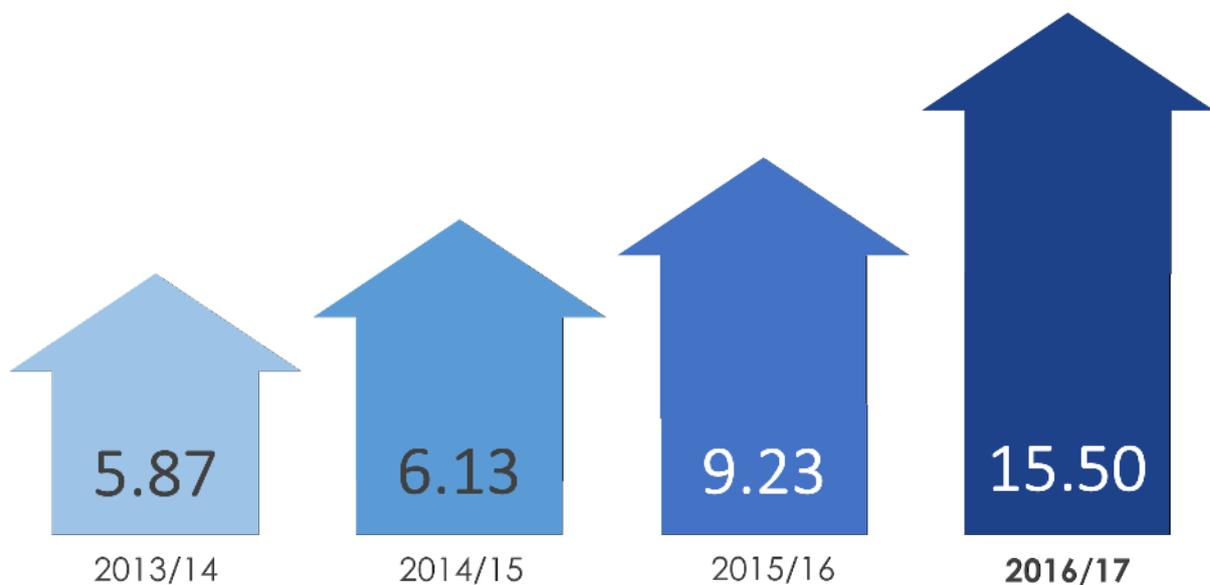


## PRO BONO REVIEW

In the 2016/17 financial year W+K lawyers recorded **3029 hours** to *CommunityFootprint* as follows:



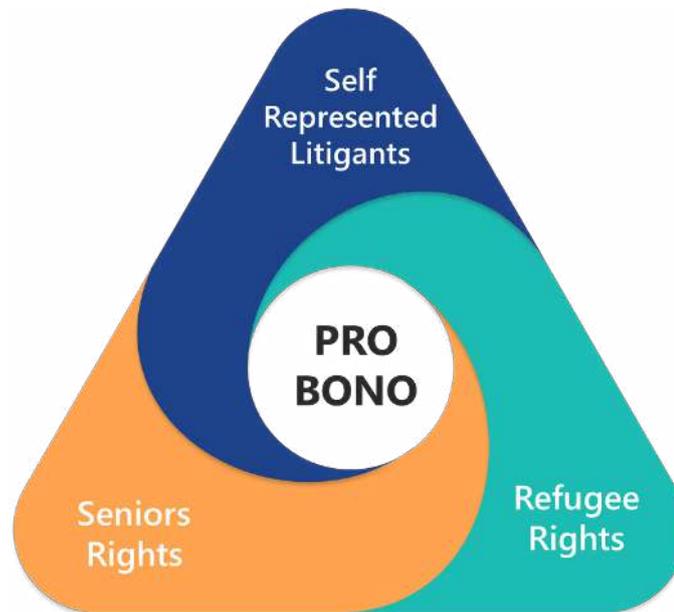
The National Pro Bono Aspirational Target for law firms in Australia is for each lawyer to contribute 35 hours to pro bono per year. This is an aspirational target and it is one that we work towards, increasing our pro bono contribution year on year



*Contribution hours per Wotton + Kearney lawyer*

## OUR PRO BONO WORK

Our pro bono work falls into 3 key categories where we have developed our expertise to help address unmet legal need.



### 1. Helping Self Represented Litigants

Through our partnerships with **Justice Connect** and **LawRight**, we provide advice and assistance to self-represented litigants with matters in the Federal Court and Federal Circuit Court, particularly in bankruptcy, fair work, human rights/discrimination and judicial review proceedings.

Self-represented litigants are inherently vulnerable as outsiders in the court system, often facing a represented party on the other side of their matter. Our volunteer lawyers provide legal information, advice and self-help strategies.

*In 2017 the Sydney Self Representation Service was a **finalist for the 2017 Pro Bono Partnership Award at the Annual Justice Awards**, hosted by the Law and Justice Foundation of NSW.*

*Our Sydney lawyers have been involved in the Service since it was established in 2014. Since then, **our lawyers have contributed more than 450 hours of pro bono legal assistance to the Service.***

## Ivana's Story

**Ivana\*** worked for a number of years for a family friend in their landscaping business. They agreed to pay her \$200 per day worked. The work complemented their friendship.

Over time, Ivana's friend began to delay paying Ivana, and then stopped paying her at all. Her friend said that it was because the business was slow and if she would only keep working, she would eventually be paid all she was owed when things picked up. More time passed, Ivana was still not paid and the friendship deteriorated.

She was left with thousands of dollars in unpaid wages and was extremely distressed when her former friend denied there had been an employment relationship.

Wotton + Kearney lawyers met with Ivana and assisted her to draft a claim for unpaid entitlements to be filed in the Federal Circuit Court. Having received that assistance, Ivana was then able to negotiate with the lawyer for her former friend, eventually accepting an offer to settle the matter for an amount Ivana was pleased with in return for withdrawing the claim.

**Ivana called the Service and said:**

“ *I couldn't have done this without your help and support. I really appreciate it.* ”

## 2. Seniors' Rights

In Sydney and Melbourne we regularly accept referrals of matters concerning seniors' rights. In addition, our Sydney office has partnered with the Senior Rights Service to assist vulnerable older people, particularly where they have been subject to abuse. Our lawyers assist with a pro bono Telephone Advice Clinic. The clinic assists with a range of legal issues including wills, power of attorney, guardianship and elder abuse.

***Elder abuse*** is any act within a relationship of trust which results in harm to an older person. The most common forms of elder abuse include physical abuse (assault, sexual assault), emotional abuse (isolation, deprivation, psychological abuse), financial abuse (exploitation) and neglect.

*With an aging population and rising numbers of people with dementia, the incidence of elder abuse is likely to increase.*

## Seniors' Rights Case Study

A particular matter which really resonated with me involved a client (Mr N) who approached the Service seeking assistance with respect to issues arising from his wife's relocation to a nursing home.

Mr N's wife had recently been diagnosed with dementia and subject to an enduring guardianship (in favour of Mr N's son), his wife had been placed in a nursing home 4 hours away from the remote country town where he resided.

Mr N was concerned that his son (whom he was estranged from) was abusing the enduring guardianship and also a power of attorney. Mr N was particularly upset that his wife had been placed in a nursing home so far away and that he could not spend quality time with her.

Amazingly, Mr N advised that 5 days a week he would travel 4 hours each way on the train to visit his wife, just so that he could spend a couple of hours with her a day. In his own words, Mr N advised he "had promised to always be there for [his wife] and [by her living so far away, he] was worried he would no longer be able to keep that promise – but was not willing to just give up".

Mr N sought advice as to what, if anything, he could do to improve the situation and to remove his son from being his wife's guardian/power of attorney. We were able to provide general information to Mr N about the steps that could be taken and we referred him to a service close to his home for ongoing assistance."

**Joanne Doorey, Senior Rights Service volunteer**

“ *I think pro bono is a very valuable and meaningful part of a lawyer's practice, which has the added benefit of stretching lawyers outside of their usual day to day field. It provides access to different types of clients, with different types of issues, and it is incredibly rewarding to help those who may otherwise go without assistance.*

**Suzanne Craig, Partner and Seniors Rights Service volunteer**

### 3. Helping Refugees & People Seeking Asylum

As a result of the increase in unmet legal need, over this past year we have increased our capabilities and capacity to help refugee clients and people seeking asylum.

#### The Legacy Caseload

Our lawyers and admin staff volunteer at clinics run by Refugee Legal and the **Refugee Advice & Casework Service** (RACS), assisting members of the 'Legacy Caseload' to complete applications for protection visas.

The RACS Clinic was **one of 5 finalists** for the 2017 Human Rights Law Award. W+K's participation in this and the Refugee Legal clinic helped ensure that almost every person in Australia that is part of the Legacy Caseload was able to file their application for protection before 1 October 2017.

#### Judicial Review

Around **25,000 people in Australia** have applied for protection as part of the 'Legacy Caseload'. These people are asylum seekers and refugees who arrived by boat after 13 August 2012.

As their applications are determined, there is a need for pro bono advice and representation in judicial review of refugee decisions.

#### Asylum Seekers Offshore

We have partnered with the **Human Rights Law Centre** to help refugees and asylum seekers who were previously detained in offshore detention but transferred to Australia for medical treatment.

We work with those clients to lodge applications in the High Court to prevent their transfer to offshore detention in circumstances where that transfer would be harmful to the client.

“ *I've assisted many asylum seekers complete their applications for protection visas, including their statutory declarations stating why they seek asylum. The application is approximately 41 pages long and has 101 questions – all of which must be completed in English. It is rewarding knowing that I have assisted and provided each asylum seeker the best possible chance to tell their story.* ”

**Jason Chew, Senior Associate & Refugee Legal Volunteer**



*Wotton + Kearney has been an outstanding pro bono partner of the Human Rights Law Centre for the past 18 months. Your work has stopped the deportation of at least 9 people back to certain harm on Manus and Nauru, and contributed to the safety of the over 400 men, women and children who remain in safety in Australia.*

*We know that when there are very sensitive matters, especially concerning very vulnerable women, your team has the expertise to act quickly and discretely. One particularly important aspect of your work with this group of clients has been the holistic support that you have provided them.*

*It's been a real pleasure to work with you and your team, and to watch the deepening of the firm's work on upholding the rights of refugees and people seeking asylum.*

**The Human Rights Law Centre**

## CSR HIGHLIGHTS

Each year we partner with one charity where we focus the majority of our advocacy, fundraising and volunteering efforts. The 2016/17 financial year spanned across two such partnerships – [So They Can](#), our 2016 charity partner, and [OzHarvest](#) in 2017.

### So They Can



In 2016, Wotton + Kearney partnered with So They Can, an inspiring charity empowering communities in Kenya and Tanzania through education so they can break the poverty cycle.

Our partnership started with sponsoring the education of Joyce Wambui, a 7 year old girl in Kenya who attends the Aberdare Ranges Primary School, a school established and run by So They Can. As the partnership with So They Can continued, our vision of how we could support the charity grew, culminating in the firm setting a target of raising at least \$50,000 for So They Can and sending a team over to Kenya to lend some hands on assistance and to participate in the **Maasai Mara Marathon**.

This all came to fruition in August 2016, with the firm **raising in excess of \$100,000** for So They Can – doubling our fundraising target, and securing the ongoing sponsorship of the education of 33 children at the Aberdare Ranges Primary School.

You can read our full report of our partnership with So They Can [here](#).



*I feel proud to be part of a law firm where the people appreciate the privileged position they are in and have a desire to support the less privileged through initiatives like our partnership with So They Can. I feel even stronger about that now having had the opportunity to visit Kenya and see first hand the wonderful work that So They Can is doing with these kids in Nakuru.*

**David Kearney, Chief Executive Partner & So They Can volunteer**

## A spotlight on Ken

When the Wotton + Kearney team were in Kenya with So They Can, the team forged a strong relationship with **“Ken” Neville Kennedy** the cook at the Aberdare Ranges Primary School, who runs 50km at the end of each day in the hope of fulfilling his dream to become an Olympic runner.

Ken is orphaned and was an internally displaced person (IDP) along with his siblings following the riots of the 2007 Kenyan election. He has been supported by the work of So They Can over the past 10 years.

Having been so moved by Ken’s story, the W+K team decided to support Ken’s dream and provided him the opportunity to attend a marathon training camp in Kenya. In July 2017

Ken was flown out to Australia (funded by W+K) to compete in the world famous Outback Half Marathon – AND WON the men’s race!!! This event draws hundreds of people each year.

A team from W+K also took part in the Outback Half Marathon with Ken, raising a further \$10,000 for So They Can’s projects in Kenya. Ken used the opportunity to raise awareness for So They Can and secure ongoing sponsorship for several kids at his school.

Ken wants to keep running, and to hopefully secure a manager who will help him take the next step to become a professional runner. He is home in Kenya training furiously and doing everything he can to make his dream a reality.

“

*Since I was a young boy my dream was to be one day a good runner. You made that dream come to reality since the day you let me train at the camp. It's like you pick my remains and put them together. You lifted me from the ground to the top...*

*I was ashamed of myself and you gave me the reason not to. You gave joy. My family are so proud of me... This is something which I'll carry my whole lifetime.*

**Ken, school cook and inspiring runner**



## OzHarvest



**OzHarvest** was founded in November 2004 by event organiser, Ronni Kahn. Stunned by the amount of food wasted by the hospitality industry, she decided to do something about it. OzHarvest is the first perishable food rescue organisation in Australia that collects quality excess food from more than 3000 commercial outlets and delivers it, direct and free of charge, to more than 1000 charities.

Since 2004, OzHarvest has **delivered over 60 million meals** and **saved more than 20,000 tonnes** of food from ending up in landfill. With nearly 3 million Australians living in poverty, this is a very important contribution.

Our focus this year was to raise funds and awareness of the great work of OzHarvest and encourage people to think about how they can minimise food waste at home and at work. In addition to volunteering at food markets across the country and engaging our clients to ‘cook for a cause’, over the course of the year we compiled a cookbook of recipes from W+K staff past and present.

The cookbook was a labour of love and is provided to you as a gift from us with our wish that you do what you can to support OzHarvest’s mission by preventing food waste. If you would like to make a donation to OzHarvest as a result of receiving this cookbook, [click here](#).

We hope you enjoy the recipes in the book, which you can [access here](#).



*It is a great feeling to give without expecting anything in return. To be able to spend a few hours out of your day doing something that will literally complete another person’s day is really heart warming and good for the soul.*

**Leesa Aquilina, Finance Assistant & OzHarvest volunteer**

## How else do we help?

### Australia's Biggest Morning Tea

The firm hosted fundraising morning teas across our offices to support The Cancer Council.

### Lou's Place

The Sydney office supports Lou's Place, a women's refuge in Kings Cross, with regular donations of toiletries and good quality used clothing.

### The Smith Family Toy & Book Appeal

Sadly thousands of kids go without a Christmas present simply because their family can't afford it. Each office organised a collection of toys and books to help bring a smile to a child's face on Christmas Day.

### Good360

W+K sponsored two community legal centres through the Good360 initiative. Through sponsorship, the legal centre is able to access up to \$100,000 worth of free products from Good360. The centres that benefited most from the program do not have a high profile and do not normally receive much support, particularly those located in remote or regional areas.

### Weave Youth and Community

Led by Sydney Special Counsel, Sarah Wood, a team attended Weave's 40<sup>th</sup> year gala drinks. The funds raised will help Weave to pay for extra camps for kids and school uniforms for children needing to change schools suddenly.

### Walk for Justice

Our Brisbane and Perth offices walked for justice in May as part of Law Week, celebrating the legal profession's commitment to pro bono.

### The Black Dog Institute

Partner Sean O'Connor ran the New York Marathon at the end of 2016 to raise funds for The Black Dog Institute.

### RUOK Day

Each office hosted a morning tea to raise awareness about RUOK Day and suicide prevention.

### Launch Housing

In Melbourne we support Launch Housing, to help the homeless in our community. We provide regular donations of toiletries and good quality used clothing.

### The Kaldor Centre

Wotton + Kearney provided not-for-profit sponsorship to The Kaldor Centre Conference, enabling community partners to attend and engage in the conference.

### Social Justice in the Workplace

Twice a year, we host two university students participating in PIAC's Practising in the Public Interest program. Students overwhelmingly report that they find the opportunity to participate in the placements a highlight not only of the course, but also of their law degree more generally. The students placed with W+K *"came back bubbling with enthusiasm for the pro bono work that you do"*.

### Barrister v Solicitor Football

Will Robinson and Jonathan Maher represented W+K at the 2016 Annual Frank Galbally Cup Football grudge match, raising funds for Reclink Australia's sports, arts and recreational charity programs for communities across Australia.

### Walking for Awareness

Brisbane staff participated in and raised funds for the MAF Walk for Awareness and the MS Moonlight Walk.

### Homes for Heroes

Staff donated children's clothes and toys which were provided to Veterans' families by RSL LifeCare's Homes for Heroes Program.

## PHOTO GALLERY







Wotton + Kearney's 2018 Charity Partner

## INTERNATIONAL JUSTICE MISSION AUSTRALIA



Modern day slavery is vast and brutal – there are over 45 million people trapped in slavery and annually it generates more than \$190 billion.

Yet when laws are enforced, slavery is stoppable. Every year thousands are rescued and millions protected because laws against slavery are enforced.

In 2018 Wotton + Kearney will partner with [International Justice Mission Australia](#) (IJM) to help tackle modern slavery, at home and overseas, specifically in Cambodia.

### About IJM

IJM is a global organisation that protects the poor from violence. Violence is an everyday threat to the poor. It's as much a part of daily life as hunger, disease or homelessness.

Working in the insurance and legal market, we understand the importance of a well-functioning justice system and rely on the existence and competent enforcement of laws to do our jobs. Established laws are rarely enforced in the developing world – so criminals continue to rape, enslave, traffic and abuse the poor without fear.

IJM believes that everyone deserves to be safe. IJM partners with local authorities to rescue victims of violence, bring criminals to justice, restore survivors, and strengthen justice systems.

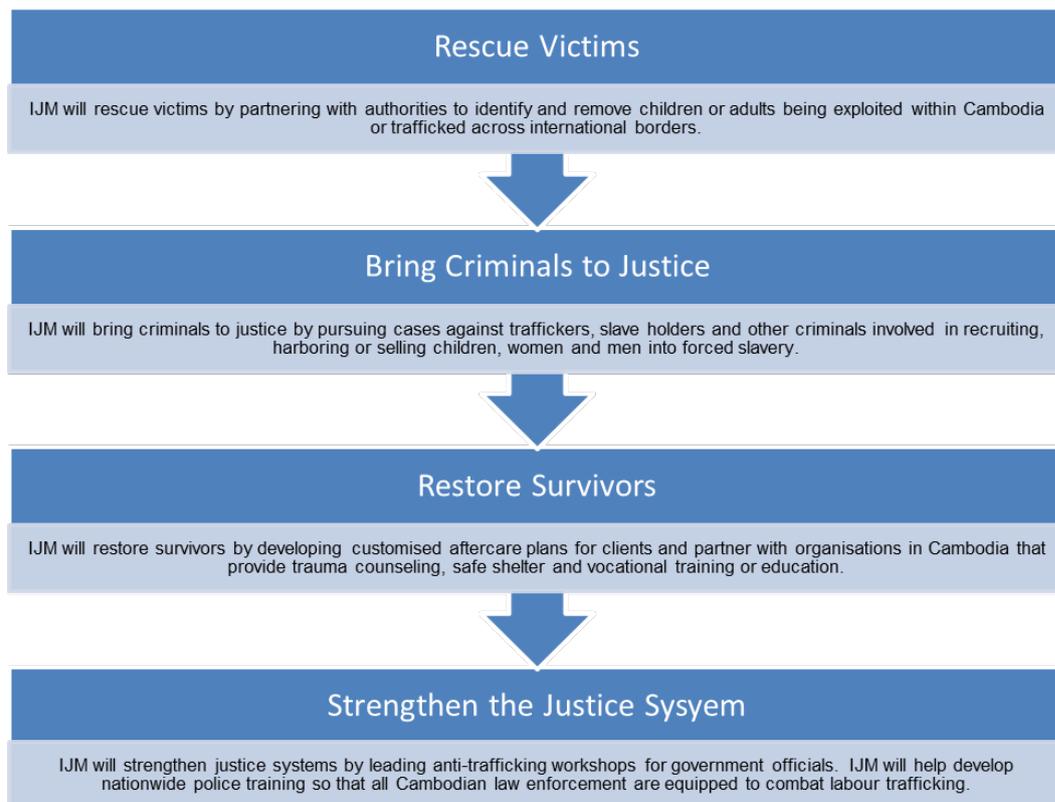
To watch a short video click the image below or [here](#):



## How IJM Cambodia combats forced labour slavery

Labour trafficking in Southeast Asia and reports of slavery in supply chains are making international headlines. At the heart of the region, Cambodia is a source, transit and destination for forced labour slavery. Recent studies estimate that as many as 256,800 Cambodians live in conditions of modern slavery. Impoverished migrant workers are particularly vulnerable in a variety of industries, like fishing, domestic servitude, and child begging.

Traffickers and slave owners use deception, threats or violence to force families to work for little or no pay. Modern-day slaves are often denied adequate food or sleep, and they're barred from leaving for school or medical care.



## The Charitable Partnership

2018 will be a key fundraising year for Wotton + Kearney. With modern slavery as our focus, we will set a **firm fundraising target of \$125,000** to support IJM's new labour trafficking project in Cambodia.

Fundraising \$125,000 will cover the operational costs of the National Investigations & Enforcement Team in Cambodia. This includes all program costs, travelling to places where Cambodians have been trafficked to work, conducting rescue operations and training IJM's partners on best practices for investigating and responding to labour trafficking cases.

We will raise funds (and awareness of IJM's work and the issue of modern slavery) through individual fundraising, in-office events, a fundraising gala and a Cambodian Cycle Challenge.

## The Cambodian Cycle Challenge



Working with IJM, we are developing a bespoke 10-day itinerary which will see the team cycle 250km across Cambodia, through stunning countryside, bustling cities and friendly villages.

The challenge, which will take place in mid-October 2018, will start in Siem Reap, the home of Angkor Wat, and see the team cycle to Battambang and onto Phnom Penh. Along the way the team will spend time with not-for-profits and social enterprises working with survivors of trafficking and forced labour. The last day will be spent with IJM's field office in Phnom Penh, getting a first-hand view of the work of the National Investigations & Enforcement Team, and hearing the stories of those IJM has rescued.

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If you would like to learn more about our partnership with IJM, please contact our Pro Bono Partner, [Heidi Nash-Smith](mailto:Heidi.Nash-Smith@wottonkearney.com.au), or visit: [www.wottonkearney.com.au/community-footprint](http://www.wottonkearney.com.au/community-footprint)