

ALUMNI MATTERS: WORKING TOGETHER FOR THE GREATER GOOD

Pro bono work is integral to Herbert Smith Freehills (HSF) services, and most of the firm's lawyers gain considerable experience in pro bono work for the benefit of a wide range of charities and community organisations. Quite a few go on to work for these types of organisations. We caught up with five of them, **Claire Hall**, **Sanjay Bhandari**, **Michelle Yu**, **Hannah Smith** and **Emma Anderson**, to find out what they are doing and how their experience at the firm has helped them in their current role.

What have you done since leaving HSF?

Claire: I joined the strategic litigation team at Child Poverty Action Group (CPAG) as a solicitor. I was aware of previous test case challenges which CPAG had brought and so when I saw the role come up, I applied.

Sanjay: After working at KPMG and Ernst & Young as a partner, I have had a portfolio career as an independent board member, adviser and charity trustee. I came to my current role in Kick It Out after being a member of the Premier League's Equality Standard Independent Panel for four years.

Michelle: I moved in-house from Herbert Smith Freehills in 2015 and after a few career moves am now vice-president of ethics & compliance for Asia for LVMH, the luxury group. My work experience at HSF directly gave me a path to working in compliance. I am also on the board of the NGO Justice Without Borders, a charitable organisation registered in the US and Hong Kong, which does work across Asia relating to migrant workers, primarily focused on Hong Kong, Singapore, Indonesia and the Philippines.

Hannah: As part of my training contract, I spent six months on secondment to AIRE (Advice on Individual Rights in Europe) Centre, which I loved and made several friends who I kept in contact with. When an opportunity to work at AIRE as a solicitor came up, it was one I felt I could not turn down.

Emma: I joined another law firm before moving to an in-house role. After that, I took up my current role as a solicitor at Kingsford Legal Centre, where I had already done a secondment when I was with HSF. That secondment really opened my eyes to the importance of the work done by community legal centres and inspired me to want to continue doing that type of work.

What does your organisation do, and what is your role?

Sanjay: I am chair of Kick It Out. We are a charity that works throughout the football, educational and community sectors to challenge discrimination, encourage inclusive practices and campaign for positive change. Kick It Out is at the heart of the fight against discrimination for everyone who plays, watches or works in football. We promote inclusion through a range of activities around learning and talent. This includes educating kids in the academies and their parents, education of fans and inspiring new entrants to the football industry through the Raise Your Game programme. We were actively involved in the introduction of the Football League's diversity code, which was launched in the autumn of 2020. Over 50 organisations in football have committed to increase diversity, both in terms of gender and ethnicity in coaching and senior leadership.

Claire: CPAG works across England, Wales and Scotland on behalf of the more than one in four children in the UK growing up in poverty. I work as a lawyer in CPAG's small legal team, which carries out high-profile legal work to establish and protect families' rights. The team engages in test case litigation on social security issues primarily affecting children and their parents, predominantly through both judicial review and statutory appeals in England & Wales.

Hannah: AIRE is a charity dedicated to using European and European human rights law to uphold fundamental rights in Europe. My role involves providing direct representation in deportation and social security appeals, assisting individuals to make complex applications to the EU Settlement Scheme (EUSS), contributing to AIRE's third party interventions before the UK and European Courts and training local authorities, NGOs and advisers on European law and the EUSS. I also work within the AIRE Centre Western Balkans Team, in which I draft publications and guides for judges and legal professionals in the region with the aim to strengthen the rule of law and implementation of human rights in Southeast Europe.

Emma: Kingsford Legal Centre provides free legal advice, casework, law reform and community legal education to people who live, work or study in our local catchment area. We also offer specialist discrimination and employment law services to clients state-wide. Kingsford Legal Centre is also part of the UNSW Sydney Faculty of Law and Justice and provides clinical legal education to its students. I am a solicitor and clinical supervisor, meaning that I provide advice and casework services to our clients, while also supervising and teaching law students who work in the Centre as part of their studies. The focus of my role is working in our Health Justice Partnership with Prince of Wales Hospital and the Eastern Suburbs Mental Health Service to provide legal advice and assistance to both inpatients and outpatients.

Michelle: Justice Without Borders does work across Asia relating to migrant workers. I joined the US board while with HSF and have been a director of the Hong Kong entity since its incorporation in 2016. I am active in its corporate governance and fundraising, as well as contributing at least 100 hours a year on pro bono work. I also contribute efforts to a number of other official and unofficial organisations supporting disadvantaged populations such as ethnic minority youth and asylum seekers.

How important was your pro bono work at HSF, and did it lead you to your current role?

Sanjay: At the firm I was part of the London pro bono panel acting on behalf of prisoners on death row in Trinidad. It did not lead directly to my current roles, but it was important early career reinforcement that there is life beyond the City, that we have skills that can help others and that it is our duty to do something to help others. It is quite easy in a career working for big firms doing big cases and big deals to live in a bubble that is divorced from everyday life for most people. I think that it is important to pierce and escape that bubble regularly.

Emma: It was through my role at HSF that I was seconded to Kingsford Legal Centre and first experienced the type of work done by community legal centres. When I returned to the firm after my secondment, I was really fortunate to be able to continue doing pro bono work – both within the firm and by volunteering at Kingsford Legal Centre.

Claire: My pro bono work at HSF was a big part in my career path which led to my current role. I learnt a lot about different not-for-profit organisations and the incredible work which goes on in the pro bono community in partnership with the advice and access to justice sectors, which helped me focus on finding a role where I could use public law and human rights to make an impact. The pro bono work both as a trainee and associate also helped me develop many of the skills that I use in my current role; it was often a chance to push yourself outside your comfort zone, whether through having sole conduct of a matter, working with clients facing extraordinarily difficult circumstances or deploying advocacy skills.

Michelle: My pro bono work at HSF was very important and I was grateful that HSF provided the opportunity for us to include a certain number of pro bono hours as part of our billable requirements. I spearheaded a pro bono project involving a number of trainees, junior associates and senior associates, to write a “Practitioner’s Manual” for common claims available to migrant domestic workers in Hong Kong. In the future, with the increased corporate engagement on topics such as ESG, D&I and CSR, pro bono work of all types, not just legal work, will become crucial as an engagement strategy. Through my experience, I can see that there is a gap at many non-profits for strategic advice and governance practices which employees from companies could certainly step up to provide.

Hannah: My pro bono work at the firm was essential to me gaining my current role. My secondment to the AIRE Centre was an invaluable opportunity to immerse myself in the work. I was trusted to manage cases and deliver presentations throughout my secondment and formed great friendships with the team there, which meant I was able to easily integrate back in as a qualified solicitor. My experience working for HSF also helped me to understand the perspective of the corporate firm providing pro bono assistance, which has proved an advantage now when instructing pro bono solicitors and liaising with them to benefit from other forms of corporate support.

Does your organisation rely on law firms providing pro bono services? If so, how? And does HSF provide any pro bono services to your organisation?

Hannah: Yes, we do and it does! There is a letter writing project in place, whereby HSF volunteers and volunteers from other law firms write letters of advice for us to send to clients. AIRE receives far more requests for advice than we have the capacity to take on ourselves. Support from HSF and other firms in this respect enables us to increase the number of people we advise every month. The firm also supported AIRE to produce online information tools and develop an online app and Flow chart to determine a person's eligibility for residence status, which has been accessed thousands of times. They also provide assistance with translating information resources, and sometimes correspondence with clients. The vast number of international staff members, with a variety of language skills, is really helpful. HSF and other corporate firms also provide pro bono representation on our third-party interventions before the UK and European Courts. Their legal and practical support is invaluable, especially given that they have more time and resources to dedicate to liaising with counsel and the court, creating bundles and so on.

Claire: There are some cases which benefit from in-depth background research which is where pro bono services can be invaluable. For example, before launching a judicial review challenge to the two-child limit, which restricts the financial support available for children through universal credit to a maximum of two children per family, CPAG engaged HSF to undertake a review of any similar policies in other Council of Europe countries. This took a huge amount of work which CPAG wouldn't have had the resources to carry out internally, and which demonstrated that the UK is really an outlier with this policy. In addition to acting directly for clients, CPAG also acts as a thirdparty intervener in significant cases where we are able to assist the court with the organisation's collective expertise or by providing evidence. The Public & Administrative Law team at HSF has acted for CPAG in a number of these cases. HSF also previously co-sponsored a trainee solicitor through the Justice First Fellowship scheme - CPAG acts as a host organisation for the scheme, which supports the next generation of social justice lawyers to qualify.

Emma: Yes – we work closely with law firms in a number of different ways. Since 1992, HSF has provided Kingsford Legal Centre with secondee solicitors, on a six-month rotation basis. This amazing pro bono assistance greatly increases the centre’s capacity to provide advice and casework assistance to disadvantaged members of our community. Secondee solicitors take on a caseload, provide advice to clients at outreaches, and also provide advice to clients at home, in hospital and in prison. They also participate in all other aspects of our service, including teaching, delivering community legal education and attending community events. Kingsford Legal Centre also benefits from the assistance of many other law firms who participate in our pro bono clinics, providing advice to clients in areas including employment and discrimination law. Of course, we also could not provide advice to anywhere near the number of clients we do without our dedicated volunteers. We have a roster of over 80 volunteer lawyers, many of whom are from law firms.

Sanjay: We have some pro bono support from a few law firms. We are a very small charity operating in a highly contentious environment and also adapting to more agile ways of working given the changes accelerated by the pandemic. For example, we recently had some support on the terms of our partnership deal with Sky and on surrendering our property lease as we move to a more hybrid operating model. And we also had some great support on responding to the government’s Online Safety Bill as we fight against online discrimination. HSF gave us absolutely fantastic support on both of these issues which was particularly helpful for me recently when giving evidence to a Joint Committee in Parliament with the FA and Rio Ferdinand (a former captain of Manchester United and England).

Michelle: Yes, Justice Without Borders relies heavily on pro bono support from law firms, including many of HSF’s offices (Hong Kong, Singapore, and the associated Indonesian law firm HBT in Jakarta). I am pleased to say that the relationship between HSF and Justice Without Borders, which started when I was the firm in 2014, has continued ever since under a number of different dedicated partners, counsel, associates and trainees who have helped to take on cases and legal research. HSF has also generously provided core financial support which is so vital to non-profits.

What are the challenges and opportunities facing you in the not-for-profit sector?

Claire: Adapting to the changes to society which came about during the coronavirus pandemic has without doubt been a significant challenge. The whole sector has shown an incredible amount of resilience, flexibility and creativity in responding to the pandemic, but I think that front-line advice services in particular have had such a difficult task of ensuring that they continue to serve their client base. Innovative use of technology has offered some fantastic opportunities and solutions to these challenges but moving forward with this in a way that doesn't exclude or disadvantage certain groups in society is an ongoing task.

Michelle: With Covid-19, the challenge is always an increase in the demand for services due to migrant domestic workers not being able return home or losing their jobs, as well as a decreased opportunity to engage potential donors for funding. Aside from pandemic-specific challenges, I see the biggest philosophical problem of non-profits being the question of how best to serve the community, as many organisations have evolved from a purely charitable hand-out model to an empowerment model; however, how best is that community empowerment model possible to implement and what is the influence that non-profits can wield on society at large to change so as to provide systemic improvement to longstanding issues of poverty?

Hannah: A lack of sufficient funding and resources for our work is a key challenge. There are many more people requiring advice than we are able to support with the numbers of staff we can afford to employ, and we are always working at maximum capacity. This is compounded by government cuts to legal aid, meaning our pro bono advice is in high demand. We also lack the level of administrative support and practical resources that you benefit from in a law firm, this includes things like a quality printer, assistance creating bundles and administrative support staff more generally.

Emma: Funding always remains a critical issue. Community legal centres operate on a very tight budget and the threat of funding cuts is ever-present. At the same time, there have been some increases to State and Federal Government funding to certain types of legal services, particularly as a result of Covid. This has created opportunities for new and innovative types of service delivery. Working with vulnerable clients without the ability to meet them face-to-face (as a result of the current Covid restrictions) brings many challenges, including practical challenges with making sure that clients can continue to access legal advice and assistance.

How can HSF alumni help or support you?

Michelle: I would encourage all alumni and current employees to constantly evaluate how they can give back (money, time, expertise) in their community and for the causes that are close to them. Everyone can contribute and the best part is that it feels great to give back! Alumni in Hong Kong or in Asia may contact me directly if they want to get involved.

Claire: It's a cliché but the simplest way is to become a CPAG regular giver and follow us on Twitter @CPAGUK to hear more about our policy and campaign work.

Hannah: Donations and funding! Plus any skills or support alumni can offer in terms of pro bono consulting on IT/comms/fundraising/digital skills/social media.

Sanjay: Get in touch. We can always find ways people can volunteer or raise funds or support in other creative ways. If you are a football fan, make a public pledge to doing something to challenge discrimination and join our Take A Stand campaign.

Emma: If you live in Sydney, have a current practising certificate and at least two years' PQE, and are interested in volunteering on our evening advice roster, we are always looking for volunteers!

If you would like to find out more about HSF's current pro bono work and opportunities please contact: probonoresponsiblebusiness@hsf.com

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