

# Request Pro Bono Guidelines

## What is the Centre for Asia Pacific Pro Bono?

Housed within the Law Council of Australia Secretariat, the Centre for Asia Pacific Pro Bono (CAPPB) was established to coordinate requests from the Asia-Pacific region for pro bono assistance by Australian legal practitioners and law practices. The CAPPB aims to:

1. **Contribute** to good governance and democracy in the Asia-Pacific
2. **Assist** in the development of sustainable pro bono partnerships in the Asia-Pacific
3. **Promote** the rule of law and improve access to justice in the Asia-Pacific
4. **Provide** Australian lawyers opportunities to offer international pro bono assistance
5. **Build** capacity and capability in legal systems in the Asia-Pacific

## What is international pro bono legal work?

The CAPPB uses the following definition of international pro bono legal work:

*'pro bono legal work focussed outside of Australia, and in response to both need and disadvantage within a recipient country. It may include the provision of direct legal advice and representation, assistance with law reform or other systemic legal issues, legal training and education, and judicial assistance. The provision of International Pro Bono Legal Work by the legal community can contribute positively to access to justice.'*

## Eligibility

### Which countries are eligible to apply?

Organisations in the following countries are eligible to request assistance through the CAPPB:

American Samoa	Nauru
Bangladesh	Nepal
Brunei	New Caledonia
Cambodia	Niue
China	Norfolk Island
Cook Islands	Northern Mariana Islands
East Timor	Pakistan
Fiji	Palau
French Polynesia	Papua New Guinea
Guam	Philippines
India	Samoa
Indonesia	Solomon Islands
Kiribati	Sri Lanka
Laos	Taiwan
Macau	Thailand
Malaysia	Tokelau
Maldives	Tonga
Marshall Islands	Tuvalu
Federated States of Micronesia	Wallis & Futuna
Mongolia	Vanuatu
Myanmar	Vietnam

### Who is not considered eligible?

An applicant will not be considered eligible if:

- it does not fulfil the requisites outlined above;
- any of its senior staff are or have been involved in any criminal or civil investigations or trials for fraud, corruption or other serious offences; and
- it has not reasonably first explored other aid sources, such as through AusAID, AVID or other available sources.

### Can applicants work with other entities?

**Yes.** Where projects are provide in conjunction with other entities, those entities should have a proven track record in the type of activity that is relevant to the project and/or experience in the country in which the project will take place.



## Eligibility (cont.)

### Who can apply for international pro bono legal services?

An applicant is eligible if it complies with each of the following criteria:

- is an organisation which is resident or operates in an eligible country;
- demonstrates capacity to work with international pro bono legal service provider(s);
- is unable to undertake the pro bono project without external support; and
- has a good-standing reputation (if applicant is non-government and not a peak legal professional body, please provide a reputable organisation).

### What kind of pro bono projects are eligible for assistance?

A proposed pro bono project will be eligible if it:

- involves the provision of 'international pro bono legal work' in an eligible country. International pro bono legal work through the CAPPB is undertaken by Australian law firms or legal professionals in response to requests made by eligible organisations of eligible countries within the Asia-Pacific.
- meets at least one of the following criteria:
  - » builds capacity and capability in legal systems;
  - » contributes to good governance and democracy;
  - » promotes knowledge of the rule of law and respect for human rights; or
  - » provides advice or legal representation by experts not available in applicant country.
- is made by an eligible organisation from an eligible Asia-Pacific country (see eligibility of applicants below).

## Feedback

The CAPPB values feedback from pro bono recipients and providers on the service of the CAPPB. Recipients and providers are encouraged to provide feedback on the Project Completion Report. The CAPPB Secretariat can also be contacted at any time to discuss the CAPPB's services.

### Complaints & disputes

If either recipients or providers of international pro bono legal services experience a dispute or are unhappy with the pro bono services provided, the CAPPB Secretariat can be contacted and it will endeavour to help project partners come to a reasonable agreement. However, the CAPPB is only responsible for matching pro bono projects with eligible providers. It is not responsible for the outcomes of the project, nor resolving any disputes that may arise from the partnership.

## Application & assessment process

### What is the process for seeking pro bono assistance through the CAPPB?

1. Complete the Request for Pro Bono Assistance Form and submit at least three months prior to the intended project start date to allow for time for assessment and processing. Please ensure all sections on the form are complete before submission.
2. Applications requesting pro bono assistance are assessed by the CAPPB Assessment Panel (see below).
3. The Assessment Panel will then match the request for pro bono assistance with its register of pro bono providers in Australia.
4. Pro bono recipients and providers must complete a Project Completion Report (see samples) and submit it to the CAPPB no later than six weeks after the project period has ended.

### How is the project assessed?

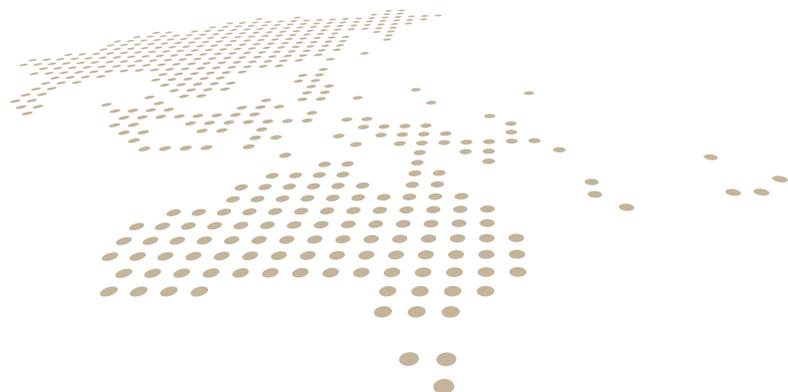
The CAPPB Secretariat reviews all applications for pro bono assistance and matches it with an appropriate provider. The approval of the matched project is then determined by the CAPPB Assessment Panel, comprising the Secretary-General and/or the Deputy Secretary-General of the Law Council of Australia.

Where a project and/or provider require further clearance, the matter will be forwarded to a Secondary Assessment Panel comprising:

- a member of the Attorney-General's International Pro Bono Advisory Group;
- the Secretary-General of the Law Council of Australia; and
- the Chairman of the Law Council's International Law Section

### Can I reapply for pro bono assistance through the CAPPB for future pro bono projects?

Yes. An organisation's capacity to manage and implement concurrent projects will be assessed on a case-by-case basis.



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