**A Overview**

1. Barristers and solicitors often do pro bono cases separately. Sometimes that is appropriate, but- for litigation in particular- it is much more efficient and effective to work together as a team. That is what happens in paid litigation: so why not pro bono cases too? Pro Bono Connect is the only scheme that brings the two halves of the profession together.
2. Our vision is that barrister and solicitor assistance should always be available for pro bono cases, where it is needed. We achieve this by providing a means for barristers and solicitors to collaborate effectively and efficiently in pro bono cases. We do not initiate new pro bono cases but help barristers and solicitors to collaborate together through our network.
3. The scheme builds on existing structures for sourcing pro bono work in a simple way. It enables any barrister from participating chambers doing a pro bono case to request assistance from a participating solicitor via the clerks (and vice versa). There is no requirement to accept a request, only to consider doing so. If a request is accepted, the solicitor and barrister work on the pro bono case as a team.
4. By working together, barristers and solicitors can take advantage of the complimentary skills offered by either side of the profession and share the benefits and burdens of work as capacity fluctuates over time. This makes pro bono work more manageable for individual lawyers and therefore encourages them to take on more cases and potentially for a longer duration. More lay clients get the help they need and the best service.

**B The Scheme**

1. The scheme began as a pilot in September 2015 and launched in November 2016. There are currently 40 participating law firms[[1]](#footnote-1) and 46 chambers/bar associations.[[2]](#footnote-2) We also have a number of individual barristers, solicitor advocates and in-house lawyers who are members. Pro Bono Connect was awarded Pro Bono Innovation of the Year at the Advocate Awards 2018. To find out more visit [www.probonoconnect.co.uk](http://www.probonoconnect.co.uk).
2. To date, members of the scheme have been accepted 114 cases, with largely very positive feedback. Case studies from a participating firm and a barrister from participating chambers are attached. Presently, it covers chancery, common law, commercial, public, human rights, insolvency, employment and tax cases. The aim is to expand to this to cover other areas of law in the future.
3. The process by which barristers or solicitors can make requests for assistance through Pro Bono Connect is set out in a detailed Protocol. A summary is below.

Barrister takes

on case

–

needs

help

Seeks consent

for disclosure

Request Form

sent to PBC

solicitors

Solicitor’s firm

accepts (48 hr

approval period)

Agree terms with

client, share

documentation

Barrister

instructed by

solicitor’s firm

If rejected, then

sent to LawWorks

Solicitor takes on

case

–

needs

help

Seeks consent

for disclosure

Request Form

sent to PBC

barristers

Barrister accepts

(first come first

served)

Inform client,

share

documentation

Solicitor instructs

barrister

If rejected, then

sent to BPU

**BARRISTER PROCESS**

**SOLICITOR PROCESS**

**ANNEX: CASE STUDIES**

**3 Verulam Buildings - Arnold & Porter – Coram Chambers**

Mrs K and her husband were joint shareholders in a small family company. Mrs K was due dividends from the company based on a 25% share. The couple separated in 2014. A couple of years later, Mrs K was now a single parent with a young baby. Although she was in financial difficulties, she had never received any dividends from her shareholding.

Mrs K attempted to negotiate payments from her former husband, who was the sole director of the company, but without success. She then tried to obtain advice to start court action but found it difficult to access an advisor with the relevant legal experience. She was unable to afford effective legal advice. Acting as a litigant in person she was able to issue a claim but this was unfortunately not fully pleaded, and did not include the limited company as a defendant. At an early hearing, the claim was at risk of being struck out unless fully pleaded Particulars of Claim were filed.

With the help of a family friend she was able to access some advice from James Potts, a barrister at 3 Verulam Buildings. He assisted by settling Particulars of Claim and an application to join the Company as a defendant to the proceedings Through Pro Bono Connect he requested assistance from solicitors to prepare the application for hearing and pursue the claim for unpaid dividends which ran into thousands of pounds.

The case was accepted by Jane Wessel at Arnold & Porter who successfully negotiated a payment for several years of unpaid dividends in excess of £30,000. Other dividends remain in issue and under negotiation, with the firm continuing to assist.

Alongside the claim, Arnold & Porter also assisted Mrs K in instigating divorce proceedings which are currently pending conclusion. They used Pro Bono Connect to obtain advice from a barrister at Coram Chambers on Family Law.

Upon conclusion of the divorce and payment of the remaining dividends, any outstanding disputes between Mrs K and her former husband will be concluded.

Mrs K said of her legal team “ they were very supportive, extremely helpful. Always quick to reply and explained everything. Very happy”

She said of Pro Bono Connect “ It is a brilliant idea. I don’t know where I would be without the support of both solicitor and barrister. I would never have been able to instruct such a prestigious firm. I am really grateful.”

Jane Wessel at Arnold & Porter said “Arnold & Porter has established one of the world's leading law firm pro bono programs. Our pro bono commitment is key to who we are and is one of the reasons many of our lawyers have made their professional home here. We are passionate about pro bono in the London office and we really value our relationship with Pro Bono Connect. It is a great pleasure to work with Mrs K to vindicate her rights.”

James Potts of 3 Verulam Buildings said “ Pro Bono Connect is a fantastic resource, helping solicitors and barristers work together to offer pro bono clients much more than they could individually. I would strongly recommend it to anyone with a suitable pro bono case. 3VB and I are delighted to have been able to assist Mrs K.”

**5RB and Eversheds**

Mr C was suffering from PTSD as a result of significant events in his life. In 2011 he was referred for medical evaluation by his insurance company. A psychiatric report was commissioned by the defendant on behalf of the insurers.

In 2013 it appeared that a copy of the report had been disclosed by an employee at the defendant company to an acquaintance of Mr C without his permission.

This unlawful disclosure not only breached data protection laws but also caused immense distress to Mr C. He initially took the matter up with the defendant and subsequently the Information Commissioners Office but without success.

Eventually he sought legal help through Advocate and the matter was taken on by John Stables at 5RB Chambers. The barrister sought solicitor assistance through Pro Bono Connect and was matched with Eileen Weinert at Eversheds Sutherland.

Negotiations with the defendant’s solicitors were unsuccessful and litigation became necessary.

Proceedings were commenced and the matter settled by consent in November 2019 with damages payable to Mr C.

The whole situation was extremely stressful and difficult for Mr C not least because the defendant seemed unwilling to co -operate. As soon as 5RB and Eversheds Sutherland became involved the case began to move at pace and reach a speedy resolution after many frustrating years.

Mr C said of his legal team “Eversheds were amazing, they handled everything expertly, I was extremely well looked after. The barrister, John, was unbelievable. I can’t thank them enough.” He said of Pro Bono Connect “it was invaluable. Without the ability to get a legal team like this together, I would not have had any representation.”

Eileen Weinert of Eversheds Sutherland said “it was enormously satisfying to be able to provide Mr C with legal assistance on this matter which had caused him such distress, to be able to obtain damages which went some way to compensating him for that distress and a costs order payable to the Access to Justice Foundation, a very worthy cause. We were delighted to be connected by Pro Bono Connect with John Stables at 5RB and to work with him on this case.

John Stables at 5RB said “Being able to help a client who would otherwise be on their own is a great feeling. Eileen Weinert and I righted a wrong for a client who had nowhere else to turn. That result, including a contribution to pro bono funds to assist others, is wonderfully fulfilling. I am grateful to Advocate and Pro Bono Connect for the hard work they do allowing people access to justice they could not otherwise have.”

**K&L Gates Case Study on the Pro Bono Connect Scheme**

The Pro Bono Connect scheme has worked very well for us. It makes so much sense for solicitors and counsel to have a formal referral structure like this in place. The referral process has been made as quick and simple as possible, which really helps. We have used the scheme successfully on three occasions so far, summarised below.

The first was a barrister request for assistance for a client who had lost his savings in a company of which he had been a director and who was now being falsely accused by the liquidators of misfeasance in relation to the whereabouts of a large number of stock items to the value of approximately £500,000. The matter was to be tried six weeks from instruction which meant that not only was it a worthy cause and within our area of expertise but also it had a finite timeframe. The client had been self-representing for several years and his case documents had not reassured the liquidators. We assisted counsel in filing an amended defence and then spent many hours with (and without) the client collecting the evidence into a comprehensive witness statement to trace and explain the journey of each item. This resulted in a negotiation culminating in the liquidators withdrawing the entire claim just three days before the trial and without seeking payment of legal costs. The client was understandably relieved and very grateful for our assistance.

The second was a barrister request for a one-off piece of advisory work on an information-sharing agreement for a major national charity. Although the request came via counsel, hence the use of the scheme, it was in fact a request for direct solicitor assistance without counsel’s involvement. In that respect it was atypical, but very useful from our perspective. We were able to strike up a relationship with the charity’s GC whilst performing the work and we are now under consideration for future pieces of work for them.

The third was a solicitor request for assistance with the defence of an unfair dismissal claim in the Employment Tribunal on behalf of a charity which had dismissed an employee for inappropriate behaviour. Counsel’s assistance was required to review witness statements and represent the client at the hearing. Ultimately the matter settled favourably for the client. It was brilliant to be able to obtain counsel’s assistance so quickly and easily.

**Anna Boase (Barrister) Case Study on the Pro Bono Connect Scheme**

In September 2015 I volunteered to give some advice through the Bar Pro Bono Unit. I met the client and saw that, as well as advice, he really needed representation at a four-day trial starting in mid-November. I offered to act, if a solicitor could be found. One of the pilot firms involved with Pro Bono Connect quickly agreed.

Our client was former director of a “two man” company which had traded in the antiques business.  When the company went into liquidation the stock list did not match the physical stock remaining in the company’s possession. The liquidator brought misfeasance proceedings against the former director, claiming £500,000 from him personally as the value of the apparently “missing stock” on the assumption that he had disposed of it.  In fact, the mismatch was caused by flaws in the process of listing the stock, but this had never been properly articulated.

As a team the volunteer solicitors and I represented the client for about a month.  We served an amended Defence and a new witness statement, which set out his case more clearly than at any point in the three years in which he had been a litigant in person.

The process of obtaining instructions, producing a proof of the client’s evidence and reviewing his documents was challenging; it was invaluable to have the help of a firm to get them in order. Within the firm, it was handled by relatively junior solicitors who I think benefitted from the experience of preparing for trial and having greater responsibility for carriage of the litigation than would normally be the case.

The newly strengthened defence and the threat of a pro bono costs order if successful changed the dynamics of the litigation completely. Shortly before trial, the claim was dropped without any payment by our client and without any order as to costs. Although this particular case did not involve direct advocacy experience, it was very satisfying to achieve such a great result for the client.

1. Linklaters, A&O, Weil, K&L Gates, Mishcon, Enyo Law, Debevoise, Pinsent Masons, DLA Piper, Arnold & Porter, Morrison Foerster, Kingsley Napley, Cooley, BCLP, Sherman & Sterling, Brown Rudnick, Axiom Stone, Hogan Lovells, Herbert Smith, Dechert, Skadden, Reed Smith, Three Crowns, Orrick, Eversheds, Slaughter & May, Baker & McKenzie, Sidley Austin, The London Solicitors, Travers Smith, Ashurst, Dentons, White & Case, MT Solicitors, Ashwood Law, Watkins & Gunn, Clyde & Co, Simmons & Simmons, Addleshaw Goddard, Millbank, Obaseki Solicitors. [↑](#footnote-ref-1)
2. One Essex Court, Fountain Court, Wilberforce, Outer Temple, 11 KBW, Devereux, 4 Stone Buildings, 4 Pump Court, 36 Bedford Row, Maitland, Old Square, 12 KBW, Midland Chambers, 1 Crown Office Row, Brick Court, Essex Court Chambers, 6 Pump Court, St Phillips-Stone, Temple Tax Chambers, 11 New Square, Littleton Chambers, South Square, Coram, Pump Court Tax, 15 Old Square, Isle of Man Tax, 3VB, New Square, 8 South Square, 11 South Square, Hogarth, Forum, the Revenue Bar Association, Monckton Chambers, Enterprise, Selborne, 6 KBW, 3 Paper Buildings, Cloisters, Falcon Chambers, Erismus Chambers, Matrix Chambers, 5RB, Five Paper, Spire Chambers. [↑](#footnote-ref-2)