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WEEK**  
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# Where it all began: Pro Bono Week 2001–2021

The past, present & future of pro bono work—**Lord Goldsmith** & **Michael Napier** in conversation with **Catherine Baksi**



Michael Napier (L) with Lord Goldsmith: pro bono trendsetters

**T**wenty years after it all began, two of the men who played key roles in the creation of National Pro Bono Week look back over two decades of promoting and celebrating free legal help.

Peter, now Lord Goldsmith, was appointed attorney general in Tony Blair's government in 2001. He had a long history of supporting the provision of free legal advice to those in need but without means. As a young barrister, he recalls running the disco at an East End community centre, as a way to talk to the young people who attended about their legal rights. It led to the creation of a law centre. He later founded the Bar Pro Bono Unit, now called Advocate, of which he remains president.

## Committee commitments

In office, one of the first things he did was to create the Attorney General's Pro Bono Co-ordinating Committee, and to appoint Michael Napier, a former Law Society president and partner at national law firm Irwin Mitchell, as his pro bono envoy.

Napier too, had a long record of commitment to pro bono work, helping to found Sheffield Citizen's Advice Bureau in 1972. When Irwin Mitchell was a four-partner high street law firm, Napier recalls giving free legal advice on Thursdays to clients who could not pay and did not qualify for legal aid. 'It's just what you did,' he says.

Goldsmith, with his solicitor general Harriet Harman, organised a meeting of all the providers of pro bono legal services—the Bar Pro Bono Unit, the Solicitors Pro Bono Group (now called LawWorks) and the Institute of Legal Executives—and not-for-profit agencies.

Although there was a lot of good work being done across the profession, Goldsmith says: 'there was no coordination and I thought we could do a lot better'. He adds: 'We also wanted to encourage more people to do pro bono work, and thought bringing individuals together would be a good way of doing it.'

In the press release announcing the committee's launch, Goldsmith said: 'Pro bono work should be an accepted part of professional life for every solicitor, barrister and legal firm.'

On his own role, Napier quips: 'It's a good example of what happens if you don't attend a meeting—you get given a job'. It was one he was pleased to accept, although he declined the initial title of Pro Bono Tsar. Napier had high hopes for what the committee could achieve, telling a radio show that he wanted to create 'intergalactic pro bono'—'we were', he says 'thinking big'.

## Joining up the dots

His initial challenge was to map the legal pro bono work being done throughout the UK and join up the dots. 'The trouble was, we couldn't even find the dots on the map,' says Napier.

With the committee meeting every quarter, people gradually came round the table and the momentum grew. Crucial to the progress was the publication of the Pro Bono Protocol, setting the standards and requirements for those providing services, and development of the national pro bono website, which launched in 2003.

Another key factor in raising its profile, says Goldsmith, was the involvement of parliamentarians and creation of the MPs' guide to pro bono. Meetings were held in parliamentary premises during pro bono weeks and MPs would drop in, grateful to learn about the services on offer. Public legal education also became a core element, with school and university projects, and the Attorney General's Student Prize, which continues today with LawWorks.

Section 194 of the Legal Services Act 2007 was another giant step forward. It provides for pro bono costs orders to be awarded where the winning party's lawyers had worked free of charge. The money, explains Goldsmith, is paid to the Access to Justice Foundation, which he chairs, and which funds legal advice charities in their provision of pro bono legal advice services. The establishment in 2007 of the Attorney General's International Pro Bono Committee helped to co-ordinate the important work being done overseas.

## Time immemorial

Pro bono work, says Napier, has been done by lawyers since time immemorial. A Law Society library exhibition in 2007's Pro Bono Week included legislation passed by Henry VII in 1495 on the provision of assistance to the poor. The Act enabled the chancellor to 'assign suche of the clerks... lerned council and atorneys... without any rewarde taking therefore'.

Pro bono has not always been an easy sell. In 2001 as president of the Law Society, Napier failed to get a resolution from its council to support an aspirational number of annual pro bono hours. 'They passed a watered-down resolution supporting solicitors' pro bono work,' he states. Cynics have suggested that some City law firms got involved as a PR exercise to promote their worthy credentials to their clients. But Napier is adamant: 'It is the work that matters; not the motive'.

With significant cuts to legal aid fees, it is hard to suggest to those lawyers who already feel they are providing much of their work

## 20 years of Pro Bono Week

The first Pro Bono Week in 2001 was created to help identify the disparate work being done by individuals and groups, and to celebrate, encourage and raise the profile of free legal work. The weeks were filled with practical and informative lectures, seminars and debates. Pro Bono Week 2004 saw an appropriately branded bus travel from Trafalgar Square around the country to spread the message.

In 2006, Pro Bono Week moved from June to November to enable university law students to take part. In 2008, the lord chief justice, Sir Igor Judge, opened his court for a mock trial on the theme of gun and knife crime. The jury was made up of young people from the Behaviour Support Service Resource Base in Camden, North London, and the advocates were students from BPP Law School's pro bono centre. With the backing of successive law officers, Pro Bono Week and the wider work became an established feature of the mainstream legal landscape.



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for nothing, that they should engage in more pro bono work—and critics suggest that pro bono lets the government off the hook from funding the legal aid system. Goldsmith stresses that pro bono can never be a substitute for properly funded legal aid, but insists there is a place for it.

As Napier and Goldsmith acknowledge, the scale of unmet need is greater than ever before—and they expect it to grow. They look forward to continued improvements in collaboration, meaning lawyers' pro bono efforts are harnessed most effectively, and will be at the forefront of those celebrating the dedication of pro bono lawyers for the next 20 years.

November 1 @ 6.00pm - 8.00pm



**OFFICIAL LAUNCH Pro Bono Week 2021: panel debate: past, present and future**

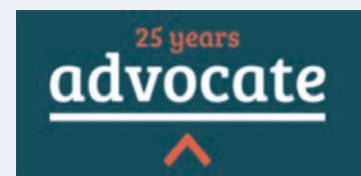
**Online and in person event**

The launch event will take place in person online, and will host a panel of speakers, exploring the past, present and future of pro bono. Register to attend via the Eventbrite link: <https://pbw2021.eventbrite.co.uk>

## Bar Pro Bono Awards

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When the Bar Pro Bono Unit was set up 25 years ago, it immediately recognised the value of celebrating its barristers and publicising pro bono by handing out an award every year. Fast forward two decades and the Bar Pro Bono Awards are a highlight of Pro Bono Week, bringing together chambers from all over the country and showcasing achievements of all aspects of pro bono across the Bar:

- ▶ Young Pro Bono Barrister of the Year (sponsored by **Place Campbell**)
- ▶ Junior Pro Bono Barrister of the Year (sponsored by **Westgate Wealth Management**)
- ▶ Pro Bono QC of the Year
- ▶ International Pro Bono Barrister of the Year
- ▶ Pro Bono Chambers' Professional of the Year (sponsored by the **LPMA**)
- ▶ Pro Bono Chambers of the Year
- ▶ Pro Bono Innovation of the Year
- ▶ Lifetime Achievement in Pro Bono, the Sydney Elland Goldsmith Award
- ▶ John Collins Pro Bono Excellence Award (in partnership with the North-Eastern Circuit)

All nominees are invited to an Awards evening that takes place on 3 November during Pro Bono Week at which winners in most categories will be announced.

We are running an in-person event and will be live-streaming the awards ceremony from 7pm. Watch the event on YouTube at <https://tinyurl.com/PBW2021awards>. Winners of Young Pro Bono Barrister of the Year and Lifetime Achievement in Pro Bono will be presented with their awards at the Annual Bar and Young Bar Conference later in November.

All the highlights will be published and the winners showcased in a future issue of New Law Journal.

November 3 @ 5:30 pm - 6:30 pm



**Pro Bono Work; The Gift That Keeps on Giving! – Advocate, the IBC and the Bar Council Pro Bono and Social Responsibility Committee**

**Hybrid: in person and streamed online**

A seminar for clerks and practice managers; hear from clerks and barristers to find out how other sets manage the pro bono process and ask any questions you might have. <http://tinyurl.com/PBW2021clerks>