

GUIDE TO PRO BONO FOR EMPLOYED BARRISTERS

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advocate



The Bar Council



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Many employed barristers engage in pro bono work, by volunteering to provide free legal assistance to those in need. Employed barristers have an important role in helping individuals access justice regardless of their means, and in supporting other charitable causes.

This Guide explains on a practical level how employed barristers with practising certificates can undertake pro bono and the key considerations, whether volunteering through their employer or independently. It highlights the support available and the increasingly recognised benefits.

This Guide is not regulatory or legal advice, please refer to the Bar Council Ethics Committee [guidance](#) and the BSB Handbook as the rules apply to pro bono work.

Employed barristers can engage in pro bono work in different ways

- Where the employer (whether in the public, private or third sector e.g. a law firm, business, public body or charity) has its own scheme that provides legal help to the public free of charge.
- By taking on pro bono cases through Advocate, the Bar's pro bono charity, to help those in need directly. This can be drafting, advice or representation, in all areas of law or different levels of call, and across England & Wales.
- Volunteering with the Free Representation Unit to represent clients in social security and employment tribunals, Employment Appeal Tribunal and the Upper Tribunal.
- Volunteering through a legal advice centre such as a Law Centre.
- Acting as an unpaid or honorary legal adviser to a charity, for example via [Bar in the Community](#), or [LawWorks](#) (if employed at an organisation who has joined LawWorks)

Insurance is required but available in various ways

- Check with your employer as most law firms, and some corporates and financial institutions, have insurance covering employees engaged in the firm's pro bono work. Or, when partnering on pro bono with a law firm, ask if their insurance extends to your employees.
- [Bar Mutual Indemnity Fund](#) provides pro bono insurance coverage under its rules for an employed barrister undertaking work through Advocate or FRU.
- Law Centres and other such agencies will usually have insurance covering volunteer lawyers.
- [LawWorks](#) offers an [insurance policy](#) as part of corporate membership, covering in-house lawyers doing pro bono through projects which they register with LawWorks.

Check if there are conflicts or if the employer's consent is needed

- It may be possible to do pro bono independently where the work has no connection with the employer and is outside of work hours. Do check your insurance coverage.
- Some employment contracts may require employees to obtain employer consent where volunteering outside of work, even if rarely withheld. A record of the consent should be kept.
- Barristers employed in Government or public bodies will likely be conflicted out of acting against the Government or public bodies, raising a particular need to check first.

Pro bono benefits the employed barrister and their organisation

Helping individuals or charities as a lawyer can be deeply rewarding and motivating. It also has many benefits.

- Pro bono volunteering can enhance legal skills; broaden practical experience and develop expertise in new practice areas; as well as deepen particular areas of knowledge.
- Pro bono provides opportunities for advocacy not always available to employed barristers.
- It offers team building opportunities with colleagues, and networking opportunities with clients.
- Pro bono work can be included in employee annual goals/objectives.
- Pro bono aligns with organisational CSR/ESG aims, which clients may view favourably.
- In law firms, pro bono volunteering may count towards utilisation or fee earner targets, and in other organisations towards an allocation of volunteering days.
- For employers, pro bono is well recognised to have the additional benefits of supporting staff wellbeing, improving retention, and enhancing recruitment.

Support is available to help employed barristers get started with pro bono

- Employers may have a committee or specific person responsible for pro bono, CSR or ESG, and may have mentors available.
- For organisations which do not have a pro bono policy or programme, [guidance](#) is available.
- When volunteering through Advocate, barristers are available to provide [mentorship](#) to answer specific case-related queries; to volunteer as co-counsel; or help in new areas of law.
- Join the mailing list of the [In House Pro Bono Group](#) or get in touch with the [Steering Committee](#) who can help signpost you to available resources.
- Email queries to EBC@barcouncil.org.uk.

Recognition for pro bono endeavours

Recognising the importance of pro bono helps to encourage more lawyers to volunteer their time to those in need, and may help raise awareness of the legal issues facing underprivileged groups.

- All barristers who have completed 25 hours of pro bono in a year can register to appear on the [Pro Bono Recognition List of England and Wales](#).
- Employed barristers can be nominated for awards including the annual [Bar Pro Bono Awards](#).
- Many organisations have internal recognition programmes which would include pro bono.

Thank you for your interest in supporting pro bono. If you would like more information or have any suggestions to improve this Guide, please contact EBC@barcouncil.org.uk

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