



VICTORIAN BAR

PRO BONO AWARDS

NOMINEES

WEDNESDAY 20 FEBRUARY 2019

VICTORIAN BAR PRO BONO AWARDS

Recognising the contribution of members of the Victorian Bar in Pro Bono work through the Pro Bono Scheme (administered by Justice Connect), Duty Barristers' Scheme, community involvement and individual commitment.

The Victorian Bar Pro Bono Awards 2019

List of Nominees

Victorian Bar

Pro Bono Trophy

For outstanding individual achievement in pro bono advocacy over a long period.

Past winners

2010	Julian Burnside AO QC
2011	The Honourable Justice Debbie Mortimer
2012	The Honourable Chief Justice William Alstergren
2013	Paul Bingham
2014	Brian Walters AM QC
2016	Christopher Horan QC

Michael Gronow QC

For his extensive assistance to litigants and the Court as part of the Court of Appeal Pro Bono Duty Barrister scheme and other pro bono programs; his willingness to take on hard cases; and his long-standing commitment to pro-bono advocacy over many years.

Matthew Albert

For his unstinting work as the lead barrister for Justice Connect referrals for Nauru High Court appeals. Matthew ran 10 matters in the High Court in 2018, including 5 victories for asylum seekers on Nauru; in addition to other pro-bono advocacy in the tenancy and immigration fields. Matthew received multiple nominations across different categories in this year's awards.

Daniel Pollak Readers Award

For pro bono work undertaken by barristers who have completed their readers' course within the previous 12 months.

Sarah Zeleznikow

For her exceptional work in highly complex and multi-faceted extradition proceedings in which Sarah represented a person sought for extradition on the basis of offences relating to violation of US sanctions.

Andrew White

For his regular pro bono work for migration applicants in the Federal Circuit Court and Administrative Appeals Tribunal; and his work assisting asylum seekers in need of urgent medical evacuation from Nauru.

Tanya Skvortsova

For her excellent pro bono work with Refugee Legal in applications for review of decisions to revoke protection visas.

Dr Adam McBeth

For his role as a member of the counsel team in the Barwon youth detention matter.

Fiona Hodgson

For her ongoing assistance throughout 2018 in the case of Western Region Environment Centre Inc v EPA [2018] VCAT 154.

William Barker

For his assistance to the Court at short notice, to advise a family member of a victim of crime.

Ron Castan AM QC Award

For pro bono work undertaken by barristers who are between 1 and 6 years call.

Christopher Tran

For his enthusiastic and dedicated conduct of significant pro bono work for the Victorian Aboriginal Legal Service, across two important strategic matters concerning complex housing and freedom of information disputes.

Evelyn Tadros

For her pro bono representation of the plaintiff in the ground-breaking human rights case of Matsoukatidious v Yarra Ranges Council [2017] VSC 61, where the Court confirmed that courts have a responsibility under the Charter of Human Rights to ensure that self-represented litigants can participate effectively in legal proceedings; and for her unstinting work representing asylum seekers on Nauru.

Raph Ajzensztat

For his immense work with little notice on Mercy Hospital v D1 (a parens patriae application by the Mercy Hospital to the Supreme Court of Victoria seeking an order that D1 receive a blood transfusion if necessary against her wishes as a Jehovah's Witness).

Karina Popova

For her work representing the family of Maria James (who is the subject of an ABC podcast called "Trace") in applying for the inquest into her death (more than 30 years ago) to be re-opened.

The Victorian Bar Pro Bono Awards 2019

List of Nominees

Ron Castan AM QC Award

For pro bono work undertaken by barristers who are between 1 and 6 years call.

Siobhan Kelly

For taking on an exceptionally high volume of pro bono cases and providing high quality advice and appearance work in matters relating to refugee/migration law and employment law.

David Kelsey-Sugg

For his consistent support for the pro bono scheme by accepting multiple pro bono referrals

Matthew Goldberg

For his assiduous dedication to pro bono work in relation to the death penalty.

Matthew Albert & Sarala Fitzgerald

For their roles as members of the counsel team in the Barwon youth detention matter.

Andrew Pollock

For his work representing the defendants in a County Court defamation matter concerning allegations of animal cruelty.

Susan Crennan AC QC Award

For pro bono work undertaken by barristers who are between 7 and 15 years call but are not silks.

Kylie Evans

For her pro bono representation of the plaintiff in the ground breaking human rights case of Matsoukatidious v Yarra Ranges Council [2017] VSC 61, where the Court confirmed that courts have a responsibility under the Charter of Human Rights to ensure that self-represented litigants can participate effectively in legal proceedings.

Matthew Albert

See earlier entry.

Emrys Nekvapil

For his work with the Victorian Aboriginal Legal Service in the case of Cemino v Cannan, which dealt with the power of Magistrate to refuse a young Aboriginal man's access to the Koori Court for criminal sentencing.

Kathleen Foley

For her extraordinary pro bono work across a number of areas, including the bringing of critically ill refugee children from Nauru to Australia; action to prevent logging in sensitive areas of native forests; and the conditions of the detention of children at Don Dale in the Northern Territory.

Trevor Wallwork

For his work in the Solomon Islands representing the Environment Defenders Office NSW making the first ever challenge to a bauxite mine.

Ron Merkel QC Award

For pro bono work undertaken by barristers who are more than 15 years' call or silks.

Christopher Winneke QC

For his work representing the family of Maria James (who is the subject of an ABC podcast called "Trace") in applying for the inquest into her death (more than 30 years ago) to be re-opened.

Julian McMahon AC SC

For the extraordinary amount of time that Julian commits to pro bono work.

Georgina Costello

For her regular pro bono appearances in the migration field in the Federal Circuit Court, Federal Court and High Court; and for her work in McGrath v Director of National Archives regarding access to documents relating to the negotiation of the Timor Gap oil fields. Georgina received multiple nominations across categories in this year's awards.

Brian Walters AM QC

For his role as leader of the counsel team in the Barwon youth detention matter.

Lisa De Ferrari SC

Nominated by Maurice Blackburn's Social Justice Practice for Lisa's incredible commitment to pro bono work. It is estimated that Lisa and her team of competent junior counsel have contributed to more than 35 individuals and their families being transferred off Nauru to receive medical treatment in Australia.

The Victorian Bar Pro Bono Awards 2019

List of Nominees

Public Interest/ Justice Innovation Award

For pro bono work which has a strong public interest element or has involved a procedural or substantive innovation in the law likely to enhance access to justice

Hadi Mazloum and Joanna Davidson

For their work in the matter of EHT18 v Melbourne IVF. Joanna and Hadi acted pro bono for the Applicant who was seeking to access IVF having recently separated from her husband (but had not yet divorced him). The Respondent refused her request on the basis that the Assisted Reproductive Treatment Act 2008 (Vic) required her to obtain the consent of her partner, which the Respondent interpreted to including her estranged husband. Joanne and Hadi successfully challenged the provision in the Assisted Reproductive Treatment Act 2008 (Vic) on the basis that it was inconsistent with the Sex Discrimination Act 1984 (Cth) and was therefore invalid to the extent of the inconsistency with s 109 of the Constitution.

Matthew Meng, Angela Lee and Jennifer Batrouney QC

For their work acting for the Rotary Club of Melbourne in an appeal from VCAT to the Supreme Court. VCAT held that the RCM was liable for stamp duty because, although all the activities undertaken by the RCM are charitable, one of its objects was the promotion of ethics in business which is not charitable. Matthew, Angela and Jennifer convinced the Supreme Court to hear the appeal "on the papers" to minimise the costs risk to their client (in the event that the appeal was unsuccessful).

Christopher Winneke QC and Karina Popova

For their work representing the family of Maria James (who is the subject of an ABC podcast called "Trace") in applying for the inquest into her death (more than 30 years ago) to be re-opened. Chris and Karina's work led to Parliament changing the law so that findings made in inquests under the old Coroner's Court Act could be set aside and inquests/investigations re-opened.

Fiona McLeod SC / Law Council of Australia

For the LCA's Justice Project (imagined, overseen and led by Fiona McLeod SC). The project is the most comprehensive national review into the state of access to justice in Australia in the past 40 years.

Felicity Gerry QC and Julia Kretzenbacher

For their work with the Indigenous Justice & Exoneration Project (IJEP), representing a young indigenous man serving a life sentence for murder pursuant to mandatory sentencing laws, notwithstanding that the sentencing judge had accepted that he had withdrawn from the plot and was not present at the time of the murder.

Counsel team for the Barwon Youth Detention matter (Brian Walters AM QC, Peter Morrissey SC, Dr Ian Freckelton QC, Matthew Albert, Sarala Fitzgerald, Dr Adam McBeth, Claire Harris QC)

For their work, instructed by the Human Rights Law Centre, on behalf of a number of detained children, concerning a challenge to the decision of the Victorian Government to gazette part of the maximum security Barwon Prison as a youth justice centre and to transfer children there.

Sarah Porritt

For her ongoing assistance throughout 2018 in the case of Western Region Environment Centre Inc v EPA [2018] VCAT 154.

We have a long history of giving legal assistance to people in need. It is one of the defining characteristics of our Bar. Our Pro Bono Scheme was established in 2000 to formalise the process and further the reach and access to the pro bono work carried out by our barristers. The Pro Bono Awards were established on the tenth anniversary of the commencement of the scheme to recognise and celebrate the significant pro bono contribution made by members of the Bar.

What sort of work do they do?

The Victorian Bar Pro Bono Committee, together with Justice Connect, oversees the pro bono assistance provided to both individuals and community groups. This work includes advocating for human rights, environmental or social justice causes, and helping people from marginalised and disadvantaged backgrounds.

Pro Bono cases conducted at the Victorian Bar include complex long-running cases on such topics as Native Title, Refugees' Rights, Climate Change and Environment, Animal Welfare and Sexual Discrimination. They can often involve up to several months of a barrister's time.

From people fighting extradition to everyday cases defending people charged with minor summary matters and infringeable offences, the Victorian Bar's barristers have stepped up to ensure that all individuals have access to legal representation regardless of age, gender, race, disability or socio economic hardship.



VICTORIAN BAR

