

More than one good turn

Law Society President's Award

AS A SOLICITOR working mostly in criminal defence matters, David Roth takes on a staggering number of pro bono cases in addition to work for his own firm, Mulley Roth Solicitors. His hard work has earned him this year's Law Society President's Award, announced at the Justice Awards dinner.

In the last year alone, Roth has accepted 16 assignments from the Law Society's Pro Bono Scheme, as well as his own firm's direct referrals. Roth estimates that about 15 per cent of his practice is pro bono.

Most of the pro bono matters assigned to Roth are indictable criminal matters, many of them disturbing and serious charges, including sexual intercourse without consent, supply narcotics, assault occasioning actual bodily harm, welfare fraud and affray.

"It's extremely important to take on that work," Roth says.

"Things like education, healthcare and access to legal representation are inalienable human rights. Yet the socially, financially and the intellectually disadvantaged frequently can't access these basic rights because of how much money they have or don't have."

Of particular concern, says Roth, is the fact that so many of his pro bono clients in criminal matters suffer from



David Roth estimates 15 per cent of his work is pro bono. PHOTO: ALEX CRAIG

mental health problems.

"An extremely high proportion of people in the criminal justice system should be in a mental health system," he says. "The criminal justice system tries to cope, but it doesn't."

Mulley Roth also accepts all assignments of serious indictable matters from Legal Aid, constituting about 20 per cent of the practice.

Roth was a restricted partner with Robert Mulley Solicitor until he took over the firm in June this year. He has since begun to also undertake general work such as conveyancing and civil litigation, and is beginning to take on more complex family law cases.

"I will take all the pro bono

criminal matters they throw at me," he says. "But I have to limit the family work as the workload involved is onerous and very time-consuming."

As a result of Roth's extra pro bono work, his daily workload is gruelling.

"It means I have to work seven days a week, and weekends," he told *LSJ*. "I need to do that to keep on top of everything, including the heavy compliance requirements of being a solicitor. But also to get to maintain the strong results."

Also difficult is dealing with the traumatic nature of many of the cases, and circumstances of his clients.

"The universe seems to send me the difficult cases, the people your heart really

goes out to," Roth said. "But dealing with that is something you incrementally adjust to."

"You can get very close to clients when cases stretch over long periods of time, but it is important to remain objective and detached in this kind of work."

Few lawyers would willingly take on so much extra work, for virtually no payment.

"Generally, the work is at much reduced rates," Roth says.

For Roth, money is not a driving factor.

"The increasingly Orwellian world that we live in and the erosion of civil liberties highlights the important work that pro bono and Legal Aid are doing, he said." □

JODIE THOMSON

Wright drew attention to the work of Dr Judy Stubbs, chair of the centre, who "has also been there for years". In fact, staff and volunteers have a history of long-term commitment to the Illawarra Legal Cen-

tre; some on the working party to set up the centre are still involved and others have been there for 10 to 20 years.

Highly commended in this section was Sue Mordaunt, who also became a volunteer

solicitor in 1985, assisting at the Kingsford Legal Centre. While working in a busy private legal practice, the centre says she has rarely missed her advice shift, where her experience and knowledge of fam-

ily law is highly appreciated. Sue describes herself as prioritising her work so that she can "give something back to the community" - she also provides pro bono advice and legal assistance to clients in a