

JUSTICE

ANNUAL REPORT
2013 – 2014



ESTABLISHED IN 1957,
JUSTICE IS AN ALL-PARTY
LAW REFORM AND HUMAN
RIGHTS ORGANISATION
WORKING TO STRENGTHEN
THE JUSTICE SYSTEM –
ADMINISTRATIVE, CIVIL
AND CRIMINAL – IN THE
UNITED KINGDOM.

OUR VISION IS OF FAIR,
ACCESSIBLE AND EFFICIENT
LEGAL PROCESSES,
IN WHICH THE INDIVIDUAL'S
RIGHTS ARE PROTECTED,
AND WHICH REFLECT THE
COUNTRY'S INTERNATIONAL
REPUTATION FOR UPHOLDING
AND PROMOTING
THE RULE OF LAW.

OUR VISION AND MISSION

We contribute to achieving our vision in three key ways:

1

PROVIDING EVIDENCE-BASED ANALYSIS AND PROPOSING PRACTICAL SOLUTIONS TO LAW- MAKERS, JUDGES AND RELEVANT PUBLIC SERVANTS.

2

STRENGTHENING THE LAW AND LEGAL PROCESSES BY REFERENCE TO INTERNATIONAL AND COMPARATIVE BEST PRACTICE, LOOKING ACROSS JURISDICTIONS, ACROSS TYPES OF LAW AND ACROSS THE LEGAL PROFESSION.

3

USING THE EXPERTISE OF OUR MEMBERSHIP TO STRENGTHEN OUR UNDERSTANDING OF THE CHALLENGES ARISING IN LEGAL PRACTICE AND OF POSSIBLE SOLUTIONS, WORKING WITH THEM TO EXECUTE OUR VISION.

We are a membership organisation, primarily of the legal profession, comprising judges, barristers, solicitors, legal executives, academics and interested non-lawyers.

Through our membership, we have strong connections with political decision-makers and the judiciary, and we work closely with both.

OUR MEMBERS ARE CRITICAL TO JUSTICE'S SUCCESS. THEY HELP SHAPE OUR PRIORITIES, THEIR EXPERTISE AND PERSPECTIVE PROVIDE A VALUABLE RESOURCE TO OUR STAFF AND THEY INCREASE OUR INFLUENCE.

FROM THE CHAIR



DEAR READER

It has been a particularly exciting year for JUSTICE, with the launch of a new strategy, loads of quality work and preparations afoot for our upcoming 60th anniversary.

Under the directorship of our amazing Andrea Coomber, the new strategy was launched by the Lord Chief Justice, Lord Thomas of Cwmgiedd in March 2014.

It sees JUSTICE return to a focus on the justice system – administrative, civil and criminal – and the rights of individuals within it. It will also have JUSTICE work more closely with our individual and corporate members through working parties dedicated to particular aspects of law reform. Andrea has very much returned JUSTICE to its roots and to its members.

I don't need to tell you that this is a perilous time for the justice system. Legal aid has been slashed, judicial review is under attack and the foundations of our justice system are ever more shaky. The need for a strong, non-partisan voice from the legal world has never been more critical.

As a Peer I am a 'consumer' of JUSTICE's briefings on legislation, which can always be relied upon to be thorough, thoughtful and balanced in approach. And a former Supreme Court judge recently told me how vital the interventions of JUSTICE are on complex issues. I find it incredible that, at present, all of its policy work – the work

in Parliament and in the courts, and all of the research and analysis this demands – is delivered by only two and a half lawyers. Andrea is keen to expand the legal staff to increase the number of projects and impact. Obviously, we need funds to do this.

In October this year, JUSTICE will launch the Securing JUSTICE at 60 Appeal, which aims to raise £2million in the next three years, in advance of our 60th anniversary in 2017. Chaired by the incredible Karyl Nairn QC, an Appeal Committee has been established to lead this effort. This is JUSTICE's first appeal in 20 years, and it's needed to repair and renovate JUSTICE'S home at Carter Lane, as well as expand the staff complement to meet the challenges of the new strategy.

If you have money, please make a donation to JUSTICE. If you know people who have money, please ask them to support JUSTICE. It is, in Tom Bingham's words, 'the conscience of the legal profession' and we've never needed one more.

A handwritten signature in dark ink that reads "Helena Kennedy".

BARONESS HELENA KENNEDY OF THE SHAW'S QC
CHAIR, JUSTICE COUNCIL

FROM THE DIRECTOR



DEAR READER

This has been another year of transition for JUSTICE. We have a new strategy, which has been roundly welcomed and returns us to distinctly JUSTICE territory.

We know what we have to do; now we need the resources to do it. As Helena has noted, we are about to embark upon a major appeal to raise £2million by 2017. I haven't proposed this lightly; JUSTICE's financial position is poor. Our expenditure is tightly controlled, but we need to raise income to meet it. We own a Victorian building in the City, which is an incredible asset and provides a great home for the organisation, but it needs urgent repair and renovation. We also have a tiny staff to deliver a huge amount of work, and to meet the multiple challenges of the new strategy. We'd like to be intervening in more, important cases, dedicating more time to increasing the capacity of MPs and Peers on good law and legal process, and working on issues such as mental health in the criminal justice system, privatisation of the justice system, and on reform of the administrative justice landscape... but we need staff to do this.

The Appeal is aimed to raise funds for JUSTICE, but also to raise our profile and increase our membership. Over the next three years, we will be holding lots of events for members – some involving speeches by eminent jurists, others focused on social reflections of law and justice, initially through the lens of literature. We hope that you will support these events, and encourage others to support them. And that you will consider making a donation, as your means allow, to enable us to increase our work.

My thanks to our fantastically committed staff, there are only 6.5 of us (2.5 lawyers), our Board and Council, as well as to our members for all of your support over the past year. With your continued support, we will get there!

A handwritten signature in black ink, which appears to read 'Andrea Coomber'. The signature is written in a cursive style and is followed by a period.

ANDREA COOMBER
DIRECTOR

JOIN JUSTICE

JUSTICE is the conscience of the legal profession – be a part of it

AS A MEMBERSHIP
ORGANISATION, OUR MEMBERS
ARE AMONG OUR GREATEST
ASSETS. HERE ARE JUST FIVE OF
THE REASONS WHY YOU SHOULD
JOIN JUSTICE.

“Through corporate membership, the lawyers in our London office are working with JUSTICE’s working party to shape civil justice reform in the UK. The comparative nature of this work means that we are able to draw in our international offices, capitalising on their experiences and insights. JUSTICE’s focus on access to justice and its all party approach resonates with us. We have in the recent past been involved in landmark third party interventions in the Supreme Court and hope that through our corporate membership there will be more opportunities to assist on such cases going forward.”

Andrew Lidbetter
Partner, Herbert Smith Freehills LLP

WE ARE INDEPENDENT

Because it is not party political, JUSTICE commands respect throughout the political spectrum. We have representatives from each of the main political parties on our governing body.

WE ARE EXPERT

JUSTICE draws on international research and caselaw, and the specialist input of experts to provide the template for public policy.

WE ARE INFLUENTIAL

JUSTICE has a membership of prominent barristers and solicitors, distinguished academics, leading firms and chambers and many individuals and organisations engaged in human rights.

WE ARE EFFECTIVE

Through influential reports and informed dialogue, we continue to play a key role in amending and developing the law, government policy and the practice of public authorities.

WE ARE INTERNATIONAL

As the British section of the International Commission of Jurists (ICJ), we work with colleagues from across the world on areas of common interest and concern.

JUSTICE IN THE COURTS

“THE MOST FREQUENT [INTERVENERS] ARE NGOS SUCH [AS...] JUSTICE, WHOSE COMMITMENT IS USUALLY TO A PRINCIPLE RATHER THAN A PERSON [...]”

Who Guards the Guardians?
Baroness Hale of Richmond
October 2013

BETWEEN 2009-2013, JUSTICE WAS THE LEAD INTERVENER IN THE UK SUPREME COURT, INTERVENING IN OVER EIGHT PERCENT OF ALL CASES.

JUSTICE is committed to third party interventions in cases likely to have a functional impact on the effective and fair operation of the justice system as a whole, where our expertise may assist the court. While this work has come under particular political challenge this year, the broad support for the work of JUSTICE and other interveners, particularly from former Law Lords and Supreme Court Justices has been encouraging.

From the first tier tribunal to the Supreme Court; from questions of jurisdiction and justiciability to post-conviction disclosure, our litigation teams have worked to help our judges reach better decisions supported by the common law, comparative practice and international standards.

- In Nunn we joined with the Criminal Appeal Lawyers Association and Innocence UK at the Supreme Court to argue for a fair approach to post-trial disclosure for those seeking to challenge their convictions.
- In Belhadj – working together with the International Commission of Jurists, Amnesty International and REDRESS – we caution the Court of Appeal against endorsing an interpretation of the ‘act of state’ doctrine which would give domestic officials immunity against suit in claims of serious wrongdoing, out of step with comparative practice and international law.
- In Human Dignity Trust, again with REDRESS, we pursued an intervention before the first tier tribunal in an appeal which saw the Charities Commission adopt a very restrictive interpretation of ‘advancement of human rights’ for the purposes of the Charities Act 2011.

RESEARCH AND ANALYSIS: THE FUTURE OF JUSTICE

INSIDE POLICE CUSTODY – LEARNING FROM EACH OTHER, DISSEMINATING GOOD PRACTICE

December 2013 saw the publication of *Inside Police Custody*. The outcome of research conducted by JUSTICE, together with the Universities of Maastricht, Warwick and the West of England, this publication provides a cross jurisdictional review of best practice at the police station, focusing on the rights of suspects in custody, in a pragmatic way. Working across France, England and Wales, the Netherlands and Scotland, JUSTICE and the research team combine analysis and commentary to produce training guidelines for lawyers and police officers involved in police detention across the EU. We made a series of recommendations for legislative and policy changes designed to better secure individual rights in practice. Since publication, our director of EU Justice and Criminal Policy has provided hands on training for police and lawyers in the UK, the US and in China.

**“[A] FINE PIECE OF EMPIRICAL WORK...
A MUST-READ FOR STUDENTS, ACADEMICS
AND LAWYERS ACROSS EUROPE...”**

Dr Layla Skinns, University of Sheffield
Crim. L.R. [2014]w, 8, 625-629

DELIVERING JUSTICE IN AN AGE OF AUSTERITY

As part of our new strategy JUSTICE is returning to working more closely with our members. In March 2014 we launched a working party of our membership focused on ‘Delivering Civil Justice in an Age of Austerity’.

The working party is chaired by The Rt. Hon. Sir Stanley Burnton, who is joined by Geoffrey Bindman QC, Carlos Dabezies, Amanda Finlay CBE, Professor Rosemary Hunter, Sir Paul Jenkins KCB QC, Andrew Lidbetter, Andrew Lockley, Nigel Fleming QC, Shiva Riahi, Lucy Scott-Moncrieff and Professor Richard Susskind OBE. Their work is generously supported by Herbert Smith Freehill LLP.

UPCOMING PROJECTS WATCH THIS SPACE
IN THE COMING MONTHS WE WILL LAUNCH
A NEW WORKING GROUP ON COMPLEX AND
LENGTHY TRIALS AND A NEW WORK STREAM
DEDICATED TO ADMINISTRATIVE JUSTICE.

BETTER UNDERSTANDING JUSTICE

Central to JUSTICE's mission is bringing a better understanding of good law and legal process to those who make our laws.

Throughout the year we have worked with Westminster and Whitehall (and with Holyrood and Leith, and with Brussels and Strasbourg) to highlight the significant implications of policy initiatives for civil, criminal and administrative law and practice.

A major strand of our work for this year has seen us focus on government initiatives looking at austerity and its impact on justice. From the implementation of the Transforming Legal Aid programme by the Ministry of Justice to the imposition of new fees for criminal defendants in the Criminal Justice and Courts Bill, we have been well placed to provide practical briefings for officials, MPs and Peers, in writing and in person, free from party political influence.

On Transforming Legal Aid, for example, JUSTICE has produced step-by-step briefings on each of the Regulations introduced by the government to implement their proposals to cut legal aid for prisoners in treatment cases, for non-residents, for borderline cases and to restrict access in judicial review claims. This case is now on appeal and JUSTICE is considering the merits of an intervention.

Another key piece of work this year centred on the Anti-Social Behaviour, Crime and Policing Bill for which we produced briefings,

39 BRIEFINGS AND REPORTS PRODUCED BY JUSTICE FOR
MPS AND PEERS LAST YEAR.

JUSTICE analysis was cited by the Public Law Project in support of their judicial review challenge to the introduction of the residence test.

met with Parliamentarians and civil servants, and joined other NGOs to raise concerns, including the significant reform proposed intending to make it much easier to obtain an injunction through civil courts. This work achieved success in the Lords, with the proposed definition of anti-social behaviour being narrowed to remove annoyances from meeting the test. An initial success concerning changes to the availability of appeals in extradition cases where the majority decision in *Adams*, a case we intervened in in 2011, replaced the proposal that would make it virtually impossible to obtain compensation unless a finding of innocence had been made, was also achieved, sadly the Commons reinserted the test in a later Reading.

We are also engaged with emerging policy, producing detailed responses to the Government's review of the balance of competencies between the EU and Westminster, on the Council of Europe's consultation on the Future of the European Convention on Human Rights and the Deportation with Assurances Review, and Privacy Inquiry.

After extensive briefing on proposed changes to the rules on corroboration in Scots criminal law by JUSTICE Scotland, the Scottish government has withdrawn its proposals pending further consideration of safeguards.

BRINGING PEOPLE TOGETHER FOR JUSTICE

This year has seen us focus more clearly on our mission to bring people together in support of the justice system.

We continue to host popular briefings for MPs and Peers, and for our members, with practitioners in the field on legal issues relevant to their work, bringing law-makers together with those on the front line to answer questions crucial to the future of justice.

“@JUSTICEhq: STANDING ROOM ONLY – ‘THE FUTURE OF JUDICIAL REVIEW’. GREAT EVENT – GOOD IDEAS TO FIGHT BAD PROPOSALS.”

John Wadham @Johnwadham

After another successful Annual Human Rights Law Conference in 2013, this year we bring the event in-house. By working without a commercial partner, we can make the event cheaper and more accessible for participants across the professions, working in both the private and public sector. This year’s event – on 20 October 2014 – will see keynotes from Lord Pannick QC of Blackstone Chambers and from Gareth Pierce of Birnberg Peirce.

62,188 INDIVIDUALS
VIEWED JUSTICE’S
WEBSITE LAST YEAR.

JUSTICE HOSTED OR
CONTRIBUTED TO
41 EVENTS LAST YEAR.

The Strategy sees us strengthen our commitment to all our members, including our student members. This year’s Annual JUSTICE Student Human Rights Network Conference, in March, brought together around 150 people to hear from leading practitioners, including Ben Emmerson QC, the UN Special Rapporteur on Counterterrorism and Human Rights. This year’s winter event saw the students keep Baroness Helena Kennedy on her toes with a friendly Q & A on her life in the law.

“EXCELLENT @JUSTICEhq#JSHRN14 CONFERENCE TODAY. THANKS TO @FRESHFIELDS FOR HOSTING, AND TO ALL THE EXCELLENT SPEAKERS!”

CILEx @CILExLawyers, March 22 2014

Next year, with recent funding from the Legal Education foundation, we also plan to reinvigorate the JSHRN online, to create a valuable and unique resource to enhance the education, employability and careers of law students interested in human rights and access to justice issues.

Our impact online continues to grow. 2014 sees the launch of our new, revamped website, still at www.justice.org.uk.

Join our other 4000+ followers on Twitter @JUSTICEhq for another way to keep in touch with our work.

ORGANISATION

JUSTICE IS EXTREMELY GRATEFUL TO THE MEMBERS, DONORS, FRIENDS OF JUSTICE, VOLUNTEERS, INTERNS, CONFERENCE SPEAKERS, PRO BONO LAWYERS AND CONSULTANTS, WORKING GROUP AND COMMITTEE MEMBERS WHO HAVE HELPED US OVER THE PAST YEAR. WE ARE VERY LUCKY TO HAVE SUCH LOYAL SUPPORTERS – THEY ARE OUR LIFE BLOOD.

MEMBERSHIP

JUSTICE is a membership organisation, and our members are among our greatest assets. Our members span from law students through the ranks of the profession to retired lawyers and judges. They include practitioners of all different types of law, and all branches of the profession. While our members cover the spectrum of politics, they share a common concern in maintaining the integrity of the justice system in the United Kingdom.

We currently have just over 1,200 members. The new strategy aims to increase the number of members over the coming three years through greater engagement and communication and increasing the profile of JUSTICE.

STAFF

This year we said a fond farewell to Sam Watson, Director of Promotion and Production and Nelinda Mericle, Interim Finance Manager. We welcomed Ruchi Parekh as Legal Officer, Katherine Stanton-Saringer as Fundraising Manager and Sarah Bond as Membership and Communications Coordinator. We continue to work closely with a number of interns and as of 2014, we are proud to be offering paid internships at the London Living Wage.

AGM

The 2013 Annual Subscribers' and Annual General Meetings took place at Freshfields Bruckhaus Deringer on Tuesday 15 October.

Eleven members retired from Council;

Richard Drabble QC

Anthony Edwards

Professor Conor Gearty

Professor Elspeth Guild

Lord Lester of Herne Hill QC

Judge David Mackie CBE QC

Shaheen Rahman

Ingrid Simmler QC

Lord Brennan QC

Richard Clayton QC

Dr Pavlos Eleftheriadis

Jemima Stratford QC resigned from the Executive Board.

JUSTICE thanks them for their contribution to the governance and stewardship of the organisation.

FINANCE

FINANCE

JUSTICE has had a tough financial year with an operating deficit of £75,376, slightly better than the deficit of £88,292 in 2012/13.

The board is clear that our current trading position is not acceptable over the mid- and long-term and that it is a priority to balance our books.

The strategic review identified greater investment in income generation as being a key priority for the organisation. To this end, we will be launching a multi-year appeal to allow us to implement the strategy and secure JUSTICE as it enters its 60th year in 2017.

JUSTICE'S INCOMING RESOURCES IN 2013/14 TOTAL £358,434

DONATIONS
43%

MEMBERSHIP
23%

ACTIVITIES FOR
GENERATING FUNDS
17%

RESEARCH & EDUCATION
11%

DONATED SERVICES 3%

INVESTMENT INCOME 2%

LEGACIES 1%

JUSTICE'S RESOURCES EXPENDED IN 2013/14 TOTAL £433,810

RESEARCH AND EDUCATION
73%

COST OF GENERATING FUNDS
14%

GOVERNANCE
8%

MEMBERSHIP 5%

FINANCE COMMITTEE

Chair

Nicholas Aleksander

Peter Binning

Professor Richard de Friend

Walter Merricks CBE Professor

Martin Partington CBE QC

FUNDRAISING COMMITTEE

Chair

Professor Martin Partington

CBE QC

Nicholas Aleksander

Peter Binning

Alexandra Marks

Jerry L Smith

STAFF AND GOVERNANCE

JUSTICE STAFF

Director Andrea Coomber
Director of Human Rights Policy
Angela Patrick
**Director of Criminal and EU
Justice Policy** Jodie Blackstock
Head of Operations
Samantha BurrIDGE
Legal Officer
Ruchi Parekh (from Sept 2013)
Fundraising Manager
Katherine Stanton-Saringer
(from Sept 2013)
**Membership and
Communications Coordinator**
Sarah Bond (from May 2014)
Interim Finance Manager
Nelinda Mericle (until Dec 2013)
**Director of Promotion
and Production**
Sam Watson (until Feb 2014)
Volunteer Researcher Chris Pearce
Volunteer Database Administrator
Silvia Tancredi
Events and Fundraising Volunteers
Beth Miller and
Mirella Manhombó

INTERNS

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Sam Coe
Nicholas Craigen
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Alastair Livesey
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Nadia O'Mara
Charles O'Sullivan
David Smith
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(Also serving on Council)

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David Widdicombe QC

THANK YOU

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The Hon. Mr Justice Bean
His Honour Judge Bing
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Derek Sloan
Jerry L Smith
Jemima Stratford QC
Patrick Teague
Vanni Treves CBE
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Rt Hon. Lord Woolf of Barnes
PC FBA

SPEAKERS

Douglas Alexander MP
Zahra Al-Rikabi
Alex Bailin QC
Sir Geoffrey Bindman QC
Kirsty Brimelow QC
Robert Buckland MP
Ulele Burnham
Parosha Chandran

THANK YOU

Graham Colley	Maura McGowan QC
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WWW.JUSTICE.ORG.UK.



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JUSTICE

59 Carter Lane
London EC4V 5AQ

Tel 020 7329 5100

Fax 020 7329 5055

Email admin@justice.org.uk

Website www.justice.org.uk

Twitter [@JUSTICEhq](https://twitter.com/JUSTICEhq)

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