



JUSTICE

HUMAN RIGHTS CONFERENCE

4 November 2022



ABOUT JUSTICE

JUSTICE is a cross-party law reform and human rights organisation working to strengthen the justice system in the United Kingdom.

We are a membership organisation, primarily of the legal profession, comprising barristers, solicitors, legal executives, academic lawyers, law students and interested non-lawyers. We work on an all-party basis, seeking to inform debate, frame issues and influence decision-makers from across the political spectrum.

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.

You can find out more about our work and our membership online at justice.org.uk.



**CELEBRATING 65 YEARS OF PROTECTING THE RULE OF LAW,
HUMAN RIGHTS AND ACCESS TO JUSTICE.**

**Welcome to the JUSTICE Annual Human Rights
Law Conference 2022**

Thank you so much for joining us today.

The past year has seen significant challenges to our system of human rights in the UK and the rule of law. Today gives us the opportunity to reflect upon developments and consider the road ahead. I hope that you will make the most of the day by asking questions of our fantastic speakers and panellists, and by sharing your own experiences and concerns.

JUSTICE has been at the forefront of human rights protection in this country for 65 years and our success is rooted in our amazing membership. If you are not already a member or a Friend of JUSTICE, please do take this opportunity to find out more about how you can support our work and do speak to one of our team.

I will be around all day and would love to chat about our work – past, present, and future.

Finally, my enormous thanks to everyone who has made today possible. First and foremost, to our speakers and panellists, who have so generously agreed to share their time and insights. We are hugely grateful to Allen & Overy LLP for hosting this conference, meaning that every penny from every ticket sold goes directly to fund our work.

JUSTICE is a small charity with a big mission – we are thrilled that you've chosen to support us by coming along today.

With warmest wishes,

A handwritten signature in black ink, appearing to read 'Fiona'.

Fiona Rutherford
Chief Executive

4 November 2022

PROGRAMME

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09:00 - 09:30 Registration

09:30 - 11:00 Keynote Addresses

11:00 - 11:30 Coffee Break

11:30 - 13:00 Morning Breakout Sessions

13:00 - 13:45 Lunch

13:45 - 15:15 Afternoon Breakout Sessions

15:15 - 15:30 Coffee Break

15:30 - 17:15 Fireside Chat and Plenary Debate

Breakout sessions

Judicial Review

Chair: Catherine Callaghan KC, Blackstone Chambers,
Chair of the Constitutional and Administrative Law Bar Association
Tessa Gregory, Leigh Day
Sarah Hannett KC, Matrix Chambers
Shu Shin Luh, Doughty Street Chambers

Judicial review is a vital mechanism by which the state is held to account and by which individuals are able to enforce their individual rights. Against the backdrop of recent proposals to repeal the Human Rights Act and replace it with a Bill of Rights Bill, this session will review key judicial review cases and themes of the past year.

The session will discuss: discrimination claims under Article 14 of the European Convention on Human Rights (ECHR) post *SC v Secretary of State for Work and Pensions* and *A and B v Criminal Injuries Compensation Authority*; positive obligations under the ECHR and the rule of law; and the territorial reach of the Human Rights Act.

Family Law

Chair: Mrs Justice Gwynneth Knowles DBE
Andrew Bagchi KC, 1GC Family Law
Mani Basi, 4PB
Professor Jo Delahunty KC, 4PB
Teertha Gupta KC, 4PB

Every day, the Family Court adjudicates over the most personal ties within society. It considers not only what may have happened in the past but also deduces what is likely to happen in the future, whilst navigating major interferences with the private and family lives of often vulnerable individuals.

This session will discuss various updates from the Family Court in the last twelve months – including public children cases, non-consensual adoption and post-adoption contact, and the identification and accommodation of vulnerability – and consider emerging challenges for the coming year.

Inquests and Inquiries

Chair: the Right Reverend James Jones KBE
Adam Chapman, Kingsley Napley
Deborah Coles, Executive Director of INQUEST
Allison Munroe KC, Garden Court Chambers
Ken Sutton, Director of Hillsborough Independent Panel

Inquests and inquiries are the justice system's response to the most traumatic events individuals and society endure. The past year saw the establishment of the Covid-19 Inquiry to examine the Government's response to, and impact of, the Covid-19 pandemic. It also saw the start of the Angiolini Inquiry into the murder of Sarah Everard by a serving police officer. Both inquiries promise lessons learned, but questions have been raised over the ability of inquests and inquiries to create lasting change. This year also marked the 5th anniversary of the Grenfell Tower fire and the start of the Grenfell Tower Inquiry. However, little progress has been made toward implementing the recommendations put forward by the Inquiry so far.

This session will consider the extent to which inquests and inquiries can bring about meaningful action, and how the system could be reformed to ensure recommendations do not simply disappear for lack of political will. It will also examine the inquests and inquiries framework through the lens of the state's human rights obligations, as a fluid and evolving area of law.

Breakout sessions

Crime

Chair: Simon Creighton, Founding Partner, Bhatt Murphy

Raj Chada, Head of the Criminal Defence, Financial Crime and Regulatory Department, Hodge Jones & Allen

Dr Adam Elliott-Cooper, Queen Mary University of London

Sal Naseem, Regional Director for London, Independent Office for Police Conduct

The misconduct and improper use of police powers is a chronic issue - from the MacPherson report in the 90s to the Metropolitan Police's response to the Sarah Everard vigil in 2021. Proper scrutiny of police powers is essential in a democratic society. This is all the more pertinent given that several forces, from London to Manchester, are in special measures. Trust in the police, and their role in tackling crime is low among victims and the general public, especially Black, Brown and Racialised communities.

This session will consider recent developments in criminal law and actions against the police, particularly in the aftermath of the pandemic and the promised 20,000 increase in police officers by 2024. It will also look forward, considering the role of the police, structures of accountability, and their expanded powers, pursuant to the Police, Crime, Sentencing and Courts Act 2022, as well as the Public Order Bill.

Social Welfare

Chair: Judge Verity Jones

Anela Anwar, Z2K

Liz Davies KC, Garden Court Chambers

Tom Royston, Garden Court North Chambers

At a time when the soaring cost of living crisis is hitting the most vulnerable in our society the hardest, the need for a robust social welfare system is greater than ever. This session provides an opportunity to take stock of how the welfare benefits, and housing landscapes have changed over the past year.

It will review developments in housing and human rights, examine the key issues that have been preventing or delaying people from accessing the benefits they are entitled to, and look at how the courts approach challenges to social welfare policy.

Immigration and Asylum

Chair: Sonali Naik KC, Garden Court Chambers

Liz Barratt, Bindmans

Adrian Berry, Garden Court Chambers

Alison Pickup, Director of Asylum Aid

Whilst immigration and asylum law is ever-changing, this year has seen more change than most. The Supreme Court drew a line of institutional competence and deference between the courts and the executive in Begum; Parliament passed the Nationality and Borders Act 2022; and Government attempted to implement its Rwanda policy.

Meanwhile, further explicit threats to the rights of those liable for deportation are promised in the currently shelved Bill of Rights Bill. This session will attempt to cover this wide ground, whilst asking where next for human rights in immigration and asylum.

