

JUSTICE Strategy

2014–2016



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JUSTICE Strategy 2014–2016

JUSTICE was established in 1957 and became the UK section of the International Commission of Jurists a year later.

As described by our first Chair, Hartley Shawcross, JUSTICE seeks to advance the fair administration of justice and to persuade decision-makers by the strength of our legal research and reasoned argument. This remains our way of working today. Over the years, JUSTICE has maintained a reputation for being far-sighted, independent and practical in its approach to law reform.

In early 2013 the JUSTICE Council asked JUSTICE's new Director, Andrea Coomber, to review our strategy and priorities, so that they would be well defined and readily comprehensible to all of JUSTICE's stakeholders and, above all, would enable the organisation to respond fully and effectively to the challenges which the legal system is likely to face in coming years.

This resulting review recommended that, to achieve this, JUSTICE should:

- focus on how the systems of civil, criminal and administrative justice are operating in practice, and how human rights are protected within them;

- identify the areas in which there appears to be the greatest and most pressing need for reform;
- conduct high quality, and tightly managed, projects to determine appropriate policies for each for the areas concerned; and
- use the unrivalled professional and cross-party expertise of JUSTICE's membership in working parties which would be established to guide and support the projects.

The review set out the view that this approach would enable JUSTICE to demonstrate its traditional commitment to human rights and the rule of law; but in ways that would build upon our recognised strengths in the promotion of practical legal and policy reform, as it did when JUSTICE proposed the establishment of institutions such as the Ombudsman system and the Criminal Injuries Compensation Board decades ago. Indeed, the justice system has been a constant in the organisation's work over our 57-year history. So, for example, much of JUSTICE's human rights work in recent years has focused on those rights which relate most closely to the operation of the justice system itself, such as our lead role in putting the case – in the courts and in Westminster – against the extension of 'secret evidence' into civil proceedings.

Recognising that no other organisation is focused on the justice system in this way and that JUSTICE is particularly well placed to do so, the Council endorsed the new strategic direction in June 2013.

Context

The importance of the justice system cannot be overstated. It is at the heart of the UK constitution – the rule of law safeguards democracy and relies on an independent, effective and fair justice system to uphold it. When the justice system is undermined, the entire system of government is undermined.

The cornerstone of JUSTICE's work is high quality, evidence-based research

However, the UK justice system is not just important domestically. As the birthplace of the common law, this country is held up as a 'Gold Standard' for the way in which legal systems should operate the world over. The UK Supreme Court – and the House of Lords before it – is arguably the most authoritative source of legal precedent in common law jurisdictions which cover 30 per cent of the world's population. Throughout the countries

of the Council of Europe, the UK courts – through their interpretation of the Human Rights Act 1998 – are seen to lead domestic interpretation of the European Convention of Human Rights, and international human rights standards more generally. Increasingly, this country is the jurisdiction of choice for international commercial disputes because, in the words of the Lord Chancellor, 'a decision from a UK court carries a global guarantee of impartiality, integrity and enforceability'.

At the time of writing, the justice system is facing particularly acute challenges. For example, cumulative cuts to legal aid, court closures, restrictions on judicial review and increasing privatisation of the justice system – all in the name of saving the public purse – are transforming the way in which justice is delivered and the way in which it is experienced by individuals. These challenges are likely to be ongoing regardless of the government of the day. In addition, there are aspects of the justice system that are antiquated and in need of reform to be able to respond adequately to modern challenges. Analysis and innovation are required.

Our work

The cornerstone of JUSTICE's work is high quality, evidence-based research. This draws heavily on international and comparative experience – looking across jurisdictions, across types of law and across the experience of different segments of the legal profession.

We use this research and analysis to generate, develop and evaluate ideas about the justice system, which we deploy in a number of ways. First, to strengthen judicial analysis of particularly difficult legal issues through third party interventions in superior domestic and regional courts. JUSTICE is the lead intervener in the UK Supreme Court, intervening in over eight percent of all cases. JUSTICE interventions are characterised by their thorough, balanced and comparative approach, and have been widely praised for their usefulness by senior judges.

Second, research is used to promote a better understanding of the fair administration of justice and human rights among political decision-makers and civil servants. JUSTICE regularly briefs ministers and shadow ministers and their staff, as well as MPs and Lords on issues of the day. JUSTICE's all-party approach is critical to the seriousness with which it is taken in Westminster and Whitehall.

We use (this) research and analysis to generate, develop and evaluate ideas about the justice system

Finally, JUSTICE shares its research with its members and other interested parties, discussing and framing key policy debates of the day.

While traditionally most of JUSTICE's work has focused on the legal system in England and Wales, in 2012 it established a branch: JUSTICE Scotland. Through this strategy, JUSTICE will continue to work with members in Scotland to bring JUSTICE-style research and analysis to their discussions of law and process. JUSTICE will also explore ways of working in a more concerted fashion in Northern Ireland and to extend activities and events outside of London.

Key objectives for 2014–2017

We will develop and deliver specific projects in-house and with the support of our members, crystallised around the following objectives.

1. We will lead research and analysis on the operation of the justice system as a whole, and the systems of administrative, civil (including family) and criminal justice specifically. As the UK section of the International Commission of Jurists, we will monitor the UK's role in the international justice system.

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2. We will lead research and analysis of the human rights of individuals within the justice system, including but not limited to rights to fair trial, access to justice and equality. We will work to ensure that individual rights are enforceable through the domestic justice system. The EU programme on procedural rights will form part of our work.
 3. We will lead research and thinking around the role of third party interventions in court proceedings, and will continue ourselves to intervene in appropriate cases before superior courts domestically and regionally.
 4. We will develop a number of projects supported by working parties of our membership. While these will be established on a rolling basis, they will include projects on:
 - a. delivering justice in an age of austerity (launched in March 2014);
 - b. the impact of digital technology and social media on the justice system;
 - c. a review of the administrative justice landscape;
 - d. the experience of people with learning difficulties and mental health problems in the criminal justice system;
 - e. the experience of women in the justice system;
 - f. the judiciary (following our reports of 1971 and 1993); and
 - g. privatisation and the justice system.
 5. We will hold events – including conferences, lectures and seminars – to increase the exchange of ideas on issues of the day, both within the JUSTICE membership and with external stakeholders.
 6. We will deepen our work with Westminster and Whitehall, bringing a stronger understanding of good law and legal process to politicians across the political spectrum and civil servants.
 7. We will increase our engagement with the JUSTICE Student Human Rights Network (JSHRN), by sharing our work, arranging regular events and deploying the JSHRN in the execution of the new strategy. We will offer paid internships to members of the JSHRN.

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. We aim to increase the number of members over the coming three years by greater engagement and communication with the membership, and through increasing the profile of JUSTICE. We will take three main steps to achieve this.

First, we will involve members actively in working parties established to oversee and execute the projects outlined above. Throughout our history we have used such working parties – which have been responsible for some of our most influential and significant reports – in order to enable us to draw, as fully as possible, upon our members’ vast range of expertise and experience. We plan to have three working parties, each sponsored and supported by one of our corporate members and assisted by our own professional staff, operating at any given time.

Second, we will ask our most expert and eminent members to lead quarterly seminars, for the benefit of other members.

Finally, we depend very heavily upon and greatly appreciate the wide range of support we obtain from the legal community as a whole. However, when considering with whom we will work – for example, representing us in third party interventions, participating in (or sponsoring and hosting) our conferences and seminars, or helping to author our publications – we prefer to work with individuals, firms and chambers who have demonstrated their support for JUSTICE and its objectives by becoming members. We will, therefore offer these opportunities to work with us, all other things being equal, to our members.

Finance and fundraising

Recent years have been challenging financially for JUSTICE. The new strategy will see a focus on sustainable income generation, from trusts and foundations, as well as from individual and corporate giving. In late 2013 we recruited a fundraiser who leads our fundraising efforts, supported by Fundraising and Finance Committees of our Board.

Our priority in the coming three years will be on generating more income to allow for the expansion of our staff complement to meet the challenges identified in this strategy. While we own 59 Carter Lane, the building is in need of repair. We need to invest to ensure that it can provide a safe and comfortable base for our staff, and a welcoming space for meetings of our partners and members.

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 sixtieth year in 2017.

About us

The focus for all of JUSTICE's work is the fair, accessible and efficient operation of the justice system – encompassing administrative, civil and criminal justice, both outside and within the courts and tribunals – and the human rights of individuals within it.

JUSTICE is a membership organisation, primarily of the legal profession, comprising judges, barristers, solicitors, legal executives, academic lawyers, law students and interested non-lawyers.

JUSTICE works on an all-party basis, seeking to inform debate, frame issues and influence decision-makers from across the political spectrum.

JUSTICE works across the United Kingdom, including in the British Overseas Territories. JUSTICE is the UK section of the International Commission of Jurists.

Vision

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.

Mission

We contribute to achieving our vision in three key ways:

- providing evidence-based analysis and proposing practical solutions to law-makers, judges and relevant public servants;
- 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; and
- 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.

Values

- We act with integrity, protecting our independence, objectivity and all-party approach.
- We strive for excellence in all aspects of our work.
- Our work is considered and practical in approach.
- We strive to be forward looking, anticipating and setting the agenda for reform of the justice system.
- We work collaboratively within JUSTICE and with our partners, seeking consensus where at all possible.

What we do

- We carry out research and analysis to generate, develop and evaluate ideas for law reform. In doing so, we draw on evidence, experience and expertise from the United Kingdom and across the world.
- We intervene in superior domestic and international courts, sharing our research, analysis and arguments with courts to support their work and promote strong and effective legal judgments.
- We promote a better understanding of the fair administration of justice among political decision-makers and public servants.
- We bring people together to discuss critical issues about the justice system, and to provide a thoughtful legal framework to policy debates.

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