



Join JUSTICE

Make a difference



'Dear Mum' © Patrick Maguire
Artist and child victim of miscarriage of justice

About JUSTICE

JUSTICE is an independent law reform and human rights charity working to improve the justice system – criminal, civil and administrative - in the United Kingdom. Our vision is of fair, accessible and efficient legal processes, in which people's rights are protected, and which reflect the country's international reputation for upholding and promoting the rule of law. In Scotland we work under our title JUSTICE Scotland and through the assistance of our expert volunteers.

For most people, the UK legal system is unaffordable and difficult to understand. This is creating a two-tier justice system that excludes or misrepresents people of moderate means as well as the most vulnerable in our society.

For much of our history, JUSTICE investigated claims of wrongful conviction. Now JUSTICE acts as a bridge between the public and the legal system, conducting research, briefing Parliamentarians and intervening in key cases in the public interest.

JUSTICE works to ensure that every person receives access to justice.



Our research is achieved primarily through working parties. We rely on our members and other experts to help us identify where the system is faltering and arrive at practical, evidence-based solutions that will ensure fairer processes for all. These recommendations are published in our working party reports which are sent to all relevant legal bodies and personnel and made available online.

Our work doesn't stop when a report is published. Implementation is a key part of each project and continues as long as there is work to be done. Our convening power gives us influence with senior decision-makers to change the discourse around the quality of our justice system and ensure fairer processes for all.

Our working parties

Criminal Justice

We have an excellent track record on criminal justice reform. Features of the legal infrastructure that are taken for granted – the Crown Prosecution Service, the Criminal Cases Review Commission and more – were proposed by JUSTICE. Our recent work has focussed on addressing the delays and complexities during investigation and trial, while recognising the needs of vulnerable victims and defendants. The right to a lawyer in police custody has been our most significant contribution to Scottish law reform so far. Our work in Scotland has predominantly focussed on the criminal justice system, given the significant changes introduced as a consequence of the *Cadder v HM Advocate* case in 2010 (see In Focus).

Administrative Justice

Our work in this area helps to ensure that individuals can effectively enforce their rights against the State. This is showcased historically through our work on the Human Rights Act, the Freedom of Information Act and the Ombudsman system. In Scotland, we produced a guide for Parliamentarians on how the law in Scotland operates, along with human rights, equality duties and EU law, in order to enhance their understanding during the passage of procedural legislation. Since 2018, JUSTICE has provided the Secretariat for the Administrative Justice Council, which is chaired by the Senior President of Tribunals and advises government and the judiciary. There is Scottish representation on the Council including Lady Anne Smith, President of Scottish Tribunals and Rosemary Agnew, the Scottish Public Services Ombudsman.

Civil Justice

Our civil justice work has been instrumental in shaping the structural changes to Her Majesty's Courts and Tribunals (HMCTS) Reform Programme. Our recommendation for a registrar (or case officer) to ease the administrative burden on judges has been realised. We continue to work with HMCTS to ensure digitisation improves the experience of justice. We are currently looking at how our system could more effectively and fairly deal with housing disputes.

System-Wide

Some issues affect the entire justice system and we work where systemic change is needed. Recently we have highlighted the racial and gender disparity in our judiciary and continue to call for inclusive recruitment processes. We have also demonstrated that hearings can be unnecessarily intimidating, confusing and upsetting for lay people and recommended accessible language and procedure to ensure their effective participation. Currently we are investigating how the justice system can better respond to major incidents through inquests and inquiries.

Our recent Working Party Reports

Complex and Lengthy Criminal Trials (2016)
Mental Health and Fair Trial (2017)
Legal assistance in the police station (2018)
Prosecuting Sexual Offences (2019)

Our Working Party Chairs

Sir David Calvert-Smith
Sir David Latham
Lord Eassie
HH Peter Rook QC and
Sheriff Nigel Morrison QC

Our recent Working Party Reports

Law for Scottish Lawmakers (2017)
Immigration and Asylum Appeals – a Fresh Look (2018)
Challenging School Exclusions (2019)

Our Working Party Chairs

Professor Sir Ross Cranston
Professor Richard de Friend

Our recent Working Party Reports

Delivering Justice in an Age of Austerity (2015)
Preventing Digital Exclusion from Online Justice (2018)

Our Working Party Chairs

The Rt. Hon Sir Stanley Burnton
Amanda Finlay CBE

Our recent Working Party Reports

What is a Court? (2015)
Increasing Judicial Diversity (2017)
Understanding Courts (2019)

Our Working Party Chairs

Alexandra Marks CBE
Nathalie Lieven QC
Sir Nicholas Blake

Who we work with

JUSTICE is in a unique position to harness legal experience and expertise to ensure our recommendations actually reform justice processes. Essential to the credibility of our voice is the support we receive from our members and supporters who include the senior judiciary, key policymakers, top law firms and barristers' chambers, as well as leading political figures. We are independent, impartial and non-political.

'JUSTICE tries to influence the debate not to control it. It can look critically at an issue and make suggestions, it can intervene in cases with thorough research that parties are unable to undertake, and it has influence with civil servants and MPs behind scenes. Its strength is in its unfailing objectivity. Scotland has much to gain from an organisation like JUSTICE'

The Rt. Hon. Lord Hope of Craighead KT QC PC FRSE

'A law firm's purpose is to engage with the legal community to support access to and equality before the law. There is no better organisation to partner with and support, with those aims, than JUSTICE. That is why Allen & Overy has been proud to have supported them financially, through pro bono work and expertise and as an advocate for their work for many years.'

Karen Seward, Partner Allen & Overy

'It is rare for legal reformers to be both radical and influential – but JUSTICE has been pulling it off for more than 60 years.'

Lord Anderson of Ipswich KBE QC

'Supporting the work of JUSTICE in Scotland has been really significant for us. As well as providing financial support, a number of our lawyers contributed their time and work to the project as volunteers. The project was both interesting and rewarding for all involved, contributing to the brilliant work JUSTICE does by supporting the rule of law and promoting access to justice. We look forward to working with JUSTICE in the future.'

Jim Cormack QC, Partner Pinsent Masons

'At Freshfields we are proud to have been longstanding supporters of the important work of JUSTICE. They have been at the forefront of key reforms on access to and the administration of justice for more than 60 years, making our legal system more open and fairer for us all. As a leading law firm we understand that it is vital that this work is safeguarded for the benefit of this and future generations.'

Deba Das, Partner Freshfields Bruckhaus Deringer

In focus



In 2008 the European Court of Human Rights (ECtHR) held that the right to a fair trial includes legal representation during police interrogation in order to protect the rights of the defence. JUSTICE was already briefing the EU institutions on the need for procedural safeguards in criminal cases, including the right to a lawyer. Two years later, the UK Supreme Court heard the case of *Peter Cadder*, a 16-year-old boy interviewed by police without legal representation. We intervened to ensure all suspects have the same rights across the UK.

We had strong evidence to rely on – 80+ decisions of the ECtHR; changing laws in other EU member states; established practice in other common law jurisdictions; and two concurrent criminal justice commissions of inquiry in Scotland and England and Wales respectively conducted in the 1970s, which came to alternative conclusions on police station legal advice.

'It is remarkable that until quite recently nobody thought that there was anything wrong with this procedure,' Lord Hope giving judgment in *Cadder v HM Advocate*

Drawing on JUSTICE's materials, the Court held that the law in Scotland violated the right to a fair trial. The decision led to an emergency remedial law but without infrastructure or guidance as to how it should operate. We provided guidance and training for solicitors based on the system in England and Wales. We wrote articles on why the right was important. We responded to two Government-established commissions of inquiry, each of which proposed practical application of the right and consequent changes to criminal procedure. We briefed Parliament on the subsequent legislative changes to ensure that these were fair and workable in practice.

But progress was still slow. As such, we set up a working party in 2016 to review how the right was operating in practice: 75% of people were still not seeking legal assistance, and of those that did, most were only getting telephone advice. Our report *Legal Assistance in the Police Station* recommended that suspects should be fully informed of their rights and have access to a lawyer *in person*. We also recommended training for solicitors to equip them with essential skills for the role and an understanding of how their presence can safeguard suspects' rights. Much has already been achieved from this work – suspects are better informed by the police of their rights; the Law Society of Scotland has rolled out comprehensive training for solicitors; and Scottish Government is reviewing its information provision for suspects.

But there is more to be done. While a duty scheme is operational, the legal profession - due to its size and remuneration – is unable to provide in person advice in all cases. The current legal aid review should evaluate funding and availability of in-person advice. We are continuing to work towards an effective right.

Join JUSTICE

Make a difference

'JUSTICE provides an enormously important contribution to the development of law. I can't conceive of any arguments why young lawyers shouldn't want to be supportive of JUSTICE; if not active members of it.'

Lord Kerr of Tonaghmore, Justice of the Supreme Court of the United Kingdom

Join our Membership – from £40/year

Our members are the foundation of everything we do. Membership is available for everyone involved in the legal profession from law students to Supreme Court Justices, small companies to large international firms. A discounted rate of £15/year is available for students. As a Member of JUSTICE you will receive our monthly newsletter, discounts to our conferences, free attendance at our members' events, the right to vote at our AGM and the chance to get involved in working parties. Become a member now and give your voice to JUSTICE.

Become a Friend – from £20/month

Friends are supporters who go the extra mile by donating £20 or more every month. This helps fund our core work and ensure that we continue to make the UK legal system more efficient, effective and fair. Friends receive our monthly newsletter, an invitation to our annual Friends event and a thank you in our annual report.

Make a donation

Whether a one-time donation of £100 or by joining our JUSTICE60 giving circle, your donation will help us grow our work and increase our impact. Donors will receive a personal thank you letter, updates on our work and the satisfaction of knowing you are helping a small charity punch above its weight. Together we can ensure access to justice for everyone and ensure the UK legal system continues to be a world leader.

To become a member or make a donation please contact us at:

www.justice.org.uk/support-justice | membership@justice.org.uk | 020 7329 5100

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