ELDH General Assembly in Berlin – 4th to 5th May 2013

Members of Haldane’s Executive Committee attended the General Assembly of the European Lawyers for Democracy and Human Rights (ELDH) at the HQ of the German ver.di trade union in Berlin on 5th May 2013. Member organisations in nine European countries were represented.

On 4th May 2013, the conference ‘Migrants – Outlaws Everywhere’, organised by ELDH and the VDJ, Haldane’s German sister organisation, was a challenging and inspiring conference, with more than 100 participants. Adrian Berry, a barrister at Garden Court Chambers and Haldane member, was one of a number of speakers from seven European countries and Togo. The speakers were lawyers and activists who brought together experience of the discrimination, abuse of criminal law and expulsion suffered by migrants and the fight for justice, solidarity and resistance. See www.eldh.eu/publications/publication/migrants-outlaws-everywhere-the-alien-as-an-enemy-162/

Other organisations taking part in the conference included: AKJ-Berlin (students at Humboldt University); the London-based Campaign Against Criminalising Communities (CAMPACC); the ELDH partners European Democratic Lawyers Fight Racism Now; the Refugee Council, Berlin; Group for Information and Assistance for Immigrants from France; Medico International; and the Rosa Luxemburg Foundation.

Highpoints of the ELDH General Assembly included the presence of three ELDH members from the Basque Country: solidarity with Basque lawyers had been the focus of the ‘Day of the Endangered Lawyer’ organised by ELDH in January 2013.

In January 2014 it will focus on the dangerous situation of lawyers in Colombia. The first one in 2012 concerned Turkey, where lawyers continue to be under very serious attack. Munip Ermiş, from ÇHD, the Turkish Progressive Lawyers, took an active part in the General Assembly. Selçuk Kozağacı, the Chair of ÇHD, who spoke at Haldane’s Human Rights Defenders conference in 2012 at Amnesta UK, is still in prison in Turkey. The President of the Istanbul Bar Association has now been prosecuted together with nine board members.

The KCK lawyers arrested in November 2012 number 46 accused, with 22 still detained. The next hearing was taking place on 20th June 2013.

The group of lawyers from Haldane’s sister organisation ÇHD arrested in January 2013 number 16 lawyers accused, of whom nine are detained. Their trial may commence in September 2013. ELDH will be organising solidarity and observers. Please contact me if you are interested in acting as an observer at either trial.

The General Assembly was also attended by Alexey Kozlov, an environmental activist from Voronezh, Russia. He told us about attacks on the freedom of assembly in Russia in general; the new requirement for NGOs to register as a ‘foreign agent’ in the case of any contacts outside Russia, with large fines (500,000 roubles) and imprisonment for failure to do so; the circumstances of the demonstration at Bolotnaya Square in Moscow on 6th May 2012 and the subsequent prosecution and detention of left-wing activists since, with the threat of up to 13 years’ imprisonment.

ELDH has been asked to support the project for an International Expert Commission (IEC) for Evaluation of Events on Bolotnaya Square in Moscow on 6th May 2012. This is the first large-scale persecution of the left by the Putin regime. There was a serious and engaged discussion on this topic in which many of those present participated and in which there was opposition to ELDH’s participation by our Greek and Spanish comrades. Following the discussion, the Executive agreed that ELDH should support the IEC.

We are working for closer cooperation between progressive lawyers in Europe. Frédéric Ureel, the European Democratic Lawyers’ President, attended the ELDH General Assembly. The next meetings of the European Democratic Lawyers’ executive are 25th October 2013, in Rome, and the end of January 2014 in Barcelona. Please contact me (b.bowring@bbk.ac.uk) if you would like to come.

Bill Bowring

Defend access to advice

On 9th February 2013, the Manchester-based Access to Advice campaign organised a successful conference on the theme of ‘Free Legal Advice in Crisis’. The Haldane Society was one of 13 sponsoring organisations. Jean Betteridge of Access to Advice welcomed over 120 delegates to the conference, with attendance from across Greater Manchester, Merseyside, Cumbria, Shropshire and beyond.

A wide-ranging keynote address was given by Steve Hynes, Director of the Legal Action Group, in which the ‘big picture’ of the imminent changes affecting social welfare law advice services was set out and the experience and lessons from the campaign over LASPO (Legal Aid, Sentencing and Punishment of Offenders Act) were drawn upon.

The conference then broke into four workshops considering the subjects of housing, employment and unemployment; family and debt; migrants and BME communities; and disability and sickness. Each workshop was encouraged to consider advice needs and provision before agreeing action points to be fed back into the wider report from the conference.

Julie Bishop, Director of the Law Centres Network, led off the afternoon session with a keynote address which further reflected upon the LASPO campaign and

May

17: Former Argentinian dictator Jorge Raúl Videla dies in prison aged 87. Videla had been a member of the group who seized power in Latin America in the 1970s and became responsible for the disappearance of thousands of people, including trade unionists, journalists and dissidents.

21: In Guatemala, the Constitutional Court overturns the genocide conviction of the former dictator José Efraín Rios Montt. The ruling was seen as a blow to those campaigning for justice following Latin America’s ‘dirty wars’. The general had earlier been sentenced to 80 years in prison for complicity in the deaths of 1,771 people.

21: The Bar Council releases an opinion poll suggesting more than 70 per cent of the public fear further cuts to legal aid and that legal aid will result in miscarriages of justice. The survey also found that those most likely to be affected would be the poorest.

22: Approximately 500 barristers, solicitors and representatives from the NGO community protest publicly outside Parliament against the Government’s proposals to further cut legal aid and prevent individuals from choosing their representatives in criminal cases. Some 1,000 people later attend a meeting at Parliament’s House in Euston to express their shared opposition to the Government’s proposals to transform legal aid.
The All-Party Parliamentary Group on Legal Aid Meeting on 15th May 2013 started with a number of speakers, including Laura Janes, from The Howard League for Penal Reform, who spoke of the ‘hidden consequences of the cuts’. She described how the end of fixed fees in prison law would remove matters of rehabilitation from scope as only disciplinary and parole hearings would be funded. She stated how this is short sighted as these proposals save an estimated £4 million. She spoke of the end of specialist providers and how no firm will be able to have a solely prison law practice. Instead, general practitioners will be awarded general contracts and be unable to turn down prison law work under the cab rank rule. Lastly, she spoke of the 17.5 per cent fee cuts, which will hit experts as well.

Ms Janes then discussed how the ‘transformation’ would affect judicial review claims. Owing to the gamble of taking on work where one only is paid when the court gives permission to judicially review, there will be a clear risk of hours of work done without pay. This will lead to a focus away from risky cases with wide public interest and will make judicial review as a practice area untenable.

The conference’s final session saw Yvonne Fovargue MP, Chair of the All-Party Parliamentary Group on Legal Aid join the key speakers in a panel chaired by Denise McDowell of the Greater Manchester Immigration Aid Unit and which saw many questions raised and comments made by delegates.

A full report of the conference can be found at http://gmwrag.files.wordpress.com/2013/04/full-report-9-feb-2013.pdf

John Hobson

Campaigning for legal aid

June

24: The High Court rules that the Government must hold inquests into the deaths of civilians allegedly killed unlawfully by British military personnel in Iraq. The court said the hearings must involve a full, fair and fearless investigation accessible to the victims’ families and to the public.

4: Around 13,000 replies are sent to the Ministry of Justice in response to its consultation on transforming legal aid as the deadline for responses closes at midnight. Earlier in the day lawyers protested en masse outside the Ministry of Justice, resulting in the closure of the road outside the Ministry to express their firm opposition to the proposed further cuts to legal aid.

5: Lawyers acting for the three surviving most senior police officers on duty during the Hillsborough disaster have questioned the independence of the Government’s panel which reported on the tragedy. John Beggs QC said ‘We do not regard the report as independent’. The inquest is to begin in March 2014.

7: A student is sentenced after saying on Twitter that people who wore Help for Heroes t-shirts ‘deserved to be beheaded’. The case followed the murder of Drummer Lee Rigby. Deyka Hassan had complained to police after receiving threatening replies. She was ordered to complete 250 hours of unpaid work.

SL64_pp4-11_news 13/06/2013 22:43 Page 9