

LIBERTY MEMBERS' CONFERENCE & AGM

2013

18 May 2013 at Senate House

Resolutions Passed

1. The Rule of Law and Accountability of the State

This AGM is deeply concerned by the Government's casual disregard for access to justice and the wider Rule of Law.

In particular this AGM condemns:

- (a) Misleading criticism of Human Rights Act judgments by senior members of the Government and repeated pledges to repeal the legislation;
- (b) Proposals to restrict access to, and availability of, judicial review as a means of challenging decisions of public bodies;
- (c) The introduction of closed material proceedings or "secret courts" to ordinary civil litigation allowing Government to present its case in secret, without having to disclose material to the other party, her/his lawyers, the press or wider public;
- (d) The continued refusal to implement the European Court of Human Rights judgment in *Hirst No2 v UK* (2005) (Prisoner voting) which represents a continuing breach of our international legal obligations;
- (e) Unprecedented cuts to the civil legal aid budget which severely restricts the ability of individuals to access justice in employment, family, welfare, immigration and debt cases;
- (f) The use of retrospective fast-tracked legislation to avoid Government liability for breaching the law.

This AGM believes that these policies and proposals undermine vital checks and balances for holding the State to account and resolves to fight to protect the Rule of Law as the constitutional underpinning of our open and liberal democracy.

2. "Blacklisting" and the Information Commissioner

The AGM notes with great concern the blacklisting scandal in the construction industry which was uncovered in 2009.

This AGM condemns the fact that:

- a) A secret database, possibly with covert surveillance material, was allowed to operate for many years to the detriment of many workers and for the benefit of 44 companies in the construction industry;
- b) Sensitive Personal Data of 3213 individuals was held and shared with companies for a fee;
- c) Victims were targeted on the basis of trade union membership and/or political opinions.

This AGM welcomes the belated introduction in 2010 of regulations under the 1999 Employment Relations Act which has now made such practices unlawful.

However, this AGM is deeply concerned that many of the victims of the construction blacklist have still not been contacted and made aware of their inclusion and that the companies involved have not been held accountable.

This AGM therefore resolves to campaign for the Information Commissioner to:

- Re-open an investigation into the 44 companies involved and establish whether any unlawful practices are continuing;
- Issue enforcement notices and monetary penalties as appropriate;
- Notify all victims of their inclusion on the blacklist.

3. Extradition Reform

This AGM notes recent and proposed Government amendments to the *Extradition Act 2003*.

This AGM notes that while an efficient extradition system is clearly in the public interest, extradition is a trauma in itself and basic procedural safeguards are essential to prevent injustice.

This AGM notes Liberty's long held concerns over the UK's extradition framework which is blunt and arbitrary. In particular, that -

- (a) those resident in the UK can be extradited to foreign jurisdictions without a basic case first being made in a UK court;
- (b) British judges have been unable to bar extradition on the grounds of "forum" where alleged activity has taken place in whole, or in substantial part, in the UK.

This AGM notes with concern Government amendments included in the Crime and Courts Act 2013 which removed the Home Secretary's obligation to bar extradition where it would breach human rights after legal appeals have been exhausted; and introduced only minimal judicial discretion to bar extradition on "forum" grounds.

This AGM notes with further concern, clauses in the Anti-Social Behaviour, Crime and Policing Bill that would remove appeal rights in extradition cases.

This AGM therefore resolves that Liberty will continue to campaign for extradition reform and fight the further erosion of fundamental protections in this area.

Liberty's Council

The following 15 members were elected to the Liberty Council to serve a two year period from 2013 – 2015:

Howard Beckett, Frances Butler (Chair), Louise Christian, David Enright, Shaheed Fatima, Fiona Horlick, Nikita Lalwani, Jean Lambert, Jeannie Mackie, Michael McColgan, Terry McGuinness, Nick O'Shea, Jo Shaw, Hannah Slarks, Amy Woolfson.

They join the 15 members who were elected in 2012 to serve until 2014

Camila Batmanghelidjh, Tom Cleaver, Madeleine Colvin (Vice Chair), Michael Ellman, Katherine Hardcastle, Martin Howe, Francesca Klug, Nicola Lacey, Doreen Lawrence, Sarah Ludford, Kevin McGrath, Richard Norton-Taylor, Adam Payter, Simon Sapper, Mazin Zeki.

And Liberty's Treasurer

Tish Andrewartha

Liberty's Conference and Appeals Committee

Deok Joo Rhee was elected unopposed to serve for three years on the Conference and Appeals Committee. She joins Alex Bailin QC, who becomes Chair of the CAC and is now in her second year of her three year term and Judy Khan QC who is now in his final year on the committee.

Liberty's Auditors

MHA MacIntyre Hudson were re-appointed as Liberty's auditors for 2013 – 2014.