Ending the use of ‘torture tainted’ evidence
A&O supports Fair Trials and REDRESS on major new report

Four years on...
Our partnership with AfriKids in northern Ghana

Navigating the immigration landscape in the U.S.

Ten questions for...
Josh Little, winner of LawWorks Pro Bono Award for defending LGBT+ rights
The continuing crisis we see

This September marks the end of our two-year partnership with War Child. In fundraising terms, this has been our most successful global charity partnership ever.

At the outset, we set ourselves a target of GBP500,000 to fund an education facility for Syrian children in a Jordanian refugee camp. We reached that within six months and now, with four months to go, have raised over GBP1.32 million.

I believe War Child has resonated with people so much because of the continuing refugee crisis we see, with nearly 66 million people displaced around the world. Syria and the Middle East are in the news almost daily, but less publicised (yet just as serious) conflicts in the Democratic Republic of Congo and South Sudan have forced nearly ten million people from their homes. Around one million South Sudanese refugees, including 5,000 unaccompanied children, are in neighbouring Uganda – now the main ‘host’ country for refugees in Africa, but itself struggling to function after 21 years of conflict. Last month, a small team from A&O visited one of War Child’s projects in Uganda (read more on page 20).

It’s this continuing crisis that has led us to keep displaced people as the focus for our next global charity partnership, which will start in November and run for two years. Our people have been nominating charities for the past month and we will put the shortlist to a global staff vote in September. We will work hard to make our next partnership just as successful as all our others – in fact you can read more about the impact, four years on, of our first global partnership with AfriKids on page 8.

But it’s not just war and conflict that drive people from their homes. Persecution on the grounds of sexuality, religion or political beliefs also leads to long-term displacement. In some countries, the reaction towards the refugee crisis is generating a tougher political stance on immigration, so we are using our resources to support asylum claims and provide access to education and employment for people trying to rebuild their lives. Read, for example, about a new University of London programme to help refugees gain certificates in higher education (on page 4).

We are also doing a considerable amount of pro bono work in the U.S. to help asylum applicants navigate the complex and changing immigration system there. (Read more on page 16.) A particular area of focus is supporting LGBT+ asylum seekers – often an even more marginalised group – which partner David Flechner has led several cases on.

This fits well with our wider pro bono work to provide access to justice for LGBT+ communities, particularly in countries where homosexuality is still a criminal offence. Our associate Josh Little (interviewed on page 14) has recently won a LawWorks Pro Bono Award for his work with leading LGBT+ rights group Stonewall. Josh and the wider A&O team’s advice helped Stonewall work with the UK Government to broaden the scope of ‘Turing’s Law’ – named after the World War II Enigma code-breaker Alan Turing – providing automatic pardons for thousands of deceased gay and bi men who were convicted of things that should never have been criminalised.

It takes a huge amount of commitment and hard work to achieve these successes but, as Josh says in his interview, using our skills in this way makes us acutely aware of the privileges we enjoy.
Navigating the immigration landscape in the U.S.

Smart Start International returns to India

Protecting and educating children affected by conflict

Four years on... our partnership with AfriKids in northern Ghana

Ending the use of ‘torture tainted’ evidence

Ten questions for... Josh Little

News from the network
News from the network

Higher education qualifications for asylum seekers

In July, a group of 20 asylum seekers will be the first to complete a new higher education programme at Birkbeck, University of London, a leading research and teaching university that specialises in evening courses.

Part-funded by A&O, the Compass Project gives asylum seekers the chance to gain a university-level qualification that provides the necessary academic skills, confidence and accreditation to continue their studies on an under- or post-graduate course, either at Birkbeck or elsewhere.

Thousands of asylum seekers wait six months or longer for decisions on their applications in the UK, in which time they are not allowed to work and are charged international fees (up to four times more than UK students) if they want to study at university.

Most older asylum seekers also lack the documentation to prove their academic credentials and are ineligible for student financial support, making it very difficult to access higher education, even through scholarships.

The first 20 students on the Compass Project were chosen from an outreach programme across London, attended by 85 asylum seekers who learned not only about Birkbeck but also the other opportunities available within the education system. The students, studying subjects as diverse as Legal Methods, Biomedicine and Counselling, travel from as far as Wales and the Midlands. Birkbeck partners with housing charity Refugees at Home to provide students with host accommodation in London when they are attending university.

The Compass Project provides funding for the students, as well as wider mentoring and support on critical thinking, reading and academic writing – important skills for students who have never studied at university before. This has the added benefit of bringing all 20 students together as a group each week.

“The Compass Project has a huge impact on refugees’ chances of getting employment in the future,” says Kate Cavelle, Head of Pro Bono and Community Investment at A&O. “Birkbeck gives considerable support to the students – financial and emotional – and the results are incredibly moving.”

Justice for survivors of torture and ill-treatment in Moldova

The Equal Rights Trust – a non-profit organisation that works to combat discrimination worldwide – has used a grant of GBP25,000 from the A&O Foundation to support eight strategic litigation cases on behalf of survivors of discriminatory torture and ill-treatment in Moldova. A&O lawyers prepared detailed pro bono research briefs to support two of the cases.

In the past six months, the Trust has seen successes in several cases, for example achieving a guilty verdict in the rape of a woman with intellectual disabilities. Previously, Anastasia* had been told simply to ‘forgive the perpetrator’, with state authorities attempting to use her disability to undermine her credibility. Impunity for violence against women – particularly vulnerable women with disabilities – is a significant issue in Moldova. With the Trust’s support for Anastasia’s lawyer, the perpetrator was finally found guilty and sentenced to six years in prison.

In another case, the Trust supported the lawyer for Vladimir*, a young man with schizophrenia, who had been arrested for a minor criminal offence and held for an excessive period of pre-trial detention. During this period, he was physically and sexually assaulted by fellow inmates and denied medical treatment. Supported by A&O’s grant, Vladimir’s lawyer, Dumitru Siusarenco, has now succeeded in gaining his release and is pursuing a legal challenge to address aspects of his treatment that highlight systemic discrimination against people with disabilities in Moldova.

“These cases have demonstrated that results can be obtained for survivors of discrimination when Moldovan lawyers are supported to undertake vigorous advocacy on behalf of their clients, drawing on international best practice,” says Lucy Maxwell from the Equal Rights Trust.

The A&O Foundation’s Global Grants Programme makes donations to charities focused on increasing access to justice, education and employment around the world. This is combined with up to 100 hours of pro bono work to increase the impact of our financial support.

The Compass Project has recently won The Guardian newspaper’s University Award for Widening Access and Outreach 2018

*Names have been changed. Pictured (L-R): Lawyer Dumitru Siusarenco; his client Vladimir’s mother; Vladimir
This year marks the 10th anniversary of A&O’s support for upSKILL, an employability programme run by Visionpath that brings young people together with business professionals to devise and pitch ideas that tackle real-life problems. A&O has been supporting upSKILL in London since 2008, and Belfast recently ran its fourth workshop for 30 students from local schools, alongside PwC. Designed to draw out bright and innovative ideas from talented young people, mentors from A&O and PwC worked with the students, aged 16-17, in an intensive workshop to develop business ideas and pitch them to industry leaders in the ‘Tigers’ Cage’. This year, the winning idea was an app that will scan a user’s face and recommend make-up styles and products.

The upSKILL workshop not only helps students build core skills like communication, collaboration, creativity and clear thinking, but also enhances their self-esteem and provides a supportive environment for the students to realise what they are capable of.

Female mentors from A&O’s Sydney office have again taken part in the Focus Mentoring Program with the Australian Business and Community Network, which supports education initiatives. Focus supports girls aged 15-16 to develop their leadership skills and aspire to senior roles in business and the community. This year, 11 mentors from A&O worked with 18 young female students to build self-belief and encourage them to aim high and have confidence in their leadership abilities.

A&O’s female mentors came from a variety of roles and departments to take part in small group sessions, including an introduction to leadership styles, realising strengths and creating a leadership picture. As Business Development Executive Emily O’Connor says: “For many of the female students, visiting our Sydney office is the first exposure they get to the working world. It’s a real joy to see them develop such confidence and self-assurance.”

ICWAP is the Asia Pacific network for the International Community of Women Living with HIV. Covering 17 countries across the region, ICWAP’s vision is a world where all women with HIV are free to live their lives without gender oppression and can claim full legal, economic, sexual, health and reproductive rights. While officially forming as its own regional network in 2014, registration as a charity – with all the financial and wider benefits this brings – has taken longer in certain countries. So in 2015, A&O associates, Somporn Manodamrongtham and Chunhapak Taechakumtornkij, began working with ICWAP to navigate the complicated Thai NGO registration process for a regional organisation. They provided guidance on the government registration process and regulatory issues in Thailand, as well as helping to prepare all the documents needed in Thai and English.

In March 2018, the ICWAP Foundation was formally approved by the Thai government and can now focus on its priorities of improving sexual and reproductive health rights for women; ending violence towards women living with HIV; eliminating barriers to safe and equitable treatment; and ensuring that women living with HIV are strongly represented at national and international decision-making tables.

A&O has received the Commitment to Justice award from Her Justice, an organisation that supports women living in poverty in New York City. Her Justice gives the award to the firm that has provided the most pro bono hours for Her Justice clients on a per New York lawyer basis. It is a major achievement for A&O after only three years since becoming a Corporate Partner of Her Justice.

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Ending the use of ‘torture-tainted’ evidence

This year sees the 70th anniversary of the Universal Declaration of Human Rights, which set out for the first time the “fundamental human rights to be universally protected” – including freedom from torture.

But a new report by human rights organisations Fair Trials and REDRESS, drawing on pro bono legal research by A&O, reveals that in many countries around the world state authorities still routinely rely on evidence obtained through torture.

TORTURE USED AS A SHORTCUT IN CRIMINAL INVESTIGATIONS

The report compares the law and practices in 17 countries across Europe, Asia Pacific, Africa and the Americas and highlights how torture is frequently used by police, intelligence services, the military and others as a shortcut to gather ‘intelligence’, obtain confessions and exert control over detainees.

Litigation partner Joanna Page led the A&O team of over 70 people – partners, associates and trainees, with PA and creative services support – who conducted the majority of the pro bono research for the report.

“We looked at country-specific legislation and practices to identify problem areas, as well as examples of good practice, from which Fair Trials and REDRESS could draw out key themes and trends,” explains Joanna.

One of the main trends to emerge from the report is that the use of torture continues largely because domestic legislation fails explicitly to prohibit such evidence being used, or because judges fail to declare it inadmissible – despite ‘torture-tainted’ evidence being illegal under international law. In many parts of the world, confessions are used as the main piece of evidence for convictions, which increases the risk of coercion and torture.

“In too many countries the police use torture to force people into confessions,” explains Rupert Skilbeck, Director of REDRESS.

“But evidence obtained by torture is unreliable and leads to unsafe convictions. Excluding torture statements from courtrooms eliminates one of the root causes of torture, yet, as this report shows, many states do not apply the rule properly, or at all.”

A 70-STRONG INTERNATIONAL A&O TEAM

“A&O became involved with this pro bono project through our long-standing relationship with Fair Trials,” Joanna says. “Having devised a joint proposal with REDRESS, Fair Trials contacted us for support, as the broad geographical scope of the research needed a law firm partner with a strong international network.”

A&O’s team spent over 1,300 hours conducting research for 12 of the 17 jurisdictions covered in the report: Australia, Brazil, China, England & Wales, France, Germany, Indonesia, Japan, Spain, Thailand, the U.S. and Vietnam. A&O’s team in Belfast also assisted with research and design support, making this one of the largest collaborative pro bono projects the firm has undertaken.

Associates Alexandra Pedder and Daniel Grimwood led the research for England & Wales. “Fair Trials and REDRESS knew there were shortcomings in certain jurisdictions, in terms of safeguards to prevent the use of ‘torture evidence’, explains Daniel. “But they needed our support to look into this fully, as they don’t have the workforce or the global network to conduct this scale of research themselves.”

“We were, of course, keen to be involved in pro bono work that will help to combat the use of evidence obtained by torture,” Alexandra says. “The research itself was really interesting as it involved a detailed look at the case law on the admissibility of ‘torture evidence’, which is not something we would ordinarily have an opportunity to do.”

David Schmid, a senior associate in Frankfurt, agrees: “The in-depth discussions with the other A&O offices broadened our own horizons. It is always amazing to see our network at work and to know that it can be put to such good use.”

Joanna Page
Partner

Daniel Grimwood
Associate

Alexandra Pedder
Associate

David Jenaway
Partner

David Schmid
Senior Associate

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A&O teams in all 12 countries responded to a list of questions from Fair Trials and REDRESS relating to the exclusion and/or use of evidence obtained by torture under the laws of each jurisdiction, drawing up country-specific memos for the report.

Partner David Jenaway was involved in the research in Australia. “Seven of us from Sydney and Perth worked together on the research and it was great to be able to join up with the wider A&O team. It shows just how valuable our international network can be in supporting important work like this.”

WHAT NEXT TO COMBAT THE USE OF TORTURE?
Fair Trials and REDRESS launched the report at a panel event in A&O’s offices in London on 15 May – with representatives from the Commonwealth Secretariat and the Organization for Security and Cooperation in Europe – and will present the findings at an upcoming meeting of the UN Committee Against Torture.

In particular, they are calling for the Committee to engage with states to clarify international standards and put in place stronger safeguards to prevent the use of torture evidence, and on other UN bodies to do more to emphasise the importance of excluding such evidence.

As well as feeding into the ongoing efforts of regional and international bodies to combat torture, Fair Trials and REDRESS are also exploring the possibility of using follow-on strategic litigation to challenge the use of evidence obtained by torture in some of the jurisdictions studied, and to highlight shortcomings in the law.

“We are incredibly grateful for the work done by everyone across A&O,” says Jago Russell, Chief Executive of Fair Trials. “Without the pro bono support that Fair Trials receives, we would not be able to produce reports of this scale or quality, and it’s fantastic to be able to work with A&O’s offices across so many different jurisdictions and make use of local knowledge and expertise. Sadly, torture evidence is still being used to convict people on a daily basis – this report is an important tool in our work to remove the incentives for torturers the world over.”

Key findings and recommendations from Fair Trials and REDRESS

TWO KEY FINDINGS FROM THE REPORT ARE THE NEED TO:

- Review domestic legal regimes to ensure compliance with existing international standards on the exclusion of ‘torture evidence’. Despite international human rights law banning reliance on evidence obtained through torture, some countries do not prohibit it at all. More commonly, though, countries do have some form of exclusionary rule (to exclude the use of torture evidence) but it is incomplete and fails to meet the key components defined by international law.

- Increase the focus on rights-compliant police investigations. In some countries, confessions are the main evidence used to gain criminal convictions, which brings a significant risk of coercion and torture. To address this, suspects’ procedural rights must be better respected following arrest, and special legal protections provided, such as requiring corroborating evidence for confessions or demonstrating that procedural safeguards have been applied during police interviews. Reducing reliance on confessions in criminal prosecutions will address a major driver of torture.

IN FULL, THE REPORT CALLS FOR:

- Stronger safeguards to prevent torture evidence being used in court, to reduce any incentives for authorities to rely on brutal and illegal treatment

- A general comment from the UN Committee Against Torture, recognising the prominence that should be afforded to the exclusionary rule (the requirements under international law to exclude ‘torture evidence’)

- A review of domestic legal regimes to make sure they comply with international standards

- Firmer rules to prevent authorities relying on evidence derived from torture, under so-called ‘fruit of the poisoned tree’ rules (which prohibit not only evidence directly obtained through torture, but anything then derived from that evidence)

- A reduced reliance on confessions in criminal prosecutions

- Better procedural rights protections, ensuring access to a lawyer as soon as possible to help prevent human rights abuses

- Better data collection, to have a clearer picture of the extent of the problem

Firm-wide support from A&O

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Firm-wide support from A&O

13 A&O offices in Australia, Brazil, China, France, Germany, Indonesia, Japan, Spain, Thailand, the U.S., UK (London and Belfast) and Vietnam participated in the project

70 A&O lawyers and support professionals contributed pro bono legal research and helped to design and produce the final report

1,330 pro bono hours spent on the project by lawyers alone

Fair Trials and REDRESS have both received grants from the A&O Foundation to support their access to justice work
Four years on…
Our partnership with AfriKids in northern Ghana

A&O’s global charity partnerships have become some of the most successful and high impact projects in our pro bono and community investment programme – with the past three each contributing over GBP1.3m to the charities.

Engagement with these partnerships across A&O owes much to AfriKids, a small but impressive charity that captured the attention of our people around the world back in 2012.

“I remember when we launched the staff vote to choose our first global charity partner,” says Wim Dejonghe (then managing partner, now senior partner), “the main objective was to bring together the entire firm, with all our skills and financial resources, to make a big impact on one charity’s work.

“Our people had already voted to work with a charity focused on education, and we had some big international organisations on our shortlist. Not many people had heard of AfriKids as they were relatively small. But their work with children in a remote part of Ghana, and their determination to develop self-sustaining programmes rather than relying on Western aid struck a chord. Nearly half of A&O – 2,500 people – voted and chose AfriKids to be our first global charity partner.”

Over the course of two years, A&O staff and partners would go on to contribute GBP1.37m and deliver 35 pro bono projects. 75 people from 22 offices took part in the AfriKids Experience Challenge, living and working with families in rural Ghana, several of whom are still closely involved with AfriKids today (Finance and Operations Director, Jason Haines, remains on the Board of AfriKids in the UK; partner Joe Stefano and secretary Megan Morgan are on the Board of the Friends of AfriKids USA). Four years on from the end of our partnership, we hear from Charlie Hay (now AfriKids CEO), Nich Kumah (Country Director, Ghana) and Katie Arnold (Major Gifts Manager), who all worked with A&O throughout the partnership, on the long-term impact our support has had in Ghana and on AfriKids itself.

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Tell us what issues you were addressing in the Upper East Region of Ghana before our partnership began in 2012?

Nich Kumah: Ghana’s northern regions are far removed from the capital, Accra, not only geographically, but economically and socially. Around 60% of families live in poverty and, back in 2012, one in six children died before the age of five. Lots of children were living and working on the streets and doing hazardous work in illegal gold mines, at high risk of respiratory illnesses and death from collapsed mines.

AfriKids was mostly reacting to needs on the ground and designing solutions locally to meet those needs. Our projects were small-scale: for example, getting children out of the mines during school time (which we achieved) and rescuing children accused of being evil spirits – the ‘Spirit Child Phenomenon’ – who were often rejected and killed for bringing bad luck to families.

We were spending a lot of resource on the children’s homes we supported and we had no partner to provide pro bono legal or other professional support.

How did the different elements of the partnership – fundraising, pro bono and in-kind support – help both AfriKids and the communities you support?

Katie Arnold: Altogether, A&O contributed over GBP1.37m to AfriKids, made up of GBP832,500 in fundraising and donations; and GBP537,500 worth of pro bono and in-kind support.

Funding the Next Generation Home for two years (the main aim of the partnership when we started) enabled us to offer drop-in services for children to access basic facilities and gain respite from life on the streets, as well as providing long-term residential care for 59 vulnerable young people and resettling 21 children into safe family environments.

This income also helped to fund our social enterprises, including the AfriKids Medical Centre, a critical facility in the heart of the Upper East Region with around 55,000 patients per year, and our microfinance programme – the Family Livelihood Support Programme (FLSP).

FLSP provides start-up and growth capital in the form of loans to women in northern Ghana, alongside business and life skills training. With this, they set up small businesses and use the profits to fund their children’s education and healthcare for the family. To bolster the financial support A&O provided, an international team of 35 lawyers conducted research into best practice in microfinance institutions, giving us the insight to really scale up our work.

A project like that would have taken us years and cost a huge amount on our own. We’ve now provided loans to over 70 co-operative groups (of around 35 women each), benefitting 15,000 people. The skills and time volunteered by A&O lawyers and support staff were transformative for us as a small organisation.

With pro bono input we were able expand our charity registration beyond the UK, building our international network and accessing funding from other countries. In fact, partner Joe Stefano and secretary Megan Morgan are still on the board of AfriKids USA today.

What were your expectations of the partnership?

Charlie Hay: We weren’t entirely sure what to expect! We knew A&O had put together a strong team to lead the partnership, but this was our first global corporate partnership. We expected it to be challenging to engage so many international offices (41 at the time) – but in actual fact global engagement throughout the partnership absolutely surpassed our (and I think A&O’s) expectations.

We set ourselves an initial target of raising GBP250,000, largely to fund the Next Generation Home to provide a safe haven for street children. We well exceeded this, which of course we hoped for but weren’t expecting at all.

It wasn’t until the partnership really kick-started that we began to realise how valuable the pro bono and other professional support would be. So many people were willing to give up their time to boost our organisational capacity and enhance our impact.

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Another key project was A&O’s in-house design team producing the educational brochures for our Child Rights Clubs, where young people are given guidance on topics like child labour and sexual and reproductive health. They also designed and printed our annual reports for two years, again saving a lot of time and resources for our team.

In Ghana, A&O mobilised the support of its local relationship firm, AB & David, who provided 350 hours of free legal advice on useful subjects like visa applications for Ghana staff visiting the UK.

How have you seen the situation change in the Upper East Region since 2014?

Nich Kumah: Things are definitely changing and so our projects are evolving. We have the momentum and learning behind us, local people are on board and we have seen the lives of thousands of people transformed. We’ve proved our unique development model works and now want to push it further.

For example, we’ve succeeded in increasing attendance rates in schools, and so are now working to transform the quality of education to ensure children not only attend, but stay in school and pass their exams, increasing their chances of employment in the future. We have influenced behaviour change on a massive scale throughout the region and are seeing people taking a more active role in the development of their communities, particularly helping AfriKids to mobilise others to attend health talks, or to ensure that schools are held accountable through management committees. Issues still persist with the quality of teaching as, typically, the most experienced and qualified teachers are attracted to opportunities in the south and teacher absenteeism can be high. But there’s been a vast improvement in education and schooling. Many more parents now value education over work, so many more children are in school.

We have dramatically shifted attitudes towards children with disabilities, and have eradicated the ‘Spirit Child Phenomenon’ in 18 communities with work continuing in 40 more. We’ve also seen significant improvements not only in access for girls and women to services and information on sexual and reproductive rights, but the way the community as a whole now understands and values these rights.

Changes in target communities

<table>
<thead>
<tr>
<th>2014</th>
<th>2017</th>
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<tr>
<td>8% of children pass their maths exam in the final year of primary school</td>
<td>More than 60% pass their final year maths exam</td>
</tr>
<tr>
<td>72% of people believe children with disabilities do not deserve to attend school</td>
<td>73% believe children with disabilities do deserve to attend school</td>
</tr>
<tr>
<td>50% of people believe children with disabilities can cause misfortune to others</td>
<td>Only 4% believe this</td>
</tr>
<tr>
<td>32% of the population have some knowledge of their sexual and reproductive health rights</td>
<td>Nearly 70% have knowledge of their rights</td>
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What does the future look like for AfriKids and the communities you support?

Nich Kumah: Enabling communities to help themselves has been a core objective for us from the very beginning. Communities are now better able to lobby the government when they are not delivering on education or health issues. For example, we’ve seen education campaigners and teachers lobby the local government to provide materials and furniture so the community can help build primary and kindergarten classrooms.

By successfully empowering communities to become their own change-makers, we’re switching to a cycle of good health and education, rather than the cycle of poverty that so many become trapped in.

Improvements have been significant and long-lasting through attitude and behaviour change, and our goal now is to replicate this work and reach even more children, families, teachers and community members. We’ve been extending our work to the Northern Region and Upper West Region, which, along with the Upper East Region, make up northern Ghana. This continues to be one of the poorest parts of the country. When we first started work, one in six children in the Upper East Region died before their fifth birthday. Now this is one in ten. So while there is still a lot of work to do, improvements are starting to show in infant mortality rates.

Charlie Hay: AfriKids launched a three-year strategy in 2017 focused on education, child protection and healthcare, as these are three of the most critical issues affecting child rights and where AfriKids can add most value.

Our large-scale education programmes are focused on improving outcomes in primary schools and kindergartens, as well as educating communities on the importance of enrolling children in school at age four, instead of seven (the average age in the north). We also want to increase the number of children completing their basic education and progressing to secondary and tertiary levels. We’re working to reduce the number of children living in care homes and promoting family rehabilitation over institutional care wherever possible, as well as widening the availability of quality protection services for children at risk of abuse, neglect or exploitation.

In terms of healthcare, we’re increasing children’s access to free primary healthcare through a national insurance scheme, while improving the quality of life for children with special healthcare needs. We want to promote a better understanding of good health and wellbeing practices that impact children, including ante-/post-natal care, paediatric health, water, sanitation and hygiene, and sexual and reproductive health.

Charlie Hay
CEO, AfriKids

Nich Kumah
Country Director, AfriKids Ghana

Katie Arnold
Major Gifts Manager, AfriKids
Ultimately, our aim is to see all children happy, healthy, in school and living in communities that respect children’s rights. With our partners’ support, we have made phenomenal progress for child rights over the last decade and our work – which always complements and collaborates with other stakeholders – is making a significant contribution to national and international poverty reduction strategies, including the Global Goals for Sustainable Development.

The people who helped make it happen…

Katie Arnold took 75 A&O people to Ghana on the AfriKids Experience Challenge during our two-year partnership.

“I have dozens of amazing memories from my time in Ghana with the A&O Experience Challengers. It was incredible to see so many people from different countries throw themselves into life in northern Ghana and embrace the different cultures and challenges. It wasn’t always easy – the heat, hygiene, long days and even illness meant that people were pushed to their limits – but despite this they all pulled together and formed some life-long friendships along the way.

In particular, Megan Morgan’s (secretary, Washington, D.C.) enthusiasm and gratitude for the opportunity will stay with me forever. Her attitude and approach to the entire experience was inspiring. She took each day as it came and somehow managed not to let a nasty fall and unfortunate black eye on her first day bring her down. Megan embraced every moment for the new perspective it brought her. She was so inspired by the people she met and what she learned about our work that she went on to join the Friends of Afrikids USA Board as a Director. She was instrumental to us getting this set up and we can’t thank her enough.

I’ll also never forget visiting Joe Stefano (partner, New York – also still on the Afrikids USA Board) with his host family at their small hairdressing shop in a rural village town. As we arrived, he was being trained on how to weave hair (not easy) by his host, Veronica, who was also training several young apprentices. There was a sign on the front of her shop that said:

“Tibil – new hairdresser in town. Short time only, come quickly. Very good price.” They had named Joe ‘Tibil’, which means ‘little tree’. He’s about 6ft4!”

MaameYaa Kwafo-Akoto, a senior associate in London, was one of the first people to visit Afrikids in Ghana.

“I remember arriving at Afrikids’ head office in Bolgatanga in September 2012 and thinking, ‘we can really do something here’ – we did and it was tangible. Our contributions really changed lives. There were so many opportunities for people across A&O’s network to get involved in supporting the charity in their own way. This is what made the partnership with Afrikids special.

The microfinance projects, in particular, are fantastic and have provided loans to benefit 15,000 people so far. It’s mind-blowing to see how a loan of GBP50 empowers a woman to open a mini-kiosk, which then allows her to feed her children and pay for their education. For me, Bolgatanga will forever have the generosity of the people at A&O stamped on it.”
“For a small organisation like AfriKids, the opportunity to be A&O’s charity partner for two years was absolutely transformational. The money we raised in so many fun and creative ways went such a long way for vulnerable children and families in northern Ghana. But also the pro bono and in-kind support, and the friendships we made, have had a lasting legacy. AfriKids is now the leading organisation for child rights in Ghana and has been named International Charity of the Year. Having the space and support to ‘grow up’ with A&O played a big part in getting us to this point.”

Charlie Hay, CEO, AfriKids
Josh Little joined A&O as a trainee in London in 2014. He became an associate in the Corporate practice in 2016 and now specialises in international M&A, growth capital and private equity.

In December last year, Josh received the LawWorks Junior Lawyer Division Pro Bono Award for his work advising LGBT+ rights group, Stonewall, on how to improve the position for gay and bisexual men with historical cautions and convictions.

The judges commented that: “Because of [Josh’s] work, some of the damage inflicted to the thousands of gay and bi men who faced terrible persecution in the last century, just because of who they were, can begin to be undone.”

Ten questions for...

Josh Little

Describe yourself in 30 words...

Such a difficult question! To avoid answering, I’ll simply say that I grew up in Cumbria, studied modern languages at university and then started law school in London in 2012.

What motivated you to start doing pro bono work?

I started when I was a trainee by volunteering at free legal advice clinics and also by getting involved in some of the larger human rights research projects A&O undertakes. Those experiences made me acutely aware of the privileges we enjoy and how much we take for granted as trained lawyers – something as simple to us as writing a short letter setting out someone’s consumer rights can relieve that person of so much worry (and often considerably improve their financial situation too). When I finished my training contract, I decided that I wanted to do more human rights pro bono work, particularly with an LGBT focus, which was driven by an awareness of the huge disparity in LGBT rights depending on where you live in the world. I guess I feel very lucky to be living in the UK in 2018 and think that, as a result, we all have a responsibility to promote change where we can.

What are your proudest achievements in pro bono work?

Advising Stonewall on widening the statutory disregarding scheme for convictions and cautions held by gay and bi men in England and Wales and helping them bring about much needed changes to the Protection of Freedoms Act 2012. (Read more on the next page.)

How do you fit pro bono work around your busy schedule?

Sometimes it is very difficult but you always manage to make some time, even if it ends up being during evenings and weekends. The pro bono work I’ve been involved with is generally so different in subject matter to Corporate/M&A work that it provides some very welcome variety.

In what ways has pro bono work helped you build your career?

It has helped me build confidence, whether through broadening knowledge of different areas of law I wouldn’t ordinarily have come across, meeting and connecting with new people or taking a lead in the delivery of legal advice. However, I think more than anything else it helps put other work into perspective.
Describe your perfect day off work...
A late brunch, usually followed by some exercise, which at the moment is likely to be a spin class.

Which is your favourite city in the world, and why?
London! It doesn’t get much better – I love its diversity, culture and opportunities. It’s a hectic but exciting place to live. A very close second would have to be Madrid, where I spent six months on secondment as a trainee. I also spent a year in Spain on a student exchange scheme, so Spain feels like home from home.

Tell us something not many people know about you?
My family has a dairy farm (which I grew up on) and I come from quite a few generations of farmers on both sides of my family in Cumbria and Northumberland. Needless to say, the law is a little different – although the hours are quite similar!

What words of advice would you give to someone interested in getting involved in pro bono and community investment work?
My advice would be to find a cause that is of personal interest, for whatever reason, and don’t hold back through fear of taking on too much. You can always make time for something in which you have a personal interest and you will not regret it.

Who do you admire most, and why?
Another very difficult question! There aren’t many famous people I would say I admire. I think the people truly worthy of admiration are generally not in the public eye and are just quietly getting on with whatever admirable thing they are doing.
Navigating a changing U.S. immigration landscape

The crisis of displaced people around the world shows no signs of easing. The United Nations Refugee Agency now puts the figure at nearly 66 million people forced from their homes through persecution or conflict – almost one in every 100 human beings.

As the crisis endures, so too does an anti-immigration stance in certain countries that are attracting large numbers of asylum seekers. In parts of Europe, this has led to a rise in support for political parties promising tougher controls on immigration. In the U.S., the attempt to impose a travel ban on people from several predominantly Muslim countries is nearing its final stages in the Supreme Court, and controls continue to tighten on immigration from Latin America.

It is against this backdrop that A&O’s U.S. offices have been providing pro bono support in a growing number of asylum cases. New York partner and co-chair of A&O’s U.S. pro bono committee, David Flechner, has led on several cases since joining A&O in 2015.

“When we realised the incoming administration was going to take a tough stance on reforming the immigration system,” says David, “we looked at ways we could help advocate for the rights of potential asylum seekers looking for a new start in the U.S.”

A COMPLEX AND LENGTHY ASYLUM PROCESS

David is one of over ten A&O partners and associates in the U.S. who are acting on these often highly complex and lengthy asylum applications.

“The need for pro bono counsel on immigration matters has certainly grown,” David says. “The change in certain immigration policies is placing greater challenges on the case teams. Simply coming up with a realistic project calendar is a difficult undertaking given the ever increasing complexity and uncertainty of the filing and review process with government authorities.”

There are many other challenges, too, such as proving an unsafe or hostile environment in the countries from which the individuals are escaping – or any third-party country that might be suggested for relocation – as well as contacting acquaintances and family members abroad to support a case.

“Asylum seekers also face issues around medical care, safe housing, employment and related mental and emotional struggles during the period their case is pending,” David explains. “And if they’re held in detention, it makes discussing the case and getting documents and evidence more difficult again.”

SUCCESSFUL ASYLUM FROM RELIGIOUS PERSECUTION

Despite the challenges, a team in New York – led by partner Joe Stefano and senior counsel Amanat (Ali) Yousaf, along with associates Christine Steenman, Michael Westfal and clerk Gideon Duke-Cohan – has seen recent success representing a client in his bid for asylum.

“Our client was persecuted because of an inter-sect Islamic marriage,” explains Gideon. “Following his marriage to a Shia woman, he was repeatedly attacked by the well-connected family of his former wife. Both he and his family continued to be threatened even after he had fled to the U.S.

“We submitted an application for asylum on behalf of our client – who was held at a federal detention centre for the duration of the application – and then prepared a legal brief arguing the merits of his case. We provided corroborating testimonial and documentary evidence, as well as information on current conditions in his home country,” Gideon says.

“In November 2017, we had a hearing before the Immigration Court and successfully established that our client was the victim of religious persecution, and that law enforcement was unwilling to control his persecutors or provide protection. The Court granted our client’s asylum application and he was released from detention later that day.”

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David Flechner
Partner

Gideon Duke-Cohan
Law Clerk
LGBT+ IMMIGRANTS’ RIGHTS

In addition to this, New York lawyers are currently working on five cases with Immigration Equality, the largest LGBT+ immigrants’ rights organisation in the U.S.

“I have a particular interest in working with LGBT+ asylum applicants coming from countries that are hostile towards the LGBT+ community,” says David Flechner. “So we have expanded our partnership with Immigration Equality in recent years.”

A&O and Immigration Equality have made good progress together in advancing the asylum applications of LGBT+ clients, David believes, but every case and every individual is different.

“It takes time to conduct research on evolving country conditions to ensure that our clients’ claims are as thoroughly substantiated as possible. As well as addressing changes in clients’ personal lives, we’ve had to adapt to significant changes in U.S. immigration policy and practice – as in the case of one of our current clients ‘X.’” (Read X’s story below.)

But David and Gideon both believe the time and commitment is worth it. “Not only can you gain the satisfaction of supporting someone who is less fortunate,” Gideon says, “but often our pro bono clients are able to teach us things about perseverance, strength and hope. I’ve seen many colleagues end a pro bono case and feel so inspired that they immediately take on another matter to help someone else in a similar situation.”

“A&O is really supportive of this work,” David agrees, “so I would love to see more lawyers recognising the power of a pro bono case to provide all access to clients almost immediately. It is one of the most satisfying feelings to know that we have skills and resources that can directly affect the lives of vulnerable people.”

OUR CLIENTS’ STORY

An A&O team including partners David Flechner and David Krischer have been representing a gay couple – ‘X’ and ‘Y’ – seeking asylum in the U.S. to escape persecution from their home country in Latin America on account of their sexual orientation and Y’s HIV-positive status.

X and Y recently married and Y is a derivative applicant to X’s original asylum application. Both men are applying for asylum due to their very real fear of returning home to more persecution.

Having overcome initial difficulties in obtaining the necessary documentation, A&O’s team submitted all the supporting materials, including affidavits from witnesses attesting to X’s persecution in his home country, to the U.S. Citizenship and Immigration Service (USCIS). But just before the team requested the asylum interview, the USCIS reversed its prioritisation of interviewees, changing from a ‘last in, first out’ policy, to ‘first in, first out’.

This change of priorities has left many asylum seekers, including X and Y, facing the possibility that their applications will be delayed for months or years. In light of this, A&O’s team has had to re-evaluate with both clients whether to submit a separate asylum application on behalf of Y in order to move forward in the interview line. But the case is complex and sensitive, as X is reluctant to abandon his own strong application and both want to avoid Y having to become the main interviewee.

An additional challenge is proving that another South American country, where Y is a citizen, remains a hostile place for the LGBT+ community and would not be a safe alternative country for the couple to relocate to.

A&O’s team has worked closely with Immigration Equality to resolve these issues and help X and Y pursue the best strategy for their case, which will move forward to its final stages soon. Without this kind of support, it is increasingly difficult for vulnerable people to navigate the complexities of the changing immigration landscape in the U.S.

RESETTING REFUGEES

A&O lawyers in New York, Paris and London have been working on UNHCR (the UN Refugee Agency) refugee resettlement cases through IRAP, the International Refugee Assistance Project.

Over the past year, our New York office has worked on three resettlement cases and helped achieve IRAP’s first ever successful application for a Humanitarian Parole visa, allowing an Iraqi refugee to relocate to the U.S. with his wife and two young daughters.

A&O’s pro bono work to support displaced people – for IRAP, Immigration Equality and other organisations – has been shortlisted in the Transatlantic Legal Awards 2018.
In February this year, A&O ran its second Smart Start International programme in India for 17 students at the National Law School of India University, Bangalore.

Following the success of Smart Start at the National Law University of Delhi in 2016, A&O has again partnered with the Increasing Diversity by Increasing Access (IDIA) project, which identifies young people with potential from marginalised and under-represented backgrounds in India and introduces them to law as a career option. The students spent two days with A&O lawyers and support professionals, local university professors and IDIA volunteers refining business and soft skills, including presentation techniques, interview style and persuasive writing.

The A&O team – of Richard Woodworth (partner, Hong Kong); Rita Dev (Global Training & Development Consultant, London); Rahul Chatterji (senior associate, London); and Paul Crook (consultant, London) – travelled to Bangalore to deliver the Smart Start programme.

“At the heart of the programme is a desire to provide access for students who are disadvantaged, whether that be due to physical, economic or social reasons,” explains Rita Dev. “The 2018 cohort of students yet again displayed amazing determination to succeed against many odds, and to learn skills that will equip them to enter their chosen field on a more equal footing. Truly inspirational students.”
A&O was among those recognised at the IDLA Annual Awards Ceremony for "individuals and institutions that have taken time out and championed the cause of legally empowering the underprivileged in India".

SMART START INTERNATIONAL LAUNCHES IN HONG KONG

This year sees the first Smart Start programme in Hong Kong, following the launch of Smart Start International in India and South Africa in 2016.

Students from the Islamic Kasim Tuet Memorial College and Caritas Tuen Mun Marden Foundation Secondary School will attend a two-day programme run by volunteers from A&O and J.P. Morgan.

The students will develop a number of skills, including how to prepare a CV, interview techniques, effective networking and persuasive writing.

In addition, the students will be asked to consider ways in which young people can give their time and skills to support the community. They will receive presentation skills training and then pitch their ideas to a local NGO, HandsOn Hong Kong, to help it (and other NGOs) develop new ways of encouraging students to participate in volunteering activities.

“[Smart Start] was a great workshop. All the speakers were so interactive and we learned a lot from them. The things they told us will definitely help me to grow and develop as a good writer, speaker, lawyer and a great person.”

“The programme was very good. It taught us many things which will help us throughout our entire lives. It has given me the confidence to talk with people, and reduced my fear of interviews.”

“I loved all the sessions, they were very inspiring... I really learned how to handle people and different situations. The session on ‘What makes a successful person?’ was an amazing activity. We learnt how to explore and get new ideas from whatever we have.”

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Protecting and educating children affected by conflict
With just four months left to go in our partnership with War Child, A&O’s fundraising total stands at GBP1.32m – by far the most we have ever raised for a global charity partner.

Our ‘First Hour, First Day’ campaign – in which people can donate the first hour or first day of their salary – raised an incredible GBP467,000 for War Child in January 2018, with 1,030 people across A&O taking part.

“We set out in October 2016 to raise GBP500,000 for War Child,” explains senior partner Wim Dejonghe, “to fund the creation of an education facility in the Emirati Camp in Jordan, supporting 2,160 young Syrian child refugees and their parents. We had such an incredible response from the outset that we were able to fully fund the Rescue Childhood project after seven months, so we doubled our target to GBP1m.”

**RESCUE CHILDHOOD UNDER WAY**

Wim visited the Rescue Childhood project in Emirati Camp in November last year, where so far 330 children have received education and life skills classes, as well as psycho-social support to help them come to terms with their traumatic experiences.

“Speaking to children and parents who are benefiting from the project, it’s clear that our support is already having a huge impact,” Wim says. “And now to break another fundraising target – of GBP1m – is a massive achievement. We’ve never done this before.”

**FASTER RESPONSE TO EMERGENCIES**

The additional money raised, beyond supporting the Rescue Childhood project, is a crucial form of funding for War Child, which enables it to respond to emergencies quickly and reach children as soon as possible when conflict breaks out.

“Crisis can escalate surprisingly quickly,” explains Rob Williams, CEO of War Child. “Often we’re delayed in our response by having to await the outcome of grant applications before we can act. So having funding available to use immediately is life-saving.”

War Child also uses additional funds to support children after conflicts have ended – as Rob puts it, “after the TV cameras have gone home.” One example is in northern Uganda, where 80% of young people are not in formal employment and live in poverty. After 21 years of internal conflict, generations of people have missed out on education, training and employment opportunities, and, to compound this, Uganda is now also struggling to support 1.4 million refugees from neighbouring conflict zones.

**KATI – SUPPORT FOR UNEMPLOYED YOUTH IN UGANDA**

War Child’s KATI project, which a small team from A&O visited in April, supports unemployed youth to develop their own business ideas and provides training, mentoring and financial assistance.

Singapore partner Brendan Hannigan was part of the A&O team in Uganda. “The impact of the conflict is huge and is still being felt today. KATI does incredible work with young people in Uganda to help lift them out of poverty by developing a business idea of their choice – rather than imposing particular ideas or professions,” Brendan says. “A relatively small investment has a massive impact in rebuilding communities after conflict. Visiting Uganda was a unique experience – endlessly fascinating, thought-provoking, challenging and ultimately overwhelmingly positive.”

A&O’s support is helping this and other underfunded programmes in regions not widely reported in the media. “With this funding, we can provide life-saving support for children affected by war today,” says Rob, “and ensure that War Child can protect, educate and provide hope for a brighter future for children affected by the conflicts of tomorrow.”

“KATI does incredible work with young people in Uganda to help lift them out of poverty by developing a business idea of their choice.”

Brendan Hannigan, Partner, Singapore
A&O’s next global charity partnership: 2018-2020

We are currently in the process of selecting our next charity partnership that will begin in November 2018.

Displacement is still one of the greatest crises of our time, so our people have been nominating charities that focus on the issue of displaced people – as War Child does.

Nearly 66 million people are displaced across the world, and organisations like ours can do a huge amount to help.

Our aim for the next partnership is again to fundraise and donate money, but we also want to use our professional skills to strengthen organisations working on the frontline and to help displaced people rebuild their lives.

So far we have raised GBP1.32m for War Child, and the impact of our support will be felt well beyond the life of our formal partnership as children and families rebuild their lives with War Child’s help.

We want our next partnership to be just as successful.

A&O’s next global charity partner will be selected in September, and the partnership will begin in November 2018.
Email
ProBonoTeam@allenovery.com

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