



The Sydney Elland Goldsmith

BAR PRO BONO AWARD

to be presented at the

Bar and Young Bar Conference
on 4th November 2017





The Judges

The Bar Pro Bono Award 2017 judging panel comprises:

Lord Goldsmith QC	Chairman of the Judging Panel and Bar Pro Bono Unit Founder and President
Julie Bishop	Director of the Law Centres Network
Catherine Calder	Co-Chair of the Legal Practice Management Association
John Collins	Winner of the Bar Pro Bono Award 2016
Sarah Grainger	Editor, Counsel Magazine
Nicholas Hill	Chairman of the Institute of Barristers' Clerks
Andrew Langdon QC	Chair of the Bar
Duncan McCombe	Chair of the Young Barristers' Committee
Lucinda Orr	Chair of the Employed Barristers' Committee

The Secret Barrister

The Criteria

When judging the nominations, the panel took into account the following key criteria in selecting their winner:

- (a) The commitment of time by the barrister or chambers.
- (b) The importance of the assistance given.
- (c) Innovation, inspiration or example in the work undertaken.
- (d) Commitment to the pro bono ethic.
- (e) To promote, and encourage others to engage in, pro bono work.





Nominations for the BAR PRO BONO AWARD 2017

The Bar Pro Bono Award is given to an individual barrister or set of chambers in recognition of outstanding commitment to pro bono work.

The 21st Bar Pro Bono Award has attracted a wide range of nominations. They are, in alphabetical order:



Neil Allen

39 Essex Chambers and the Legal Advice Centre,
University of Manchester

Neil Allen was nominated by Riana Goldman, Coordinator at Manchester Free Legal Help.

Riana nominated Neil in recognition of his involvement with the University of Manchester's Legal Advice Centre (LAC) and for establishing a dementia clinic within the centre in partnership with the charity Making Space. It is the first legal advice clinic of its kind in the country, and Neil has worked tirelessly to expand the service to help as many as possible. One key innovation was the provision of legal advice workshops over Skype and at various 'hotspots', allowing those suffering from dementia to receive legal advice in a comfortable setting. In the first ten months of 2017, the Dementia Law Clinic has seen 48 clients, either by Skype or in person.

As the current clinical lead for the LAC, Neil supervises law students giving free legal advice to members of the public. He also takes on separate pro bono work as a practising barrister, and invites students to work alongside him to aid their educational development. Neil's commitment to pro bono means that he frequently sacrifices his weekends and evenings to assist those who cannot afford advice or representation.

"Not only does he donate his own time, his enthusiasm impacts on his teams outside of Making Space, who are inspired by him to donate their own time ... He has no obligation to do so, and he expects no reward. However, we think he thoroughly deserves one."

Making Space

NOMINATION 02

Kirsty Brimelow QC

Doughty Street Chambers and the
Bar Human Rights Committee

Kirsty Brimelow QC was nominated by Reprieve and Mauricio Rodriguez, the previous Colombian Ambassador to the UK.

Kirsty was nominated in recognition of her exceptional work as Chair of the Bar Human Rights Committee of England and Wales (BHRC) in promoting and defending human rights around the world. Kirsty has been instrumental in sharing expertise and offering moral support and solidarity to human rights defenders, and has saved many lives in doing so.

Her work in Colombia over the last 12 months as a mediator and legal advisor has enabled the San José de Apartadó Peace Community to engage in important dialogue with the Colombian government, securing peace in this community in the middle of a 52-year conflict. Kirsty's intervention has prevented the massacre of farmers, and has led to a public apology from the President to the peace community in 2013, as well as the retreat of the army. She was the only barrister invited to sign the peace accord in Cartagena at the end of last year.

The BHRC also has a significant presence in Nigeria, with its barristers working entirely pro bono for three years training UNICEF child protection networks in child rights. Through this, Kirsty and the BHRC were able to set up Family Courts, and achieved some of the first prosecutions in certain States for sexual offences against children.

The reliable, 'low-cost-high-return reputation' of the BHRC has established it as an organisation with significant influence in human rights internationally across numerous fields, from the defence of persons with albinism to the defence of children accused of witchcraft. As Chair of the BHRC, Kirsty's personal commitment to pro bono has been instrumental in establishing this reputation, and she has shown outstanding solidarity with those she has worked alongside in countries such as Colombia, Mexico, Guatemala, Honduras, Nepal and Kenya.

"During the period that Kirsty has carried out pro bono work for the Alliance for Lawyers at Risk she has proved to be extremely reliable, highly efficient and highly compassionate, showing a genuine interest in supporting at risk Human Rights Defenders and a lot of dedication and commitment to the defence of human rights."

Susi Bascon, Director at Peace Brigades International UK Section





Tom Coghlin and Navid Pourghazi

Cloisters Chambers

Tom Coghlin and Navid Pourghazi were nominated by Dee Masters, Head of Employment Group at Cloisters Chambers.

Tom and Navid were nominated in recognition of the enormous impact they have had in the field of discrimination law. In particular, their nomination recognises the successful representation of the appellant in the case of *Efobi v Royal Mail Group* via the Bar Pro Bono Unit. Tom's commitment to pro bono cases each year can be measured in weeks rather than days, as he has taken on at least 20 pro bono cases over the last five years. He frequently encourages co-tenants in chambers, both juniors and seniors alike, to undertake pro bono work, and over the years has volunteered for BPBU, ELIPS, ELAAS, COAS, and while in London volunteered as an employment law adviser at Camden Community Law Centre.

Despite only completing his pupillage 12 months ago, Navid has already shown an unrivalled commitment to undertaking pro bono work. He is a regular volunteer for the Free Representation Unit; a member of the Drafting Committee of the Bar Human Rights Committee; a regular volunteer at the Camden Community Law Centre, and was part of the team of lawyers who won the 2016 Camden Volunteer award, in recognition of his pro bono assistance. Navid frequently spends evenings and weekends working on cases, and clients particularly value his approachability and willingness to assist at a moment's notice as well as his clear, accurate and tailored advice.

Royal Mail Group has now sought permission to appeal to the Court of Appeal, and Tom and Navid have already agreed to continue representing Mr. Efobi.

"In my 12 years at Cloisters, rarely have I seen two members at Cloisters who share Chambers' deep commitment to pro bono work like Tom and Navid"

Dee Masters, Head of Employment Group at Cloisters

NOMINATION 04

Family Team

Garden Court Chambers



The Family Team at Garden Court Chambers was nominated by Charlotte Ogilvie, Marketing and Communications Executive at Garden Court Chambers.

The Family Team at Garden Court Chambers have been nominated in recognition of their ongoing commitment to the clients at Southall Black Sisters. Their timely pro bono surgeries have made a significant difference to the safety of the clients at Southall Black Sisters over the past 20 years. The Family Team have demonstrated a high level of commitment, providing highly innovative, inspirational advice to BME and migrant women and children escaping violence, exploitation and abuse. Barristers in the Family Team have represented clients in court on a number of occasions, and their commitment has ensured that those who do not have rights are afforded them.

When first approached by Southall Black Sisters, Rebekah Wilson galvanised the whole Family Team to establish day-long family law advice surgeries at the centre once a month. This was in response to a time of acute crisis at Southall Black Sisters, when the charity was unable to meet the needs of its clients. The patience, sensitivity and support that the Family Team have shown towards clients at the centre has had a profound impact on the confidence and security of the clients, and has demonstrated compassion in the delivery of pro bono work.

"I hold them in the highest regard. In the current climate of austerity and savage legal aid cuts, they offer a Rolls-Royce service to all our clients ... We would be lost without them"

Meena Patel, Development and Finance Manager at Southall Black Sisters

NOMINATION 05

Daisy Hughes

1 Garden Court



Daisy Hughes was nominated by Jane Rayson, Barrister at 4PB.

Daisy has been nominated in recognition of her important and impressive pro bono work this year. In a set of complex and sensitive Children Act proceedings before Mr Justice Moor in July 2017, Daisy made a significant impact on a pro bono basis. She agreed to act for a client and quickly mastered several files at very short notice. Representation in court lasted for two full weeks, and Daisy's exceptional ability, in preliminary representations, submissions at court and while representing her client, was noted by the judge, and fellow counsel.

Her effective cross-examination and challenge of a special guardianship assessment demonstrated a very high level of preparation and commitment to the case. The impact Daisy had on the family and the subject children of the proceedings was critical. Without representation, the client would have had little prospect of giving the court a viable option for family support.

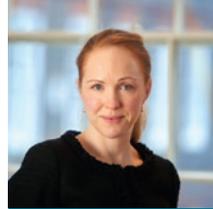
"It is over and above the call of duty to expect any member of the Family Bar to do that pro bono. I am extremely grateful to her. Everything that could be said and done on behalf of M was said and done."

The Hon. Mr Justice Moor

NOMINATION 06

Constance McDonnell

Serle Court



Constance McDonnell was nominated by John Petrie, Chief Executive at Serle Court.

Constance was nominated in recognition of the pro bono support she has provided on a substantive case in the past 12 months. In *Ilott v The Blue Cross and others*, Constance provided 115 hours of pro bono work between July 2016 and March 2017. This long-running case, which commenced in 2007, became the first case in which the Supreme Court (or House of Lords) heard an appeal under the Inheritance (Provision for Family and Dependants) Act 1975.

The pro bono work undertaken by Constance included a detailed consideration of what ‘poverty’ means in the 21st century, together with an exhaustive analysis of the history of the jurisdiction under the 1975 Act and of awards made in cases involving adult child claimants. Constance’s nomination was supported by a barrister acting for the other side in the Ilott case, who noted “an extraordinary level of sacrifice and commitment on Constance’s part”.

In her pro bono work Constance is able to provide a reassuring presence to her clients, ensuring that they are able to receive exceptional representation in the process of justice despite their not being able to afford representation.

“Constance was empathetic and her input was invaluable ... without the fantastic help of Constance, Brie, John Collins and Martin Oliver we would not have been able to take the case back to court and we are truly grateful for the assistance which was given pro bono.”

Heather & Nick Ilott

Tanya Murshed

1 MCB and Evolve

Tanya Murshed was nominated by John Benson QC, Head of Chambers at 1MCB.

Tanya has been nominated in recognition of her outstanding work supporting human rights in Uganda. Tanya has been assisting vulnerable individuals convicted of capital offences in Uganda for four and a half years – initially through the Centre for Capital Punishment Studies and now through Evolve, a charity she founded to continue this work. Tanya spends her evenings and weekends on work for Evolve, and often, time during the working week also. She spends an estimated quarter of her year doing full time pro bono work.

Initially Tanya assisted individuals in Uganda convicted of capital offences with their sentencing hearings, writing submissions for approximately 60 individuals who were potentially facing the death penalty. Her key focus in Uganda since then has been the plight of the beneficiaries in the landmark Supreme Court case of *Attorney General v Susan Kigula and 416 others*, which held that the automatic death sentence was unconstitutional. While these individuals were entitled to go back to the High Court and be re-sentenced, few could afford it. Tanya took a sabbatical from chambers to advocate for these cases to be heard, working closely with the judiciary and the Uganda Law Society to facilitate this process by organising special mitigation sessions and training law students to assist. Since then, 243 individuals who were previously subject to the automatic death sentence have received sentences other than death and many have been released as a result of Tanya's work.

"In essence, and this is no blustery overstatement said with flippancy – a considerable number of people owe their lives to Tanya's capacity for hard work and her ability to persuade a number of professionals to give up their time and commitment to helping death row prisoners in Uganda. Her work is the true essence of 'pro bono'."

Declan O'Callaghan, Landmark Chambers

NOMINATION 08

Patrick O'Connor QC

Doughty Street Chambers

Patrick O'Connor QC was nominated by Edward Fitzgerald QC, Joint Head of Chambers at Doughty Street Chambers.

Patrick was nominated to recognise his longstanding and inspirational commitment to pro bono human rights work over the last 46 years. His example has inspired very many young barristers in Doughty Street and other chambers to pursue a commitment to pro bono work for the vulnerable and disadvantaged. Among the many cases Patrick has taken over the years, the impact of his work has included: a sea change in air pollution in the environment, saving the life of a man on 'death row', founding a rare universal jurisdiction prosecution for a victim of torture, and bringing justice to the bereaved families of those who have died in custody.

One such case was *Budden v BP Oil and Shell Oil and ors*, a pioneering environmental action for damages on behalf of children living under and near the Westway who had allegedly been harmed by lead emissions from petrol engines. Patrick successfully represented the claimants before the Registrar and County Court Judge at the Mayor and City of London County Court. Though he was unsuccessful before the Court of Appeal, this decision paved the way for the introduction of 'lead-free petrol' with which we are now all familiar.

"I have no doubt that, in each of these cases, my clients would have been denied access to justice were it not for Paddy's unstinting and unpaid efforts."

Raju Bhatt, Bhatt Murphy





Jason Pobjoy

Blackstone Chambers

Jason Pobjoy was nominated by John Halford, Partner and Joint Head of Public Law and Human Rights at Bindmans LLP.

Jason has been nominated for his contribution to pro bono work this year, complementing a busy Legal Aid and CFA-funded public interest practice. In a time where the rule of law is under threat, Jason has been a key member of a pro bono Counsel team instructed to advise on a public interest judicial review addressing the increasing number of Close Material Proceedings Orders being made by the Courts. The challenge is now ready to be issued, thanks in no small part to Jason's meticulous research and analysis of case law since the Justice and Security Act 2013 and its tension with the earlier common law jurisprudence, which treated closed hearings as an affront to open justice.

Jason has also combined his legal skills and commitment with creativity and compassion in other pro bono work throughout the year, focussing particularly on exceptionally vulnerable refugee and asylum-seeking children. The sheer volume of pro bono work he undertakes is evidenced in over 100 hours that Jason has spent researching the law, advising on issues and drafting submissions for interventions on cases which concern important refugee law principles or protection principles for the United Nations High Commissioner for Refugees (UNHCR). Jason's dedication, care and attention with his pro bono work for the UNHCR has not only had a significant impact on individual cases he has been involved with, but has also provided an exceptionally valuable legal resource to the UNHCR in the development of its doctrine on relevant legal issues.

"[One thing that] sets Jason's pro bono contribution apart from others' is his willingness to unhesitatingly take on pro bono work whenever the alternative might be an impediment of access to justice. I have yet to hear him say 'no' to a pro bono request, even when his customary 'yes, absolutely' will mean personal sacrifices.

This is inspiring to anyone who works with him, including his colleagues at Blackstone."

**John Halford, Partner, Joint Head of Public Law and Human Rights,
Bindmans LLP**

NOMINATION 10

Mai-Ling Savage

Garden Court Chambers

Mai-Ling Savage was nominated by Charlotte Ogilvie, Marketing and Communications Executive at Garden Court Chambers.

Mai-Ling has been nominated for her commitment to supporting vulnerable women by facilitating regular legal advice sessions on a pro bono basis. Collaborating with FORWARD, a charity working supporting women affected by Female Genital Mutilation (FGM) and domestic violence, Mai-Ling has provided excellent, knowledgeable service and sensitivity when interacting with clients.

The advice centre is the first of its kind and her monthly attendance at the clinic, as well as her providing pro bono consultancy advice to support staff, has had a significant impact. She has further shown her commitment to support work by disseminating information about this service to other legal advisors able to provide pro bono work for this service.

“As a small voluntary organisation we would not have been able to afford the cost and quality of the legal support Garden Court Chambers provides to our clients, had it not been for Mai-Ling’s capacity to offer pro bono advice.”

Toks Okenyi, Head of UK Programmes and Operations at Forward





Brie Stevens-Hoare QC

Hardwicke Chambers

Brie Stevens-Hoare QC was nominated by Ashley Allen, Marketing Assistant at Hardwicke Chambers.

Brie was nominated for her extended commitment to pro bono at the Bar over her 37 year career. She has been involved in pro bono work since the start of her practice in 1980, before pro bono was mainstream at the Bar. Within chambers, Brie has been instrumental in encouraging younger members to take part in pro bono activities, such as at local law centres or through CLIPS. One major time commitment has been acting as a reviewer for the Bar Pro Bono Unit, reviewing files on a monthly basis to establish their suitability for the Unit to handle, while also volunteering to undertake cases through the Unit. Brie is renowned not only for her dedication to pro bono work but also her compassionate and straight-forward approach to dealing with individuals unused to the legal system and often in a highly stressed state.

More recently Brie has been involved on the important *Ilott v The Blue Cross and others* case on a pro bono basis. The case has raised a number of important questions such as the approach of charity beneficiaries to bequests; the treatment of a testator's wishes particularly when they are irrational and unreasonable; and the meaning of maintenance and the significance of state benefits. The case is symbolic of Brie's career-long commitment to pro bono work, as well as her tireless and often unsung contribution to widening access to the legal profession.

"If any of this sounds over the top, I can assure you that it is not. Indeed it is impossible to give a full assessment of Brie's contribution to pro bono work as she continues to do so much of it without making any fuss or noise about it."

P. J. Kirby QC, Joint Head of Hardwicke Chambers

The logo for the Bar Pro Bono Unit is centered on a teal background. It features the words "Bar", "Pro Bono", and "Unit" stacked vertically in a white, sans-serif font. The text is enclosed within a white, stylized oval shape that is open at the top and bottom, resembling a speech bubble or a protective shield.

*Bar
Pro Bono
Unit*

Past winners of the BAR PRO BONO AWARD

The 2016 Bar Pro Bono Award was won by John Collins of Zenith Chambers.



John Collins won the Bar Pro Bono Award 2016 for his outstanding contribution to pro bono work over a career spanning six decades.

His work has been a testament to his enduring and long-standing commitment to securing access to justice for those who cannot afford legal representation. John has distinguished himself in relation to *lloft v The Blue Cross and others* when he was referred this case by the BPBU in 2010. John continued to represent the applicant over 7 years, which took him all the way to the Supreme Court.

In last year's nomination, John was described as leading by example, remaining instrumental in encouraging junior members of chambers to involve themselves in pro bono work. It is for this legacy, together with his ongoing commitment to pro bono work, that he was awarded this accolade.

"It is clear that John's commitment to pro bono and access to justice is felt keenly by his colleagues, and he has become a great ambassador for the BPBU and pro bono generally."

Lord Goldsmith QC

Chairman of the Judging Panel
Founder and President, Bar Pro Bono Unit

WINNERS IN PREVIOUS YEARS:

- 2016 John Collins
- 2015 Joe Middleton
- 2014 Monika Sobiecki
- 2013 Sarah Hannett
- 2012 Alison Gurden
- 2011 Shereener Browne
- 2010 Maria Scotland
- 2009 Andrew Walker QC
- 2008 Access to Justice in Afghanistan Project Team
- 2007 Guy Opperman MP
- 2006 Michael Fordham QC
- 2005 The Rt Hon Keir Starmer KCB QC MP
- 2004 Andrew Hall QC
- 2003 John Horan
- 2002 Samantha Knights
- 2001 Simon Michael
- 2000 Daniel Leader and Philippa Page
- 1999 Doughty Street Chambers
- 1998 Two Garden Court Chambers
- 1997 Judith Farbey QC

“The Bar Pro Bono Unit shows the sense of commitment of members of the Bar to seeing that those who need help get it even if they cannot pay for it.”
Lord Goldsmith QC, in 1996



For more information or to donate to support the work of the Bar Pro Bono Unit please visit the website at www.barprobono.org.uk or contact us as below:

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