

Litigating for Social Change

Wednesday 19 – Friday 21 October 2016
Belfast, Northern Ireland

Conference programme

This international conference brings together NGOs, community activists, litigators, academics and funders to reflect on how strategic litigation can transform lives and enable people and communities around the world to realise their rights.

The conference will explore lessons learnt to date. It will consider strategic litigation as an effective tool for social change and explore how it can be more effective. It will also consider models and approaches to supporting strategic litigation and assessing its impact.

The
ATLANTIC
Philanthropies



Conference Programme

Day 1: Wednesday 19 October

12.00 – 1.00

Participant lunch and registration

1.00 – 1.30

Opening Remarks

Ursula O'Hare, Interim Director, Law Centre (NI)

Martin O'Brien, Director, Social Change Initiative

Senior legal figure

1.30 – 3.00

Session I

How can Strategic Litigation Deliver Transformative Change? International Perspectives and Panel Discussion

This opening session sets the scene for the themes that delegates will explore over the course of the conference. The session will provide insights on how strategic litigation can advance change. Panellists will draw on their experience of strategic litigation and consider why a litigation strategy was followed; what outcomes were achieved; what challenges were experienced and to what extent these were overcome.

Speakers: **Judith Stein**, Executive Director, Center for Medicare Advocacy, USA

Nurina Ally, Executive Director, Equal Education Law Centre, South Africa

Baher Azmy, Legal Director, Center for Constitutional Rights, USA

Chair: **The Honourable Mrs Justice Catherine McGuinness**, former Supreme Court Judge, The Supreme Court of Ireland

3.00–3.30

Coffee

3.30–5.00

Session II

Recent Research Findings on Strategic Litigation

This session will feature a panel discussion on the key recent findings about the use of strategic litigation drawn from research undertaken by a number of funder organisations.

Speakers: **Nick Grono**, Chief Executive, Freedom Fund, Australia

Erika Dailey, Senior Research Officer, Open Society Justice Initiative

Gail Birkbeck, The Atlantic Philanthropies

Nicolette Naylor, Ford Foundation, South Africa

Chair: **Martin O'Brien**, Director, Social Change Initiative

7.00

Drinks and Conference Dinner

At the Europa Hotel with support from The Bar Council of Northern Ireland

Day 2: Thursday 20 October

9.15 – 9.30

Reflections on Day 1

Ursula O'Hare, Interim Director, Law Centre (NI)

9.30 – 11.00

Issue Focused Workshops

Workshop A: **Slavery and Forced Labour: Ending Impunity** workshop hosted by the Freedom Fund

Speakers: **Wolfgang Kaleck**, European Center for Constitutional and Human Rights

Rebekah Read, Leigh Day Solicitors

Gearóid Ó Cuinn, Global Legal Action Network

Chair: **Nick Grono**, Freedom Fund, Australia

Workshop B: **Strategic Litigation to Promote Environmental Rights**

Speakers: **Anais Berthier**, ClientEarth

Shubhaa Srinivasan, Leigh Day Solicitors

Chair: **Professor Chris Hilson**, University of Reading

Workshop C: **Litigating for the Billions: The Case of Equal Access to Quality Education**

workshop hosted by the Open Society Justice Initiative

Speakers: **Thiago Amparo**, Central European University

Hugh McLean, Open Society Foundations' Education Support Programme

Nurina Ally, Equal Education Law Centre, South Africa

Chair: **Erika Dailey**, Open Society Justice Initiative

Workshop D: **Litigating the Right to Health**

Speakers: **Carina du Toit**, Legal Resources Centre, South Africa

Judith Stein, Center for Medicare Advocacy, USA

Chair: **Gabriela de Luca**, Open Society Foundations

11.00 – 11.30

Coffee

11.30 – 1.00

Session III

Using Transnational and Quasi-Judicial Fora

This session will explore how organisations have approached the use of transnational judicial and quasi judicial bodies as a strategy for bringing about social change. The session will consider the strategy of interventions in transnational judicial fora and reflect on follow up at domestic level.

Speakers: **Adam Weiss**, Executive Director, European Roma Rights Centre

Baher Azmy, Legal Director, Center for Constitutional Rights, USA

Chair: **Professor Colin Harvey**, School of Law, Queen's University Belfast

1.00 – 2.00

Lunch

2.00 – 3.30

Session IV

The Right Time and the Right Case

This session considers how test cases are identified and selected. Speakers will consider the range of factors that are at play in preparing the ground for strategic litigation and deciding when and whether to pursue a test case strategy. The session will analyse the contribution played by a range of tactics to build the necessary support for strategic litigation, including building partnerships with communities, the role of public campaigns and social movements in preparing public awareness and effective media engagement. Planning for positive and negative outcomes and minimising risk along with lessons learnt from failure as well as success will be examined through insights from case studies.

Speakers: **Jason Brickhill**, Oxford Human Rights Hub, University of Oxford (Former Director: Constitutional Litigation Unit, Legal Resources Centre, South Africa)

Shubhaa Srinivasan, Partner, Leigh Day Solicitors

Christina Swarns, Litigation Director, the NAACP Legal Defense and Educational Fund Inc., USA

Chair: **Les Allamby**, Chief Commissioner, Northern Ireland Human Rights Commission

3.30 – 4.00

Coffee

4.00– 5.30

Issue Focused Workshops

Workshop E: **Litigating the Rights of Asylum Seekers and Refugees**

Speakers: **Julia Zelvenska**, European Council on Refugees
Mary Meg McCarthy, Heartland Alliance, National Immigration Justice Center, USA

Chair: **Mony Ruiz-Velasco**, West Suburban Action Project (P.A.S.O.), USA

Workshop F: **Poverty and social welfare rights**

Speakers: **Daniel Holder**, Committee on the Administration of Justice, Northern Ireland
Irene de Vos, Socio-Economic Rights Institute of South Africa
Sophie Earnshaw, Child Poverty Action Group, London

Chair: **Dr Gráinne McKeever**, Ulster University

Workshop G: **Strategic Litigation to Advance Children’s Rights**

Speakers: **Frances Trevena**, Coram Children’s Legal Centre
Shelby Quast, Equality Now, USA
Kathryn Stevenson, Children’s Law Centre, Belfast

Chair: **Professor Laura Lundy**, Centre for Children’s Rights, Queen’s University Belfast

Workshop H: **Litigating against Torture**

Hosted by Open Society Justice Initiative

Speakers: **Professor Helen Duffy**, Human Rights in Practice
Kyra Hild, Redress
Brian Gormally, Committee on the Administration of Justice, Northern Ireland

Chair: **Rupert Skilbeck**, Open Society Justice Initiative

Workshop I: **Disability Rights**

Speakers: **Oliver Lewis**, Mental Disability Advocacy Center, Budapest
John Horan, Barrister, Cloisters Chambers, London

Chair: **Eilionóir Flynn**, Centre for Disability Law and Policy, National University of Ireland Galway

Evening:

Conference delegates at leisure

Day 3: Friday 21 October

9.30 – 10.45

Session V

Models and Approaches to Supporting Strategic Litigation

This session will highlight the range of different models by which strategic litigation can be supported as a tool for realising social justice. It will consider a range of models, including public interest law centres, pro bono networks, litigation funds, litigation as a component of campaigns as well as investment in community based organisations. The session will consider the relative advantage and disadvantages of the different models and approaches.

Speakers: **Melissa Murray**, Project Manager and Solicitor, PILS Belfast
Eilis Barry, Chief Executive, Free Legal Advice Centres, Dublin
Erica Emdon, National Director, probono.org, South Africa
Henderson Hill, Executive Director, US Death Penalty 8th Amendment Project

Chair: **Jennifer Greenfield**, Assistant Director, Law Centre (NI)

10.45 – 11.15

Coffee

11.15 – 12.30

Session VI

Making Sure the Outcome Makes a Difference: Protecting Wins

This moderated panel discussion with litigators and activists will focus on enforcement and implementation of successful outcomes. What happens after a court victory? What follow up is required? How is this best organised? The session will explore how, beyond securing individual rights, strategic litigation has been a tool for wider impact because of community-based support for the issue that ensures sustained change. Speakers will draw on insights from specific case studies.

Speakers: **Irene de Vos**, Senior Legal Researcher and General Counsel, Socio-Economic Rights Institute of South Africa

Mary Meg McCarthy, Executive Director, Heartland Alliance National Immigrant Justice Center, USA

Michael Farrell, Appointed Member of the President of Ireland's Council of State and Member of the Council of Europe, European Commission against Racism and Intolerance, Republic of Ireland

Chair: **Evelyn Collins**, Chief Executive, Equality Commission for Northern Ireland

12.30 – 1.00 **Closing remarks**

1.00 – 2.00 **Lunch**

2.00 – 4.00 **Law Centre (NI) Annual Social Justice Lecture:
'Social Justice and Human Rights'**

Delivered by **the Right Honourable Baroness Hale of Richmond,
Deputy President, UK Supreme Court**

Accessibility

Assembly Buildings Conference Centre is an accessible venue.

Induction loops in the conference hall. Tune hearing aid to T. It is best to be seated near the front of the hall.

Car parking discount

Reduced price of £5 per day in Great Northern Multi-Storey Car Park on presenting a voucher provided by Assembly Buildings Conference Centre Reception staff. Please request your voucher from Reception staff on leaving the building and pay at the car park gate.

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