

Position Title: Investigator (Death Penalty)
Reports to: Legal Director (Death Penalty)
Date prepared: 16 May, 2008

About Reprieve

Reprieve is a UK charity founded in 1999 by Clive Stafford Smith. Reprieve uses the law to enforce the human rights of prisoners, from death row to Guantánamo Bay.

We investigate, we litigate and we educate; working on the frontline, we provide legal support to prisoners unable to pay for it themselves. We promote the rule of law around the world and secure each person's right to a fair trial. In doing so, we save lives.

Reprieve prioritizes the cases of prisoners accused of the most extreme crimes, such as acts of murder or terrorism, as it is in such cases that human rights are most likely to be jettisoned or eroded. The prisoners that we assist typically cannot find advocates elsewhere. Reprieve focuses on cases involving the world's most powerful governments, especially those that should be upholding the highest standards when it comes to fair trials.

Reprieve utilizes three cross-cutting strategies for the enforcement of human rights:

- *Investigation:* we deploy investigators around the world to uncover the facts -- facts that could make a difference in an individual case or expose the frailties of an entire justice system.
- *Litigation:* our in-house lawyers and associate fellows assist prisoners facing execution at the hands of the state in the conventional criminal justice system, or those imprisoned outside the reach of the law in the 'war on terror.' We concentrate on cases with the potential to have a wider impact on law or policy.
- *Public Education:* Reprieve is broadening the debate about human rights abuses surrounding the death penalty and the "war on terror"- educating the public, promoting best practices, and bringing new voices to the discussion.

Reprieve's 14 full-time staff are based in London, UK. Reprieve also supports full time Reprieve Fellows, who work as lawyers, investigators and advocates in different countries. Reprieve works with partners in jurisdictions all over the world, including Non Governmental Organizations (NGOs), government officials, individual lawyers and human rights defenders, as well as individual, corporate and foundation funders.

Investigator (Death Penalty)

The role of Investigator (Death Penalty) is to implement Reprieve's death penalty casework, both in the office and beyond. This will include working as part of a team of in house caseworkers and volunteers, as well as with fellows and short-assignment investigators working in the field.

The successful candidate will be someone who is organised, effective, takes initiative, prioritizes the needs of the prisoners Reprieve works for at all times, appreciates an informal workplace and enjoys being part of a busy team of in-house lawyers and investigators working in a challenging environment.

This position is being recruited initially as a fixed term six-month probationary contract, followed by a fixed term contract of two years as dictated by current funding (we hope that funding will be available to extend this). The position requires overseas travel and work performed outside of normal office hours.

Job description and responsibilities

The successful candidate will have a experience working as an investigator or caseworker. Knowledge of criminal law, international law and international human rights bodies is required. Experience of death penalty defence work as a lawyer or investigator, and experience of managing large and complex case files, is also highly desirable. Experience of working with the media and language skills would also be of assistance.

Reprieve's death penalty casework currently covers British Nationals facing the death penalty around the world (typically in the US and Central and South East Asia) and is expanding to include European Nationals in the US. In addition Reprieve provides assistance on certain "impact" cases in the United States and elsewhere, where the opportunity exists to achieve system wide progressive legal reform.

Reporting to the Directors, the successful candidate will be responsible for the areas of work listed below.

1. Casework

Investigator (Death Penalty) will be responsible for working with team members to implement Reprieve's legal, investigative and public education strategy for assisting certain prisoners facing the death penalty.

The role will include:

1.1 Case strategy: Under supervision of the Legal Director (Death Penalty) drafting a case theory note and a legal and investigation plan for each case, with advice from local counsel and the Directors. This includes: (a.) deciding in consultation with local counsel and external legal experts which legal strategies to pursue and in which forum, whether based on domestic criminal law or international human rights law, (b.) determining an effective investigation plan, and (c.) outlining a media strategy (in consultation with the Communications Officer and the Director) if media work is determined to be helpful in the case.

This will require the following activities, conducted under the supervision and guidance of the Legal Director (Death Penalty):

- Analyse and understand the applicable areas of law in the jurisdiction in which Reprieve is working.
- Draft a case strategy and a legal and investigation plan for cases and supervise the implementation of the strategy and investigation plan.
- Pursue international legal avenues to further the prisoners' cases e.g. an application to the Special Rapporteur for summary, extra-judicial and arbitrary executions, application to the Special Rapporteur on Torture, raising the case before the Committee on Torture or the Human Rights Committee, etc (if appropriate and applicable).
- Communicate with the prisoner's home government, where applicable.
- Inform and debrief Reprieve contacts within the EU Parliament and Council of Europe (e.g. Special Rapporteur for the Abolition of the Death Penalty) to garner European support for the prisoner's case.
- Inform and debrief relevant UK MPs and MEPs (if applicable).
- Conduct parliamentary liaison work – either through the APPG on the death penalty, or through a group of MPs, arranging for prime ministers' questions/Early Day Motions (EDMs)/adjournment debates etc to raise the UK profile of the case where strategically advisable.
- Conduct press work and media strategy (in consultation with local counsel, the Directors and Communications Officer) – brief international and national TV and print media.

1.2 Report writing: Ensuring that there are formal reports of all interviews and meetings with witnesses, lawyers, representatives of the government or judiciary, or professionals consulting on cases such as outside counsel, experts and others. The work requires keeping meticulous records of all contacts made in relation to a case using the in-house case management system.

1.4 Contact with defendants and their families: Ensuring lines of communication are clear, and that the defendants have reasonable and clear expectations of Reprieve's involvement in their case. The most important element of this work is building up a relationship of trust with the client and his/her family – so an ability to support his/her case, regardless of the offence he/she is/has been charged with and the facts of the case is essential. Providing a line of communication between the prisoner's home government and the prisoner and his / her family where applicable is also required, as well as working alongside Reprieve's Communications officer (and clearance from local counsel and Directors) coordinating media interviews by family members on the case and ensuring there is support to the family in press interviews.

1.5 File management: Obtaining records relating to cases and using Reprieve's master file index system and maintaining these files at Reprieve.

1.6 Law firm liaison: Developing relationships with law firms in the UK and overseas that are willing to provide *pro bono* services to people facing the death penalty; this will necessitate developing an action plan and a schedule for their work and supervising the implementation of that plan.

1.7 Experts: Building up a contact list of experts both in the UK and local to the

case who can assist by providing assistance with issues of forensics, psychology, local practices, etc. Working with experts on individual cases.

1.8 Relationships with local lawyers: Developing good working relationships with the defendants' local lawyers.

1.9 Investigation/Country Visits: Travelling to relevant countries to meet the prisoner, the prisoner's lawyer, local human rights groups etc. This will also involve supervising and /or conducting case investigation taking place in the UK and/or overseas.

1.10 Local assistance: Establishing good working relationships with local investigators or translators, and devising ways of working together to benefit the prisoners.

2. Public Education

Conducted under the supervision and guidance of the Legal Director (Death Penalty), this work will include:

2.1. Media: Working, with the Communications Officer, building connections with local, national and international media and establishing what media work (if any) would be appropriate to further the best interests of any particular prisoner.

2.2. Non-Governmental Organisations (NGOs) and other partners: Working with contacts in other NGOs (Amnesty, Human Rights Watch, Death Penalty Project, Amicus, Centre for Capital Punishment Studies, etc.) and other relevant interest groups (e.g. religious organisations, specialist organisations) to establish partnerships for public education initiatives on behalf of prisoners where it is deemed to be helpful to the case.

2.3. Death Penalty Defence Training: Assist with Reprieve's Death Penalty Defence Training, a training programme held twice a year in association with Amicus that provides practical and theoretical skills to assist death penalty investigators with the representation of those facing execution in the US.

3. Organisation and Capacity Development

3.1 Reporting to funders: Providing reports of death penalty casework and public education initiatives to funders, under the supervision of the Legal Director (Death Penalty)

3.3 Board of Trustees: Preparing papers and information relating death penalty work for Board meetings and other purposes as required. Attending Board meetings when necessary.

3.4 Supervision of volunteers: Providing instructions, guidance and feedback to volunteers both in-house and those out of the office, either working in overseas jurisdictions or from home in the UK.

Key Contacts: Investigator (Death Penalty) has regular contact with local lawyers in the United States, South East and Central Asia, Africa and in the UK; relevant journalists; government officials; other NGOs; Reprieve's Board of Trustees, Directors and partner organizations.

Salary: £28,000 pa.