

# Reprieve

## Strategy

2016

## About this document

Because of Reprieve’s agile nature (as set out below), this strategy document is to act as a rolling plan or framework for who we are and what we do, rather than as a fixed-term aim with concrete targets. The board will review and approve it each year, and the Executive Director and Founder will inform the board of any significant changes as the work progresses. On the basis of the Strategic Plan, the organisation develops an annual Operational Plan, which includes the broad goals of each team’s projects, the means by which those goals will be achieved, performance indicators, and targets. Our Operational Plan feeds into individual employees’ work plans and results in sets of specific outputs that contribute to the attainment of project goals. These are used to assess progress by line managers at monthly management meetings.

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## **1. Reprieve's Vision, Mission and Values**

**Vision:** Reprieve's Vision is of the abolition of the death penalty worldwide and an end to human rights abuses committed in the name of the "War on Terror".

**Our Mission:** Reprieve's Mission is to end the human rights abuses of the global "War on Terror" (WOT) and the death penalty worldwide, using our cases and projects to advocate in the courts of law and of public opinion on behalf of our clients and the issues.

**Our Values:** Agile; Creative; Fearless; Effective; Resilient; Relentless.

## **2. Reprieve's Strategy / Modus Operandi**

Reprieve is a small, feisty registered charitable organisation (No. 1114900) of human rights defenders (28 staff, £2.02m turnover).

We work for the most disenfranchised people in society, as it is in their cases that human rights are most swiftly jettisoned and the rule of law is cast aside. Thus, we promote and protect the rights of those facing the death penalty and those who are the victims of extreme human rights abuses committed in the name of the "War on Terror" (WOT).

Underpinning Reprieve's strategic focus is the notion that countries such as the UK and US hold themselves out as shining examples of democratic societies that respect the rule of law and human rights, and therefore should be held to exacting standards in terms of how they respond to acts or allegations of terrorism and murder. Their responses have ripple effects worldwide, and are frequently used to justify the continuation of the death penalty, extrajudicial killing, torture, rendition and unlawful detention by countries ranging from 'aspiring exemplars' to 'worst offenders'.

Our Death Penalty team's work focuses on specific countries in North America, Africa, the Middle East and Asia. Within these regions, we determine our focus countries by balancing the following factors:

- History of investigating / litigating / carrying out work in the country in question
- How rife the use of the death penalty is in that country
- Our assessment as to the likely impact of our work – both in-country and for abolition more globally
- Our assessment as to whether the activities we undertake in-country will further our objects to an extent which justifies the resources committed
- Our ability to have a reliable and secure presence on the ground, and access to our clients.

The first two of these factors need not be present for us to work to end the death penalty in a particular country, but it tends to be the case that we work in countries where all of these factors are present. Ultimately we make an assessment on where we think our work is most needed and is most likely to achieve meaningful change.

Our Abuses in Counter Terror (ACT) team's work focus areas are guided by a similar balancing assessment. Historically our ACT work evolved from our death penalty work in that all those originally rendered, tortured and unlawfully detained at Guantanamo Bay Prison faced a possible death penalty. Over time, as the WOT morphed into a combination of human rights abuses wider than the imposition of the death penalty, so too did our ACT work broaden. We now focus on WOT abuses in three general areas: Guantánamo Bay and Torture accountability (where we were recently credited in Engines of Liberty with changing the entire policy of the Bush Administration), as well as drones (particularly insofar as it involves the Kill List, and execution without trial). We focus on misconduct by the United States and the UK, based on the premise that we cannot expect the world to espouse broader notions of Human Rights if these countries renounce them. We prioritise those countries where:

- We have a history of working and understand the local context
- The abuses in question are prevalent
- We believe our work is likely to significantly impact positively on preventing or stopping those abuses, domestically and internationally (by way of knock-on effect)
- On our assessment, the activities that we propose to undertake will further our objects

- to an extent which justifies the resources committed.
- We are able to safely, securely and effectively conduct our work.

It is our investigation of, access to and representation of clients - be they on death row, in Guantánamo, or the survivors of a drone strike - that differentiates us from organisations like Human Rights Watch or Amnesty and gives us the ability to effect change. As legal representatives, we are uniquely placed to make the voices of these prisoners heard: we meet with them in person, thereby developing a factual portrait of their case and conditions of imprisonment, as well as an understanding their personal story. We also enjoy an authority to speak on their behalf and tell their stories in a way that more traditional campaigners do not.

We advocate for our clients in the courts of law where we can, but importantly we also advocate in the court of public opinion – both on behalf of our clients and the issues. Using strategic litigation, we effect systemic change and with our clients' stories, we can change the minds of influential decision-makers and the public.

We are strategic in terms of which clients we represent and how we use their stories to effect change. Where it becomes apparent that a particular case or campaign is successfully capturing the public imagination, and thereby shifting the debate on the issues with which we engage – for example through increased press focus – then we invest more resources in it and fine tune our approach in order to maximise our ability to effect change. If a strategy is not working, we stand back from it until a better time, or we re-evaluate and adapt.

Key to our mutable strategy is our agile team of expert investigators and litigators who take our clients' cases to the courts and our skilled communications team that takes our message to the public. The importance of public education in Reprieve's work cannot be overestimated. Many of the prisoners assisted by Reprieve do not have access to meaningful courts of law: their best hope of justice lies in the court of public opinion. By humanizing our clients through telling their stories, or emphasising the value of the Rule of Law, fairness and due process, extraordinary shifts can be brought about in these audiences.

### ***Agility***

The area in which Reprieve operates is dynamic and fast-moving. Reprieve's agility is not just part of the strategy; it is the strategy. All of our staff are familiar with our key objectives. The aim is then to develop creative cases and campaigns which will get us closer to achieving those objectives. We track what is going on in the world and take action accordingly. This is well-illustrated by our drones project. As this example shows, part of Reprieve's role is as trailblazer: finding out what abuses within its remit are occurring, bringing litigation and placing stories in the press constantly (gradually eroding the legitimacy of those abuses in the public consciousness) until the larger human rights organizations take up the banner.

Reprieve captures the zeitgeist: we change the debate and we change peoples' minds. That is our product – it is the thing we do brilliantly, it is the reason our funders fund us and the reason we punch so much above our weight.

### **3. Current Casework:**

#### **Death Penalty Team**

**Mission:** To pursue strategic initiatives to abolish the death penalty or restrict its application worldwide.

#### **Specific Aims:**

- Engage institutions, governments, civil society, corporations and the public in the fight for abolition of the death penalty worldwide, focusing specifically on the United States of America, Asia, the Middle East and Africa.
- Challenge the use of the death penalty worldwide by undertaking casework – either directly or in partnership with other lawyers or organisations - on behalf of those facing the death penalty, and whose cases offer strategic opportunities that Reprieve is well-placed to pursue.
- Implement the Stop Lethal Injection Project to support pharmaceutical companies that do not wish to have their life-saving drugs used in executions, particularly in the US.
- Implement the Stop Aid For Executions Project to prevent aid or assistance from abolitionist states from propping up the death penalty in retentionist states (including through counternarcotics support which leads to death sentence for drug offences or support for prosecutions where there is a risk of a death sentence being imposed).
- Build and support anti-death penalty activists and organisations in strategic locations.

#### **'War on Terror' Team**

**Mission:** To pursue strategic initiatives to end abuses committed in the name of the 'War on Terror'.

#### **Specific Aims:**

- End extrajudicial killings associated with the 'War on Terror', including off-battlefield use of weaponised drones and the use of, or collusion with, other mechanisms for assassinations.
- End use of a Kill List to assassinate people around the world.
- Stop ongoing rendition, unlawful detention and torture/cruel, inhuman and degrading treatment ("CIDT") associated with the 'War on Terror'.
- Hold to account those who perpetrated or colluded with past rendition, unlawful detention and torture/CIDT associated with the 'War on Terror', ensuring that the lessons of history are learned from recent excesses.

- Identify and combat “emerging threats” associated with the ‘War on Terror’ and to expose the ongoing human rights abuses that the US seeks to conceal by altering the nature, footprint and location of the ‘War on Terror’.

### **Operations and Communications Team**

**Mission:** Create the most efficient, nimble and effective organisation possible, and ensure that casework and project victories are powerfully and effectively communicated to target audiences.

#### **Specific Aims:**

- Build global public awareness of the issues Reprieve tackles and of its work.
- Build public support for our work, and galvanise key audiences such that they are able to take action to assist us in furthering our mission.
- Ensure that Reprieve has the funding and operational support needed to carry out its work efficiently, effectively, securely, and in compliance with all applicable laws, policies and standards.

## **4. Who We Are**

Reprieve is a UK charitable company limited by guarantee, charity number 1114900.

### **Leadership**

Reprieve's leadership is provided by its board; its founder, Clive Stafford Smith; and its Executive Director, Anna Yearley. Clive co-founded Reprieve in 1999 and is responsible for Reprieve's casework strategy. Anna is responsible for oversight of all Reprieve's teams. Both Anna and Clive undertake public advocacy work on behalf of Reprieve.

The senior team (comprised of Clive, Anna and the team directors) has a close relationship and meets monthly. There is a great deal of communication between the senior team and across the organisation generally, and as a result, both Clive and Anna are very engaged with the organisation's work, staff and day-to-day activities. Anna and Clive are together responsible for Reprieve's strategic direction, its funding and its interaction with the board.

Overall strategy for Reprieve is set by the board and captured in this strategic mission document, which the board reviews annually.

### **Board**

Ultimate responsibility for Reprieve and its work is held by our board of trustees. The skill mix of the trustees is designed to bring a balance of legal, charitable, commercial and communications experience and expertise to underpin the strategy of the organisation.

Reprieve's Board meets five times a year. With Clive and Anna, it sets and monitors overall strategy for the organisation, and monitors the budget. Clive and Anna report to the board at each meeting as to casework and financial achievements, and any broader issues that need resolution. The Board comprises: Lord Ken Macdonald, QC – Chair, Sylvia Coleman, Kate Gavron, Sue Hollick, Ursula Owen, Damien Regent, Anthony Salz, Samir Shah, William Sieghart, Ursula Owen, Andrew Graham, Mary Fitzgerald, Nasir Ahmad, and Tanya Steele.

The board conducts a skills audit every other year and each member meets with the chair annually to review their position and input. Trustees have 3-year terms, renewable once, and the board discusses replacing trustees whose turn to leave the board has come as and when that happens. These discussions take place with reference to the skills audit results.

### **Staff and Structure**

Reprieve is a small, committed and dynamic team. The skill mix evenly divides between legal, investigative, communications and operations skills. Our staff operate within 3 teams: Abuses in Counter-Terrorism; Death Penalty; and Operations. The Abuses in Counter Terrorism Team is undergoing transition, having been led by Kat Craig and Cori Crider, but now more directly under the strategic purview of Founder Clive Stafford Smith. It focuses on Reprieve's investigation, litigation and representation work relating to abuses committed in the name of the 'War on Terror'. The Death Penalty team is led by Maya Foa, and is responsible for Reprieve's work to end the death penalty worldwide. Reprieve's casework is supported by its Operations team, led by Tineke Harris and Simone Abel, and provides communications, fundraising, governance, finance and other operational functions.

We are structured leanly and as non-hierarchically as possible. Our fundraisers work closely with our caseworkers to develop proposals for work that meets the organisation's strategic objectives. Caseworkers interact extensively with the Operations staff and their work informs the organisation's plans and their implementation, media content, public relations and systems.



We do not plan for the organisation to become much larger than it is now – staff numbers have grown dramatically over the last few years and we want to consolidate and keep the team to a number no greater than 35. If we were to grow our numbers, it would likely be in terms of Reprieve Fellows in-country, rather than in the UK office.

### Fellows

We have learned that the swiftest and best way to address human rights abuses is by supporting and working closely with human rights defenders on the ground. This means that people who know the law, custom and language of the country in question are assisting our clients and effecting change in their country. It also means that we are training up people likely to stay in the country and continue the work. These individuals are driven and hard-working, but also fighting a difficult battle. By providing them with expertise, skills and influence, we will develop a new generation of skilled human rights defenders invested in their country's future. Our experience can prevent them from 'reinventing the wheel' and we also offer them support which helps them build their offices and maintain their drive.

Our Fellows are renowned for their work. They are why we have the testimony that underpins our litigation. Typically, our Fellows will find clients and we will then bring those clients and their stories to decision-makers. Fellows also carry out in-country work - our Yemen Fellow was responsible for the Yemeni Legislature's move to ban drones; while one of our Pakistan Fellows led the successful legal petition to have drones declared illegal by the Peshawar High Court. We currently work with a Fellow in Indonesia, a Fellow in the US, and two Fellows in Malawi. We also work with one Fellow in Pakistan, and in close partnership with two Pakistan-based human rights organisations whose directors are/have been Reprieve Fellows and who interact closely with us. Our Yemeni Fellow has had to leave the country as a result of the current political instability and violence, and we do not have plans to create a new Fellowship post there for the conceivable future.

### Volunteers

Reprieve increases the impact of its small team by effective use of unpaid volunteers (we do reimburse travel and lunch expenses). Would-be volunteers apply on-line and are interviewed for appropriate qualifications. We have more than 2,000 people on our waiting list to volunteer for us. We interview and choose our volunteers carefully.

As a result of the time we put into their supervision and training, we currently have over 40 very reliable and committed volunteers, many of whom stay with us for a period of approximately three months. This is a huge resource, as it massively increases our capacity. Our volunteers are integrated into our teams as much as possible, and are carefully trained and managed, so that the work they do is of benefit to the organisation. Each volunteer is placed within one of the teams, has a manager and receives the guidance s/he needs to carry out his or her work. The vast majority of our volunteers assist Reprieve from our office, although a few assist our work from home.

### External Support

Reprieve has a considerable amount of support from external sources. We are given significant pro bono assistance by various law firms – in terms of advice for the organisation, provision of secondeed lawyers to assist our teams as part of a structured secondment programme, and casework assistance for our clients. We also receive support from some other entities – a good example is Lush, the cosmetics company, which assists us from time to time with campaigns they run on behalf of our clients. We work closely with an extensive array of media across the world. We work hard on these external relations, as they leverage our capacity significantly.

### Other Resources

We have registered the name Reprieve as a trade mark in the UK, Europe and Australia and we are licensing the name to the offshoots of Reprieve in the Netherlands and Australia. We have registered the trade mark in the US and have licenced it to independent sister organisation Reprieve US. We have a 10-year office lease on our Tower Hill premises which ends in 2022, with a 5-year break clause which comes up in 2017.

### Reprieve US

In 2014 Reprieve helped enable the re-launch of Reprieve US, an independent sister organisation which shares our goals and methodology. They have a renewed and separate board of trustees, as well as five members of staff based in New York City. Reprieve works in close partnership with Reprieve US and benefits from its direct advocacy in the US, its relationship with the US media and funders, and its ability to litigate in the US.

## **5. Culture**

Reprieve's primary resource is its people, their commitment, experience and ability. Staff feel a sense of ownership of the organisation and its direction. Almost all Reprieve staff could earn considerably more elsewhere, but share a belief and commitment that motivates them, binds them to the organisation and informs the culture at Reprieve. Reprieve staff are where they are because they are offended on a profound level by the peculiar hypocrisy of using systems of justice to create spaces for abuse whether in the execution chamber or legal black holes such as Guantánamo Bay.

As well as being agile, Reprieve encourages staff to be creative in their projects and fearless in their ambition.

We work hard and we aim to produce excellent work.

There is an understanding that our objectives are optimistic and we know that we are in it for the long haul. Achievements are celebrated and although we strive to achieve impact on a constant basis, stamina and endurance are necessary for us to realise significant progress and change.

The culture at Reprieve is consensus driven and as non-hierarchical as possible. Importance is placed on communication, knowledge sharing and cross-fertilisation of ideas/inspiration. Reprieve is consultative: we have weekly staff-wide meetings, weekly team meetings and an annual retreat, at which work and organisational direction are discussed. Contributions of ideas and knowledge are encouraged at all levels and from all involved, from volunteers through to directors.

We aim to retain the right people in order to ensure that Reprieve is as effective as possible in its work. The standard of applicants for new jobs advertised is very high, especially given the amount we pay.

The pay structure is comparatively exceptionally flat, governed by a constitutional principle that the highest paid in the office receives no more than 33% more than the lowest – officers are paid £35,763, regional/project leads are paid £ 37,640, deputy directors are paid £39,518, directors are paid £42,402 and the Executive Director is paid £46,763. Clive Stafford Smith, Reprieve's founder, is a fellow and is paid a fellowship grant of £42,402 per annum.

## **6. Place in market**

Reprieve is small human rights organisation – and because we are small, we are nimble. We react quickly and effectively to new challenges, and as a result, we are often debate-formers. We work closely with larger partner NGOs to ensure that they have access to the facts we gather, so that both those facts and our narrative are disseminated as widely as they can facilitate.

We also engage and cooperate with a wide range of smaller civil society organisations in the UK order to share our knowledge, strategy and, most importantly, lend our voice on issues of joint concern.

Reprieve also co-operates closely with specialized non-profit human rights organisations around the world, and with law firms around the world. It has strong contacts and networks in the USA, the Middle East (particularly Yemen) and North Africa, Pakistan and Indonesia, built-up over many years work in those countries. In Pakistan, for example, we helped to establish and work closely with both the Justice Project of Pakistan (JPP) in Lahore, and the Foundation for Fundamental Rights (FFR) in Islamabad.

Our formal and informal partnerships with other civil society organisations are too numerous to list comprehensively, but include: Liberty; Amicus, Penal Reform International, Public Interest Lawyers, JUSTICE and REDRESS in the UK and ACLU, Amnesty, HRW, CCR and NYU Center for Global Justice internationally. We also work closely with frontline human rights NGOs in country, such as HOOD in Yemen.

## **7. History and Achievements**

Clive Stafford Smith established Reprieve in 1999 having spent many years defending people sentenced to death in the US' Deep South. Particularly since 2004, Reprieve has built a team of lawyers and investigators to tackle death penalty cases; and extrajudicial killing, unlawful detention, torture and rendition cases arising as a result of states' abuse of counter-terrorism powers.

Reprieve has helped secure the release of more than 75 clients from Guantánamo and currently acts for four others – more than any other single organization. Our record on litigating death penalty cases is also unique: Clive has successfully prevented the death penalty in all but six of his cases, which amounts to a 98 per cent victory rate. We are currently assisting 89 people who are facing the death penalty in 11 different countries.

Examples of our past achievements include:

### *Death Penalty Successes*

- Launching the Stop Lethal Injection Project - stemming the flow of drugs to execution chambers by working with pharmaceutical companies that do not want their life saving drugs to be used to kill. In 2015, the total number of US executions fell to its lowest in 24 years (having almost halved since SLIP began). The number of new death sentences imposed in the US mirrored the downward trend in executions with only 49 handed down – a 33% decline from the previous year and the lowest level since the early 1970s, leading many commentators to question whether this is the beginning of the end of the death penalty in the US. Moratoria on executions as a result of lethal injection drug shortages were secured in Oklahoma, Ohio, Arkansas and Montana, and the death penalty was abolished altogether in Nebraska.
- Setting valuable precedent in Malawi by persuading the Malawi High Court to consider mental health evidence as valid mitigation. In 2015, 58 former death row prisoners were released because of our work, with a further 5 having their sentences reduced so that they will be released within one year. Over 90 resentencing hearings are yet to be heard which we will continue to support.
- Working with a partner organisation to secure a stay of execution for Abdul Basit, a paraplegic on death row in Pakistan (July 2015), along with many similar successes in that country.
- Supporting the efforts of the United Nations Secretary General in making a statement urging Indonesian President Joko Widodo to reinstate a moratorium on the death penalty (April 2015).
- Publishing our Stop Aid for Executions Project after a two year investigation by Reprieve, which reveals that European states and the European Commission have given at least €60 million to law-enforcement focused counter-narcotics programmes. These programmes are being run in countries which actively apply the death penalty for drug-related offences. This support makes Europe one of the largest institutional donors to these countries' lethal anti-drug campaigns.
- Working with the European Parliament to encourage the passing of a resolution which seeks to prevent European aid money supporting anti-narcotics programmes in countries that pursue the death penalty for drug offences and which also strengthens the mechanisms for supporting European nationals on death row in third countries.

### *Abuses in Counter-Terrorism Successes*

- Assisting in the release and resettlement of the following Guantánamo clients: Emad Hassan to Oman (June 2015) Younous Chekkouri to Morocco (September 2015), the last remaining British resident, Shaker Aamer, to the UK (October 2015); Ahmed

Abdulaziz to Mauritania (October 2015); and Mohammad Sa'id S Bin Salman and Samir al Hassan Moqbel to Oman.

- Continuing to represent a number of detainees in Guantánamo in order to highlight the plight of those who remain, and keep up the pressure for closure.
- Continuing global litigation of the kind credited in *Engines of Liberty* as the main motivation behind the Bush Administration's retreat from its harsher detention and torture policies. For example, working with FFR successfully to sue the Pakistan government to ensure their active intervention on behalf of their remaining Guantánamo detainees.
- Representing the voices of over 200 innocent individuals and families affected by US-led drone strikes and ensuring that their stories are publicly aired.
- Supporting a partner organisation in their work to secure a landmark ruling in April 2015, which saw a senior judge in Pakistan order the police to formally investigate former CIA agents for their role in the drone strike that killed the son and brother of our client Kareem Kahn.
- Accompanying Faisal bin Ali Jaber (whose nephew and brother-in-law were killed in a drone strike in Yemen) to Berlin to file a constitutional claim against the German Government for its complicity in US drone strikes. While not successful in court, we gained significant media coverage and were given immediate leave to appeal. Our case also led the German Federal Prosecutor's office to launch an investigation into possible violations of international law.
- Filing a claim in the Investigatory Powers Tribunal saying GCHQ unlawfully spied on our client, Abdul-Hakim Belhadj's, privileged communications with his legal team, leading the UK government to concede that its policies governing the ability of intelligence agencies to spy on lawyer-client communications were unlawful (February 2015).
- Providing legal, social and psychological support to 22 former detainees and their families, helping them rebuild their lives following their unlawful detention and torture as part of our Life After Guantánamo Project.
- Contributing significantly to the narrative around off-battlefield drone strikes being unlawful – a February 2015 report by the UK Parliament's Defence Committee questioned whether 'targeted killings' carried out by drones in Iraq and Syria "are in accordance with the law".
- Drawing public attention to the false reporting of the identities of those killed by drone strikes in Yemen and Pakistan through our Multiple Kills report (November 2014).
- Challenging the use of a Kill List, including bringing one person on the list (Malik Jalal) to London to meet with decision makers and demonstrate how flawed their intelligence is in tagging people for assassination without any due process.

## **8. Geography**

Reprieve is based in London and works closely with Reprieve US, an independent sister organisation, which is based in New York City.

### **Death Penalty work**

In terms of our death penalty work, Reprieve acts for prisoners facing the death penalty in:

- the US;
- Asia;
- the Middle East and especially Egypt, Saudi Arabia, the United Arab Emirates;
- Africa.

Within the above regions, we determine our focus countries by balancing the following factors:

- History of investigating / litigating / carrying out work in the country in question
- How rife the use of the death penalty is in that country
- Our assessment as to the likely impact of our work – both in-country and for abolition more globally
- Our assessment as to whether the activities we undertake in-country will further our objects to an extent which justifies the resources committed
- Our ability to have a reliable and secure presence on the ground, and access to our clients.

(See Section 2 (Reprieve's Strategy / Modus Operandi) above).

In addition to our death penalty casework, we also carry out strategically themed projects on issues of global concern to the abolitionist movement:

- Our Stop Lethal Injection Project focusses on ending the lethal injection in the US, by engaging with multinational pharmaceutical companies, investors and other key stakeholders globally. More widely, this work and the press coverage it attracts debunks the myth of the humane execution.
- Our Stop Aid for Executions Project currently focusses on Pakistan-Afghanistan-Iran although it has the potential to extend to South East Asia. This work challenges the myth that aid is necessarily benevolent, and encourages governments and other key actors to link aid to abolition of the death penalty.

Reprieve's position in Europe allows it to leverage Europe's anti-death penalty stance on behalf of the prisoners for whom we act. We have been working over the last 10 years to urge the British Government and its ministers to go further in their efforts to prevent British nationals from being executed abroad. We have moved from a situation in which the FCO failed to take any action to prevent the execution of the British citizen Nicholas Ingram in 1995, via bland assertions that the UK was against the death penalty, to a situation in Christmas 2009 in which the Prime Minister made personal and vigorous representations to China, a country with which the UK has many interests, not to execute Akmal Shaikh. Our engagement with the FCO on behalf of our clients recently led to the resolution of Michael Lane's case in Nevada, ensuring that he no longer faces the death penalty.

We are also, through the EC project, working with other European governments and persuading them to bring pressure to bear on behalf of their nationals and others facing the death penalty, including funding legal representation for indigents.

## **Abuses in Counter-Terrorism work**

In terms of our Abuses in Counter-Terrorism work, Reprieve acts on behalf of:

- Some of those detained without trial in Guantánamo Bay and Afghanistan (Bagram Airbase);
- Victims of drone strikes and their families in Pakistan (especially Waziristan), Yemen and elsewhere; and
- Victims of torture, rendition, unlawful detention and extrajudicial killing around the world.

We carry out this work in the US and Europe. We also carry out work directly or through local partner organisations and Reprieve Fellows in Yemen, Pakistan and the Middle East and North Africa, focusing on countries where some of the following factors are present:

- We have a history of working and understand the local context
- The abuses in question are prevalent
- We believe our work is likely to significantly impact positively on preventing or stopping those abuses, domestically and internationally (by way of knock-on effect)
- On our assessment, the activities that we propose to undertake will further our objects to an extent which justifies the resources committed
- We are able to safely, securely and effectively conduct our work.

(See Section 2 (Reprieve's Strategy / Modus Operandi) above).

As a UK rather than US-based NGO, Reprieve is well-placed to enforce the law globally, on both sides of the Atlantic and elsewhere, to get the best outcome and to further globalise human rights. At one point, there had been more UK court decisions in favour of Guantánamo prisoners than American. The US could not have built a global system of secret detention without help from its allies. Those allies are a vulnerable pressure point for access to prisoners, to information, and for accountability for past abuses. It is much easier to obtain information in Europe relating to the programme of rendition and torture. Judges in the UK are happy to order disclosure of documents where their US counterparts refuse on the basis of national security. These disclosed documents can then be used on both sides of the Atlantic.

The European courts and the European public are more sympathetic to international law in general and in particular towards the doctrine of universal human rights. Reprieve is therefore able to promote the importance of human rights more fully in the European media than could ever be possible in the US. Eventually, the European influence drifts back across the Atlantic.



## **9. Risks**

Reprieve has identified its biggest risks as:

**Financial** – a sudden loss of income. A little over 50% of our annual income comes from trusts and foundations (including institutional funders). This means that we are somewhat vulnerable to the risk of a significant reduction in our budget in the event that long-term funding relationships come to an end.

**Personal Injury** – Reprieve’s staff have to travel to and work in dangerous places.

**Leadership** – Reprieve relies on key individuals, including its founder, Clive Stafford Smith. If the founder could not continue, or only at a much reduced rate, this might be a serious threat to the organisation, although that threat continues to decline in magnitude as the role of other staff members increases.

**Reputation** – As the environment we operate in is challenging and the landscape fast moving, and many of our clients have been severely traumatised, there is a risk that Reprieve’s reputation may be attacked by targeting public and supporter perception of Reprieve or its clients, causing damage to our ability to operate and raise funds.

The board’s Risk Audit Committee reviews the risks facing Reprieve and reports to the board annually. All necessary mitigation measures have been taken in relation to the above risks.

## **10. Monitoring and Evaluation**

Measurement is not straightforward – Reprieve should be capturing the zeitgeist: changing the debate and changing peoples’ minds about the death penalty and abuses committed in the context of the ‘War on Terror’. Thus, we need to measure whether we are achieving that.

As set out above, part of Reprieve’s strategy is to react rapidly to external events, which means that we have a constant eye on what is happening in the world. Further, we constantly evaluate the projects, cases and campaigns we are working on, asking ‘is this working? Is this changing the debate?’. If it isn’t, we pivot the project or drop it. Thus, there is ongoing evaluation, in addition to the formal evaluation we carry out.

We monitor and evaluate our progress through evaluation sessions for each project at least once per year, plus an annual staff retreat. At the evaluation sessions, project teams examine their goals, activities, external outputs and lessons learned.

The first questions we ask during formal and informal evaluation of projects / cases are:

1. Does this case / project take us closer to achieving Reprieve’s Vision;
2. Is there a better way than this to achieve Reprieve’s Vision and
3. Is this project the optimal use of our limited resources
4. Should we pivot or persevere with this project?

Then, at our retreat, the staff and board determine the organizational strategy for that year and from that, the teams pull together operational plans, which include performance indicators and targets.

Our operational plan feeds into staff workplans, which are monitored and assessed by line managers at monthly management meetings. These are conducted with reference to time spent on tasks (as measured by time recording software). There is a real emphasis placed on external-facing results – i.e. what a given task achieves in the outside world (effect on policymakers, lawyers, government representatives, prisoners and their families and communities and the public at large). This provides an opportunity for staff to get feedback on their progress towards achieving the goals set out in their plan, and to take action to be as effective in achieving these goals as is possible. In addition, staff meet annually with Clive Stafford Smith who provides feedback on their progress based on their workplan.

The board approves the organisation’s strategy each year and the executive reports to the board throughout the year as to the progress of projects undertaken in pursuit of that strategy. This is informed by the evaluation sessions.

A culture of monitoring and evaluation permeates Reprieve, with weekly team meetings and organisation-wide meetings giving employees the opportunity to question projects, dissect progress and provide feedback.

## **11.The Future**

Reprieve is 17 years old and has an ambitious vision - the creation of a world free from the death penalty and abuses committed in the name of the 'War on Terror' is still some way off.

However, the organisation has loyal supporters, and is attractive to funders; it also has strong and capable leadership and able and committed staff. Thus, we should be able to work on achieving our goals for some time to come. Further and most importantly, our strategy – investigating on the front line; finding clients and representing them and then using those stories to advocate in the court of public opinion – is sound. Our stories change peoples' minds and that in turn changes policy.

We must preserve Reprieve's agility and adaptability. Our agility means that we are well placed to manage unexpected events and take advantage of opportunities that present themselves. We have a good track record of innovation in response to global developments. To maintain our effectiveness, we will continue to assess our impact continuously, so that we can learn from our experiences, close down projects which are not working, whilst doubling down on cases and campaigns which are achieving change. We must also remain unafraid to try new techniques to achieve results.

Our size is important, in terms of our agility and our team spirit. Our plan is therefore to keep the size of our team at roughly its current level. We will continue our fellowship projects overseas, so that we seed human rights offices in other countries and we will build up and work with Reprieve US.

Reprieve has seen significant growth over the past 10 years and it is important now for us to evaluate and consolidate. We need to remember and remain true to our values: we must be agile; imaginative; fearless; impactful, resilient and relentless.