

# REDRESS

*Seeking Reparation for Torture Survivors*

THE REDRESS TRUST

BOARD OF TRUSTEES' REPORT AND FINANCIAL STATEMENTS

FOR THE YEAR ENDED  
31<sup>ST</sup> MARCH 2005

Company number: 2774071

Charity number: 1015787

# THE REDRESS TRUST

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## Legal information

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<b>Board of Trustees</b>	Professor Bill Bowring QC Paul Garlick QC Joanna Glynn QC (Chair) Charles Nall MBA ACA Dr Stuart Turner MD Bchir MA FRCP FRCPsych
<b>Secretary</b>	Joanna Morris (Appointed 8 <sup>th</sup> November 2004) Baroness D'Souza CMG (resigned 8 <sup>th</sup> November 2004)
<b>Director</b>	Carla Ferstman
<b>Company Number</b>	2774071
<b>Charity Number</b>	1015787
<b>Registered Office and Operating Address</b>	87 Vauxhall Walk London SE11 5HJ
<b>Auditors</b>	Trustient Buckingham House East The Broadway Stanmore Middlesex HA7 4EB
<b>Bankers</b>	Unity Trust Bank Nine Brindleyplace Birmingham B1 2HB

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## Board of Trustees' report for the year ended 31<sup>st</sup> March 2005

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The Board of Trustees present their report and the financial statements for the year ended 31<sup>st</sup> March 2005. The Board of Trustees confirm that the annual report and financial statements of the charity comply with current statutory requirements, the requirements of the charity's governing document and the provisions of the Statement of Recommended Practice (SORP) "Accounting and Reporting by Charities" issued in October 2000.

The management of the charity is the responsibility of the Trustees who are elected and co-opted under the terms of the Memorandum and Articles of Association.

The charity may by Ordinary Resolution in General Meeting appoint any person who is willing to act to be a Trustee, either to fill a vacancy or as an additional Trustee. At the third Annual General Meeting of the charity and at every third Annual General Meeting thereafter all the Trustees shall retire from office. Retiring Trustees are eligible for re-election.

The Board of Trustees is responsible, *inter alia*, for setting and overseeing the overall direction, policies and finances of the charity. It has the power from time to time to adopt and make, alter or revoke, bye-laws for the regulation of the charity and otherwise for the purposes for which the charity is established, so long as such bye-laws are consistent with the Memorandum or Articles of Association. The Director is responsible for the day-to-day management of the charity and execution of policies and practices set by the Board of Trustees.

### Objects

The objects for which the charity was established, as defined by the Memorandum and Articles of Association, are:

- to promote throughout the world the rehabilitation and protection of persons who are or at any time have been victims of torture and to assist them, and where appropriate their families, in gaining redress for their suffering
- to provide financial assistance to victims of torture in need throughout the world and legal assistance to such of them seeking redress from whatever source
- to seek the enforcement wherever possible of the right of the victims of torture to fair and adequate compensation
- to procure the abolition of torture by all lawful means including without limitation providing information and other assistance to states or governments prosecuting torturers and those who conspire with them.

There have been no changes in the objectives since the last annual report.

### Mission Statement

To rebuild the lives and livelihoods of torture survivors and their families so that they become active and contributing members of society again.

To realise the mission, the principal objectives and five main activities of REDRESS for the year were:

## CASEWORK

REDRESS aims to provide a range of services to survivors of torture and families of victims as part of its casework programme. It advises torture survivors about legal avenues for reparation in national, regional and international jurisdictions and provides a range of assistance, including expert advice, referrals, litigation support and representation.

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REDRESS assists clients to obtain various forms of reparation, including compensation, rehabilitation, public acknowledgment of the wrong and formal apologies and also advocates for the prosecution of alleged perpetrators of torture wherever they may be found. It also works to ensure that victims participating in legal processes are treated with full dignity and respect. Depending on the objectives of the survivor, the countries in which the torture took place, and other factors such as the location of the perpetrator, REDRESS devises a suitable strategy to meet as far as possible the needs of the torture survivor and assists that person in achieving their goals. Such cases may include the following:

- **Criminal prosecution of alleged perpetrators**

Most torture survivors wish to see the perpetrators brought to justice. The most obvious way in which to achieve this is by bringing a criminal prosecution in the domestic court in the country where the torture took place. REDRESS may provide technical advice and expertise in this respect, and may liaise with lawyers in the country in order to facilitate this.

As torture is an international crime that gives rise to universal jurisdiction, and this has been recognised in the laws of most countries, it may be possible to bring a criminal prosecution in a domestic court outside of the state where the torture took place, or to request the extradition of the alleged perpetrator to face trial in another jurisdiction. Many countries require that the alleged perpetrator be physically present in the jurisdiction to proceed with the case, though this is not a requirement under the Geneva Conventions. REDRESS will also assist torture survivors in facilitating criminal prosecutions before international criminal tribunals.

- **Civil action for reparation**

Torture survivors may (in addition or only) seek compensation from either the government of the country where the torture occurred or from the individual alleged perpetrator if their identity is known. REDRESS will assess all civil remedies open to torture survivors; again the most obvious way to achieve this is by bringing a suit in the state where the torture took place; when this option is not available or desirable, other criteria relating to concepts of domicile, assets, nationality, jus cogens, may assist in bringing a claim in other domestic courts. If the case falls outside the UK, REDRESS may analyse the national legal system to verify that there is a remedy available, in which case it will liaise with lawyers in that country in order to lodge a claim in the domestic courts.

- **Other possibilities**

When no criminal and/or civil remedy is available at a national level, a claim against the State can be lodged with regional human rights mechanisms such as the African Commission, the European Court of Human Rights or the Inter-American Commission and Court of Human Rights. Other possibilities are to bring the case before a United Nations mechanism such as the Human Rights Committee or the Committee against Torture. A prerequisite to taking such action is the exhaustion of domestic remedies, and the State in question must have specifically enabled the body to receive such complaints. If this is the case, REDRESS will provide assistance to torture survivors in preparing their case that may include drafting witness statements, preparing supporting evidence, and drafting petitions. Where it is impossible to bring a case for reparation to the attention of a supranational human rights mechanism, torture survivors may wish to use the more traditional forms of seeking reparation to remedy an international wrong - that is by using diplomatic protection; in which case a government may take up a case on

**UK TORTURE VERDICT  
"A SIGNIFICANT  
VICTORY"**

Dr. William (Bill) Sampson,  
Reparation Report, Issue 4, Nov.  
2004]

"The verdict has provided a glimmer of hope and demonstrates changes in the "legal" environment, as the rights of torture victims are finally seen as more compelling than the rights of the torturers. To be able to be part of something such as this is a victory all its own."

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## Board of Trustees' report for the year ended 31<sup>st</sup> March 2005

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behalf of the victim and make representations in another State. If these representations fail, a government may bring an action to the International Court of Justice (as long as local remedies were exhausted). It is the discretion of the government rather than the right of the victim to pursue this remedy and it is for the government to decide how and when to pursue the case on behalf of the victim. There are a variety of non- and quasi-judicial forums where survivors of torture may claim compensation such as compensation commissions or pursuant to administrative laws providing reparations. REDRESS may assist victims in pursuing these claims.

### Casework achievements include:

- REDRESS intervened in ***Jones and others v. Saudi Arabia*** to argue that the right of torture survivors to a civil remedy must override the immunities accorded to those responsible for torture. In the 28 October 2004 decision of the Court of Appeal, the importance of civil redress was acknowledged. In addition to the compensatory function, the Court ruled that "the value of civil redress may be suggested to lie as much in terms of the ability to establish the truth and so to assist rehabilitation or closure as in terms of the prospect of any financial recovery." [para. 80] The Court recognised that the UK's 1978 State Immunity Act could not act as a bar to civil proceedings against individual torturers.

- REDRESS also intervened in the case of ***Mazin Jumaa Gatteh al Skeini & Ors. v. Secretary of State for Defence***, regarding allegations of torture leading to deaths in custody in Iraq. The decision of the High Court recognised that the UK Government was obligated to conduct a full and impartial investigation into civilian deaths in UK military custody in Southern Iraq. The decision confirms the principle that the UK's obligations under the European Convention of Human Rights are applicable to British troops operating abroad to the extent that the area could be said to be under their control.

#### Iraqis win death probe test case

[BBC News, 14 December 2004]

Carla Ferstman, legal director of the human rights organisation REDRESS, said: "*It is not enough for the military to investigate behind closed doors. ... There must be an effective public investigation by an independent official body.*"

➤ REDRESS, as part of a broad based coalition of 15 human rights organisations, was granted leave to intervene in the case of ***A and Others v. Secretary of State for the Home Dept.***, before the House of Lords. The House of Lords will be reviewing the controversial decision of the Court of Appeal which upheld the decision of the Special Immigration Appeals Commission (SIAC) (a body with competence over persons falling within the scope of the anti-terrorism legislation), that evidence that may have been procured through torture may be admissible in proceedings before SIAC. The Court of Appeal ruled that the fact of torture would only impact on the weight to be given to such evidence. Non-governmental organisations are extremely concerned by this ruling of the Court of Appeal, which appears to contravene Article 15 of the UN Convention against Torture, which prohibits the use of evidence gained by torture wherever and by whoever obtained.

- REDRESS submitted its first ever intervention to the European Court of Human Rights in the case of ***Mikheyev v. Russia***. Here, we provided the Court with comparative and international jurisprudence on the nature of the obligation to conduct a prompt and effective investigation in cases of torture. Mikheyev was so distressed by his torture that whilst left alone momentarily in the Russian detention facility, he threw himself out the window, suffering paralysis.
- At the Inter-American Commission, the Government of Chile entered its response in the case of ***Garcia v. Chile***, a case involving the lack of effective remedies for victims of torture. We are hopeful that the case will now progress past the admissibility stage.

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## Board of Trustees' report for the year ended 31<sup>st</sup> March 2005

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- In another case in which REDRESS is involved in Peru, we helped the petitioners with a claim for precautionary measures before the Inter-American Commission, as a result of threats received by some of the victims.

## LAW REFORM AND ADVOCACY

The right to reparation for torture is a well-recognised principle of international law though difficult to implement in practice. REDRESS' law reform and advocacy programme focuses on removing legal impediments to reparation for torture by promoting greater ratification of relevant international conventions and treaties and ensuring that these are fully incorporated into domestic law, and in promoting new instruments and laws as required.

### Key initiatives included:

- After many years of rigorous lobbying by REDRESS and other civil society groups, the ***Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law*** (the Principles) were adopted by the United Nations Human Rights Commission at its recent annual meeting in Geneva, March – April 05, in which it recommended that States take them into account and promote them. REDRESS played a central role in advocating for the adoption of this text and together with the coalition of non-governmental organisations that was created to support the Principles, applauded this important achievement. The Principles provide a key point of reference for significant developments in the field of reparations at the national and international level. The text confirms that remedies for gross violations of international human rights law and serious violations of international humanitarian law include the victim's right to equal and effective access to justice; adequate, effective and prompt reparation for harm suffered; and access to relevant information concerning violations and reparation mechanisms. The Principles also recognise that a victim of a gross violation of international human rights law or of a serious violation of international humanitarian law should have equal access to an effective judicial remedy as provided for under international law.
- The United Nations Human Rights Commission also took note with appreciation of the recently revised ***Set of Principles for the Protection and Promotion of Human Rights Through Action to Combat Impunity***, updated by Professor Diane Orentlicher. REDRESS participated in an expert session organised by the UN High Commissioner for Human Rights in November 2004 to ascertain views and perspectives on the draft text.
- REDRESS continues to play an influential role in the development of procedures for victims at the International Criminal Court in The Hague. On 20<sup>th</sup> – 22<sup>nd</sup> April 2004, the **Board of Directors of the International Criminal Court's Victims Trust Fund** held its first meeting in The Hague. REDRESS, together with many other nongovernmental organisations, celebrated this meeting as a first step in the operationalisation of the Trust Fund, a body that will have a key role in fulfilling the Court's reparative mandate to victims. On 21<sup>st</sup> April, we, together with other members of the Victims Rights Working Group of the NGO Coalition for an International Criminal Court (CICC), were



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## Board of Trustees' report for the year ended 31<sup>st</sup> March 2005

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given the opportunity to address the Board with our main concerns. Also as part of its work on the **International Criminal Court**, REDRESS helped to prepare a position paper of the Victims Rights Working Group on the draft regulations of the Trust Fund for Victims and attended a briefing session of States Parties in **New York** to promote its position. REDRESS, as other organisations, is hopeful that the Regulations ultimately to be adopted by the Assembly of States Parties will be practical, operational and sufficiently flexible to enable the Board of Directors of the Trust Fund to fulfil its mandate to victims of crimes within the jurisdiction of the Court and their families. REDRESS, together with the **International Federation of Human Rights (FIDH)** also presented a series of recommendations to the State Party working group on the draft Code of Conduct for Counsel.

- REDRESS had an opportunity to raise some of its concerns regarding the compliance of the United Kingdom with its obligations under the UN Convention against Torture in November 2004, when the UN Committee against Torture assessed the Government's latest compliance report. REDRESS worked with a number of British-based NGOs to coordinate interventions before the UN Committee. REDRESS' report "**Comments to the United Kingdom's 4<sup>th</sup> Periodic Report to the Committee against Torture**", analysing the UK's compliance with its obligations under the UN Convention against Torture, identifies gaps in law, policy and practice. This report has been distributed to the

### **Ban on hooding of war captives** **The Observer, 19 December 2004**

Carla Ferstman, legal director of the human rights organisation REDRESS, said: "It's fantastic that they are reviewing their policy of hooding, this represents a significant departure from our perspective. We do not ever feel hooding could ever be justified." She condemned hooding as cruel and said that the practice led to severe sensory deprivation which could increase a person's vulnerability. ... A spokesman for the MoD confirmed they were looking at alternatives to hooding following concern from human rights groups...

relevant government departments and key issues have been raised with government officials. Some of REDRESS' key concerns are reflected in the Committee against Torture's recommendations to the Government. Following the publication of this report, REDRESS' concern about the practice of hooding by British Forces in Iraq is being reviewed by the Ministry of Defence and REDRESS has submitted further views and recommendations on this particular matter to the Ministry of Defence.

- REDRESS also submitted materials to the Committee in respect of the compliance reports submitted by Bahrain and Canada.
- On 25 June 2004, REDRESS convened a seminar in Manchester which brought together a range of service providers that come into contact with torture survivors as part of their daily work, including asylum support workers, medical and trauma specialists, lawyers and other advice providers. Also present in the meeting were several torture survivors who had the opportunity to address the audience with their perspectives and to contribute to discussions throughout the day. The meeting took place the day before 26 June, the United Nations International Day for the Support of Victims of Torture.

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- REDRESS, together with other members of the Coalition of International NGO's against Torture (CINAT) produced a joint document on the absolute prohibition of torture and cruel, inhuman or degrading treatment or punishment and the related rights and obligations arising from this prohibition, in light of the increased practice of states to adopt measures that are incompatible with their international obligations in the name of national security or countering terrorism. The document, which highlighted four principal issues to be included in the Commission on Human Rights' annual torture resolution: the absolute prohibition of torture and ill-treatment, the principle of *non-refoulement*, the prohibition on use of evidence obtained through torture and ill treatment, and the right to a remedy and reparation for victims of torture, was sent to all member states of the United Nations.



The Prime Minister of Uganda, **Prof. Apolo Nsibambi**, between **Dr. Ole Rasmussen** (left) of the UN Committee Against Torture, and **Ambassador Sigurd Iling**, the EU Head of Delegation in Uganda, at the opening ceremony of the Istanbul Protocol training programme seminar near Kampala. REDRESS joined forces with the International Rehabilitation Council for Torture Victims to participate in the recent seminar which involved training of Ugandan legal and medical professionals.

### INCREASED COLLABORATION WITH PARTNER ORGANISATIONS AROUND THE WORLD

More and more, REDRESS is collaborating with local and international counterparts to lend its expertise in the development of national responses to torture and the building of the capacity of local lawyers and others to implement the rights of survivors to justice and reparation.

- We joined forces with the International Rehabilitation Council for Torture Victims to carry out the legal training component of their Istanbul Protocol Implementation Programme, and participated in the training of legal and medical professionals in **Uganda** and **Georgia, Sri Lanka** and **Mexico**.
- In **Khartoum**, October 2004, we co-organised, together with the *Sudanese Organisation Against Torture*, a training seminar for Sudanese lawyers on strategies and approaches to obtain national and international remedies for survivors of torture. REDRESS, in collaboration with the Sudanese Organisation against Torture, authored a handbook for Sudanese Lawyers entitled **National and International Remedies for Torture. The Handbook**, produced in English and Arabic, was released in March 2005. The Handbook suggests a series of practical ways in which lawyers and others may meet the numerous challenges within the local system to access civil and criminal remedies, including legal and practical obstacles in the investigation and prosecution of torture cases and other legal impediments to the resolution of torture cases. It draws on comparative best practice and international standards, and explores how international human rights law can be used to improve the opportunities for redress in the Sudanese context. The Handbook was developed in close coordination with lawyers working in Sudan. It draws and builds on REDRESS' experience and expertise in working on the question of torture in Sudan.
- Also in October 2004, REDRESS was one of the principal experts to participate in a high-level seminar with the judges of the Supreme Court of **Indonesia**, on strategies to improve the disposition of human rights cases in that country.

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- REDRESS joined forces with *Paz y Esperanza* and the **National Coordinator for Human Rights** in Peru to organise a seminar with judges, prosecutors and lawyers on efforts to combat impunity for the most serious crimes, following the decision of the Government to establish a specialised jurisdiction to try human rights crimes. The session brought together a range of participants from all parts of Peru and provided a useful opportunity to discuss concrete challenges in moving forward with the trials.
- REDRESS also participated in a series of meetings in **Eastern Democratic Republic of Congo** as part of its work to increase victims' participation and access to international justice processes and the International Criminal Court in particular. In November 2004,



Participants making a presentation at the Avocats Sans Frontières Seminar in Democratic Republic of Congo: November - December 2004



Lima, Peru, April 2005, at the Conference: Judicial Procedures for Violations of Human Rights and International Humanitarian Law

REDRESS' outreach and advocacy officer on its ICC project attended a meeting organised by **Avocats sans Frontières** aimed at preparing Congolese lawyers for their involvement in ICC proceedings. In March/April 2005 REDRESS co-organised, together with **Human Rights Watch** and the **ICJP (Initiative Congolaise pour la Justice et la Paix)** a meeting of human rights activists and victims' organisations from Eastern Congo, at which strategies for protection of victims and human rights defenders were discussed.

- On 18-19 October 2004, REDRESS convened the annual general meeting of the Coalition of International NGOs against Torture. This Coalition is comprised of Amnesty International, the Association for the Prevention of Torture, the International Commission of Jurists, The International Federation of Action by Christians for the Abolition of Torture, the International Rehabilitation Council for Torture Victims, the World Organisation against Torture and REDRESS. Strategies and joint activities for the year ahead were discussed and agreed, including the preparation of a letter writing campaign on the ratification of the United Nations Convention against Torture, targeting those countries that have signed but not ratified the Convention and those that have made reservations to the Convention.

- We conducted a detailed review of national law and practice, as well as current reforms, relating to justice and reparation for survivors of torture in Georgia (See: **Georgia at the Crossroads: Time to ensure accountability and justice for torture**). The Report, published in collaboration with Article 42, a reputed Georgian human rights NGO, is the product of extensive collaboration with NGOs, lawyers, and other civil society representatives in Georgia [and will be translated into Georgian] and looks at the

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## Board of Trustees' report for the year ended 31<sup>st</sup> March 2005

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current practice of torture in the context of ongoing changes and reforms following the recent change of Government. A series of practical recommendations that reflect detailed discussions with counterparts in Georgia were appended at the end of the Report.

## RESEARCH AND INFORMATION

REDRESS continues to analyse standards at the national, regional and international level in order to stay abreast of any changes and ensure the progressive development of the law.

### Key Results this Year:

- REDRESS prepared an extensive survey of international standards and national practice regarding procedures for complaining about torture perpetrated by law enforcement personnel. The Report is entitled: ***Taking Reports of Torture Seriously: Rights of Victims and Responsibilities of Authorities***. The report provides a comprehensive review of international standards regarding the right to complain about torture and the obligation to investigate, and reviews the practice in a range of countries worldwide, with three detailed studies of procedures in India, Northern Ireland and the Russian Federation. A series of conclusions and recommendations are produced, including an examination of the efficacy of the international legal framework and proposals of areas for further standard setting, as well as recommendations for the improvement of complaints systems on the basis of 'best practice.' The report is available in English, French and Spanish;
- REDRESS published the Report entitled: ***Terrorism, Counter-terrorism and Torture: International Law in the Fight against Terrorism***, which was released amidst the growing revelations of the practice of torture and cruel, inhuman or degrading treatment or punishment in Iraq and elsewhere as part of the global 'war on terror'. The Report analyses the international legal framework which should apply to counter-terrorism operations, outlines the nature of the allegations that have surfaced thus far and recommends a series of actions to ensure greater respect of the Convention against Torture and other international obligations in on-going counter-terrorism work;
- REDRESS' report "***The Protection of British Nationals Abroad: a discussion paper***" of February 2005, sets out the legal standards relating to consular and diplomatic protection and highlights gaps in current practice and policy of the British Foreign and Commonwealth Office. It also presents a series of recommendations on how to provide better protection to British nationals detained abroad and to improve the service provided to their relatives. The report continues to be used to open up dialogue with the Foreign and Commonwealth Office on these matters, in order for the Government to improve its existing policy and practice.
- In September 2004, REDRESS commenced a year-long international and comparative research programme on the application of state immunity to serious violations of human rights, including torture. The research will culminate in the publication of a comprehensive research report in October 2005.

## PUBLIC AWARENESS

REDRESS seeks to raise awareness on a number of levels. The organisation seeks to draw greater attention to the plight of torture survivors to ensure that their needs and concerns are taken into account in the formulation of national and international policies that impact on them. REDRESS accomplishes this by publishing reports, articles and materials aimed at a wide array of audiences, by attending and speaking on the plight of torture

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## Board of Trustees' report for the year ended 31<sup>st</sup> March 2005

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survivors at various fora, and by conducting extensive outreach with policy makers, legal and medical professionals, academics, members of the media and others. It seeks to raise awareness within the United Kingdom and internationally.

Additionally, REDRESS seeks to build awareness amongst torture survivors to ensure that they are aware of their rights and of services geared to meet their needs.

REDRESS has developed extensive online resources as part of its re-designed website [www.redress.org], featuring all of its publications, summary information on national and international practices, and case summaries of international decisions relating to reparation.

Finally, REDRESS has continued to publish and distribute its Bi-Annual Journal providing topical articles on the latest developments internationally including recent standards and principles adopted, and new legal decisions as well as a brief update on REDRESS actions on behalf of torture survivors.

## FUTURE STRATEGY

REDRESS plans to continue the activities as outlined above in the forthcoming years subject to satisfactory funding arrangements. Additionally, REDRESS, through its work, has formed a number of close relationships with non-governmental organisations with mandates to provide assistance to torture survivors worldwide. It intends to reinforce these relationships by developing strategic alliances in a number of key countries.

## FINANCIAL REVIEW

### Financial performance

REDRESS had net outgoing resources on unrestricted funds of £13,475 for the year (2004 incoming resources of £7,313). Together with the accumulated surplus brought forward from previous years, REDRESS now has an accumulated surplus on unrestricted funds of £4,117. Restricted funds carried forward at 31 March 2005 amounted to £101,322 (2004 £86,576), following net incoming resources for the year of £14,746 (2004 £82,207). This is sufficient for the activities for which the funds were provided. The fundraising climate was difficult as evidenced by the unrestricted net outgoing resources for the year and has continued to be so. The Trustees have devoted a considerable amount of time to developing REDRESS' fundraising strategy and have contingency plans in place to deal with shortfalls should they arise.

The Directors have also carefully addressed the complementarities of REDRESS' work with other national and international organisations to assure donors that funding contributes the maximum impact to a co-ordinated approach to REDRESS' overall goals.

### Reserves policy

The Board of Trustees have established a policy whereby the unrestricted funds not committed or invested in tangible fixed assets ('the free reserves') held by REDRESS should be between 3 and 6 months of the resources expended, equivalent to between £120,000 and £240,000. At this level, the Board of Trustees feels that they would be able to continue the current activities of the charity in the event of a significant drop in funding. At present the free reserves are a deficit of £397 (2004 surplus of £7,987), considerably less than the target range and the Board of Trustees are developing approaches to raising additional unrestricted funds.

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## Board of Trustees' report for the year ended 31<sup>st</sup> March 2005

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### **Risk management**

The Board of Trustees have identified that the main risks are not meeting fundraising targets and ensuring that funders' accountability requirements continue to be met. During the year the Board of Trustees reviewed and upgraded the financial control systems to improve the timeliness and quality of financial information, reflecting REDRESS' increased scale of operations over the last two years. The Board of Trustees are undertaking a review of all the risks and opportunities facing REDRESS.

### **Supporters**

The Board of Trustees would like to thank all grant providers, foundations, trusts and other organisations for their continued support of REDRESS over the year:

- The European Community
- The United Nations Voluntary Fund for Victims of Torture
- The Big Lottery Fund
- The John D. and Catherine T. MacArthur Foundation
- The Nuffield Foundation
- Bromley Trust
- Lloyds TSB Foundation
- H B Allen Charitable Trust
- Hilden Charitable Fund
- The Lyndhurst Settlement
- The UK Foreign and Commonwealth Office
- Sir Jeremiah Colman Gift Trust
- The Robert Gavron Charitable Trust
- The Amani Trust
- ITN
- The International Rehabilitation Centre for Torture Victims (IRCT), Copenhagen, Denmark.
- Individual supporters and volunteers

As always, we are very grateful to those individuals who supported our work this year. This year, we have received £8,392 from individual donations. The Directors would also like to record their appreciation of the more than 50 volunteers who willingly gave their time to the benefit of the charity.

If you have not yet supported REDRESS' work, or would like to make a further contribution, please use the contact details supplied at the front of this report.

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Board of Trustees' report for the year ended 31<sup>st</sup> March 2005

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## STATEMENT OF THE BOARD OF TRUSTEES' RESPONSIBILITIES

Company and charity law applicable to charities in England and Wales requires the Board of Trustees to prepare financial statements for each financial year which give a true and fair view of the state of affairs of the charitable company and of the surplus or deficit of the charitable company for that period. In preparing those financial statements, the Board of Trustees is required to:

- select suitable accounting policies and then apply them consistently;
- make judgments and estimates that are reasonable and prudent;
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the charitable company will continue its activities.

The Board of Trustees is responsible for keeping proper accounting records which disclose with reasonable accuracy at any time the financial position of the charitable company and to enable them to ensure that the financial statements comply with the Companies Act 1985. They are also responsible for safeguarding the assets of the charitable company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

### Events since the end of the year

In the opinion of the Board of Trustees no event since the balance sheet date significantly affects the company's financial position.

### Auditors

The auditors, Trustient, will be proposed for reappointment in accordance with section 385 of the Companies Act 1985.

This report was approved by the Board of Trustees on and signed on its behalf by:

Joanna Glynn QC  
Chair of the Board of Trustees

7<sup>th</sup> July 2005  


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## Independent auditor's report to the members of The Redress Trust

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We have audited the financial statements of The Redress Trust for the period ended 31<sup>st</sup> March 2005 set out on pages 14 to 23. These financial statements have been prepared under the historical cost convention and the accounting policies set out on pages 16 and 17.

This report is made solely to the charity's members, as a body, in accordance with Section 235 of the Companies Act 1985. Our audit work has been undertaken so that we might state to the charity's members those matters we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the charity and the charity's members as a body, for our audit work, for this report, or for the opinions we have formed.

### Respective responsibilities of the Board of Trustees and auditors

As described in the Statement of the Board of Trustees' responsibilities the charity's Board of Trustees is responsible for the preparation of the financial statements in accordance with applicable law and United Kingdom Accounting Standards.

Our responsibility is to audit the financial statements in accordance with relevant legal and regulatory requirements and United Kingdom Auditing Standards.

We report to you our opinion as to whether the financial statements give a true and fair view and are properly prepared in accordance with the Companies Act 1985. We also report to you if, in our opinion, the Board of Trustees' report is not consistent with the financial statements, if the charity has not kept proper accounting records, if we have not received all the information and explanations we require for our audit, or if information specified by law regarding trustees' remuneration and transactions with the charity is not disclosed.

We read the Board of Trustees' report and consider the implications for our report if we become aware of any apparent misstatements within it.

### Basis of audit opinion.

We conducted our audit in accordance with United Kingdom Auditing Standards issued by the Auditing Practices Board. An audit includes examination, on a test basis, of evidence relevant to the amounts and disclosures in the financial statements. It also includes an assessment of the significant estimates and judgements made by the Board of Trustees in preparation of the financial statements, and of whether the accounting policies are appropriate to the charity's circumstances, consistently applied and adequately disclosed.

We planned and performed our audit so as to obtain all the information and explanations which we considered necessary in order to provide us with sufficient evidence to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or other irregularity or error. In forming our opinion we also evaluated the overall adequacy of the presentation of information in the financial statements.

### Opinion

In our opinion the financial statements give a true and fair view of the state of the charity's affairs as at 31<sup>st</sup> March 2005 and of its results for the period then ended and have been properly prepared in accordance with the Companies Act 1985.

### Trustient

Chartered Accountants  
Buckingham House East  
The Broadway  
Stanmore  
Middlesex HA7 4EB

12 July 2005

# THE REDRESS TRUST

## Statement of Financial Activities for the year ended 31<sup>st</sup> March 2005

	Note	Unrestricted Funds £	Restricted Funds £	Total 2005 £	Total 2004 £
<b>Incoming resources</b>					
<i>Donations and other voluntary income</i>					
Voluntary income		8,392	-	8,392	24,592
Grants receivable		22,500	-	22,500	61,583
<i>Incoming resources from charitable activities</i>					
2					
Grants receivable:					
International Standards and Access to Justice		-	320,222	320,222	260,399
International Criminal Court Programme		-	43,666	43,666	55,549
State Immunity Project		-	38,973	38,973	30,647
Istanbul Protocol Implementation Project		-	12,639	12,639	-
Torture Survivors Handbook		-	15,000	15,000	6,500
Access to Justice in the UK		-	15,204	15,204	65,873
Grotius II		-	-	-	64,340
<i>Other incoming resources</i>					
Rental income		-	-	-	12,523
Investment income		1,999	194	2,193	498
<b>Total incoming resources</b>		<b>32,891</b>	<b>445,898</b>	<b>478,789</b>	<b>582,504</b>
<b>Resources expended</b>					
<i>Costs of generating funds</i>					
		-	-	-	1,602
<i>Charitable activities</i>					
3					
International Standards and Access to Justice		28,246	310,415	338,661	301,939
International Criminal Court Programme		3,324	37,227	40,551	-
State Immunity Project		2,083	23,331	25,414	35,767
Istanbul Protocol Implementation Project		1,129	12,639	13,768	-
Torture Survivors Handbook		724	8,114	8,838	12,188
Access to Justice in the UK		2,992	33,514	36,506	53,322
Grotius II		-	-	-	84,666
Management & administration	4	7,868	5,912	13,780	3,500
Total charitable activities		46,366	431,152	477,518	491,382
<b>Total resources expended</b>		<b>46,366</b>	<b>431,152</b>	<b>477,518</b>	<b>492,984</b>
<b>Net Incoming/(outgoing) resources</b>	5	<b>(13,475)</b>	<b>14,746</b>	<b>1,271</b>	<b>89,520</b>
Fund balances brought forward at 1 <sup>st</sup> April 2004		17,592	86,576	104,168	14,648
<b>Fund balances carried forward at 31<sup>st</sup> March 2005</b>		<b>4,117</b>	<b>101,322</b>	<b>105,439</b>	<b>104,168</b>

There were no recognised gains and losses for 2005 or 2004 other than those included in the statement of financial activities. The notes on pages 16 to 23 form part of these financial statements.

# THE REDRESS TRUST

## Balance Sheet as at 31<sup>st</sup> March 2005

	Note	£	2005 £	£	2004 £
<b>FIXED ASSETS</b>					
Tangible fixed assets	7		4,514		9,605
<b>CURRENT ASSETS</b>					
Debtors	8	44,713		35,708	
Cash at bank and in hand		95,553		118,263	
Total current assets		140,266		153,971	
<b>CREDITORS: falling due within one year</b>	9	(39,341)		(59,408)	
<b>NET CURRENT ASSETS</b>			100,925		94,563
<b>NET ASSETS</b>			<b>105,439</b>		<b>104,168</b>
<b>REPRESENTED BY:</b>					
	11				
Restricted funds			101,322		86,576
Unrestricted funds			4,117		17,592
			<b>105,439</b>		<b>104,168</b>

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The financial statements were approved by the Board of Trustees on 7<sup>th</sup> July 2005 and signed on its behalf by:

Joanna Glynn QC  
Director

Charles Nail MBA ACA  
Director

The notes on pages 16 to 23 form part of these financial statements.

# THE REDRESS TRUST

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## Notes to the Financial Statements for the year ended 31<sup>st</sup> March 2005

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### 1. ACCOUNTING POLICIES

A summary of the principal accounting policies, all of which have been applied consistently throughout the year and with the preceding year, is set out below:

#### 1.1 Basis of preparation of financial statements

The financial statements have been prepared under the historical cost convention and in accordance with the Statement of Recommended Practice (SORP) "Accounting and Reporting by Charities" published in October 2000 and with applicable accounting standards. The financial statements include the results of the charity's operations which are described in the Board of Trustees' Report and all of which are continuing.

The charity has taken advantage of the exemption in Financial Reporting Standard No. 1 from the requirement to produce a cash flow statement on the grounds that it is a small company.

#### 1.2 Company status

The charity is a company limited by guarantee. The members of the company are the Board of Trustees named on Page 1. In the event of the charity being wound up, the liability in respect of the guarantee is limited to £10 per member of the charity.

#### 1.3 Fund accounting

General funds are unrestricted funds which are available for use at the discretion of the Board of Trustees' in furtherance of the general objectives of the charity and which have not been designated for other purposes.

Restricted funds are funds that are to be used in accordance with specific restrictions imposed by the donors, which have been raised by the charity for particular purposes. The aim and use of each restricted fund is set out in the notes to the financial statements.

Investment income, gains and losses are allocated to the appropriate fund.

#### 1.4 Incoming resources

All incoming resources are included in the Statement of Financial Activities when the charity is legally entitled to the income and the amount can be quantified with reasonable accuracy.

#### 1.5 Resources expended

All expenditure is accounted for on an accruals basis and has been included under expense categories that aggregate all costs for allocation to activities. Where costs cannot be directly attributed to particular activities they have been allocated on a basis consistent with the use of the resources.

Management and administration costs are those not attributable to direct expenditure and have been incurred in ensuring compliance with constitutional and statutory requirements.

# THE REDRESS TRUST

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## Notes to the Financial Statements for the year ended 31<sup>st</sup> March 2005

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### 1.6 Tangible fixed assets and depreciation

Assets acquired for the long-term use of the charity and having an initial cost or valuation of £250 or more are capitalised as tangible fixed assets. Tangible fixed assets are stated at cost or valuation less depreciation. Depreciation is provided at rates calculated to write off the cost or valuation of fixed assets, less their estimated residual value, over their expected useful lives on the following bases:

Office equipment	-	25%	Straight line
Fixtures & fittings	-	15%	Straight line

### 1.7 Foreign currencies

Assets and liabilities in foreign currencies are translated into sterling at the rates of exchange ruling at the balance sheet date. Transactions in foreign currencies are translated into sterling at the rate ruling on the date of the transaction. Exchange differences are taken into account in arriving at the operating surplus.

### 1.8 Pensions

The charity operates a defined contribution pension scheme and the pension charge represents the amounts payable by the charity to the fund in respect of the year.

### 1.9 Taxation

The charity is exempt from income tax and corporation tax on its charitable activities. The charity is not registered for VAT and is unable to recover VAT on its purchases. All irrecoverable VAT is included within the appropriate headings.

# THE REDRESS TRUST

## Notes to the Financial Statements for the year ended 31<sup>st</sup> March 2005

### 2. INCOMING RESOURCES FROM CHARITABLE ACTIVITIES

	Restricted Funds	Total Funds 2005	Total Funds 2004
	£	£	£
<i>International Standards and Access to Justice Programme</i>			
European Community ITSAJR Programme	252,013	<b>252,013</b>	190,180
UN Voluntary Fund for the Victims of Torture	25,827	<b>25,827</b>	31,007
UK Foreign & Commonwealth Office	23,948	<b>23,948</b>	-
AMANI Trust	6,286	<b>6,286</b>	-
Other	12,148	<b>12,148</b>	39,212
<i>International Criminal Court Project</i>			
MacArthur Foundation	32,798	<b>32,797</b>	55,549
MacArthur Foundation (re DR Congo)	5,998	<b>5,998</b>	-
Bromley Trust (re DR Congo)	4,871	<b>4,871</b>	-
<i>State Immunity Project</i>			
Nuffield Foundation	38,973	<b>38,973</b>	-
Ford Foundation	-	-	30,647
<i>Istanbul Protocol Implementation Project</i>			
IRCT	12,639	<b>12,639</b>	-
<i>Torture Survivors Handbook</i>			
Lloyds TSB Foundation	15,000	<b>15,000</b>	6,500
<i>Access to Justice in the UK</i>			
Community Fund (now The Big Lottery Fund)	15,204	<b>15,204</b>	65,873
<i>Other</i>			
European Community Grotius II Programme	-	-	64,340
	<b>445,704</b>	<b>445,704</b>	<b>483,308</b>

### 3. TOTAL RESOURCES EXPENDED

	Staff Costs	Other Costs	Depreciation	Total 2005	Total 2004
	£	£	£	£	£
Costs of generating funds	-	-	-	-	1,602
Charitable activities					
Intl Standards and Access to Justice	173,015	161,717	3,929	<b>338,661</b>	301,939
International Criminal Court Project	14,917	25,172	462	<b>40,551</b>	-
State Immunity Project	3,201	21,923	290	<b>25,414</b>	35,767
Istanbul Protocol Implementation	206	13,405	157	<b>13,768</b>	-
Torture Survivors Publications	132	8,605	101	<b>8,838</b>	12,188
Access to Justice in the UK	10,031	26,058	417	<b>36,506</b>	53,222
Grotius II	-	-	-	-	84,666
Management & administration	-	13,780	-	<b>13,780</b>	3,500
<b>Total</b>	<b>201,502</b>	<b>270,660</b>	<b>5,356</b>	<b>477,518</b>	<b>492,984</b>

# THE REDRESS TRUST

## Notes to the Financial Statements for the year ended 31<sup>st</sup> March 2005

### 4. MANAGEMENT & ADMINISTRATION

Management & administration costs include:

	2005 £	2004 £
Audit and accountancy services	9,169	3,500
Legal costs	4,117	-
Loss on disposal of fixed assets	494	-
	<u>13,780</u>	<u>3,500</u>

### 5. NET INCOMING/(OUTGOING) RESOURCES

Net incoming/(outgoing) resources are stated after charging:

	2005 £	2004 £
Depreciation of tangible fixed assets	5,356	4,499
Auditors remuneration		
Audit services	4,112	3,500
Other services	5,057	4,602
Operating leases	32,383	30,932
	<u>46,908</u>	<u>43,533</u>

### 6. STAFF COSTS

	2005 £	2004 £
Wages and salaries	167,211	187,690
Social security costs	17,755	19,873
Pension and other costs	16,536	16,979
	<u>201,502</u>	<u>224,542</u>

No employee received remuneration exceeding £50,000 in the year (2004 nil).

The average monthly number of employees during the year was as follows:

	2005	2004
Project staff	4	6
Support staff	2	2
	<u>6</u>	<u>8</u>

No trustees (2004 nil) received any remuneration in respect of their role as trustees. No trustees (2004 nil) claimed reimbursement of expenses during the year.

# THE REDRESS TRUST

## Notes to the Financial Statements for the year ended 31<sup>st</sup> March 2005

### 7. TANGIBLE FIXED ASSETS

	Office Equipment £	Fixtures & Fittings £	Total £
<b>Cost</b>			
At 1 <sup>st</sup> April 2004	28,180	7,009	<b>35,189</b>
Additions	761	-	<b>761</b>
Disposals	(10,865)	(555)	<b>(11,420)</b>
At 31 <sup>st</sup> March 2005	18,076	6,454	<b>24,530</b>
<b>Depreciation</b>			
At 1 <sup>st</sup> April 2004	21,729	3,855	<b>25,584</b>
Charge for the year	4,501	855	<b>5,356</b>
Disposals	(10,679)	(245)	<b>(10,924)</b>
At 31 <sup>st</sup> March 2005	15,551	4,465	<b>20,016</b>
<b>Net Book Value</b>			
At 31 <sup>st</sup> March 2005	2,525	1,989	<b>4,514</b>
At 31 <sup>st</sup> March 2004	6,451	3,154	9,605

### 8. DEBTORS

	2005 £	2004 £
<b>Due within one year</b>		
Grants receivable	<b>35,327</b>	27,791
Other debtors	<b>9,386</b>	7,917
	<b>44,713</b>	35,708

### 9. CREDITORS

	2005 £	2004 £
<b>Amounts falling due within one year</b>		
Trade creditors	<b>17,592</b>	34,257
Other creditors	<b>1,610</b>	18,273
Accruals	<b>8,808</b>	4,235
Social security and other taxes	<b>7,831</b>	2,377
Deferred income	<b>3,500</b>	-
Bank loans and overdrafts	-	266
	<b>39,341</b>	59,408

# THE REDRESS TRUST

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## Notes to the Financial Statements for the year ended 31<sup>st</sup> March 2005

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### 10. DEFERRED INCOME

	2005 £	2004 £
At 1 <sup>st</sup> April	-	35,914
Released to incoming resources	-	(35,914)
Deferred in the year	3,500	-
At 31 <sup>st</sup> March	<u>3,500</u>	<u>-</u>

### 11. FUND MOVEMENTS

The funds of the charity include restricted funds comprising the unexpended balances of donations and grants, as set out below, held on trusts to be applied for the following purposes:

#### ***International Standards and Access to Justice Programme***

This programme supports much of the charity's international casework, law reform and advocacy activities. The charity's main programme, it is supported by the EC, the UN Voluntary Fund for the Victims of Torture, UK statutory and trust funders.

#### ***International Criminal Court Project***

This project supports the charity's work to increase victims' participation and access to the International Criminal Court. The MacArthur Foundation and the Bromley Trust have funded the project.

#### ***State Immunity Project***

This is a research project on the application of state immunity to serious violations of human rights, including torture. The Nuffield Foundation has funded the project.

#### ***Istanbul Protocol Implementation Project***

This project supports work on the implementation of this important protocol on the state use of torture. The International Rehabilitation Council for Torture Victims has funded the project.

#### ***Torture Survivors Handbook***

Under the objective of Research and Information, this project supports the publication of information for those who have been tortured that are based in the UK. The Lloyds TSB Foundation has funded the project.

#### ***Access to Justice in the UK Project***

This project supports the charity's UK casework and advocacy programme. The Community Fund (now The Big Lottery Fund) has funded the project.

# THE REDRESS TRUST

## Notes to the Financial Statements for the year ended 31<sup>st</sup> March 2005

	Balance 1 <sup>st</sup> April 2004 £	Incoming Resources £	Resources Expended £	Transfers Between Funds £	Balance 31 <sup>st</sup> March 2005 £
<b>Restricted funds</b>					
Intl Standards and Access to Justice	12,717	320,368	316,327	-	16,758
International Criminal Court Project	55,549	43,666	37,227	-	61,988
State Immunity Project	-	39,021	23,331	-	15,690
Istanbul Protocol Implementation	-	12,639	12,639	-	-
Torture Survivors Handbook	-	15,000	8,114	-	6,886
Access to Justice in the UK	18,310	15,204	33,514	-	-
<b>Total restricted funds</b>	<b>86,576</b>	<b>445,898</b>	<b>431,152</b>	<b>-</b>	<b>101,322</b>
<b>Unrestricted funds</b>					
General fund	17,592	32,891	46,366	-	4,117
<b>Total unrestricted funds</b>	<b>17,592</b>	<b>32,891</b>	<b>46,366</b>	<b>-</b>	<b>4,117</b>
<b>Total funds</b>	<b>104,168</b>	<b>478,788</b>	<b>477,518</b>	<b>-</b>	<b>105,439</b>

### 12. ANALYSIS OF NET ASSETS BETWEEN FUNDS

	Unrestricted Funds £	Restricted Funds £	Total Funds £	Total Funds £
Fund balances at 31 <sup>st</sup> March 2005 are represented by:				
Tangible fixed assets	4,514	-	<b>4,514</b>	9,605
Current assets	9,386	130,880	<b>140,266</b>	153,971
Current liabilities	(9,783)	(29,558)	<b>(39,341)</b>	(59,408)
	<b>4,117</b>	<b>101,322</b>	<b>105,439</b>	<b>104,168</b>

### 13. CAPITAL COMMITMENTS AND CONTINGENT LIABILITIES

At the end of the period there were no capital commitments or other financial commitments for which full provision has not been made in these financial statements (2004 nil). During the year a former employee commenced proceedings against the charity for constructive dismissal. In the opinion of the Trustees no liability is likely to crystallise and so no provision has been made in these accounts. Legal expenses already incurred in respect of this case have been charged as operating costs.

# THE REDRESS TRUST

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## Notes to the Financial Statements for the year ended 31<sup>st</sup> March 2005

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### 14. OPERATING LEASES

Operating lease rentals of £32,383 (2004 £30,932) were payable in respect of properties and equipment held under leases in the year. In the coming year, the charity is committed to paying the following amounts in respect of operating leases, expiring:

	Land and buildings		Other	
	2005	2004	2005	2004
	£	£	£	£
From one to five years	<u>30,800</u>	<u>30,800</u>	<u>1,583</u>	<u>1,583</u>

### 15. PENSION SCHEMES

The charity operates a defined contribution scheme in respect of its employees. The assets of this scheme are held separately from those of the charity in an independently administered fund. Pension contributions for two members of staff have been accrued for the year pending establishment of a scheme for those individuals.

### 16. REDRESS TRUST (USA)

The Redress Trust Limited was incorporated as a Not-for-Profit Corporation in the State of New York on 27<sup>th</sup> June 1995, (Number 13-4028661). The Internal Revenue Service determined on 22<sup>nd</sup> October 1999 that The Redress Trust Limited (USA) is exempt from federal income tax under Section 501(a) of the Internal Revenue Code as an organisation under Section 501 (c) (3).

The Board of Directors consists of:-

Professor Michael Bazylar (USA), Chair  
Stephanie Deckrosh (USA)  
Charles Nall (UK), Treasurer  
Barney Mayhew (UK)  
Professor Naomi Roht-Arriaza (USA)  
Professor Dinah Shelton (USA)  
Professor David Weissbrodt (USA)

Baroness D'Souza CMG (UK) is Secretary