

LAWYER

JOB DESCRIPTION

Position Title:	Lawyer/Legal Officer (Lawyer)
Reports to:	Legal Director
Duration of contract:	Permanent position (subject to contractual notice)
Terms of employment:	Full time
Salary:	£47,000 pa depending on experience
Holiday entitlement:	25 days (plus English bank holidays)
Pension:	At 7%
Location:	Central London (international travel may be required)
Hours:	9.30am to 5.30pm (one hour for lunch). Flexibility will be required. The Lawyer will have to attend some evening meetings.
Probationary period:	6 months
Notice period:	1 week during probationary period, thereafter increasing to 8 weeks (and then increasing in line with statutory minimum)

About The Human Dignity Trust

International human rights law safeguards identity, which includes the right to a sexual identity. As part of identity, consensual sexual activity in private between adults, which does not cause injury, is, therefore, protected by human rights law. Yet, such consensual sexual conduct between adults of the same sex is currently a criminal offence punishable by imprisonment in 80 jurisdictions worldwide. Criminalisation of homosexual identity is contrary to international human rights law, constitutional law norms and the rule of law.

What we do

The Human Dignity Trust's remit is to facilitate litigation to ensure that constitutional law gives full effect to binding international human rights standards and that the right to private, non-harmful, consensual sexual activity between adults of the same sex is guaranteed. Our aim is to uphold the rule of law. The Trust does not campaign. We seek compliance with the law.

Criminalising private and consensual sexual activity violates the right to respect for private life, and may amount to inhuman and degrading treatment. The criminalisation of some people's private consensual sexual activity has been held to be arbitrary, as well as discriminatory and in breach of equality principles. Additionally, wider notions of economic and social rights such as the right to the highest attainable standard of health can be violated by the criminalisation of private and consensual sexual activity. Failure to interpret laws consistently with international human rights law will result in a violation of international human rights treaty obligations and/or constitutional law. Where laws breach these higher constitutional law standards and human rights law, the Trust will assist the courts to interpret domestic criminal laws consistently with those standards and constitutional law norms, as well as the rule of law.

Why we do it

Those countries which criminalise sexual identity are undermining human dignity, hence the name of the Trust. Criminalisation causes misery to all of those affected, compromising people's identity through illegality. It also reduces human beings to their sexual acts. Families become shattered. Violence and discrimination are fostered. The effect of criminalisation is to put people who have sex with people of the same sex beyond the protection of the law. Criminalisation is also costly for the States that maintain it. Most notably, it has a significant impact upon public health, preventing States from creating effective health education programmes, and delivering health care to those who need it.

How we do it

The Trust is a UK company limited by guarantee and we are in the process of seeking charitable status.

Our aim is to work with selected lawyers and human rights defenders in all the jurisdictions that continue to criminalise consensual same sex sexual conduct and offer them the legal assistance they may require to bring successful litigation. Following a carefully devised litigation strategy, we hope to be involved in approximately five to ten cases at any one time. Where necessary we will fund cases. In the event of a prosecution, we can assist lawyers in preparing a defence challenging those laws. If appropriate, we may bring cases in our own name. We will also intervene in suitable cases.

We strive to cooperate with local community groups. We are sensitive to the conditions in which they labour to advance equality and justice. We work with local partners and NGOs, as well as international human rights organisations. Our role depends on tough local realities.

The Trust is supported by lawyers from around the world. These include large multi-national law firms, all of whom have committed to work for the Trust on a *pro bono* basis.

We acknowledge that expertise already exists in those jurisdictions where challenges will occur, but the means to bring the litigation may not be available. Our added value is that we are able to pull together resources that others may not have access to.

Lawyer for the Human Dignity Trust: role summary

Working under the direct supervision of the Legal Director, the Lawyer will assist in implementing the Trust's litigation strategy. This will include, where appropriate, the legal defence of lesbian, gay, bi-sexual, trans and intersex (LGBTI) people who are being prosecuted. However the main role for the Lawyer will be to facilitate litigation to bring laws criminalising consensual same sex sexual conduct in line with constitutional and international human rights law. The Lawyer will work with local groups and individuals, as well as lawyers, in countries where legal challenges may be brought.

The Lawyer will have responsibility to assist on a wide portfolio of cases on which s/he will be expected to work with a high degree of autonomy. The Lawyer will be expected to help assess new cases. The Trust expects to have upwards of 10 to 15 active cases at any one time. The Lawyer will also assist with legal research, drafting of legal pleadings and other related activities.

The Lawyer will be highly motivated and excited by the opportunity to be part of a new organisation and to help establish its emerging reputation in the field. The Lawyer will be able to work in a fast-paced environment in which s/he will be expected to produce high-quality work at a consistent rate.

Main responsibilities

The Lawyer's main tasks and responsibilities include the following:

- Litigation and case support
- Assisting in the implementation of the litigation strategy agreed by the HDT's trustees
- Handling requests for support and advice from individuals and NGOs and preparing case assessments
- Where appropriate liaising with family members of people who have been detained
- Writing and/or editing briefs and other litigation materials as required
- Providing legal advice on domestic, comparative and international law as they relate to the criminalisation of consensual same sex sexual conduct
- Working with the HDT's Legal Panel and other pro bono lawyers, in facilitating test case litigation, including preparing amicus briefs, or arranging for international observation of selected cases
- Supporting local lawyers in bringing legal challenges
- Working with representatives from the local LGBTI communities and supporting them in bringing legal challenges
- Undertaking legal and factual research
- Reviewing proposed legal arguments with the Legal Director
- Following up on cases and analysing case outcomes and important arguments made
- Helping to identify cases for international litigation and writing legal memos in preparation

Case and project management

- The Lawyer may be required to assist in the administration of specific projects run by the HDT and its partner organisations
- Assisting in the administration of grants
- Producing reports on the performance of grants

Other

- On-going liaison with the Legal Panel and other lawyers and partners
- Representing the HDT at meetings, conferences, workshops and to other international organisations as needed
- Undertaking research on the legal environment in different countries
- Assisting in the assessment and evaluation of the HDT's litigation strategy and preparation of other supporting litigation materials as required

- Producing activity reports
- Providing material for the HDT's website
- Reporting to the Legal Director, Chief Executive, Board of Trustees and any committees of the Board from time to time as may be required
- Any other tasks/duties as required by the Legal Director

Qualifications, skills and experience

The Lawyer should have the following qualifications, skills and experience:

- Qualified lawyer
- Admitted to legal practice (not necessarily in the United Kingdom)
- Proven experience working as a lawyer representing marginalised and vulnerable people
- A proven understanding of international human rights law and its application is essential
- A background in criminal law, equality law, public law and/or constitutional law is a distinct advantage
- An advanced degree in international human rights law
- Litigation experience using regional and international human rights instruments
- Experience of working in different legal systems would be an advantage
- Fluency in English with excellent writing, editorial and oral advocacy skills
- Good knowledge (spoken and written) of French or Arabic would be an advantage
- Demonstrated ability to work in a diverse multi-cultural environment
- Ability to work effectively on multiple cases and projects in a fast-paced environment
- Proven ability to work in a small team
- Pleasant, diplomatic manner and disposition in interacting with senior management and colleagues at all levels, contacts, and the general public
- Ability to work both independently and with others
- Integrity, professional discretion and ability to handle confidential matters
- Familiarity with any of the geographic regions in which the HDT works is a plus
- Regrettably, as consequence of the nature of the work that the HDT carries out, the Lawyer will be subjected to deeply distressing critiques of LGBTI identities and the Lawyer will have to tolerate this.