

**FAIR TRIALS
INTERNATIONAL**

(Company limited by
guarantee no. 07135273
registered charity no.
1134586)

REPORT AND FINANCIAL STATEMENTS

**YEAR ENDED 31
MARCH 2023**

FAIR TRIALS INTERNATIONAL

COMPANY LIMITED BY GUARANTEE NO. 07135273 registered charity number 1134586

REPORT AND FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2023

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FAIR TRIALS INTERNATIONAL

**REFERENCE AND ADMINISTRATIVE DETAILS FOR THE CHARITY, ITS TRUSTEES AND ADVISERS
FOR THE YEAR ENDED 31 MARCH 2023**

Status	The organisation is a private company limited by guarantee
Company number	07135273
Charity number	1134586
Board of Trustees	Eric Kolodner (Chair) Matthew Bruce (Resigned September 2023) Robert Scott Amy Jeffress Kate Steele Morris Lipson Stephen Muers Martha Dark Jasvinder Nakhwal
Chief Executive	Norman Reimer (Resigned November 2022) Neil Jeffery (Appointed July 2023)
Bankers	Barclays Bank PLC 19 Fleet Street London EC4Y 1M
Registered office	5 Castle Road London NW1 8PR
Auditors	MHA Chartered Accountants and Statutory Auditors Building 4 Foundation Park Roxborough Way Maidenhead SL6 3UD

**TRUSTEES' ANNUAL REPORT
FOR THE YEAR ENDED 31 MARCH 2023**

The Trustees of Fair Trials International (the "Charity") are pleased to present their report together with the consolidated financial statements of the Charity for the year ended 31 March 2023. The Trustees have adopted the provisions of the Statement of Recommended Practice (SORP) "Accounting and Reporting by Charities" (FRS 102) in preparing the annual report and financial statements of the Charity.

Constitutional, governance and management

In 2010, the Charity was incorporated and registered in England and Wales as a company limited by guarantee (company number 07135273 and registered charity number 1134586). Previously, the Charity operated as the Fair Trials Abroad Trust (charity number 1079079). The Charity is governed by its Memorandum and Articles of Association which were signed on 25 January 2010. The Memorandum and Articles of Association of the Charity were amended on 21st July 2020 to revise the Charity's objects.

In recognition of the Charity's increasing work with the institutions of the European Union, the Charity opened an office in Brussels in April 2014 and, in May 2014, founded Fair Trials Europe, a registered public foundation in Belgium (registered number 0552.688.677: 12A, Avenue Brugmann, 7th Floor, Saint-Gilles, Brussels, Belgium, 1060). Also, consistent with the Charity's strategy of expanding the global reach of its work, Fair Trials Americas was incorporated in Washington D.C. on 12 April 2017. Fair Trials Americas (Address 1100 13th NW, Suite 800, Washington DC, 20005, USA) was granted 501(c)3 status in February 2018. The financing arrangements currently in place and the power to cast the majority of votes at meetings of its board are the determining factors that Fair Trials Europe be treated as a controlled subsidiary of the Charity (see note 8). The financing arrangements currently in place, the role of the global CEO, control over key operating and financial decisions and the concurrent purposes of the charities are the determining factors that Fair Trials Americas be treated as a controlled subsidiary of the Charity (see note 8).

Fair Trials Europe, Fair Trials Americas and the Charity operate under the name "Fair Trials".

Trustees

The directors of the Charity are its trustees for the purposes of charity law (the "Trustees"). The Trustees who have served during this year and since the year end are set out in the legal and administrative information at the front of the Report and Accounts.

Three of the Trustees are also members of the Board of Directors ("Administrateurs") of Fair Trials Europe and three trustees are members of the board of directors for Fair Trials Americas. The Charity's Chief Executive is also a non-voting director on the Boards of Fair Trials Europe and Fair Trials Americas.

Members' Liability

Each member of the charitable company undertakes to contribute to the assets of the charitable company in the event of it being wound up while they are a member, or within one year after they cease to be a member, such amount as may be required, not exceeding £1, for the debts and liabilities contracted before they ceased to be a member.

Trustees' Indemnities

Trustees benefit from indemnity insurance to cover the liability of the Trustees which by virtue of any rule of law would otherwise attach to them in respect of any negligence, default or breach of trust or breach of duty of which they may be guilty in relation to the Charity. This is covered within the overall cost of the Risk Protection Insurance. The trustees decided that this cover met the risk management requirements.

Public Benefit

In setting our objective and planning out activities the trustees have carefully considered the Charity Commission's general guidance on public benefits.

Going Concern

After making appropriate enquiries, the board of trustees has a reasonable expectation that the Charity has adequate resources to continue in operational existence for the foreseeable future. For this reason, it continues to adopt the going concern basis in preparing the financial statements. Further details regarding the adoption of the going concern basis can be found in the Statement of Accounting Policies.

Selection and appointment of Trustees

Trustees regularly review the composition of the Board and, when vacancies arise, identify the skills needed to complement the Trustees' existing skills. Potential new Trustees are agreed by existing Trustees and are appointed by a resolution of the Board of Trustees. The Trustees appoint the Chief Executive who is responsible for leading Fair Trials and for working with the Trustees to develop and implement Fair Trials' strategic goals.

Induction and training of Trustees

Prior to their appointment, new Trustees meet with the Chair and Chief Executive to discuss the role and are provided with key documentation relating to Fair Trials, including the Trustee role description. Following their appointment, new Trustees are briefed by the Chief Executive on the work of Fair Trials and provided with materials, including strategy documents. Additional training needs for Trustees are kept under review to ensure the Board has the necessary knowledge, skills and experience.

Risk management

The organizational risk register is reviewed regularly by the Interim CEO, Finance Director and wider staff team. The Finance Subcommittee reviews the risk register as part of the Trustees' risk management strategy to regularly review of the principal risks and uncertainties that Fair Trials faces and ensure that measures to eliminate, reduce or mitigate risks are in places, including as a result of strengthened of policies, systems and procedures.

The Trustees have assessed the major risks, in particular those relating to operations and finance, and are satisfied that the measures that in place to moderate exposure to risks are sufficient. The principal risks identified are as follows:

- Failure to raise sufficient funds to cover costs, resulting in revenue and reserves failing to keep pace with Fair Trials' operational needs;
- Reduced staff team and uncertainty undermines organizational ability to deliver high quality work;
- Reputation is negatively impacted by recent organizational uncertainty

The Trustees' response to these is reflected in part in the financial statements for the year. This includes:

- Continued positive engagement with several critical core funders, who have all reaffirmed their commitment to continue to support Fair Trials
- The appointment of highly qualified specialist Interim CEO to lead the change management process of restructuring and rebuilding
- Continued careful management of broader critical stakeholder relations

As discussed below, the organization reviewed its risk register in light of the impact of the Covid-19 pandemic and believes that the appropriate systems that were put in place continue to mitigate any risk associated with this impact.

Related parties

The Trustees consider the Chief Executive Officer, Chief Operating Officer and Interim Chief Financial Officer and Interim Chief Operating Officer to have been the key management personnel of Fair Trials during the year, in charge of directing and controlling, running and operating Fair Trials on a day to day basis. None of the Trustees receive any remuneration or other benefits from their work for Fair Trials. Any conflicts of interest, including those resulting from connections between Trustees and key management and third parties, must be disclosed at the Trustees' meeting and are then noted in a register of conflicts. All potential conflicts were reviewed by the Trustees and considered to have no practical effect. Related party transactions are referred to in note 16.

Pay policy

The pay of all staff is reviewed annually, but changes can also be made outside that process if warranted. Salaries are reviewed and approved by a sub-committee of Trustees. Management provide recommendations for salary increases and an update of banding levels where available for the sub-committee to review. For key management personnel, salaries are reviewed annually with recommendations made by the relevant line manager and, in the case of the Chief Executive, by the Chair of Trustees including a review of professional performance and Fair Trials institutional performance in meeting its strategic and financial objectives. The last cost of living annual salary review for all staff was completed in September 2023, back dated to April 2023.

Vision, mission, and strategic aims

Several years ago, Fair Trials initiated a strategic overview, including a comprehensive assessment of organizational priorities and core strategies. The Trustees referred to the Charity Commission's general guidance on public benefit when reviewing Fair Trials' aims and activities. This process, which began prior to the COVID 19 pandemic was close to completion in January 2021. Before the process was completed the long tenured CEO announced his plans to leave by autumn 2021. As a result the finalization of the strategic plan was placed on hold pending the selection of a new CEO.

Following an extensive search process, a new CEO took up the role on 1st November 2021. One of his first priorities was to undertake a comprehensive strategic plan refresh. This involved an consultative process that engaged members of the senior management team, all other staff members, and the Trustees. Two meetings of the Trustees, including those from Fair Trials Europe and Fair Trials Americas, on 7th March and 29th March 2022 approved and accepted the revised strategic plan. The plan is comprised of statements of vision and mission, articulates 20 guiding principles, and commits the organization to focus on five key advocacy areas, all of which advance the core charitable objects.

Fair Trials envisions a world in which governments use the power of the criminal process with utmost restraint, humanity, fairness, equality, and respect for the human rights and dignity of all people. Fair Trials' mission is to serve as an international criminal justice watchdog working to monitor, challenge, and inform systemic reform in criminal processes. Through robust evidence-based research, Fair Trials will support broad coalitions where appropriate to promote and help guarantee the enjoyment of fundamental human rights at all stages of the criminal process.

The 20 core principles articulated in the plan include 10 that address the essential values of a fair criminal justice system, 6 that speak to procedural fairness, and 4 that focus on circumscribing the scope of state criminal enforcement.

Fair Trials articulated five key advocacy areas as follows:

1. Promote procedural fairness and transparency

- Access to counsel at the commencement of custody;
- access to resources necessary to conduct an effective and technical defence;
- the right to discovery;
- an opportunity to investigate and access expert services;
- compliance with international and national standards of fairness, human rights, and due process;
- protection of the opportunity to exclude unlawfully obtained evidence;
- compliance with procedural safeguards, such as the right to confront and cross-examine witnesses, the right to compulsory process, the right to a speedy trial before a fair and impartial trier of fact, the right to appeal, and the right to post-appeal collateral relief for injustice or wrongful conviction;
- limitations on coercive waivers;
- limitations on fast track procedures.

Transparency compels the compilation, analysis, and publication of criminal justice statistical data.

2. Oppose overcriminalisation

- Limitations on the prosecution of minor offences;
- proactive and diversionary approaches to those suffering from mental health or neurodivergent conditions, substance abuse or other pathologies that are more appropriately redressed through treatment;

3. Oppose overincarceration

- Addressing pretrial detention;
- alternatives to incarceration;
- pilot projects to advance restorative justice models;
- second look legislation.

4. Identify and work to eliminate systemic racism, implicit bias, and disparate treatment based upon discrimination

5. Rein in government overreach through the misuse of the police power and privatisation of criminal justice

- monitor and redress misuse of wanted alerts;
- identify and restrain the misuse of Artificial Intelligence (AI), algorithmic tools and technology that is not human rights compliant for security and justice tasks.

Organizational highlights:

Rule of Law and Due Process

Fair Trials is leading the FLIGHTRISK project in Europe, together with several European partners. The network has developed detailed robust domestic and regional research as the basis for several national and one regional report to be published in early 2024. The analysis includes a thorough regional judicial standards review. This work aims to be replicated in other regions of the world.

Fair Trials works closely with local civil society organizations in different countries to advocate and report before UN Special Procedures and Treaty Bodies. An example of this is its work on arbitrary detentions in Mexico.

Fair Trials often participates in educational platforms and conferences that aim at disseminating international standards and promoting best practices, for example, at the Austral Conference on International Human Rights Law and the International Conference for National Human Rights Institutions.

Fair Trials works with several criminal and human rights clinics across Latin America to provide an assessment of the state of plea bargaining in different countries, including Mexico, Chile, Colombia and Argentina. Fair Trials and the law clinics are organizing a Law Clinic Programme for partner universities to provide training and research on this subject matter.

Fair Trials has produced reports on the state of plea bargaining and its use by lawyers in different jurisdictions, including Europe, the US, and Latin America. This work is conducted in collaboration with local partners such as the offices of the Public Defender. Among other topics, the analysis focused on the particular vulnerabilities of those who may accept a plea deal while finding themselves living on the street such as drug addicts and women. Fair Trials hopes that the reports will provide the basis for training and technical assistance for potential future drafting of internal guidance for state institutions and other partners.

Fair Trials continues to disseminate the Méndez Principles in Latin America and East Africa to promote the effective gathering of information for criminal proceedings, including through research and training. The work in East Africa, particularly in Kenya, is supported by pro bono engagement from UK law firms and universities.

Fair Trials continues to work with the legal firm Freshfields on the creation of a Global Fair Trials Index to review fair trial standards worldwide, develop indicators, and work on case studies covering pre-trial detention, plea bargaining, and artificial intelligence. The development of this ambitious project and associated open-source global index is expected to take several years.

Fair Trials provided an expert opinion to the European Economic and Social Council on the European Commission proposal for regulation of the transfer of criminal proceedings, including the alignment of the Lisbon treaty with the Charter of Fundamental Rights of the European Union. Fair Trials provided practical analysis on the use of fundamental rights and EU procedural rights in cross-border cooperation tools, notably related to the European Arrest Warrant and the European Investigation Order.

Networks

Fair Trials continues to coordinate and lead the Legal Expert Advisory Panel (LEAP), a group of legal professionals with diverse backgrounds and experiences, working in multiple jurisdictions across the European Union. Fair Trials works with the network to identify critical legal issues to be highlighted and researched and where appropriate to develop advocacy positions and materials to support the continued reform of criminal justice systems across the European Union.

Future Work

Fair Trials will continue to develop its international comparative legal analysis across multiple jurisdictions in line with the priorities set out above and to advance criminal justice reform. The work with the LEAP network supported by the European Commission will continue to enhance the organization's commitment to engage with both legal professionals and those with direct experience of criminal processes. The organization will continue to pursue its commitment to conduct high quality robust evidence-based research to advance criminal justice reform and cross jurisdictional cooperation. Across all its initiatives, Fair Trials will continue its historic commitment to identify and work with legal professionals and institutions, national and regional governments and other partners to advance global criminal justice reform.

The impact of Covid-19

Operational impact

In-person meetings and international travel for Fair Trials team members restarted in 2021, albeit at a reduced level. Investment in new videoconferencing software has allowed the organization to continue to hold both internal and external meetings remotely. Fair Trials has also used a variety of means of communication to maintain and increase contact with members of its networks, including on work to respond to the impact of Covid-19 on criminal justice systems.

Financial impact

Covid-19 did not have a significant impact on the organizational finances during the reporting period. The Trustees have considered the financial implications of the pandemic on the outlook for the year ahead and consider that the likely impact remains limited.

Based on assessments of forecast cash flows for the 12 months from the point of authorizing these financial statements and having regard to the current resources available to the Charity the Trustees have concluded that, at the time of signing this report, there is no material uncertainty. The Charity continues to keep the impact of currency fluctuations under review and continues to hold cash in the three key currencies (GBP, Euro and US\$) in line with its expectations as to the currencies in which future expenditure will be incurred. Fair Trials does not have investments, other than cash, nor a defined benefit pension schemes.

Key Performance Indicators

Income

Fair Trials' enhanced level of activity in pursuit of its objectives is reflected in the financial statements. Incoming resources decreased from £1,522,979 in 2021/22 to £1,512,977 {1%} this year. Fair Trials reports income of £713,126 {2021/22: £755,998} for specific activities which is shown as restricted funds (see note 13). Fair Trials reports £799,851 (2021/22: £766,981) of unrestricted income.

The majority of Fair Trials' restricted income comes from statutory or foundation sources, including governmental funders (£328,921 in 2022/23: £374,605 in 2021/22), mainly the European Commission; and the Arnold Foundation (£124,004 in 2022/23: £55,684 in 2021/22). Fair Trials also received support from the Koch Foundation, Open Society Foundation and Freshfields towards specific project activities.

In 2022/23 Fair Trials received large core grants from the Open Society Foundations (£276,480 in 2022/23; £241,990 in 2021/22), the Oak Foundation (£275,000 in 2022/23: £275,000 in 2021/22), and Sigrid Rausing Trust (£150,000 in 2022/23: £150,000 in 2021/22) to support its core activities.

The majority of the remainder of Fair Trials' unrestricted income comes from other trust grants, donations from law firms and individual donations. Further details can be found in note 2.

The Trustees are very grateful to all of Fair Trials' donors for their ongoing support and confidence in Fair Trials' work.

Expenditure

Although there was a slight decrease in the level of charitable activity, there was an increased level of expenditure. Expenditure increased from £1,456,271 in 2021/22 to £1,552,143 this year, an increase of 7%. Fair Trials therefore made a deficit in the period of £39,166 (2021/22 surplus £66,708) which has been added to its reserves. At 31 March 2023, Fair Trials' fund balance stood at £314,424 (2021/22: £353,590).

The additional costs relate to higher staff associated with growth in activities globally. Expenditure on charitable activities for Fair Trials America increased from £286,831 in 2021/22 to £452,299, an increase of 58%, due to planned investment in the team and activities taking place around areas such as the legal right to counsel, plea bargaining and other key global advocacy topics

The Charity's own charitable expenditure decreased from £479,064 in 2021/22 to £345,453, a decrease of 28% mainly due to a shift in increased activities in the Americas.

Fair Trials Europe

During the year, as well as direct grants to Fair Trials Europe, the Charity supplied a grant of €120,000 to support Fair Trials Europe in meeting Fair Trials' charitable aims. These intra-group transactions are included in the Charity's financial statements as a net creditor but have been eliminated on consolidation. Details of these amounts can be found in notes 8 and 12. The majority of Fair Trials Europe's income in the year came from EU grants, mainly from The European Commission, together with the grant from the Charity.

Fair Trials Americas

In the financial year 2022/23 the Charity supplied grants of £285,937 to support Fair Trials Americas in meeting Fair Trials' charitable aims. These intra-group transactions are included in the Charity's financial statements as a net creditor but have been eliminated on consolidation. Details of these amounts can be found in notes 8 and 12.

Reserves Policy

The Trustees have examined the requirement to maintain free reserves and have concluded that Fair Trials globally should seek to maintain unrestricted reserves which approximate to 3 months' core operating expenditure, to include permanent staff and office costs for Fair Trials but excluding discrete project costs. For the year ahead, these 3 month's core expenditures was budgeted at approximately £212,000 and thus the target reserves level set as £212,000. The Trustees consider that this level of reserves is appropriate to ensure the continued ability of Fair Trials to meet its charitable objectives and to limit the risk of disruption to its activities in the event of a downturn in income or an unexpected need for additional expenditure. The Trustees review this policy annually.

Fair Trials' unrestricted fund balance at 31 March 2023 of £314,424 (2021/22: £353,590) is in excess of the target reserves level noted above. The current level of reserves is considered satisfactory, and the Board will continue to review the reserves policy in light of developing strategic plans, while maintaining the objective to keep healthy reserves in the short and long terms.

Fundraising

The Charity's fundraising strategy is guided by three principles:

- Diversification within and across income streams;
- Balancing short and long-term development needs; and
- Implementing improved systems and working practices to improve efficiency.

The Charity carries out all fundraising through its internal teams and does not employ external or commercial firms, either professional fundraisers or commercial participators. Two employees are dedicated to fundraising and managed through normal staff management practices, including regular monitoring of work and performance. The vast majority of the Charity's funds are provided by governmental funders, trusts and foundations and law firms. The main interactions are with managers in those organisations who will be contacted in the course of a regular professional relationship, by introduction from a third party with consent or by accessing publicly available sources such as the funder website.

Donations from private individuals are a small part of the Charity's income and are generally unsolicited and are received because the person acquires knowledge of the Charity's activities. The Fair Trials website contains a facility for donations to be made. Where fundraising requests are made, they will only be made to people on Fair Trials' mailing list, all of whom have specifically given consent for the Charity to communicate with them under guidelines set down by The General Data Protection Regulation and the Fundraising Regulator. Fair Trials does not solicit donations or payment from individuals to whom support is provided.

The Charity is not subject to any undertaking to be bound by any voluntary scheme for regulating fundraising or any voluntary standard of fundraising in respect of its activities.

No complaints have been received in respect of the Charity's fundraising activities during the financial year.

Trustees' responsibilities statement

The Trustees (who are also directors of Fair Trials International for the purposes of company law) are responsible for preparing the Trustees' Annual Report and the financial statements in accordance with applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice).

Company law requires the Trustees to prepare financial statements for each financial year, which give a true and fair view of the state of affairs of the Charity and the group and of their incoming resources and application of resources, including the income and expenditure, of the Charity and the group for that period. In preparing these financial statements, the Trustees are required to:

- select suitable accounting policies and then apply them consistently;
- observe the methods and principles in the Charities Statement of Recommended Practice (SORP) (FRS102);
- make judgements and estimates that are reasonable and prudent;
- state whether applicable UK Accounting Standards have been followed, subject to any material departures disclosed and explained in the financial statements; and
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the charitable company and the group will continue in operation.

The Trustees are responsible for keeping adequate accounting records that disclose with reasonable accuracy at any time the financial position of the Charity and the group and enable them to ensure

that the financial statements comply with the Companies Act 2006. They are also responsible for safeguarding the assets of the Charity and the group and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

In so far as the Trustees are aware:

- there is no relevant audit information of which the charitable company's auditor is unaware;
and
- the Trustees have taken all steps that they ought to have taken to make themselves aware of any relevant audit information and to establish that the auditor is aware of that information.

The Trustees are responsible for the maintenance and integrity of the corporate and financial information included on the Charity's website. Legislation in the United Kingdom governing the preparation and dissemination of financial statements may differ from legislation in other jurisdictions.

Preparation of the report

This report of the Board of Trustees has been prepared taking advantage of the small companies exemption of section 415A of the Companies Act 2006.

Since the Charity qualifies as small under section 383, the strategic report required of medium and large companies under The Companies Act 2006 (Strategic Report and Directors Report) Regulations 2013 is not required.

This report was approved and authorised for issue by the Board of Trustees on 27th February 2024 and signed on its behalf by:

Trustee: 
Eric Kolodner

Fair Trials International
(A Company Limited by Guarantee)

Independent Auditor's Report on the Financial Statements to Members of Fair Trials International

Opinion

We have audited the financial statements of Fair Trials International (the 'parent charitable company') and its subsidiaries (the 'group') for the year ended 31 March 2023 which comprise the Consolidated Statement of Financial Activities, the Group and Charity Balance Sheet, the Consolidated Statement of Cash Flows and the notes to the financial statements, including significant accounting policies. The financial reporting framework that has been applied in their preparation is applicable law and United Kingdom Accounting Standards, including Financial Reporting Standard 102 'The Financial Reporting Standard applicable in the UK and Republic of Ireland' (United Kingdom Generally Accepted Accounting Practice).

In our opinion the financial statements:

- give a true and fair view of the state of the group's and parent charitable company's affairs as at 31 March 2023 and of the group's incoming resources and application of resources for the year then ended;
- have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice; and
- have been prepared in accordance with the requirements of the Companies Act 2006.

Basis for opinion

We conducted our audit in accordance with International Standards on Auditing (UK) (ISAs (UK)) and applicable law. Our responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the financial statements section of our report. We are independent of the group and parent charitable company in accordance with the ethical requirements that are relevant to our audit of the financial statements in the United Kingdom, including the Financial Reporting Council's Ethical Standard, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Material uncertainty related to going concern

We draw attention to note 1 in the financial statements, which indicates uncertainty over the ability of the Group to pay expenses as they fall due within the foreseeable future. As stated in note 1, these events or conditions, along with the other matters as set forth in note 1, indicate that a material uncertainty exists that may cast significant doubt on the Group's ability to continue as a going concern.

Our opinion is not modified in respect of this matter.

In auditing the financial statements, we have concluded that the Trustees' use of the going concern basis of accounting in the preparation of the financial statements is appropriate.

Our responsibilities and the responsibilities of the Trustees with respect to going concern are described in the relevant sections of this report.

**Fair Trials International
(A Company Limited by Guarantee)**

Independent Auditor's Report on the Financial Statements to Members of Fair Trials International

Other Information

The other information comprises the information included in the Annual Report other than the financial statements and our Auditors' Report thereon. The Trustees are responsible for the other information contained within the Annual Report. Our opinion on the financial statements does not cover the other information and, except to the extent otherwise explicitly stated in our report, we do not express any form of assurance conclusion thereon. Our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the course of the audit, or otherwise appears to be materially misstated. If we identify such material inconsistencies or apparent material misstatements, we are required to determine whether this gives rise to a material misstatement in the financial statements themselves. If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact.

We have nothing to report in this regard.

Opinion on other matters prescribed by the Companies Act 2006

In our opinion, based on the work undertaken in the course of the audit:

- the information given in the Trustees' Report (incorporating the Directors' report) for the financial year for which the financial statements are prepared is consistent with the financial statements.
- the Trustees' Report (incorporating the Directors' report) has been prepared in accordance with applicable legal requirements.

Matters on which we are required to report by exception

In the light of our knowledge and understanding of the group and parent charitable company and its environment obtained in the course of the audit, we have not identified material misstatements in the Directors' report included within the Trustees report.

We have nothing to report in respect of the following matters in relation to which the Companies Act 2006 requires us to report to you if, in our opinion:

- adequate accounting records have not been kept by the parent charitable company, or returns adequate for our audit have not been received from branches not visited by us; or
- the parent charitable company's financial statements are not in agreement with the accounting records and returns; or
- certain disclosures of Trustees' remuneration specified by law are not made; or
- we have not received all the information and explanations we require for our audit; or
- the Trustees were not entitled to prepare the financial statements in accordance with the small companies' regime and take advantage of the small companies' exemptions in preparing the Trustees' report and from the requirement to prepare a strategic report.

Independent Auditor's Report on the Financial Statements to Members of Fair Trials International

Responsibilities of trustees

As explained more fully in the Trustees' Responsibilities Statement, the Trustees (who are also the Directors of the charitable company for the purposes of company law) are responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view, and for such internal control as the Trustees determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Trustees are responsible for assessing the group's and parent charitable company's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Trustees either intend to liquidate the group or the parent charitable company or to cease operations, or have no realistic alternative but to do so.

Auditor responsibilities for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an Auditor's Report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

Irregularities, including fraud, are instances of non-compliance with laws and regulations. We design procedures in line with our responsibilities, outlined above, to detect material misstatements in respect of irregularities, including fraud. The extent to which our procedures are capable of detecting irregularities, including fraud is detailed below:

- Enquiry of management around actual and potential litigation and claims;
- Performing audit work over the risk of management override of controls, including testing of journal entries and other adjustments for appropriateness, evaluating the business rationale of significant transactions outside the normal course of business and reviewing accounting estimates for bias;
- Reviewing minutes of meetings of those charged with governance;
- Reviewing financial statement disclosures and testing to supporting documentation to assess compliance with applicable laws and regulations.

Because of the inherent limitations of an audit, there is a risk that we will not detect all irregularities, including those leading to a material misstatement in the financial statements or non-compliance with regulation. This risk increases the more that compliance with a law or regulation is removed from the events and transactions reflected in the financial statements, as we will be less likely to become aware of instances of non-compliance. The risk is also greater regarding irregularities occurring due to fraud rather than error, as fraud involves intentional concealment, forgery, collusion, omission or misrepresentation.

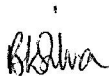
A further description of our responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website at: www.frc.org.uk/auditorsresponsibilities. This description forms part of our Auditor's Report.

**Fair Trials International
(A Company Limited by Guarantee)**

Independent Auditor's Report on the Financial Statements to Members of Fair Trials International

Use of our report

This report is made solely to the charitable company's members, as a body, in accordance with Chapter 3 of Part 16 of the Companies Act 2006. Our audit work has been undertaken so that we might state to the charitable company'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 charitable company and its members, as a body, for our audit work, for this report, or for the opinions we have formed.



Bianca Silva BA ACA DChA (Senior Statutory Auditor)
for and on behalf of
MHA, Statutory Auditor

Maidenhead, United Kingdom

Date: 29 February 2024

MHA is the trading name of MacIntyre Hudson LLP, a limited liability partnership in England and Wales (registered number OC312313)

FAIR TRIALS INTERNATIONAL

CONSOLIDATED STATEMENT OF FINANCIAL ACTIVITIES

(incorporating Income and Expenditure Account & Statement of Total Realised Gains and Losses)
For the year ended 31 March 2023

	Note	Unrestricted Funds 2023 £	Restricted Funds 2023 £	Total Funds 2023 £	Total Funds 2022 £
INCOME FROM:					
Donations and legacies	2	799,851	-	799,851	826,123
Charitable activities:	4				
Fair Trials International		-	127,221	127,221	183,232
Fair Trials Europe		-	339,059	339,059	370,242
Fair Trials Americas		-	246,846	246,846	143,382
TOTAL INCOMING RESOURCES		799,851	713,126	1,512,977	1,522,979
EXPENDITURE ON:					
Raising funds		198,076	-	198,076	130,500
Charitable activities:					
Fair Trials International		218,232	127,221	345,453	479,064
Fair Trials Europe		217,256	339,059	556,315	559,876
Fair Trials Americas		205,453	246,846	452,299	286,831
TOTAL EXPENDITURE	5	839,017	713,126	1,552,143	1,456,271
NET INCOME		(39,166)	-	(39,166)	66,708
RECONCILIATION OF FUNDS					
Total funds brought forward	13	353,590	-	353,590	286,882
TOTAL FUNDS CARRIED FORWARD	13	314,424	-	314,424	353,590

All income and expenditure derive from continuing activities

The annexed notes form part of these financial statements

FAIR TRIALS INTERNATIONAL (company limited by guarantee)

BALANCE SHEETS (COMPANY NUMBER: 07135273)

As at 31 March 2023

	Notes	Charity 2023 £	Group 2023 £	Charity 2022 £	Group 2022 £
FIXED ASSETS					
Tangible assets	10	<u>7,391</u>	<u>12,276</u>	<u>11,839</u>	<u>20,790</u>
		<u>7,391</u>	<u>12,276</u>	<u>11,839</u>	<u>20,790</u>
CURRENT ASSETS					
Debtors	11	31,405	86,638	76,510	90,260
Cash at bank and in hand		<u>727,524</u>	<u>1,191,052</u>	<u>319,700</u>	<u>687,361</u>
		<u>758,929</u>	<u>1,277,690</u>	<u>396,210</u>	<u>777,621</u>
CREDITORS: amounts falling due within one year	12	<u>(569,549)</u>	<u>(975,542)</u>	<u>(142,060)</u>	<u>(444,821)</u>
NET CURRENT ASSETS		<u>189,380</u>	<u>302,148</u>	<u>254,150</u>	<u>332,800</u>
NET ASSETS		<u>196,771</u>	<u>314,424</u>	<u>265,989</u>	<u>353,590</u>
FUNDS					
Unrestricted funds:					
Subsidiary companies	13	-	117,653	-	87,601
General fund	13	<u>196,771</u>	<u>196,771</u>	<u>265,989</u>	<u>265,989</u>
		<u>196,771</u>	<u>314,424</u>	<u>265,989</u>	<u>353,590</u>
TOTAL FUNDS		<u>196,771</u>	<u>314,424</u>	<u>265,989</u>	<u>353,590</u>

The Charity's financial statements have been prepared in accordance with the provisions applicable to companies subject to the small companies regime.

These financial statements were approved and authorised for issue by the Board of Trustees on 27th February 2024 and signed on their behalf by:



Eric Kolodner

The annexed notes form part of these financial statements

CONSOLIDATED STATEMENT OF CASH FLOWS

For the year ended 31 March 2023

	Notes	Charity 2023 £	Group 2023 £	Charity 2022 £	Group 2022 £
Cash flow from operating activities	15	407,824	503,691	(295,335)	(430,829)
Net cash flow from operating activities		<u>407,824</u>	<u>503,691</u>	<u>(295,335)</u>	<u>(430,829)</u>
Cash flow from investing activities					
Payments to acquire tangible fixed assets	10	-	-	(6,292)	(6,056)
Net cash flow from investing activities		<u>-</u>	<u>-</u>	<u>(6,292)</u>	<u>(6,056)</u>
Net cash flow from financing activities		<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Net increase / (decrease) in cash and cash equivalents		407,824	503,691	(301,627)	(436,885)
Cash and cash equivalents at 1st April		319,700	687,361	621,327	1,124,246
CASH AND CASH EQUIVALENTS AT 31 MARCH		<u>727,524</u>	<u>1,191,052</u>	<u>319,700</u>	<u>687,361</u>
Cash and cash equivalents consists of:					
Cash at bank and in hand		<u>727,524</u>	<u>1,191,052</u>	<u>319,700</u>	<u>687,361</u>
CASH AND CASH EQUIVALENTS AT 31 MARCH		<u>727,524</u>	<u>1,191,052</u>	<u>319,700</u>	<u>687,361</u>

The Charity and the Group do not have net debt as at 31 March 2023 (2021/22 - Nil)

NOTES TO THE FINANCIAL STATEMENTS
For Year ended March 2023

1. Summary of significant accounting principles

General information and basis of preparation

Fair Trials International ("the Charity") is a private company limited by guarantee registered in England and Wales. The members of the company are its trustees. In the event of the Charity being wound up, the liability in respect of the guarantee is limited to £1 per Trustee of the Charity. The address of the registered office is given in the charity information on page 1 of these financial statements. The nature of the Charity's operations and principal activities are detailed on page 4.

The Charity constitutes a public benefit entity as defined by FRS 102. The financial statements have been prepared in accordance with 'Accounting and Reporting by Charities: Statement of Recommended Practice' applicable to charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the United Kingdom and Republic of Ireland (FRS102), the Charities Act 2011, the Companies Act 2006 and UK Generally Accepted Practice as it applies from 1 January 2015.

The significant accounting policies applied in the preparation of these financial statements are set out below. These policies have been consistently applied to all years presented unless otherwise stated.

Going Concern

The Trustees assess whether the use of going concern is appropriate, i.e. whether there are any material uncertainties related to events or conditions that may cast significant doubt on the ability of the Charity to continue as a going concern. The Trustees make this assessment in respect of a period of at least one year from the date of authorisation for issue of the financial statements and have concluded that the Charity requires confirmation from current funders on future grant funding in order to continue to operate for the foreseeable future, and therefore presently there are material uncertainties about the Charity's ability to continue as a going concern.

Whilst there are net current assets of £302,148 on the Balance Sheet as at 31 March 2023 and a budgeted net current asset position of £271,337 as at 31 March 2024, the Charity is dependent on their current funders to confirm future grant funding for the year ending 31 March 2025 to be able to fund the budgeted unrestricted expenditure for that year. The financial statements have been prepared on a going concern basis however, as the Trustees are currently having positive discussions with their current funders with regards to finalising grant agreements from 1 April 2024 and are confident that these grant agreements will be agreed and in place. More information regarding the Charity's ability to continue as a going concern is given in note 17.

Group financial statements

These financial statements consolidate the results of the Charity and its wholly-controlled subsidiaries, Fair Trials Europe and Fair Trials Americas, on a line by line basis. A separate Statement of Financial Activities for the Charity itself is not presented because the Charity has taken advantage of the exemptions afforded by section 408 of the Companies Act 2006.

The financial statements are prepared in sterling which is the functional currency of the Charity, and rounded to the nearest pound.

Fund accounting

Unrestricted funds are available for use at the discretion of the Trustees in furtherance of the general objectives of the Charity and which have not been designated for other purposes.

NOTES TO THE FINANCIAL STATEMENTS
For Year ended March 2023

Restricted funds are funds which are to be used in accordance with specific restrictions imposed by donors or which have been raised by the Charity for particular purposes. The cost of raising and administering such funds are charged against the specific fund. The aim and use of each restricted fund is set out in the notes to the financial statements.

Income recognition

All incoming resources are included in the Statement of Financial Activities (SoFA) when the Charity is legally entitled to the income after any performance conditions have been met, the amount can be measured reliably and it is probable that the income will be received.

For donations to be recognised the Charity will have been notified of the amounts and the settlement date in writing. If there are conditions attached to the donation and this requires a level of performance before entitlement can be obtained then income is deferred until those conditions are fully met if the fulfilment of those conditions is within the control of the Charity and it is probable that they will be fulfilled.

Contributions from the UK Government Coronavirus Job Retention Scheme have been recognised on receipt.

Donated facilities and donated professional services are recognised in income at their fair value when their economic benefit is probable, it can be measured reliably and the Charity has control over the item. Fair value is determined on the basis of the value of the gift to the Charity. For example the amount the Charity would be willing to pay for such facilities and services. A corresponding amount is recognised in expenditure.

No amount is included in the financial statements for volunteer time in line with the SORP (FRS 102). Further detail is given in the Trustees' Annual Report.

Expenditure recognition

All expenditure is accounted for on an accruals basis and has been classified under headings that aggregate all costs related to the category. Expenditure is recognised where there is a legal or constructive obligation to make payments to third parties, it is probable that the settlement will be required and the amount of the obligation can be measured reliably. It is categorised under the following headings:

- Costs of raising funds includes staff time and associated support costs of fundraising activities;
- Expenditure on charitable activities includes the direct meetings, communications, travel and staff costs of our activities and associated support costs.
- Other expenditure represents those items not falling into the categories above.
- Termination benefits, including redundancy costs, are recognised when the charity has the obligation to pay the benefits and they can be reliably measured.

Irrecoverable VAT is charged as an expense against the activity for which the expenditure arose.

Support costs allocation

Support costs are those that assist the work of the Charity but do not directly represent charitable activities and include office costs, governance costs and administrative payroll costs. They are incurred directly in support of expenditure on the objects of the Charity and include project management. Where support costs cannot be directly attributed to particular headings they have been allocated to cost of raising funds and expenditure on charitable activities based on the proportion of direct staff time attributable to each category.

Fundraising costs are those incurred in seeking voluntary contributions.

The analysis of these costs is included in notes 5 and 6.

NOTES TO THE FINANCIAL STATEMENTS
For Year ended March 2023

Tangible fixed assets

Tangible fixed assets are stated at cost (or deemed cost) less accumulated depreciation and accumulated impairment losses. Cost includes costs directly attributable to making the asset capable of operating as intended.

Depreciation is provided on all tangible fixed assets, at rates calculated to write off the cost, less estimated residual value, of each asset on a straight-line basis over its expected useful life as follows:

Fixtures, fittings & equipment	25% per annum
Office improvements	20% per annum

Debtors and creditors receivable / payable within one year

Debtors are recognised when the Charity is legally entitled to the income after any performance conditions have been met, the amount can be measured reliably and it is probable that the income will be received.

Creditors are recognised when the Charity has a present legal or constructive obligation resulting from a past event to make a payment to a third party, it is probable that settlement will be required and the amount due to settle the obligation can be measured or estimated reliably.

Financial Instruments

The Charity only holds basic Financial Instruments. The financial assets and financial liabilities of the Charity are as follows:

Debtors – trade and other debtors (including accrued income) are basic financial instruments and are debt instruments measured at amortised cost as detailed in Note 11. Prepayments are not financial instruments.

Cash at bank – is classified as a basic financial instrument and is measured at face value.

Liabilities – trade creditors, accruals and other creditors will be classified as financial instruments, and are measured at amortised cost as detailed in Note 12. Deferred income is not deemed to be a financial liability, as the cash settlement has already taken place and there is simply an obligation to deliver charitable services rather than cash or another financial instrument. Funds held for partners and funds held for Fair Trials Europe are not financial instruments.

Concessionary loans

Concessionary loans include loans between the parent Charity, Fair Trials International, and the subsidiary Foundation, Fair Trials Europe which are interest free and made to advance charitable purposes. The loan is repayable on demand within one year and is measured at cost, less impairment.

Operating leases

Rentals payable under operating leases are charged to the statement of financial activities on a straight line basis over the period of the lease.

Foreign Currencies

Transactions in foreign currencies are recorded at the average rate ruling at the date of the transaction. Monetary and non-monetary assets and liabilities denominated in foreign currencies are translated at the rate of exchange ruling at the balance sheet date. All differences are taken to the statement of financial activities.

NOTES TO THE FINANCIAL STATEMENTS
For Year ended March 2023

Judgements and key sources of estimation uncertainty

The following judgements (apart from those involving estimates) have been made in the process of applying the above accounting policies that have had the most significant effect on amounts recognised in the financial statements

- Allocation of support costs
- Entitlement to income for certain grant funded projects in progress
- Depreciation of tangible fixed assets
- Useful economic lives of assets

Employee benefits

When employees have provided a service to the Charity, salaries and other short-term employee benefits to which the employees are entitled are recognised at the undiscounted amount expected to be paid in exchange for that service. This includes the cost of annual leave which employees were entitled to but which was not taken during the reporting year.

The Charity operates a defined contribution pension plan for the benefit of its employees. Contributions are expensed as they become payable.

The costs and liabilities associated with employee benefits are allocated to activities and restricted and unrestricted funds based on days and percentage of time worked on specific projects.

NOTES TO THE FINANCIAL STATEMENTS
For Year ended March 2023

2. INCOME FROM DONATIONS AND LEGACIES

	Unrestricted Funds 2023 £	Restricted Funds 2023 £	Total Funds 2023 £
Trusts and Foundations	767,870	-	767,870
Law Firms	26,500	-	26,500
Donated services	-	-	-
Individual donors	5,436	-	5,436
Bank Interest	45	-	45
	799,851	-	799,851
	2022 £	2022 £	2022 £
Trusts and Foundations	722,421	-	722,421
Law Firms	39,627	50,000	89,627
Donated services	-	7,700	7,700
Individual donors	4,933	-	4,933
UK Government - CJRS	-	1,442	1,442
	766,981	59,142	826,123

Income from donations and legacies was £799,851 (2021/22: £826,123) of which £799,851 was unrestricted (2021/22: 766,981) and none was restricted (2021/22: £59,142).

Details of donated services are given in note 3.

Grants from trusts and foundations :	2023 Unrestricted £	2023 Restricted £	2022 Unrestricted £	2022 Restricted £
Bromley Trust	15,000	-	15,000	-
Colucci Foundation	5,389	-	5,481	-
Evan Cornish Foundation	12,500	-	12,500	-
Allen & Overy Foundation	10,000	-	-	-
Law Society	-	-	5,000	-
Oak Foundation	275,000	-	275,000	-
Open Society Foundations	276,480	-	241,990	-
Sigrid Rausing Trust	150,000	-	150,000	-
Souter Charitable Trust	3,000	-	3,000	-
The 3 Ts Charitable Trust	15,000	-	10,000	-
Other trusts & foundations	7,162	-	4,450	-
	769,531	-	722,421	-

NOTES TO THE FINANCIAL STATEMENTS
For Year ended March 2023

Donations from law firms:	2023	2023	2022	2022
	Unrestricted	Restricted	Unrestricted	Restricted
	£	£	£	£
Barrett Translations Ltd	-	-	127	-
Clifford Chance	-	-	-	50,000
Freshfields	20,000	-	20,000	-
Allen & Overy Foundation	-	-	10,000	-
Simmons & Simmons	-	-	-	-
Charitable Foundation	-	-	4,500	-
BCL Solicitors	5,000	-	5,000	-
Garden Court	-	-	-	-
Chambers Ltd	1,500	-	-	-
	<u>26,500</u>	<u>-</u>	<u>39,627</u>	<u>50,000</u>

The Charity is very grateful to all those who have donated this year including the B&P Glasser Charitable Trust, Diana Parker, the Korman Trust, the Ptarmigan Trust, the Oakdale Trust and all those listed above.

3. DONATED SERVICES

There were no Donated Services in 2022/23. Donated Services during the 2021/22 year are formed of;

Professional legal services: Time donated by legal experts and secondees from law firms, while working for the Charity. There were no Donated Services in 2022/23.

NOTES TO THE FINANCIAL STATEMENTS
For Year ended March 2023

4. INCOME FROM CHARITABLE ACTIVITIES

	Unrestricted Funds	Restricted Funds	Total Funds
	2023	2023	2023
	£	£	£
EU grants	-	328,921	328,921
Arnold Foundation	-	124,004	124,004
Koch Foundation	-	86,534	86,534
Open Society Foundations	-	48,267	48,267
Freshfields	-	26,276	26,276
Mary Jane & Associates	-	24,873	24,873
Barrow Cadbury	-	21,294	21,294
Role UK	-	16,182	16,182
Stitching Digital Freedom Fund	-	13,362	13,362
European AI Fund	-	10,138	10,138
Irish Embassy - Mexico	-	8,326	8,326
Mozilla Foundation	-	3,109	3,109
UKRI	-	1,140	1,140
Porticus	-	701	701
	-	713,127	713,127
	2022	2022	2022
	£	£	£
EU grants	-	374,605	374,605
Open Society Foundations	-	128,286	128,286
Koch Foundation	-	87,698	87,698
Arnold Foundation	-	55,684	55,684
The European Roma Rights Centre	-	18,278	18,278
Barrow Cadbury	-	17,006	17,006
UKRI	-	10,922	10,922
Therium Access Ltd	-	3,000	3,000
Role UK	-	1,376	1,376
	-	696,855	696,855

Within EU grants £328,921 (2021/22: £374,507) of government grants were received from the European Commission. There were no contingencies or unfulfilled conditions relating to this funding.

NOTES TO THE FINANCIAL STATEMENTS
For Year ended March 2023

5. RESOURCES EXPENDED

	Direct Staff Costs 2023	Other activities under-taken directly 2023	Support costs 2023	Total 2023
	£	£	£	£
Fair Trials International	225,051	22,411	97,991	345,453
Fair Trials Americas	315,874	58,691	77,734	452,299
Fair Trials Europe	339,470	38,391	178,454	556,315
Total charitable expenditure	880,395	119,493	354,179	1,354,067
Costs of raising funds	150,908	-	47,168	198,076
Support costs	195,854	205,493	(401,347)	-
	<u>1,227,157</u>	<u>324,986</u>	<u>-</u>	<u>1,552,143</u>
	2022	2022	2022	2022
	£	£	£	£
Fair Trials International	287,821	77,721	113,522	479,064
Fair Trials Americas	196,271	15,781	74,779	286,831
Fair Trials Europe	360,314	30,740	168,822	559,876
Total charitable expenditure	844,406	124,242	357,123	1,325,771
Costs of raising funds	106,783	-	23,717	130,500
Support costs	147,791	233,049	(380,840)	-
	<u>1,098,980</u>	<u>357,291</u>	<u>-</u>	<u>1,456,271</u>

Resources expended include:

	2023	2022
	£	£
Auditors' remuneration:		
Charity	21,535	18,020
Subsidiary	3,352	3,286
Depreciation on owned assets	8,946	10,154
	<u>33,833</u>	<u>31,460</u>

Expenditure on charitable activities was £1,354,067 (2021/22: £1,325,771), of which £713,126 was restricted (2021/22: £755,998) and £640,941 was unrestricted (2021/22: £569,773). The costs of raising funds was £198,076 (2021/22: £130,500) all of which was unrestricted (2021/22 all unrestricted).

NOTES TO THE FINANCIAL STATEMENTS
For Year ended March 2023

6. SUPPORT AND GOVERNANCE COSTS

	General Support 2023 £	Governance 2023 £	Total 2023 £
Support staff costs	188,729	7,125	195,854
Depreciation	8,947	-	8,947
Office, administration and other support costs	171,659	-	171,659
Audit fees			
Charity	-	21,535	21,535
Subsidiary	-	3,352	3,352
Other governance costs	-	-	-
	<u>369,335</u>	<u>32,012</u>	<u>401,347</u>
	2022 £	2022 £	2022 £
Support staff costs	142,884	4,907	147,791
Depreciation	10,154	-	10,154
Office, administration and other support costs	201,589	-	201,589
Audit fees	-		
Charity	-	18,020	18,020
Subsidiary	-	3,286	3,286
Other governance costs	-	-	-
	<u>354,627</u>	<u>26,213</u>	<u>380,840</u>

7. STAFF COSTS AND NUMBERS

	2023 £	2022 £
Wages and salaries	1,064,829	897,665
Social security costs	124,735	123,809
Pension costs	16,231	21,214
Other staff costs	21,361	56,292
	<u>1,227,156</u>	<u>1,098,980</u>

Staff costs for 2022/23 include termination benefits totalling £Nil (2021/22: £Nil). Payments in lieu of notice and redundancy were £Nil (2021/22: £Nil). Total termination benefits include wages and salaries of £Nil (2021/22 : £Nil) and social security costs of £Nil (2021/22 £Nil).

NOTES TO THE FINANCIAL STATEMENTS
For Year ended March 2023

The full time equivalent number of group employees during the year was as follows.

	2023	2022
	Number	Number
Costs of raising funds	2.3	1.5
Charitable activities: Fair Trials International	4.3	6.0
Charitable activities: Fair Trials Europe	6.1	7.3
Charitable activities: Fair Trials Americas	2.6	2.3
Support	2.9	3.3
	18.2	20.4

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

	2023	2022
	Number	Number
Costs of raising funds	2.5	1.5
Charitable activities: Fair Trials International	4.4	6.1
Charitable activities: Fair Trials Europe	6.1	7.3
Charitable activities: Fair Trials Americas	2.3	2.3
Support	2.9	3.2
	18.2	20.4

The employment benefits of higher paid staff were as follows:

	2023	2022
Number of employees who received £60,001 - £70,000:	1	2
Number of employees who received £70,001 - £80,000:	1	-
Number of employees who received £80,001 - £90,000:	1	1
Number of employees who received £90,000 - £100,000:	-	-
Number of employees who received £100,000 - £110,000:	-	-
Number of employees who received £110,000 - £120,000:	-	-
Number of employees who received £120,000 - £130,000:	1	-

8. SUBSIDIARY AND RELATED FOUNDATIONS

In May 2014 the Charity founded Fair Trials Europe, a public foundation registered in Belgium. Fair Trials Europe has an independent Board of Directors a majority of which are Trustees of the Charity. Financing arrangements and the power to cast the majority of votes at meetings of the Board are the determining factors that it be treated as a controlled subsidiary of the Charity and its results have been consolidated in these financial statements.

Fair Trials Europe coordinates Fair Trials' European Network (the Legal Experts Advisory Panel 'LEAP') and other European projects. Relevant financial information is as follows:

	2023	2022
	£	£
Income	442,677	446,823
Expenditure	(436,065)	(445,928)
	6,612	895

NOTES TO THE FINANCIAL STATEMENTS
For Year ended March 2023

Fixed assets	4,205	8,122
Current assets	461,651	384,983
Liabilities	(399,086)	(332,946)
	66,770	60,159
General funds	66,770	60,159

At the year end there was a balance of £184,953 owing by the Charity to Fair Trials Europe (2021/22 £75,366 owing by the Charity to Fair Trials Europe). The outstanding balance will be settled during 2023/24.

In April 2017 the Charity founded Fair Trials Americas, a public charity registered in the USA in the District of Columbia. The charity's Internal Revenue Code Section 501 (c) 3 status was approved in February 2018. Fair Trials Americas has an independent Board of Directors that includes certain Trustees of the Charity. The corporation has no members and is managed by its board of directors. For the year ended 31 March 2023, a single global CEO, financing arrangements, control over key operating and financial decisions and the concurrent purposes of the charities, are the determining factors that it be treated as a controlled subsidiary of the Charity and its results have been consolidated in these financial statements. Relevant financial information is as follows:

	2023	2022
	£	£
Income	539,894	274,506
Expenditure	(516,455)	(270,021)
	23,439	4,485
Fixed assets	680	829
Current assets	433,572	72,674
Liabilities	(383,370)	(46,061)
	50,882	27,442
General funds	50,882	27,442

The Charity provided grants to Fair Trials Americas during the year totalling £194,906 (2021/22: £124,181). At the year end there was a balance owing to the Charity by Fair Trials Americas of £147,376 (2021/22: £Nil). The outstanding balance will be settled during 2023/24.

The income of the Charity in the year was £919,997 (2021/22: £1,000,969) and its expenditure including grant giving was £989,216 (2020/21: £939,640). A deficit of £69,219, was made in the year (2021/22: surplus £61,329)

NOTES TO THE FINANCIAL STATEMENTS
For Year ended March 2023

9. TRUSTEES' AND KEY MANAGEMENT PERSONNEL REMUNERATION AND EXPENSES

The Charity's trustees neither received nor waived any remuneration from Fair Trials during the year (2021/22: £Nil)

The total amount of employee benefits received by key management personnel is £219,200 (2021/22: £180,428). The charity considers its key management personnel comprise the Trustees, Chief Executive and the Chief Financial Officer.

There was no interest-free travel loan in the 2022/23 financial year for key management personnel (2021/22: £Nil).

Reimbursement of expenses to trustees or paid on their behalf in the year totalled Nil (2021/22: £Nil).

10. TANGIBLE FIXED ASSETS

Group	Fixtures, fittings and equipment
	£
Cost	
At 1 April 2022	90,161
Additions	-
Disposals	-
Foreign exchange	1,757
At 31 March 2023	<u>91,918</u>
Depreciation	
At 1 April 2022	69,371
Charge for the period	8,947
On disposals	-
Foreign exchange	1,324
At 31 March 2023	<u>79,642</u>
Net book value	
At 31 March 2023	<u>12,276</u>
At 31 March 2022	<u>20,790</u>
Charity	Fixtures, fittings and equipment
	£
Cost	
At 1 April 2022	55,765
Additions	-
Disposals	-
At 31 March 2023	<u>55,765</u>
Depreciation	
At 1 April 2022	43,927
Charge for the period	4,448
On disposals	-
At 31 March 2023	<u>48,375</u>
Net book value	
At 31 March 2023	<u>7,391</u>
At 31 March 2022	<u>11,839</u>

NOTES TO THE FINANCIAL STATEMENTS
For Year ended March 2023

11. DEBTORS

	Charity	Group	Charity	Group
	2023	2023	2022	2022
	£	£	£	£
Due within one year				
Accrued Income	9,695	56,579	52,768	55,386
Prepayments	14,960	19,318	14,481	22,806
Other debtors	6,751	10,740	9,261	12,068
	<u>31,406</u>	<u>86,637</u>	<u>76,510</u>	<u>90,260</u>

12. CREDITORS: AMOUNTS FALLING DUE WITHIN ONE YEAR

	Charity	Group	Charity	Group
	2023	2023	2022	2022
	£	£	£	£
Funds held for partners	6,999	348,371	-	37,662
Trade creditors	10,888	11,659	4,044	7,353
Deferred Income	182,026	557,499	15,557	339,348
Funds held for Fair Trials Europe	188,051	-	75,366	-
Funds held for Fair Trials America	147,376	-	-	-
Accruals and other creditors	34,209	58,011	47,093	60,458
	<u>569,549</u>	<u>975,540</u>	<u>142,060</u>	<u>444,821</u>

Funds held for partners relate to both pre-payments on co-beneficiary grant amounts transferred to the Charity's bank account by the funder and still held at the year end and intercompany expenditure incurred by one entity on a grant relating to the other entity. The Charity co-ordinates the projects and is responsible for distributing pre-financing from the funder to the relevant beneficiaries but may not decide how the funds are allocated nor use the funds for its own project activities.

Funds held for Fair Trials Europe are the net funds due to the subsidiary at the year end and contains the following balances:

A one off grant of £105,687 awarded by the Charity to Fair Trials Europe in 2022/23, a one off grant of £75,366 awarded by the Charity to Fair Trials Europe in 2021/22 and £3,098 of net expenditure which the Fair Trials Europe has incurred on behalf of the Charity. The total balance is £188,051 (2021/22: £75,366).

Funds held for Fair Trials Americas are the net funds due from the subsidiary at the year end and contains the following balances:

A one off grant of £187,762 awarded by the Charity to Fair Trials Americas in 2022/23 (2021/22: £Nil) and £40,386 of net expenditure which the Charity has incurred on behalf of Fair Trials Americas. The total balance is £147,376 (2021/22: £Nil).

NOTES TO THE FINANCIAL STATEMENTS
For Year ended March 2023

	Charity	Group	<i>Charity</i>	<i>Group</i>
	2023	2023	<i>2022</i>	<i>2022</i>
	£	£	<i>£</i>	<i>£</i>
<u>Deferred income</u>				
Balance at 1 April 2021	15,557	339,348	<i>142,958</i>	<i>660,233</i>
Amount released to incoming resources	(15,557)	(339,348)	<i>(142,958)</i>	<i>(660,233)</i>
Amount deferred in the year	182,026	557,499	<i>15,557</i>	<i>339,348</i>
Balance at 31 March 2022	182,026	557,499	<i>15,557</i>	<i>339,348</i>

Deferred income comprises grants received which relate to activities to be completed in future periods.

NOTES TO THE FINANCIAL STATEMENTS
For Year ended March 2023

13. STATEMENT OF FUNDS

Year ended 31

March 2023

	Brought Forward £	Incoming Resources £	Resources Expended £	Transfers £	Carried Forward £
RESTRICTED FUNDS					
Open Society Foundations (Artificial Intelligence)	-	48,267	(48,267)	-	-
Porticus	-	701	(701)	-	-
Stitching Digital Freedom Fund	-	13,362	(13,362)	-	-
Clifford Chance	-	-	-	-	-
Role UK	-	16,182	(16,182)	-	-
Barrow Cadbury	-	21,294	(21,294)	-	-
UKRI	-	1,140	(1,140)	-	-
Freshfields Index	-	26,276	(26,276)	-	-
			-		
<u>Americas</u>			-		
The Koch Foundation	-	86,534	(86,534)	-	-
Arnold Foundation	-	124,004	(124,004)	-	-
Mary Jane & Associates	-	24,873	(24,873)	-	-
Irish Embassy - Mexico	-	8,326	(8,326)	-	-
Mozilla Foundation	-	3,109	(3,109)	-	-
			-		
<u>Europe</u>			-		
Network of European Foundations: (AI in criminal justice)	-	10,138	(10,138)	-	-
Legal Experts Advisory Panel (LEAP)	-	176,390	(176,390)	-	-

NOTES TO THE FINANCIAL STATEMENTS
For Year ended March 2023

	Brought Forward £	Incoming Resources £	Resources Expended £	Transfers £	Carried Forward £
Improving Judicial Assessment of Flight Risk (FLIGHTRISK)		25,744	(25,744)	-	-
Litigating to Advance Defence Rights in Europe (LADRE)	-	57,155	(57,155)	-	-
Equality Data Collection (EQUALITYDAT A)	-	13,541	(13,541)	-	-
Strengthening Procedural Rights (PRO- RPC)	-	31,395	(31,395)	-	-
Strengthening Trust in the European Justice Area (STREAM)	-	24,697	(24,697)	-	-
	-	713,126	(713,126)	-	-

NOTES TO THE FINANCIAL STATEMENTS
For Year ended March 2023

	Brought Forward £	Incoming Resources £	Resources Expended £	Transfers £	Carried Forward £
SUMMARY OF FUNDS					
Subsidiary					
foundations	87,601	396,666	(366,614)	-	117,653
General Funds	265,989	403,185	(472,403)	-	196,771
	353,590	799,851	(839,017)	-	314,424
Restricted	-	713,126	(713,126)	-	-
	353,590	1,512,977	(1,552,143)	-	314,424

All net assets relate to unrestricted funds (2021/22 all unrestricted).

Open Society Foundations (Artificial Intelligence)

A grant to advance strong safeguards for AI and big data applications in criminal justice systems in Europe.

Stitching Digital Freedom Fund

A grant supporting a case which involves an application to the Court of Justice of the European Union (CJEU) to consider the legality of actions by Europol, the European Union's law enforcement agency.

Clifford Chance

Financial support for Fair Trials' to connect and support criminal justice reformers in the US and Europe.

Role UK

Work to address the widespread use of torture and mistreatment that takes place in police custody in East Africa.

Barrow Cadbury

A grant to examine decision making, plea bargaining and young adult maturity.

UKRI

Grant to support the interviewing and legal representation of crime victims and suspects using digital communication methods.

Freshfields Index

Grant to support creation of a global Fair Trails Country Index on procedural justice.

Koch Foundation (Fair Trials Americas)

A grant to expose the role plea bargaining plays in wider failings of the criminal justice system and identify and advance workable solutions.

Arnold Foundation (Fair Trials Americas)

A grant to examine the impact of stationhouse counsel, through insights into the variety of ways in which the legal right of access to counsel might be understood, the challenges and benefits associated with different models of representation and identifying best practices.

Mary Jane & Associates (Fair Trials Americas)

A grant to expose the role plea bargaining plays in wider failings of the criminal justice system and identify and advance workable solutions.

NOTES TO THE FINANCIAL STATEMENTS
For Year ended March 2023

Irish Embassy - Mexico (Fair Trials Americas)

A grant to contribute to the promotion and realisation of the human rights of women, specifically their rights to equality, to a life free from violence and access to justice under due process of law.

Mozilla Foundation (Fair Trials Americas)

A grant examining AI-reliant systems and its potential uses, threats and challenges in Latin America.

Network of European Foundations: AI in criminal justice: protecting and empowering people's rights (Fair Trials Europe)

A grant to research AI in criminal justice, to ensure that EU legislation contains strong safeguards, including the prohibition of the most harmful types of AI applications in policing and criminal justice systems; and that these safeguards are enforced at a national level.

European Union: Coordination of LEAP (Fair Trials Europe)

An operating grant to support the coordination of the Legal Experts Advisory Panel ("LEAP"). Individual LEAP members and other parties made donations to co-fund the cost of some LEAP activities.

European Commission: Improving Judicial Assessment of Flight Risk (Fair Trials Europe)

A partnership project, coordinated by Fair Trials Europe, to deeper understanding of the reality of judicial decision-making on pre-trial detention.

European Commission: Litigating to Advance Defence Rights in Europe (Fair Trials Europe)

A grant for a project to strengthen the ability of defence lawyers to engage effectively in litigation at domestic and EU levels where rights have been violated, and use EU law to tackle abuse of fundamental rights.

European Commission: Strengthening Trust in the European Criminal Justice Area STREAM (Fair Trials Europe)

A grant for a partnership project, coordinated by the Centre for European Policy Studies (CEPS), to strengthen trust in the European Criminal Justice Area through mutual recognition and the streamlined application of the European Arrest Warrant.

European Commission: Strengthening procedural rights in police custody ProRPC (Fair Trials Europe)

A grant for a partnership project coordinated by The Boltzmann Institute (LBI-GMR), to enhance the implementation of procedural rights.

European Commission: Equality Data Collection in European Justice Systems (Fair Trials Europe)

A grant for a partnership project coordinated by The Bulgarian Helsinki Committee Association (BHC), to improve equality data collection in criminal justice systems across the EU.

NOTES TO THE FINANCIAL STATEMENTS
For Year ended March 2023

Year ended 31 March 2022	Brought Forward £	Incoming Resources £	Resources Expended £	Transfers £	Carried Forward £
RESTRICTED FUNDS					
Open Society Foundations (Information Programme)	-	61,108	(61,108)	-	-
Open Society Foundations (COVID)	-	17,454	(17,454)	-	-
Open Society Foundations (Emergency Powers)	-	49,724	(49,724)	-	-
Clifford Chance	-	50,000	(50,000)	-	-
The European Roma Rights	-	18,278	(18,278)	-	-
Role UK	-	1,376	(1,376)	-	-
Barrow Cadbury	-	17,006	(17,006)	-	-
UKRI	-	10,923	(10,923)	-	-
Therium Access Ltd	-	3,000	(3,000)	-	-
UK Government - CJRS	-	1,442	(1,442)	-	-
Donated Services	-	7,700	(7,700)	-	-
<u>Americas</u>					
The Koch Foundation	-	87,699	(87,699)	-	-
Arnold Foundation	-	55,684	(55,684)	-	-
European Union Legal Experts Advisory Panel (LEAP)	-	180,162	(180,162)	-	-

NOTES TO THE FINANCIAL STATEMENTS
For Year ended March 2023

	Brought Forward £	Incoming Resources £	Resources Expended £	Transfers £	Carried Forward £
LEAP donations and other EC projects	-	2,624	(2,624)	-	-
TRSF to DREP	-		-	-	-
Fighting unconscious bias and discrimination (ROMA)	-	5,316	(5,316)	-	-
Defence Rights in Evidenciary Procedures (DREP)	-	51,843	(51,843)	-	-
Trial Waiver Systems in Europe (TWSE)	-	57,410	(57,410)	-	-
Litigating to Advance Defence Rights in Europe (LADRE)	-	15,006	(15,006)	-	-
Judicial Cooperation (JUD-COOP)	-	5,183	(5,183)	-	-
Equality Data Collection (EQUALITYDAT A)	-	8,662	(8,662)	-	-
Strengthening Procedural Rights (PRO- RPC)	-	35,263	(35,263)	-	-
Strengthening Trust in the European Justice Area (STREAM)	-	13,135	(13,135)	-	-
	-	755,998	- 755,998	-	-

NOTES TO THE FINANCIAL STATEMENTS
For Year ended March 2023

	Brought Forward £	Incoming Resources £	Resources Expended £	Transfers £	Carried Forward £
SUMMARY OF FUNDS					
Subsidiary founda	82,221	209,153	(203,773)	-	87,601
General Funds	204,661	557,828	(496,500)	-	265,989
	<u>286,882</u>	<u>766,981</u>	<u>(700,273)</u>	<u>-</u>	<u>353,590</u>
Restricted Funds	-	755,998	(755,998)	-	-
	<u>286,882</u>	<u>1,522,979</u>	<u>(1,456,271)</u>	<u>-</u>	<u>353,590</u>

All net assets relate to unrestricted funds.

14. OTHER FINANCIAL COMMITMENTS

	2023	2022
At 31 March 2023 the total of the Charity's future minimum lease payments under non-cancellable operating leases was as set out below:	£	£
Operating leases which expire:		
within one year	40,923	40,923
within two to five years	<u>18,529</u>	<u>57,999</u>

15. RECONCILIATION OF NET INCOME TO NET CASH FLOW FROM OPERATING ACTIVITIES

	Charity 2023 £	Group 2023 £	Charity 2022 £	Group 2022 £
Net income for year	(69,219)	(39,166)	61,329	66,708
Depreciation and impairment of tangible fixed assets	4,448	8,514	4,218	10,154
Tangible fixed assets disposal	-	-	1,430	2,541
Decrease / (increase) in debtors	45,106	3,622	5,790	36,417
(Decrease) / Increase in creditors	427,489	530,721	(368,102)	(546,649)
Net cash flow from operating activities	<u>£ 407,824</u>	<u>£ 503,691</u>	<u>£ (295,335)</u>	<u>£ (430,829)</u>

16. RELATED PARTY TRANSACTIONS

Unrestricted donations made by trustees in the year amounted to £500 (2021/22: £Nil). Other than these amounts and balances and transactions referred to in Notes 8 and 12 regarding related foundations, there were no other related party transactions.

NOTES TO THE FINANCIAL STATEMENTS
For Year ended March 2023

17. Going Concern

At 31 March 2023, the Charity has net current assets of £302,148 on the Balance Sheet. In addition to preparing budgets for the two years to 31 March 2025, the Charity has tested a number of scenarios covering a 12 month period from the date of the signing of these financial statements, having taken into consideration the ongoing economic pressures associated with external financial factors and future grant agreements with their current funders.

In the forecasts considered by the Trustees, the Charity is forecasting a net current asset position of £271,337 as at 31 March 2024. However, the Charity is dependent on their current funders to confirm future grant funding for the year ended 31 March 2025 to be able to fund the budgeted unrestricted expenditure for that year. The Trustees are currently having positive discussions with their current funders with regards to finalising grant agreements from 1 April 2024 and are confident that these grant agreements will be agreed and in place.

Whilst the Charity has good reason to consider that grant agreements will be in place on the required timescales, there is no formal indication provided as at the date of approval of these financial statements, a circumstance which creates a material uncertainty which may cast doubt about the Charity's ability to continue as a going concern. On the basis of the reasons presented above, the Trustees have prepared the accounts on a going concern basis.

