

Report of the Trustees and  
Unaudited Financial Statements for the Period 1 February 2020 to 31 March 2021  
for  
The Centre For Military Justice

Amherst Accountancy  
Room 2  
1st Floor  
7 Bligh's Walk  
Sevenoaks  
Kent  
TN13 1DB

The Centre For Military Justice

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for the Period 1 February 2020 to 31 March 2021

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Report of the Trustees

for the Period 1 February 2020 to 31 March 2021

The trustees present their report with the financial statements of the charity for the period 1 February 2020 to 31 March 2021. The trustees have adopted the provisions of the Statement of Recommended Practice (SORP) 'Accounting and Reporting by Charities' issued in March 2005.

**REFERENCE AND ADMINISTRATIVE DETAILS**

**Registered Charity number**

1186988

**Principal address**

PO Box 59699

London

SE22 2EJ

**Trustees**

M Randhawa - appointed 24.11.20

S Nicholson

R Brighouse - appointed 22.6.20

J Donnelly OBE

D James - resigned 24.3.21

**Independent examiner**

Amherst Accountancy

Room 2

1st Floor

7 Bligh's Walk

Sevenoaks

Kent

TN13 1DB

**STRUCTURE, GOVERNANCE AND MANAGEMENT**

**Governing document**

The charity is controlled by its governing document, a deed of trust, and constitutes an unincorporated charity.

**Risk management**

The trustees have a duty to identify and review the risks to which the charity is exposed and to ensure appropriate controls are in place to provide reasonable assurance against fraud and error.

**OBJECTIVES AND ACTIVITIES**

**Objectives and aims**

1. To promote the sound administration of the law in particular (but without limitation) by providing specialist legal advice and representation in all matters relating to the law, practice and administration of justice in connection with the British armed forces;
2. To promote human rights (as set out in the Universal Declaration of Human Rights and subsequent United Nations conventions and declarations) throughout the world, including (but without limitation) by obtaining redress for and relieving need among the victims of human rights abuse, raising awareness of human rights issues, promoting public support for human rights and eliminating infringements of human rights;
3. To relieve those in need because of ill-health, disability or other disadvantage;
4. To promote the efficiency of the British armed forces in all matters relating to the law, practice and administration of justice in connection with the British armed forces;
5. To advance the education of the public in all matters relating to the law, practice and administration of justice in connection with the British armed forces.

## **OBJECTIVES AND ACTIVITIES**

### **Significant activities**

The CMJ's main activities for the period were:

1. A telephone helpline for service personnel, veterans and/or their families
2. An online enquiry form for service personnel, veterans and/or their families to seek advice
3. A website containing policy briefings, links to materials and blogs of matters of current interest available to members of the public
4. Providing general information, legal advice and signposting on all matters within the CMJ's charitable objects to individuals needing assistance
5. Providing advice and information to other charities and not-for-profit organisations on matters relating to the rule of law, human rights & access to justice in the Armed Forces
6. Providing full legal representation to individual clients
7. Providing advocacy support and therapeutic referrals to individual clients
8. Delivering education and outreach services within the Armed Forces sector through public speaking, lectures and updating materials through the CMJ website
9. Preparing policy briefings in relation to issues arising from our casework and reflecting our clients' experiences and concerns
10. Undertaking research projects in relation to issues arising from our casework and reflecting our clients' experiences and concerns

## **ACHIEVEMENT AND PERFORMANCE**

### **Charitable activities**

This report covers the period from the CMJ's foundation on 17 December 2019 to the end of its first complete financial year, 31 March 2021.

#### Strategic priorities:

In early 2020, the CMJ's trustees set the charity's principal organisational priorities for its first year as the provision of legal support to victims of gender-based violence in the Armed Forces, and support to bereaved military families. In addition, it was agreed that we would respond to LGBT+ queries concerning veterans that had been affected by the MoD's discriminatory 'gay ban', and we would plan some scoping work on racism in the Armed Forces.

#### Issues affecting women in the Armed Forces:

##### Gender-based violence:

We advised and supported at least 50 women during this period who complained of very poor treatment following their reports of sexual assault in the Armed Forces; we brought Human Rights Act claims seeking compensation and apologies for women whose reports of sexual assaults were not investigated or prosecuted properly; we supported women to bring claims in the Employment Tribunal; we supported women to make formal Service Complaints about their treatment; and we brought public interest strategic litigation by way of judicial review, acting for three rape survivors, on the handling of rape cases in the military justice system.

Prior to our involvement, none of those women had access to affordable legal advice. Legal aid was not available for any of those cases either because the nature of the claim was outside of the scope of legal aid, or because the means of the women rendered them ineligible. None of the women had insurance cover that would have paid for legal advice. Their efforts to secure pro bono help from private law firms had not proved fruitful and they were all unable to afford to instruct a solicitor on a privately-paying basis. The CMJ therefore filled a very real gap in access to justice and was able to provide free legal services to those clients. The service provided to these clients was specialist, holistic and trauma-informed. Depending on the client's needs and wishes, we offered: wider advocacy support, including advice on how to work with the media; access to specialist therapeutic support (either through the CMJ's funded service or by referral to a specialist female veterans' charity); as well as substantive legal advice and representation.

As a direct consequence of the judicial review challenge above, funded with the support of a third-party indemnity, the Secretary of State for Defence (SSD) agreed to place the issue of how rape and other serious offences in the military should be handled before Parliament, so that MPs could debate the issue. That then happened when the Armed Forces Bill was published in early 2021, now containing - because of the litigation - a specific clause on the jurisdiction of the handling of serious crimes in the Armed Forces. MPs from both sides contributed extensively to the debates and the profile of the issue of how the Armed Forces handles sexual assaults was raised significantly in both political circles and in the media. The SSD also agreed, as a consequence of the judicial review, to review all of the MoD's policies and protocols on the handling of rape and sexual assault allegations; and to ensure that all service personnel were notified of their right to report such allegations to the civilian, not military, police. The judicial review settled on the basis of the SSD's agreement to all of the above, in January 2021, with costs in the women's favour. The policy changes brought about as a direct result of the litigation affect every service person currently serving in the Armed Forces. The work of the CMJ on this issue was heavily cited in Parliament and the press, resulting in more women contacting the CMJ for advice and support.

## **ACHIEVEMENT AND PERFORMANCE**

### **Charitable activities**

Based upon our client's experiences and wishes, we campaigned for the handling of all serious sexual assault cases in the military to be sent to the civilian justice system. The Labour party adopted this position as official party policy on 11 March 2021.

#### Freedom of expression for sexual assault survivors:

We also challenged the blanket ban on service personnel being able to speak to the press, Parliament or campaign organisations on any subject - including gender-based violence, sexual harassment, racism and/or bullying - without seeking the prior consent of the MoD, which we argued was overbroad and breached their right to freedom of expression. We represented two rape survivors that wanted to be able to speak publicly about their experiences of the military justice system but were prevented from doing so by this policy, and a soldier that had wanted to communicate publicly about her experiences of sexual and racial harassment. Following our clients' letter before action the MoD announced that it would be reviewing the policy in question and would give full regard to our clients' legal submissions in conducting that review, the outcome of which is awaited. The policy review will affect and benefit all serving service personnel.

#### Defence Committee Inquiry on Women in the Armed Forces and briefing Parliamentarians:

We supported many women to give evidence confidentially to the Defence Inquiry on Women in the Armed Forces. We made extensive written submissions to the Inquiry which was heard in March 2021. Our Director was invited to give oral evidence to the Inquiry which was televised. Our evidence featured heavily in the final report of the Committee which made a number of important recommendations, many of which were accepted by the Government.

In addition we briefed many Parliamentarians in connection with issues raised by the Inquiry, as well as on the Armed Forces Bill (see below). We briefed MPs from the Conservative, Labour and Scottish Nationalist Party.

#### Public advocacy on women in the Armed Forces:

Our Director was interviewed on Woman's Hour about the judicial review claim brought by three rape survivors in May 2020. Her interview later featured on Law in Action (BBC Radio 4). The issue of the handling of rape cases in the military was extensively covered in the Telegraph (in which the Director was invited to prepare an opinion piece) and the Guardian. We were quoted in the tabloid press on the issue of sexual assaults in the military in both the Sun and the Daily Mail. One of our client's Human Rights Act claims against the Ministry of Defence following serious military prosecutor failings in her sexual assault case was reported by the BBC.

#### Research on wider issues affecting women in the Armed Forces:

We began the process of designing and seeking funding for a limited research project that will take the experiences of those of our clients that wish to take part, and build a research/evidence base from which to produce an academic paper detailing the experiences of those that have reported sexual violence in the Armed Forces, with a view to making findings and recommendations for policy reform.

## **ACHIEVEMENT AND PERFORMANCE**

### **Charitable activities**

#### **Bereaved families:**

We advised a number of bereaved military families and, where we could not act for them ourselves, ensured that they were referred through the expert charity INQUEST (whose Director is on our advisory panel) to other reputable lawyers. We advised (and continue to represent) the families of L/Cpl Bernard Mongan and L/Cpl Joel Robinson in their efforts to uncover what happened to their loved ones and ensure that lessons are learned from their deaths. The preparatory work for inquests of this nature is extensive and the families have very particular needs including a particular kind of advocacy support which we were privileged to provide. We have advised other families about whether they may have grounds to seek fresh inquests. We supported at least 10 bereaved families during this period.

#### **Rule of Law and access to justice:**

We made extensive written submissions to the Armed Forces Bill Committee on the handling of sexual violence and harassment in the military justice system and other issues that disproportionately affect women including the Service Complaints process which negatively disproportionately impacts on women.

We gave evidence in writing and orally (that was televised) to the Overseas Operations Bill Committee in October 2020, and (in writing) to the Joint Committee on Human Rights, drawing MPs attention to the adverse impact of the Bill on the legal rights of service personnel and highlighting the serious implications of the Bill for the UK's international legal obligations to ensure no impunity for serious criminal offences. We spoke publicly on this issue alongside the former Judge Advocate General. The CMJ and the other charities we had been working alongside secured a major victory when the Government dropped its plans to include allegations of torture, war crimes and crimes against humanity in the Bill.

We made written submissions to the Independent Review of the Human Rights Act (March 2021) and the Independent Review on Administrative Law (in January 2021).

In all of these submissions we have sought to draw to the public's attention our clients' concerns about the implications for service personnel of some of the Government's proposals and the implications they present for the rule of law, human rights and access to justice.

We provided general legal advice and assistance through our online or telephone advisory service in almost 50 further cases, concerning a broad range of subjects ranging from how to access personal information, how to get help with personal injury claims, criminal law sign-posting and other general legal issues not falling within our strategic priorities.

#### **Racism in the Armed Forces:**

We advised seven service personnel about their experiences of racism in the Armed Forces. We either referred them on to reputable external lawyers or advised and acted for them ourselves. In one case we successfully challenged a decision by the military prosecutor not to charge in a racially aggravated assault case and that matter is now proceeding to trial.

We began the process of scoping a project on racism in the British Armed Forces. We undertook some initial research reviewing the relevant policies and planned further work for later in 2021.

## **ACHIEVEMENT AND PERFORMANCE**

### **Charitable activities**

LGBT+ service personnel and the 'gay ban':

We advised 60 LGBT+ service personnel seeking advice and help in connection with various issues arising from the historic MoD 'gay ban'. We developed a close working relationship with a specialist LGBT charity and referred clients to that specialist charity for advocacy and pastoral support.

We represented Royal Navy veteran Joe Ousalice in his continuing campaign to have medals restored to LGBT+ veterans that were stripped of them upon their being dismissed from the military because of their sexuality. We supported Mr Ousalice in his continuing public advocacy on this issue, supporting him to communicate with the press and Government about the issue that has enjoyed a very high profile and been very successful.

We supported two families whose loved ones had died before their medals could be restored to begin the process of having the medals restored posthumously.

Education and Outreach work:

During this period we spoke at the Defence Academy on three occasions, on each occasion to around 200 commanding officers in-training. We discussed issues of human rights and the Armed Forces, the needs of bereaved military families, issues affecting women in the Armed Forces and other rule of law issues.

We published nine briefings on: domestic abuse; bereavement and inquests; Service Complaints; an overview of the latest evidence of sexual offending in the Armed Forces; the Overseas Operations Bill; the Independent Review of Administrative Law; the Defence Inquiry on Women; the Human Rights Act Review; and the Armed Forces Bill.

We published 23 blogs on various subjects affecting our clients, on such topics as: the military justice system; the Human Rights Act and its benefit to service personnel; LGBT+ issues; and sexual assaults in the Armed Forces.

We presented information to Her Majesty's Inspectorate of Constabulary in its review of the service police's handling of sexual crime. We met with the Government's appointed reviewer of the Wigston Review into Inappropriate Behaviour in the Armed Forces and the Chief of Defence People to discuss our clients' observations on the Armed Forces Bill. We attended a number of meetings with senior staff in the single services to discuss issues of concern to our clients such as: the needs of bereaved families; and the operation of the Service Complaints system, particularly as it pertains to issues affecting women.

We were invited to speak at an event hosted by the Bureau of Investigative Journalism on the subject of service personnel being prevented from speaking publicly, in February 2021. We spoke at Edinburgh University's criminology group on the military justice system in March 2021.



## **ACHIEVEMENT AND PERFORMANCE**

### **Charitable activities**

#### **IMPACT:**

The difference the CMJ has made to its beneficiaries over the relevant period includes:

In every individual case on which we have advised or that we have taken on, we have provided a legal service that, for the most part, would not have been available otherwise. We dealt with around 180 emailed or contact-form queries over this period. In addition we estimate that we took around 100 queries by phone. This comes to around 280 people directly assisted over the relevant period. This was legal help provided for free and to people that would have (and were) struggling to find expert, qualified legal help. The differences made in our cases range from: criminal suspects being charged that otherwise would not have been charged, survivors of rape being able to cope with legal processes that otherwise would have dropped out, and important policy changes being introduced that have affected, positively, all service personnel.

In addition, we have addressed around 600 commanding officers in-training directly on issues affecting women's rights, human rights, access to justice and the rule of law. We have received very positive feedback from those lectures. One officer that attended a lecture during the relevant period has subsequently contacted us now he is in his first command, to seek practical advice and help to address some of the problematic attitudes to women in he is encountering in his new unit.

Our published briefing on the Overseas Operations Bill contributed to the vital amendments that were made to the Overseas Operations Bill and the important concessions by the Government that directly benefited the rule of law.

Our litigation in which we acted for three rape survivors led to a specific clause being inserted into the Armed Forces Bill which enabled Parliament to debate the matter of rape in the military. The debates that then followed ensured that great attention was paid to the issue of sexual assaults in the military and the treatment of women and the reforms that are needed to improve the situation. Specific recent announced reforms which have been in significant part driven by the public interest in this issue (heavily informed by our clients and their cases and our public advocacy) include: the review of all military sexual assault policies and procedures; the requirement that all service personnel be reminded of their right to report sexual offences to the civil police; the creation of a Defence Serious Crime Unit; and the creation of a Service Police Complaints Commissioner.

The Lords passed an amendment that would have ensured all rape cases should be handled in the civilian justice system but was sadly overturned by the Government in the Commons. However the level of Parliamentary engagement and public interest in the issue has been very significant and important concessions obtained that have affected positively all service personnel.

## **FINANCIAL REVIEW**

### **Reserves policy**

The charity has a reserves policy of maintaining sufficient reserves to meet 3 months worth of expenditure, this is reviewed regularly and the reserves at the year end met this criteria.

The Trustees meet regularly to review the charity's financial position and to this end a 3 year plan was put in place in October 2021 to ensure that it is able to meet its obligations and aspirations going forward.

## **FUNDS HELD AS CUSTODIAN FOR OTHERS**

At the balance sheet date, the charity held a sum of £5,631 as custodian for others in respect of monies held in its client bank account.

The Centre For Military Justice

Report of the Trustees  
for the Period 1 February 2020 to 31 March 2021

Approved by order of the board of trustees on 28 January 2022 and signed on its behalf by:

M Randhawa - Trustee

Independent Examiner's Report to the Trustees of  
The Centre For Military Justice

I report on the accounts for the period 1 February 2020 to 31 March 2021, which are set out on pages ten to fourteen.

**Responsibilities and basis of report**

As the charity's trustees you are responsible for the preparation of the accounts in accordance with the requirements of the Charities Act 2011 ('the Act').

I have examined your charity's accounts as required under section 145 of the Charities Act 2011 ('the Act'). In carrying out my examination I have followed the Directions given by the Charity Commission under section 145(5)(b) of the 2011 Act.

My role is to state whether any material matters have come to my attention giving me cause to believe:

1. that accounting records were not kept as required by section 130 of the Act; or
2. that the accounts do not accord with those records; or
3. that the accounts do not comply with the accounting requirements of the Act; or
4. that there is further information needed for a proper understanding of the accounts.

**Independent examiner's statement**

I have completed my examination and have no concerns in respect of the matters (1) to (4) listed above and, in connection with following the Directions of the Charity Commission I have found no matters that require drawing to your attention.

Helen Lester  
Amherst Accountancy  
Room 2  
1st Floor  
7 Bligh's Walk  
Sevenoaks  
Kent  
TN13 1DB

28 January 2022

The Centre For Military Justice

Statement of Financial Activities

for the Period 1 February 2020 to 31 March 2021

	Notes	Unrestricted fund £	Restricted fund £	Total funds £
<b>INCOMING RESOURCES</b>				
<b>Incoming resources from generated funds</b>				
Voluntary income	2	88,131	3,000	91,131
Activities for generating funds	3	4,540	-	4,540
<b>Total incoming resources</b>		92,671	3,000	95,671
<b>RESOURCES EXPENDED</b>				
<b>Costs of generating funds</b>				
Costs of generating voluntary income	4	4,778	-	4,778
<b>Cost of legal services</b>				
Charitable activities		46,302	750	47,052
<b>Total resources expended</b>		51,080	750	51,830
<b>NET INCOMING RESOURCES</b>		41,591	2,250	43,841
<b>TOTAL FUNDS CARRIED FORWARD</b>		41,591	2,250	43,841

The notes form part of these financial statements

The Centre For Military Justice

Balance Sheet  
At 31 March 2021

	Notes	Unrestricted fund £	Restricted fund £	Total funds £
<b>CURRENT ASSETS</b>				
Debtors	6	2,558	-	2,558
Cash at bank and in hand	7	49,232	2,250	51,482
		<u>51,790</u>	<u>2,250</u>	<u>54,040</u>
<b>CREDITORS</b>				
Amounts falling due within one year	8	(10,199)	-	(10,199)
		<u>41,591</u>	<u>2,250</u>	<u>43,841</u>
<b>NET CURRENT ASSETS</b>				
		<u>41,591</u>	<u>2,250</u>	<u>43,841</u>
<b>TOTAL ASSETS LESS CURRENT LIABILITIES</b>				
		<u>41,591</u>	<u>2,250</u>	<u>43,841</u>
<b>NET ASSETS</b>		<u>41,591</u>	<u>2,250</u>	<u>43,841</u>
<b>FUNDS</b>	9			
Unrestricted funds				41,591
Restricted funds				<u>2,250</u>
<b>TOTAL FUNDS</b>				<u>43,841</u>

The financial statements were approved by the Board of Trustees on 28 January 2022 and were signed on its behalf by:

M Randhawa -Trustee

The notes form part of these financial statements

## **1. ACCOUNTING POLICIES**

### **Accounting convention**

The financial statements have been prepared under the historical cost convention, and in accordance with the Financial Reporting Standard for Smaller Entities (effective April 2008), the Charities Act 2011 and the requirements of the Statement of Recommended Practice, Accounting and Reporting by Charities.

### **Incoming resources**

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

### **Resources expended**

Expenditure is accounted for on an accruals basis and has been classified under headings that aggregate all cost related to the category. Where costs cannot be directly attributed to particular headings they have been allocated to activities on a basis consistent with the use of resources.

### **Taxation**

The charity is exempt from tax on its charitable activities.

### **Fund accounting**

Unrestricted funds can be used in accordance with the charitable objectives at the discretion of the trustees.

Restricted funds can only be used for particular restricted purposes within the objects of the charity. Restrictions arise when specified by the donor or when funds are raised for particular restricted purposes.

Further explanation of the nature and purpose of each fund is included in the notes to the financial statements.

## **2. VOLUNTARY INCOME**

	£
Donations	13,632
Grants	77,499
	<hr/>
	91,131
	<hr/>

Grants received, included in the above, are as follows:

	£
Joseph Rowntree Charitable Trust	24,999
Paul Hamlyn Foundation	34,500
The Law Society	5,000
National Lottery Community Fund	10,000
Allen & Overy	3,000
	<hr/>
	77,499
	<hr/>

**3. ACTIVITIES FOR GENERATING FUNDS**

	£
Casework income	3,869
Speaking fees	671
	<hr/>
	4,540
	<hr/>

**4. COSTS OF GENERATING VOLUNTARY INCOME**

	£
Support costs	4,778
	<hr/>

**5. TRUSTEES' REMUNERATION AND BENEFITS**

There were no trustees' remuneration or other benefits for the period ended 31 March 2021.

**Trustees' expenses**

There were no trustees' expenses paid for the period ended 31 March 2021.

**6. DEBTORS: AMOUNTS FALLING DUE WITHIN ONE YEAR**

	£
Other debtors	2,558
	<hr/>

**7. CASH AT BANK AND IN HAND**

	General fund £	Legal Library Fund £	Total funds £
Cash at bank - client account	5,631	-	5,631
Cash at bank - office account	43,601	2,250	45,851
	<hr/>	<hr/>	<hr/>
Total	49,232	2,250	51,482
	<hr/>	<hr/>	<hr/>

**8. CREDITORS: AMOUNTS FALLING DUE WITHIN ONE YEAR**

	£
Trade creditors	2,768
Client monies held	5,631
Accrued expenses	1,800
	<hr/>
	10,199
	<hr/>

**9. MOVEMENT IN FUNDS**

	Net movement in funds £	At 31.3.21 £
<b>Unrestricted funds</b>		
General fund	41,591	41,591
<b>Restricted funds</b>		
Legal Library Fund	2,250	2,250
<b>TOTAL FUNDS</b>	<u>43,841</u>	<u>43,841</u>

Net movement in funds, included in the above are as follows:

	Incoming resources £	Resources expended £	Movement in funds £
<b>Unrestricted funds</b>			
General fund	92,671	(51,080)	41,591
<b>Restricted funds</b>			
Legal Library Fund	3,000	(750)	2,250
<b>TOTAL FUNDS</b>	<u>95,671</u>	<u>(51,830)</u>	<u>43,841</u>



£

**INCOMING RESOURCES**

**Voluntary income**

Donations	13,632
Grants	77,499
	<hr/>
	91,131

**Activities for generating funds**

Casework income	3,869
Speaking fees	671
	<hr/>
	4,540

<b>Total incoming resources</b>	95,671
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**RESOURCES EXPENDED**

**Cost of legal services**

Senior lawyer fees	30,067
Paralegal fees	9,100
Casework expenditure	53
Casework system	3,362
Legal library	750
Practice certificates	328
Professional indemnity insurance	2,630
Staff training	546
Travel and accommodation	216
	<hr/>
	47,052

**Support costs**

**Management**

Telephone	140
Postage	360
Printing	445
Sundry expenses	56
Website and IT support	397
	<hr/>
	1,398

**Finance**

Accounting and book-keeping	1,580
Charity and solicitor accounts	1,800
	<hr/>
	3,380

<b>Total resources expended</b>	51,830
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The Centre For Military Justice

Detailed Statement of Financial Activities  
for the Period 1 February 2020 to 31 March 2021

£

**Net income**

43,841

This page does not form part of the statutory financial statements