

THE BRITISH INSTITUTE OF INTERNATIONAL AND COMPARATIVE LAW

England & Wales · Charity number 209425

Details

Status	Registered
Legal form	Charitable company
Company number	00615025
Registered	1962-09-22
Register	View on the Charity Commission register

Contact

Address British Institute Of International
& COMPARATIVE
Charles Clore House
17 Russell Square
London
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Email info@biicl.org

Website www.biicl.org

Activities

Objects: TO PROMOTE BY MEANS OF STUDY GROUPS, MEETINGS, CONFERENCES, TRAINING SESSIONS AND PUBLISHED COMMENTARY THE STUDY AND DEVELOPMENT OF INTERNATIONAL AND COMPARATIVE LAW (INCLUDING FOREIGN LAW). TO PROMOTE OR COMMISSION RESEARCH INTO INTERNATIONAL LAW AND COMPARATIVE LAW (INCLUDING FOREIGN LAW) AND TO PUBLISH OR ARRANGE FOR THE PUBLICATION OF THE RESULTS OF THAT RESEARCH

Activities: To promote by means of study groups, meetings and conferences the study and development of international law and comparative law (including foreign law). To promote or commission research into international law and comparative law (including foreign law) and to publish or arrange for publication or otherwise disseminate the results of that research.

Classification

- **How:** Provides Buildings/facilities/open Space, Provides Services, Provides Advocacy/advice/information, Sponsors Or Undertakes Research, Other Charitable Activities
- **What:** General Charitable Purposes, Education/training, Environment/conservation/heritage, Human Rights/religious Or Racial Harmony/equality Or Diversity, Other Charitable Purposes
- **Who:** Other Charities Or Voluntary Bodies, Other Defined Groups, The General Public/mankind

Geography

- **Area of benefit:** NATIONAL AND FOREIGN
- Belgium
- Burma
- France
- Germany
- India
- Italy
- Jordan
- Malaysia
- Occupied Palestinian Territories
- Poland
- Qatar
- South Africa
- Switzerland
- United States
- Throughout London

Finances

Period end	Income	Expenditure	Assets	Employees
2024-12-31	£3,458,821	£4,307,287	£1,833,448	45
2023-12-31	£5,632,135	£5,527,160	£2,643,790	55
2022-12-31	£4,071,164	£4,051,116	£2,554,370	48
2021-12-31	£4,009,193	£4,180,387	£2,605,480	49
2020-12-31	£3,997,771	£3,336,449	£2,654,695	35

Trustees

Name	Role	Appointed
Alexander David Just		2021-09-20
Audley William Sheppard KC		2024-12-11
Chiann Bao		2021-12-05
Dr Sorcha MacLeod		2021-09-20
Elizabeth Caroline Perks		2020-12-07
Eve Coulter Salomon CBE		2023-07-01
Guy Gibson Beringer		2021-09-20
HABIB MOTANI		2021-09-20
Katherine Louise Jones		2024-06-26
Mark Gregory		2024-12-11
Ndanga Kamau		2024-12-11
Professor Iain Gerard MacNeil		2021-09-20
Shehzad Charania		2021-09-20

Accounts



**British Institute of
International and
Comparative Law**

Company number: 615025

Charity number: 209425

The British Institute of International and Comparative Law

Report and financial statements

For the year ended 31 December 2024



The British Institute of International and Comparative Law

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Reference and administrative information

For the year ended 31 December 2024

Company number	615025 – Registered in the United Kingdom	
Charity number	209425 – Registered in England and Wales	
Registered office & operational address	Charles Clore House, 17 Russell Square London, WC1B 5JP	
Trustees	Trustees, who are also directors under company law, who served during the year and up to the date of this report, were as follows: Chiann Bao Guy Beringer Shehzad Charania MBE Dean Curtis Mark Gregory (from 11/12/2024) Naomi Hart (to 26/6/2024) Katherine Jones (from 26/6/2024) Alex Just Ndanga Kamau (from 11/12/2024) Sorcha MacLeod Professor Iain MacNeil Habib Motani Elizabeth Perks Eve Salomon CBE Professor Dan Sarooshi KC (to 26/6/2024) Audley Sheppard KC (from 11/12/2024) Rupert Skilbeck Professor Elies van Sliedregt	
Key Management Personnel	Professor Spyros Maniatis Murray Hunt Deepa Craig Ben McGrath Malgorzata Rumun Patricia Ambrose	Institute Director Director of the Bingham Centre (to 31/3/2024) Director of Finance and Operations (from 1/4/2023 to 31/3/2024) Interim Director of Finance (1/4/2024 to 27/5/2024) Director of Finance (28/5/2024 to 28/2/2025) Director of Governance and Operations (from 1/4/2024)
Bankers	CAF Bank Limited 25 Kings Hill Avenue, Kings Hill West Malling, Kent, ME19 4JQ	HSBC plc 39 Tottenham Court Road London, W1T 2AR
Auditor	Sayer Vincent LLP Chartered Accountants and Statutory Auditor 110 Golden Lane, London, EC1Y 0TG	

The Trustees are pleased to present their report and the audited financial statements for the year ended 31 December 2024.

The reference and administrative information set out on page 1 forms part of this report. The financial statements comply with current statutory and company law requirements, the memorandum and articles of association and the Statement of Recommended Practice – Accounting and Reporting by Charities: SORP applicable to charities preparing their accounts in accordance with FRS 102.

Objectives and activities

Purposes and aims

The British Institute of International and Comparative Law (BIICL, the Institute) is an independent charitable research body. Our key purposes are to develop and advance the understanding of international and comparative law in the UK and around the world, and to promote the rule of law in national and international affairs. Through our work, we seek to improve decision-making on law and policy issues, and so have a positive impact on people's daily lives. We are a hub for new ideas, bringing together governments, international organisations, judiciaries, practitioners, and business.

Our mission is to contribute towards informed, independent thinking in law and decision making for a global community and to promote the rule of law at the international and national level.

Our vision is for a just, peaceful, and safe world where the rule of law is upheld and human rights respected, underpinned by resilient legal systems that respond to social, economic, technological, and environmental change.

Our core, shared, guiding principles are human rights, the rule of law, tolerance, and fairness. We strive to be a diverse and inclusive organisation.

We conduct research, offer training and events, run specialist fora, and publish a top-ranked academic journal. We are an outward looking organisation, with specialist researchers drawn from multiple jurisdictions and across legal fields, from human rights, the rule of law, climate change, and migration to artificial intelligence, dispute resolution, trade, and competition law.

We aim to make a unique contribution as an independent and authoritative voice on international and comparative legal issues by:

- providing high quality applied research, based on strong conceptual foundations, that influences law and policy-making; and
- promoting the application and wider dissemination of our research through publications, events and training.

Trustees' annual report

For the year ended 31 December 2024

BIICL has no recurrent core funding. We receive funding for our research and other activities from a wide variety of bodies, including research councils, law firms, national governments, international and regional organisations, private trusts and foundations, and non-governmental organisations, as well as BIICL members, training delegates and event attendees. In many instances, our research projects have more than one funder.

BIICL's Strategy 2024–2026 identifies the following enabling strategic priorities:

The role of law in tomorrow's world	Global awareness of the impact of our work	A robust, fair and sustainable organisation
Nurturing talent	Increasing visibility of the impact of our work	Investing in our staff
Focus on developing research that meets emerging realities and needs	Promoting our important work	Developing a resilient organisation
Continuing to develop and share expertise	Fostering meaningful and engaged networks	Embracing technology

The Trustees review progress against the Strategy on a regular basis to ensure our activities are consistent with our aims and support our public benefit mission. The Strategy is underpinned by an annual Business Plan which identifies key priorities for that year. This report considers what BIICL has achieved during 2024 and the outcomes, impacts and benefits of our work.

Principal Activities

Membership

BIICL membership is open to all people, both in the UK and around the world. Our members come from: legal practice (including solicitors and barristers); academia (staff and students); the judiciary; corporations and other commercial bodies; government and non-governmental organisations; and members of the wider public who are interested in the many aspects of international and comparative law.

Members benefit from access to BIICL's research outputs, as well as opportunities to contribute to specialist discussion groups and to network with the diverse range of people and organisations with whom we interact. The diversity of BIICL's membership, as well as the many non-members who attend our events, and our ability to engage across a broad range of international and comparative legal issues, ensures that BIICL remains a relevant and essential institution. We also convene Fora of experts in four areas (Human Rights Due Diligence, Competition Law, Investment Treaty Law and Product Liability).

Research

BIICL's research is co-ordinated via three Centres: International Law; Comparative Law; and the

Trustees' annual report

For the year ended 31 December 2024

Bingham Centre for the Rule of Law. From April 2021–March 2024 the Bingham Centre hosted the UK's Modern Slavery & Human Rights Policy and Evidence Centre (the PEC) which was supported by funding from the Arts and Humanities Research Council. The PEC moved to a new host institution, the University of Oxford, from April 2024.

Our focus is primarily on practical and applied research, based on strong conceptual foundations, which offers examples of good practice, recommendations for future improvements and seeks to have an impact on law and policy. The research often crosses traditional boundaries of law, integrating private and public international law, for example, and engaging with national, regional and comparative law. Our research is always independent, irrespective of its funding source.

Events and Training

BIICL organises an extensive public events programme covering a broad spectrum of current legal topics within the areas of our expertise. These events typically include full day conferences, shorter seminars and lectures.

We offer a range of training activities to the public to provide information, practical assistance and capacity building to governments, institutions, firms, corporations, groups, individuals and others. During 2024, we have offered short courses on a range of topics including Law of the Sea, Public International Law, Business & Human Rights, Climate Change Law, and Cultural Heritage.

Publications

BIICL's main publication is the *International and Comparative Law Quarterly*, which is produced by Cambridge University Press and is recognised as one of the leading journals in its field. BIICL also occasionally publishes books, mainly of our own research, as well as some by other experts in our fields of work. Most of our research projects also produce final reports, many of which are publicly available to download for free from our website (www.biicl.org).

Volunteers

BIICL offers flexible, part-time and short-term opportunities for people to volunteer for the charity (typically postgraduate law students) and to assist in our research and related activities. We aim to offer interesting and developmental opportunities that include training and skills development.

Public Benefit

The Trustees confirm that they have paid due regard to the public benefit guidance published by the Charity Commission in deciding on BIICL's activities. In particular, the Trustees consider how planned activities will contribute to our aims and objectives.

BIICL considers that its activities are of public benefit in at least the following ways:

- provision of independent research to external bodies, including governments, for the purpose of assisting these bodies to formulate public policy, such as future regulation and legislation, which can have significant benefit for people in the UK and elsewhere in the world;

- provision of information, education and training to build capacity in the UK and around the world in the application and enhancement of international and comparative law, and the rule of law, to support the judiciary, government legal officials and civil society;
- dissemination of research and information about international and comparative law and the rule of law directly to BIICL members, including legal scholars, judges, barristers, solicitors, students, advisers to governments, corporations and non-governmental organisations, who are then better able to advise public and private bodies accurately about international and comparative legal issues;
- dissemination of research and information about international and comparative law, and the rule of law, to the general public, especially to all those interested in these matters, who are then better informed in their active engagement with these issues;
- offering a wide range of conferences, seminars, lectures, training courses and other events on contemporary issues of international and comparative law, and the rule of law, that are open to the general public to attend and be better informed about these important areas, as these issues may affect their daily lives;
- dissemination to the general public of matters of international and comparative law, and the rule of law, by the printing and distribution of publications and journals;
- publication of the Institute's activities, newsletters and other information to the general public on the Institute's website; and
- contributing to the broader education of the general public about the many important aspects of international and comparative law, and the rule of law, and the impacts these may have on national systems.

Some specific examples of the provision of public benefit through the activities carried out by BIICL in 2024 are provided below.

Achievements and performance

BIICL's main activities and beneficiaries during the year are described below. All of our charitable activities focus on international and comparative law, and the rule of law, and are undertaken to further BIICL's charitable purposes for the public benefit.

Membership

BIICL membership (comprising both individuals and organisations) was 328 at the end of 2024 (2023: 361). Membership income was £40,881 (2023: £41,717).

During 2024, we continued to support four Fora in the areas of: Human Rights Due Diligence; Competition Law; Investment Treaty Law; and Product Liability. All of our Fora make an important contribution to the work of BIICL, provide opportunities to explore current issues and prompt further research. Total Forum paying membership in 2024 was 115, comprising 93 organisations and 22 individuals (2023: 131, comprising 97 organisations and 34 individuals). Forum membership income was £284,089 in 2024 (2023: £287,178).

Research

BIICL continued to develop its active and responsive programme of practical and applied research during 2024. We received funding from several external organisations to support a diverse range of research topics, including work in the following areas:

- a three-year project on *Human Rights in Global Supply Chains*, funded by the Arts and Humanities Research Council (AHRC) in collaboration with the German Research Foundation (DFG) as part of a UK–German research partnership investment;
- a study for the European Commission on *Mapping Third Party Litigation Funding in the European Union* in partnership with Civic Consulting, Asser Institute and Risk and Policy Analysts;
- ongoing work on corporate climate litigation through our project on Global Perspectives on Corporate Climate Legal Tactics which has led to the production of a toolbox for the effective implementation of climate law;
- a project on *Covid 19 and the Law*, funded by the Economic and Social Research Council (ESRC), which systematically examined the direct and indirect effects of crises on vulnerable groups and individuals and identified best practices for the mitigation of these effects.

BIICL was also pleased to continue hosting three Ukrainian researchers via the British Academy/CARA Researchers-at-Risk scheme.

A major development during 2024 was the end of BIICL's five-year term as host of the AHRC-funded Modern Slavery and Human Rights Policy and Evidence Centre (MSPEC). The Centre was successful in obtaining continued funding and transitioned to its new host, the University of Oxford, in March 2024.

BIICL's Annual Reports provide further details of our achievements and research impacts. Copies may be downloaded from our website (www.biicl.org).

Events and training

Event topics in 2024 were wide-ranging and included legal issues related to: constitutional reform in the UK; benefits and challenges of a rules-based international order; unlocking investment in Ukraine; AI dependencies; restitution of cultural heritage; and the relationship between sports and competition law. Two rapid response events were held during the year: one to discuss legal issues relating to the South Africa vs Israel case at the International Court of Justice; and one on the advisory opinion by the International Tribunal for the Law of the Sea (ITLOS) on the harmful effect of greenhouse gas emissions on marine ecosystems and marine biodiversity. Launch events were held for the final report of the Independent Commission on UK Public Health Emergency Powers and for the Global Toolbox for Corporate Climate Litigation. BIICL Vice-President, Judge Joan Donaghue, spoke about the *Challenges and Future of International Adjudication* for the annual Weinrebe event.

Our programme of online and hybrid short courses continued to grow and diversify, including sessions on: Business and Human Rights; International Migration and Refugee Law; AI Governance;

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Cyber Operations and International Law; Transitional Justice; Climate Change Litigation; International Cultural Heritage Law; Energy Law; Foundations of Public International Law; and Law of the Sea. Advanced training workshops included sessions on Corruption, and Arbitration and Universal Jurisdiction.

As well as BIICL's training courses, three MOOCs are available in the areas of Citizenship and the Rule of Law, Rule of Law and Democracy in Europe, and International Investment Law and Dispute Resolution.

In 2024, BIICL's income from events and training courses was £221,147 (2023: £291,952). There were 57 events during the year (2023: 58) and 11 training courses (2023: 19).

Publications

The *International and Comparative Law Quarterly* (ICLQ) continues to attract a very high standard of scholarship from around the world in the fields of public international law, private international law, comparative law, human rights law and European law. The journal is managed by an active Editorial Board of senior academics and retains its reputation as a world leading academic legal journal, with a high impact factor. A strict peer review system is operated to ensure that articles are selected purely on merit. This reflects the independence of the ICLQ and BIICL.

Cambridge University Press manages production, marketing and distribution of the ICLQ and provides additional support. Overall income from the ICLQ was £217,197 in 2024 (2023: £251,230).

In addition to the journal, BIICL occasionally publishes its own books. No new priced titles were published in 2024 (2023: 0). In 2022, the Board of Trustees took the decision to cease hard copy book publications and to convert the most recent titles to accessible ePublications which are available on the Kindle platform. Income from e-book sales in 2024 was £8,524 (2023: £ 7,374).

BIICL also produces working papers, research reports, responses to government proposals and other submissions, many of which are freely available to download from our website. Staff regularly publish their own research in other academic journals and books.

Public Benefit

Much of BIICL's work makes an active contribution to our public benefit mission. Our diverse range of research, events, training and publications continues to enable increased public knowledge and awareness of important issues of international law, comparative law and the rule of law. We list below some selected examples of the impact of our work during 2024:

- BIICL research on labour law examined conditions for workers in Asia, Cuba and the EU, as well as the move to ban imports of goods made with forced labour;
- Senior figures from the judiciary in Ukraine and the UK were hosted at BIICL for discussions about the court structure and developments in Ukraine;

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For the year ended 31 December 2024

- A research study for the European Committee of the Regions provided recommendations on how to attract skilled workers to EU cities and regions facing the talent development trap and examined how to facilitate the recognition of the qualifications and skills of third country nationals as one of the tools for achieving this objective; and
- A project which examined the formal procedure for identifying adults with lived experience of modern slavery in the United Kingdom recommended training be made mandatory for professionals, and highlighted the benefits of partnering with other frontline organisations and modern slavery lived experience advisory groups on training programmes. The project also created a pilot framework for monitoring training effectiveness.

We measure our overall performance against the strategic aims and objectives set out in our Strategy and Business Plan. Quarterly updates on progress with the annual Business Plan were presented to the Board of Trustees.

Beneficiaries of our services

Beneficiaries of BIICL's research and other activities are diverse and include: legal practitioners; academics; the judiciary; corporations and other commercial bodies; government and non-governmental organisations; and members of the wider public.

Financial review

The Statement of Financial Activities shows that overall income decreased during 2024 by 39%, from £5,632K in 2023 to £3,458K in 2024. Much of this decrease was due to the transfer of Modern Slavery PEC funding to its new host organisation. The net decrease comprises a 2% increase (£22.9K) in Unrestricted Fund income and a 52% decrease (£2,196K) in Restricted Fund income.

Total expenditure decreased by 20% to £4,307K (2023: £5,527K). Unrestricted Fund expenditure decreased by 3% (£42K), and Restricted Fund expenditure decreased by 30% (£1,178K).

The Institute has a surplus for the year on Unrestricted Funds of £400K (2023: deficit £111K) and a deficit on Restricted Funds of £1,211K (2023: surplus £200K). Total fund balances decreased by £810K (2023: decrease of £89K) to £1,833K (2023: £2,644K). This was after taking into account net unrealised gains on investments and foreign exchange losses of £38K (2023: net loss £16K).

Restricted Fund income has been recognised in accordance with the current Statement of Recommended Practice Accounting and Reporting by Charities (the Charities SORP). This treatment may mean that income is not recognised in the same period as the related expenditure. Over time Restricted Fund income should match expenditure, although significant surpluses or deficits may occur in certain years depending on the timing of income and expenditure.

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The 2024 income on Restricted Funds primarily relates to:

- Donations to the Bingham Centre received in respect of the Bingham Appeal;
- A grant from the Dorset Foundation for the Dorset Fellowship;
- Grant funding from the Sybil Shine Memorial Trust for a Youth and Public Engagement Programme
- Grant funding from FILE Foundation for a project on the Global perspectives on Corporate Climate Change Legal Tactics;
- Grant funding from the Laudes Foundation for a project on Identifying and comparing impacts of mandatory due diligence legal models on internal corporate practice.
- Grant funding from the Economic and Social Research Council for research into Covid-19 and the Law – Protection and Recovery for Vulnerable Groups;
- Research funding from Solidar Suisse for a Global Labor Program – a platform for organising by Workers for Empowerment and Recognition;
- Funding from the Leverhulme Trust for a research project Beyond Restitution: Exploring the Story of Cultural Objects after Repatriation;
- Funding from Jones Day Foundation for the global promotion of the Rule of Law;
- Grant funding from the Arts and Humanities Research Council for the Modern Slavery Policy and Evidence Centre;
- Funding from Barrow Cadbury Trust, the Open Society Initiative for Europe, the Joseph Rowntree Charitable Trust and Unbound Philanthropy for The Independent Commission on UK Counterterrorism Legislation, Policy and Practice;
- Funding from the David and Elaine Potter Foundation, the Joseph Rowntree Charitable Trust, the Joseph Rowntree Reform Trust and AB Charitable Trust for The Rule of Law Monitoring Project; and
- The Independent Commission on UK Public Health Emergency Powers, generously supported by the JRSST Charitable Trust, alongside other funders.

The Trustees reaffirmed BIICL's investment policy, which seeks to produce the optimum total return, balanced between income and capital, from its investment portfolio. The performance of our investment funds is monitored by the Finance and Audit Committee for the Trustees. Our funds are invested in an investment fund for charities, which provides us with a suitable balanced portfolio coupled with ready liquidity.

The average yield on investments in 2024 was 2.5% (2023: 2.8%). The average (unrealised) movement in the market value of investments in 2024 was a 9.4% increase (2023: 4.8% increase).

Pensions

During 2024, BIICL participated in two funded pension schemes: one defined benefit scheme and one defined contribution schemes. Further details are provided in note 18 to the financial statements.

Principal risks and uncertainties

The Trustees operate a formal risk management process to assess business risks and implement risk management strategies. This involves identifying the risks faced by BIICL, prioritising these in relation to impact, likelihood of occurrence and overall risk level, and identifying mitigating factors and ways to manage the risks. In addition, all risks are owned by a member of BIICL's management team. This risk register is regularly reviewed by the Finance and Audit Committee and by the Trustees, to ensure that it is kept up-to-date. As part of this process the Trustees have reviewed the adequacy of the Institute's current internal controls and the costs of operating particular controls relative to the benefits obtained. Procedures have been established for reporting failings immediately to appropriate levels of management and to the Board of Trustees.

The Trustees consider that the lack of recurrent core funding represents a significant risk to the Institute. To mitigate this risk, the Trustees continue to seek core funding as a key part of our fundraising activity. During 2024, we continued to secure donations through our Appeals to assist with future growth of our strategic priority areas and to contribute towards major refurbishment costs.

The Trustees are mindful of the risk that the lack of recurrent core funding could present a potential risk to the continued going concern status of the Institute in future years. They continue to adopt a prudent approach with regard to income streams that are volatile or unsecured, and have identified mitigating actions which could be taken should the need arise. As a result, the Trustees consider that there are currently no material uncertainties about the Institute's ability to continue as a going concern.

All fundraising and other income generation activities abide by our Guidelines for Ethical Funding.

In addition to our fundraising activities, we continue to diversify and actively seek new sources of income for our research and training activities.

Reserves policy

Free reserves available for use by BIICL are deemed to be those that are readily realisable, less those funds whose uses are restricted or designated for particular purposes. The calculation thus excludes funds of £1,204K (2023: £1,296K) invested in property and other fixed assets that will continue to be used in the day-to-day running of the Institute.

As a matter of policy, each year the Trustees review the value of the reserves retained in the form of investments, cash and cash equivalents not held for restricted purposes or designated projects. The Board of Trustees considers BIICL's exposure to major risks in terms of their likely impact on its income sources and planned expenditure in the short to medium term, as well as assessing the best way to manage such risks.

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During 2024, Trustees tasked the Finance & Audit Committee to review BIICL's reserves policy to ensure it remained fit for purpose. Following this review, in March 2025 the Board approved a recommendation from the Committee to adjust the target for free reserves from 50% of the previous year's audited figure for total unrestricted resources expended, to a range of between 4–6 months of unrestricted expenditure. This change took the following factors into account: continuing uncertainty and volatility in income streams; the need to ensure there were sufficient funds to cover any deficits in unrestricted funds; recognising that some restricted projects were paid in arrears and had to be covered by unrestricted funds in advance of payment; and the fact that BIICL had no long-term commitments to beneficiaries which would necessitate a higher target.

The new target for free reserves is, therefore, within a range of 4–6 months of the year's audited figure for total unrestricted resources expended, to recognise the risks relating to lack of recurrent core funding and to enable the Institute to cope with any emergencies. As at 31 December 2024 this target equates to a range of £476K–£714k (2023: £490K–735K).

The exceptional expenditure on major building refurbishment in 2019 and 2020 represented a substantial investment in our office and event space in a building that had had no major improvements since it was built in the late 1970s. Trustees saw this investment as necessary to bring the building's services and infrastructure up to 21st century standards. As a result, there has been a substantial increase in BIICL's fixed assets and a major decrease in free reserves.

While we have excluded fixed assets when calculating our free reserves in line with Charity Commission advice, our liquid assets have not in large part been committed to the fixed assets. As a consequence, applying this usual treatment does not fairly represent the underlying reality for the organisation. Our calculation of free reserves, therefore, takes into account both the value of fixed assets and the total value of a loan from the University of London of £762K (2023: £847K) to repay the full cost of BIICL's part of the building refurbishment.

At 31 December 2024, BIICL's free reserves are calculated as follows:

	2024	2023
	Total	Total
	£K	£K
Unrestricted funds at 31 December	851	451
Expendable endowment fund at 31 December	122	122
University of London loan	762	847
Less: Investment in tangible fixed assets for the Institute's use	<u>(1,204)</u>	<u>(1,290)</u>
	<u>531</u>	<u>130</u>

In 2023, the BIICL Trustees reviewed the endowment funds in light of the major redevelopment of our premises. After serious consideration, the Trustees resolved that the best use of some of these original endowment funds for the Institute was to invest them in this programme to enable the future work of the Institute in the years to come. The Bernard–Sunley Foundation agreed to the use of the

endowment funds for this purpose, and correspondence was received from the Charity Commission approving this transfer. As a result, a sum of £398k was transferred to unrestricted funds on 25 March 2024. In doing so, the Trustees have noted their desire to recognise the Foundation in the naming of an appropriate part of the BIICL premises.

Trustees recognise that rebuilding and sustaining free reserves remains a key priority. New income generation is being actively pursued through a variety of measures including income growth from training activities, research funding, consultancy services, fundraising and international partnerships. A balanced and realistic budget has been set for 2025, with close monitoring of expenditure and, if necessary, the implementation of cost-cutting measures.

Fundraising

BIICL undertakes a peer-to-peer approach to fundraising which is governed by our Guidelines on Ethical Funding. We have a small, in-house Development team of four staff (2.9fte), who operate with support from our trustees, senior staff and other volunteers (typically senior lawyers or former law firm partners). BIICL is not a levy payer for the Fundraising Regulator. We do not use any external fundraisers or other commercial participators.

We have received no complaints about our fundraising activity and there have been no failures to comply with fundraising standards or regulation. BIICL's peer-to-peer approach to fundraising ensures that vulnerable people and other members of the public are protected from any unreasonable behaviour and intrusion. Our Privacy Policy includes a section on donors and is available on our website.

Plans for the future

BIICL's Strategy 2024–2026 provides the framework to guide and inform our future plans. We continue to adapt our events and training activities and have worked hard to maximise our research income, with several multi-year projects in progress. We have continued to develop new and existing relationships with both national and international partner organisations and universities. The contribution of our work to upholding international law and the rule of law has arguably never been more important, as States around the world struggle to find the most effective legislative responses to global challenges.

The Trustees are mindful of the risks presented by the Institute's lack of recurrent core funding and recognise the need to develop new income-generating activities as part of the Institute's business development strategy. This strategy includes:

- Developing dissemination activities and training programmes, including through partnerships with academic and professional organisations;
- Enhancing our global audience and establishing ourselves as the foremost organisation for multidisciplinary, responsive, and high-quality applied research in our fields of expertise;

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- Maintaining and building new relationships with partners to consider joint projects; and
- Expansion of the activities of our Forums and Business Network.

Structure, governance and management

Trustees

BIICL is governed by its Memorandum and Articles of Association adopted on 2 October 1958 and last amended on 5 December 2022.

The present Trustees, and any past Trustees who served during the year, are listed on page 1 of this Annual Report, together with the Institute Director and key management personnel.

The Board of Trustees is responsible for the overall governance of the Institute and the total number of Trustees may not exceed eighteen. Trustees are in office for a term of three years and may not serve more than two consecutive full terms.

Trustees meet at least 4 times a year. Apart from the Annual General Meeting, these meetings consist of formal Board meetings, held every quarter. At these meetings, Trustees review and set overall strategy and operational performance, as well as review the direction of BIICL research, events and publications.

Effective partnership between Trustees and BIICL staff continues to contribute significantly to our success. The Board delegates the exercise of certain powers in connection with the management and administration of the Institute as set out below. This is monitored by regular reporting to the Board, and by receipt and discussion of reports by the Institute Director and other staff as required, so that all decisions made under delegated powers can be ratified by the full Board in due course. These measures ensure that Trustees have the necessary understanding for effective and informed decision-making.

Trustee Recruitment, Induction and Training

Trustees are nominated by the Board of Trustees and elected to the Board at BIICL's Annual General Meeting. Vacancies are advertised openly to encourage greater Board diversity. Special advisers to the Board of Trustees are co-opted on an *ad hoc* basis.

All new Trustees receive a general induction to BIICL's governance and operations by the Institute Director, Company Secretary and other senior staff. Training on specific matters is available, where appropriate. Sometimes this training takes the form of a presentation to the Board of Trustees by a guest speaker or a member of staff.

Trustees' annual report

For the year ended 31 December 2024

Finance and Audit Committee

The members of the Finance and Audit Committee are appointed by the Board of Trustees. The members during 2024 were:

- Trustees: Liz Perks (Chair), Guy Beringer (from March 2024), Dean Curtis, Iain MacNeil;
- External Members: Vikash Hurrydoss (from September 2024), Jo Kaybryn, Jason Reeves (to 31/12/2024).

The Committee met 4 times during 2024. Meetings were also attended by the Institute Director, Director of Finance, Director of Governance & Operations and the Director of the Bingham Centre.

Membership of the Committee shall include at least two BIICL Trustees (one of whom must be the Chair of the Committee). Other members shall comprise former Trustees or other independent external individuals with recent and relevant experience and expertise in finance, audit or other appropriate areas. Committee members should have no executive responsibility for the management of BIICL and no significant interests in the institution. The Chair of the Board of Trustees shall not be a member of the Committee. There shall be no fewer than five members. A quorum shall be at least three members (one of whom must be a Trustee).

Trustee member appointments to the Committee shall be in line with their Trustee terms of office. Other members shall be appointed for an initial term of three years and may serve for one further consecutive term. Appointments to the Committee are staggered to ensure some regular turnover of members.

The Committee's terms of reference are:

Financial issues

- To be responsible for the financial review of BIICL's activities including: financial results; risk assessment and management; and internal financial controls.
- To determine an annual budget for recommendation to the Board of Trustees.
- To ensure proper procedures are in place to manage cash resources prudently and to maximise income from liquid assets whilst maintaining sufficient funds to meet daily cash requirements.
- To review the strategy, policy and management of BIICL's investment portfolio, and to advise the Board of Trustees on the appropriate level of free reserves and of any significant changes needed in the investment strategy.
- To determine the policies applicable to the annual salary review of BIICL staff and any general staffing salary issues, and to advise on specific staffing salary and other benefits issues, for recommendation to the Board of Trustees.

Trustees' annual report

For the year ended 31 December 2024

Audit issues

- To consider all aspects of the external audit, including appointment and remuneration of the external auditor, the nature and scope of the statutory audit, the recommendation of audited financial statements to the Board of Trustees, and the discussion of issues raised in the external auditor's management letter.
- To ensure that the annual financial statements are true and fair and conform to accounting standards, and that accounting policies are appropriate and applied consistently.
- To review the performance reported in the Trustees' Annual Report and to ensure that this is a true reflection of the charity's performance.
- To review all reports prepared by the external auditor and to agree the programme of work proposed by management to address any issues raised.
- To review the process for awarding non-audit work to the external audit firm and to ensure that potential conflicts of interest are managed in the best interests of the charity.
- To monitor the compliance of BIICL with applicable laws and regulations, as well as its own policies and procedures.

Research Ethics Committee

The Board of Trustees established a Research Ethics Committee in 2015, with responsibility for the development and implementation of policy and processes relating to research ethics.

Its terms of reference are:

- to consider new research proposals in line with BIICL's research ethics policy and process, and to approve, refer or decline proposals, as appropriate;
- to monitor and review the effective application and operation of BIICL's research ethics policy;
- to advise BIICL's Board of Trustees on developments relating to research ethics policy, good practice and implementation.

The Chair of the Committee is a Trustee or former Trustee appointed by the Board. Other members comprise: one other BIICL Trustee; two lay members; the Institute Director; and three Senior Research Fellows.

Advisory Panels

Advisory Panels operate in each of the main BIICL research areas, with Panel members appointed for their expertise in these fields of law.

Institute Director

The Institute Director is responsible for the day-to-day management of the Institute's affairs and for implementing strategies agreed by the Board of Trustees. The Institute Director is assisted by a team of senior managers and senior researchers, with whom there are regular meetings.

Trustees' annual report

For the year ended 31 December 2024

Corporate Governance

Internal controls over all forms of financial commitments, obligations and expenditure continue to be refined to improve efficiency and as part of ongoing internal risk assessment processes. Policies and procedures are in place to ensure that performance is monitored and that appropriate management information is prepared and reviewed regularly by both senior management and the Board of Trustees.

The systems of internal control are designed to provide reasonable but not absolute assurance against material misstatement or loss. These are contained within BIICL's Financial Regulations and Procedures and include:

- an annual budget approved by the Trustees;
- regular consideration by the Trustees of financial results, variances from budgets, non-financial performance indicators and benchmarking reviews;
- delegation of day-to-day management authority and segregation of responsibilities; and
- identification and management of risks.

All Trustees give their time voluntarily and receive no benefits from the charity. Trustees' expenses reimbursed in 2024 were £nil (2023: £nil). No charity trustee received payment for professional or other services supplied to the charity (2023: £nil).

Related parties and relationships with other organisations

BIICL sometimes receives grants from The International Rule of Law Project Inc. (IROLP), a US public charity established by supporters of BIICL, tax exempt under Section 501(c)(3) of the US Internal Revenue Code. IROLP is governed by its own independent Board. No grants from IROLP were received in 2024 (2023: no grants received).

Remuneration policy for key management personnel

The Finance and Audit Committee makes an annual recommendation to the Board of Trustees on the general principles to operate in relation to the remuneration of all staff, including key management personnel. In determining these general principles, the Finance and Audit Committee considers the following matters:

- UK inflation (CPI/CPIH) over the period and any other general economic matters;
- comparator sectors' salaries and salary increases, being the higher education sector; the charity sector; and the public sector;
- BIICL's financial position in the previous year and expected financial position in the current year; and
- Information on any changes in roles and levels of responsibility, as well as the overall performance of staff at their annual reviews.

Trustees' annual report

For the year ended 31 December 2024

Once the Board of Trustees has agreed these principles, the Institute Director applies them to individual staff members as part of the annual review process. The salary of the Institute Director is decided by the Board of Trustees on the recommendation of the Chair of the Board, taking account of the same general principles.

Statement of responsibilities of the Trustees

The Trustees (who are also directors of the British Institute of International and Comparative Law 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 charitable company and of the incoming resources and application of resources, including the income and expenditure, of the charitable company 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 SORP;
- make judgements and estimates that are reasonable and prudent;
- state whether applicable UK Accounting Standards and statements of recommended practice 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 charity 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 charitable company 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 charitable company 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;
- there are no material uncertainties relating to BIICL's ability to continue to adopt the going concern basis of accounting;
- 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 charitable company's website. Legislation in the United Kingdom governing the preparation and dissemination of financial statements may differ from legislation in other jurisdictions.

Trustees' annual report

For the year ended 31 December 2024

Members of the charity guarantee to contribute an amount not exceeding £1 to the assets of the charity in the event of winding up. The total number of such guarantees at 31 December 2024 was 328 (2023: 361). The Trustees are members of the charity but this entitles them only to voting rights. The Trustees have no beneficial interest in the charity.

Auditor

Sayer Vincent LLP was re-appointed as the charitable company's auditor during the year and has expressed its willingness to continue in that capacity.

The Trustees' annual report has been prepared in accordance with the special provisions applicable to companies subject to the small companies' regime.

The Trustees' annual report has been approved by the Trustees and signed on their behalf by

25 June 2025
Eve Salomon CBE
Chair of the Board of Trustees

Independent auditor's report

To the members of

The British Institute of International and Comparative Law

Opinion

We have audited the financial statements of The British Institute of International and Comparative Law (the 'charitable company') for the year ended 31 December 2024 which comprise the statement of financial activities, balance sheet, statement of cash flows and 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 FRS 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 charitable company's affairs as at 31 December 2024 and of its incoming resources and application of resources, including its income and expenditure for the year then ended
- Have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice
- 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 charitable company in accordance with the ethical requirements that are relevant to our audit of the financial statements in the UK, including the FRC'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.

Conclusions relating to going concern

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.

Based on the work we have performed, we have not identified any material uncertainties relating to events or conditions that, individually or collectively, may cast significant doubt on The British Institute of International and Comparative Law's ability to continue as a going concern for a period of at least twelve months from when the financial statements are authorised for issue.

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

Independent auditor's report

To the members of

The British Institute of International and Comparative Law

Other Information

The other information comprises the information included in the trustees' annual report other than the financial statements and our auditor's 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.

Opinions 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' annual report for the financial year for which the financial statements are prepared is consistent with the financial statements; and
- The trustees' annual report has been prepared in accordance with applicable legal requirements.

Matters on which we are required to report by exception

In the light of the knowledge and understanding of the charitable company and its environment obtained in the course of the audit, we have not identified material misstatements in the trustees' annual 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, or returns adequate for our audit have not been received from branches not visited by us; or
- The 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 directors 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' annual report and from the requirement to prepare a strategic report.

Independent auditor's report

To the members of

The British Institute of International and Comparative Law

Responsibilities of trustees

As explained more fully in the statement of trustees' responsibilities set out in the trustees' annual report, 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 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 charitable company or to cease operations, or have no realistic alternative but to do so.

Auditor's 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 are set out below.

Capability of the audit in detecting irregularities

In identifying and assessing risks of material misstatement in respect of irregularities, including fraud and non-compliance with laws and regulations, our procedures included the following:

- We enquired of management, which included obtaining and reviewing supporting documentation, concerning the charity's policies and procedures relating to:
 - Identifying, evaluating, and complying with laws and regulations and whether they were aware of any instances of non-compliance;
 - Detecting and responding to the risks of fraud and whether they have knowledge of any actual, suspected, or alleged fraud;
 - The internal controls established to mitigate risks related to fraud or non-compliance with laws and regulations.

Independent auditor's report

To the members of

The British Institute of International and Comparative Law

- We inspected the minutes of meetings of those charged with governance.
- We obtained an understanding of the legal and regulatory framework that the charity operates in, focusing on those laws and regulations that had a material effect on the financial statements or that had a fundamental effect on the operations of the charity from our professional and sector experience.
- We communicated applicable laws and regulations throughout the audit team and remained alert to any indications of non-compliance throughout the audit.
- We reviewed any reports made to regulators.
- We reviewed the financial statement disclosures and tested these to supporting documentation to assess compliance with applicable laws and regulations.
- We performed analytical procedures to identify any unusual or unexpected relationships that may indicate risks of material misstatement due to fraud.
- In addressing the risk of fraud through management override of controls, we tested the appropriateness of journal entries and other adjustments, assessed whether the judgements made in making accounting estimates are indicative of a potential bias and tested significant transactions that are unusual or those outside the normal course of business.

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 is available on the Financial Reporting Council's website at: www.frc.org.uk/auditorsresponsibilities. This description forms part of our auditor's report.

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 the charitable company's members as a body, for our audit work, for this report, or for the opinions we have formed.

Joanna Pittman (Senior statutory auditor)

15 July 2025

for and on behalf of Sayer Vincent LLP, Statutory Auditor

110 Golden Lane, LONDON, EC1Y 0TG

The British Institute of International and Comparative Law

Statement of Financial Activities (incorporating an income and expenditure account)

For the year ended 31 December 2024

	Note	Unrestricted £	Restricted £	2024 Total £	Unrestricted £	Restricted £	2023 Total £
Income from:							
Donations and legacies	2	129,421	52,196	181,617	199,359	32,522	231,881
Charitable activities							
Member services	3	324,970	87,500	412,470	328,895	85,000	413,895
Publications and journals	3	225,721	–	225,721	254,546	4,058	258,604
Conferences and seminars	3	219,600	1,547	221,147	278,490	13,462	291,952
Research programmes	3	405,288	1,921,409	2,326,697	261,863	4,123,833	4,385,696
Other Income		40,057	–	40,057	15,073	–	15,073
Investments	4	51,112	–	51,112	35,034	–	35,034
Total income		1,396,169	2,062,652	3,458,821	1,373,260	4,258,875	5,632,135
Expenditure on:							
Raising funds	5a	89,483	33,683	123,166	119,229	68,779	188,008
Charitable activities							
Member services	5a	279,754	–	279,754	299,764	–	299,764
Publications and journals	5a	128,468	–	128,468	111,501	–	111,501
Conferences and seminars	5a	286,042	–	286,042	144,157	25,045	169,202
Research programmes	5a	643,980	2,845,877	3,489,857	794,931	3,963,754	4,758,685
Total expenditure		1,427,727	2,879,560	4,307,287	1,469,582	4,057,578	5,527,160
Net income before net gains on investments		(31,558)	(816,908)	(848,466)	(96,322)	201,297	104,975
Net gains on investments		54,131	–	54,131	8,277	8,023	16,300
Foreign exchange gains/losses on bank balances		(16,007)	–	(16,007)	(15,437)	(16,418)	(31,855)
Net income / (expenditure) for the year	6	6,566	(816,908)	(810,342)	(103,482)	192,902	89,420
Transfers between funds		393,876	(393,876)	–	(7,500)	7,500	–
Net movement in funds		400,442	(1,210,784)	(810,342)	(110,982)	200,402	89,420
Reconciliation of funds:							
Total funds brought forward		450,663	2,193,127	2,643,790	561,645	1,992,725	2,554,370
Total funds carried forward		851,105	982,343	1,833,448	450,663	2,193,127	2,643,790

All of the above results are derived from continuing activities. There were no recognised gains or losses other than those stated above. Movements in funds are disclosed in Note 20 to the financial statements.

Balance Sheet

Company no. 615025

As at 31 December 2024

	Note	£	2024 £	£	2023 £
Fixed assets:					
Tangible assets	12		1,204,339		1,295,765
Investments	13		847,175		794,695
			<u>2,051,514</u>		<u>2,090,460</u>
Current assets:					
Debtors	14	432,779		662,247	
Cash at bank and in hand		792,190		3,112,625	
		<u>1,224,969</u>		<u>3,774,872</u>	
Liabilities:					
Creditors: amounts falling due within one year	15	771,718		2,459,858	
Net current assets			<u>453,251</u>		<u>1,315,014</u>
Creditors: amounts falling due after one year	15		671,317		761,684
Total net assets			<u>1,833,448</u>		<u>2,643,790</u>
The funds of the charity:					
Endowment funds	20a	121,532		519,793	
Restricted income funds		860,811		1,673,334	
			<u>982,343</u>		<u>2,193,127</u>
Unrestricted income funds:					
Capital fund		443,416		443,416	
General funds		407,689		7,247	
			<u>851,105</u>		<u>450,663</u>
Total unrestricted funds			<u>851,105</u>		<u>450,663</u>
Total charity funds			<u>1,833,448</u>		<u>2,643,790</u>

Approved by the trustees on 25 June 2025 and signed on their behalf by

Eve Salomon CBE
Chair of the Board of Trustees

Elizabeth Perks
Trustee

Statement of Cash Flows

For the year ended 31 December 2024

	£	2024 £	£	2023 £
Cash flows from operating activities				
Net income for the reporting period (as per the statement of financial activities)	(810,342)		89,420	
Depreciation charges	100,549		111,855	
Losses on investments	(54,131)		(15,354)	
Dividends and interest from investments	(51,112)		(35,034)	
Drawdown of investments	(180)		200,000	
Decrease in debtors	229,468		(382,732)	
Increase in creditors	(1,693,366)		1,314,247	
Net cash provided by operating activities		(2,279,114)		1,082,402
Cash flows from investing activities:				
Dividends, interest and rents from investments	51,112		35,034	
Purchase of fixed assets	(14,648)		(30,287)	
Profit on Disposal	5,523			
Move in cash held for investments	1,834		200,000	
Net cash used in investing activities		43,821		204,747
Cash flows from finance activities:				
Repayments of loan borrowings	(85,142)		(79,954)	
Net cash provided by finance activities		(85,142)		(79,954)
Change in cash and cash equivalents in the year		(2,320,435)		1,207,195
Cash and cash equivalents at the beginning of the year		3,112,625		1,905,430
Cash and cash equivalents at the end of the year		792,190		3,112,625
Analysis of cash and cash equivalents				
	At 1 January 2024 £	Cash flows £	Other changes £	At 31 December 2024 £
Cash at bank and in hand	3,112,625	(2,320,435)	–	792,190
Total cash and cash equivalents	3,112,625	(2,320,435)	–	792,190

1 Accounting policies

a) Statutory information

The British Institute of International and Comparative Law is a charitable company limited by guarantee and is incorporated in the United Kingdom.

The registered office address and principal place of business is Charles Clore House, 17 Russell Square, London WC1B 5JP.

b) Basis of preparation

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 UK and Republic of Ireland (FRS 102) – (Charities SORP FRS 102), the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102) and the Companies Act 2006.

Assets and liabilities are initially recognised at historical cost or transaction value unless otherwise stated in the relevant accounting policy or note.

In applying the financial reporting framework, the trustees have made a number of subjective judgements, for example in respect of significant accounting estimates. Estimates and judgements are continually evaluated and are based on historical experience and other factors, including expectations of future events that are believed to be reasonable under the circumstances. The nature of the estimation means the actual outcomes could differ from those estimates. Any significant estimates and judgements affecting these financial statements are detailed within the relevant accounting policy below.

c) Public benefit entity

The charitable company meets the definition of a public benefit entity under FRS 102.

d) Going concern

The trustees consider that there are no material uncertainties about the charitable company's ability to continue as a going concern. This assessment has been reached after preparing projections of the level of unrestricted reserves and cash up to 12 months beyond the date of signing annual financial statements, taking into account the financial effects of the Covid pandemic, future repayments due under the loan agreement with the University of London, general economic conditions and the future operating plans of the Institute. A worst case approach has been adopted with regard to income streams that are volatile or unsecured.

The trustees do not consider that there are any sources of estimation uncertainty at the reporting date that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next reporting period.

e) Income

Income is recognised when the charity has entitlement to the funds, any performance conditions attached to the income have been met, it is probable that the income will be received and that the amount can be measured reliably.

Income from government and other grants, whether 'capital' grants or 'revenue' grants, is recognised when the charity has entitlement to the funds, any performance conditions attached to the grants have been met, it is probable that the income will be received and the amount can be measured reliably and is not deferred.

For legacies, entitlement is taken as the earlier of the date on which either: the charity is aware that probate has been granted, the estate has been finalised and notification has been made by the executor(s) to the charity that a distribution will be made, or when a distribution is received from the estate. Receipt of a legacy, in whole or in part, is only considered probable when the amount can be measured reliably and the charity has been notified of the executor's intention to make a distribution. Where legacies have been notified to the charity, or the charity is aware of the granting of probate, and the criteria for income recognition have not been met, then the legacy is treated as a contingent asset and disclosed if material.

Income received in advance of the provision of a specified service is deferred until the criteria for income recognition are met.

1 Accounting policies/continued

f) Donations of gifts, services and facilities

Donated professional services and donated facilities are recognised as income when the charity has control over the item or received the service, any conditions associated with the donation have been met, the receipt of economic benefit from the use by the charity of the item is probable and that economic benefit can be measured reliably. In accordance with the Charities SORP (FRS 102), volunteer time is not recognised; more information about their contribution may be found in the trustees' annual report.

On receipt, donated gifts, professional services and donated facilities are recognised on the basis of the value of the gift to the charity, which is the amount the charity would have been willing to pay to obtain services or facilities of equivalent economic benefit on the open market; a corresponding amount is then recognised in expenditure in the period of receipt.

g) Interest receivable

Interest on funds held on deposit is included when receivable and the amount can be measured reliably by the charity; this is normally upon notification of the interest paid or payable by the bank.

h) Fund accounting

Restricted funds are to be used for specific purposes as laid down by the donor. Expenditure which meets these criteria is charged to the fund.

Unrestricted funds are donations and other incoming resources received or generated for the charitable purposes.

i) Expenditure and irrecoverable VAT

Expenditure is recognised once there is a legal or constructive obligation to make a payment to a third party, it is probable that settlement will be required and the amount of the obligation can be measured reliably. Expenditure is classified under the following activity headings:

- Costs of raising funds relate to the costs incurred by the charitable company in encouraging third parties to make voluntary contributions to it, as well as the cost of any activities with a fundraising purpose.
- Expenditure on charitable activities includes the costs of delivering services to members, publishing books and journals, holding events and running research programmes and projects, all undertaken to further the purposes of the charity, and their associated support costs.

Irrecoverable VAT is charged as a cost of the activity for which the expenditure was incurred.

j) Grants payable

Grants payable do not represent grant-giving activities by the charity but relate to the transfer of third party project funding to project partners. Expenditure related to grants payable is recognised in accordance with the agreed payment schedule or time period of each grant.

k) Allocation of support costs

Resources expended are allocated to the particular activity where the cost relates directly to that activity. The cost of overall direction and administration of each activity, comprising the salary and overhead costs of the central function, is apportioned pro rata to the staffing levels of the relevant activity.

l) Allocation of governance costs

Governance costs comprise audit fees and Board of Trustees meeting costs. These costs are apportioned across the Institute's activities, pro rata to the staffing levels of the relevant activity.

m) Operating leases

Rental charges are charged on a straight line basis over the term of the lease.

1 Accounting policies (continued)

n) Tangible fixed assets

Items of equipment are capitalised where the purchase price exceeds £500. Depreciation costs are allocated to activities on the basis of the use of the related assets in those activities. Assets are reviewed for impairment if circumstances indicate their carrying value may exceed their net realisable value and value in use. Major components are treated as separate assets where they have significantly different patterns of consumption of economic benefits and are depreciated separately over their useful lives.

Depreciation is provided at rates calculated to write down the cost of each asset to its estimated residual value over its expected useful life. The depreciation rates in use are as follows:

- | | |
|---|----------|
| • Improvements to long leasehold properties | 20 years |
| • Computer equipment | 3 years |
| • Office equipment, fixtures and fittings | 5 years |

o) Listed investments

Investments are a form of basic financial instrument and are initially recognised at their transaction value and subsequently measured at their fair value as at the balance sheet date using the closing quoted market price. Any change in fair value is recognised in the statement of financial activities and any excess of fair value over the historical cost of investments is included in reserves. Investment gains and losses, whether realised or unrealised, are combined and shown in the heading "Net gains/(losses) on investments" in the statement of financial activities. The charity does not acquire put options, derivatives or other complex financial instruments.

p) Debtors

Trade and other debtors are recognised at the settlement amount due after any trade discount offered. Prepayments are valued at the amount prepaid net of any trade discounts due.

q) Cash at bank and in hand

Cash includes short term highly liquid investments with a maturity of three months or less from the date of acquisition or opening of the deposit or similar account.

r) Creditors and provisions

Creditors and provisions are recognised where the charity has a present obligation resulting from a past event that will probably result in the transfer of funds to a third party and the amount due to settle the obligation can be measured or estimated reliably. Creditors and provisions are normally recognised at their settlement amount after allowing for any trade discounts due.

s) Financial instruments

Basic financial instruments are initially recognised at transaction value and subsequently measured at their settlement value. Other financial instruments such as loans are initially recognised at the present value of future cash payments discounted at a market interest rate, and are subsequently measured at amortised cost using the effective interest method.

t) Pensions

The Institute participates in the Universities Superannuation Scheme (USS), a defined benefit scheme which is externally funded and contracted out of State Pension (S2P). The assets of the scheme are held in a separate trustee-administered fund. Because of the mutual nature of the scheme, the scheme's assets are not hypothecated to individual institutions and a scheme-wide contribution rate is set. The Institute is therefore exposed to actuarial risks associated with other institutions' employees and is unable to identify its share of the underlying assets and liabilities of the scheme on a consistent and reasonable basis and, as required by FRS 102 Section 28, accounts for the scheme as if it were a defined contribution scheme. As a result, the amount charged to the SOFA represents the contributions payable to the scheme in respect of the accounting period.

The Institute also operates one defined contribution scheme. The amount charged to the SOFA represents the contributions payable to the scheme in respect of the accounting period.

Notes to the financial statements

For the year ended 31 December 2024

2 Income from donations and legacies

			2024			2023
	Unrestricted	Restricted	Total	Unrestricted	Restricted	Total
	£	£	£	£	£	£
60th Anniversary Appeal	107,925	-	107,925	112,015	-	112,015
Bingham Centre donations	-	42,251	42,251	-	14,204	14,204
Watts Appeal	-	9,945	9,945	-	-	-
Other donations	21,496	-	21,496	87,344	18,318	105,662
Total income from donations and legacies	129,421	52,196	181,617	199,359	32,522	231,881

3 Income from charitable activities

			2024			2023
	Unrestricted	Restricted	Total	Unrestricted	Restricted	Total
	£	£	£	£	£	£
Forum memberships	284,089	-	284,089	287,178	-	287,178
Institute memberships	40,881	-	40,881	41,717	-	41,717
Bingham Centre Business Network	-	87,500	87,500	-	85,000	85,000
Sub-total for Member services	324,970	87,500	412,470	328,895	85,000	413,895
ICLQ journal royalties and other income	217,197	-	217,197	251,230	-	251,230
Publications	8,524	-	8,524	3,316	4,058	7,374
Sub-total for Publications and journals	225,721	-	225,721	254,546	4,058	258,604
Bingham Centre rule of law events	3,742	846	4,588	-	13,462	13,462
International law short courses	171,665	-	171,665	194,201	-	194,201
Investment treaty law events	12,341	-	12,341	12,255	-	12,255
Public international law events	9,611	-	9,611	37,401	-	37,401
WTO law events	-	-	-	9,762	-	9,762
Other events	22,241	701	22,942	24,871	-	24,871
Sub-total for Conferences and seminars	219,600	1,547	221,147	278,490	13,462	291,952
Funding from:						
Overseas NGOs, trusts and foundations	75,455	671,950	747,405	172,493	776,810	949,303
UK NGOs, trusts and foundations	-	498,082	498,082	-	337,726	337,726
Law firms	8,900	-	8,900	20,763	-	20,763
Overseas government departments	26,483	77,164	103,647	2,600	-	2,600
UK research councils	-	518,785	518,785	-	2,758,609	2,758,609
UK government departments	72,967	45,512	118,479	-	188,353	188,353
Companies	206,133	-	206,133	22,500	-	22,500
Other sources	15,350	109,916	125,266	43,507	62,335	105,842
Sub-total for Research programmes	405,288	1,921,409	2,326,697	261,863	4,123,833	4,385,696
Total income from charitable activities	1,175,579	2,010,456	3,186,035	1,123,794	4,226,353	5,350,147

Notes to the financial statements

For the year ended 31 December 2024

4 Income from investments

	Unrestricted £	Restricted £	2024 Total £	Unrestricted £	Restricted £	2023 Total £
Dividends received from investments	21,621	-	21,621	20,534	-	20,534
Interest received from investments	11	-	11	7,021	-	7,021
Bank interest	29,480	-	29,480	7,479	-	7,479
	51,112	-	51,112	35,034	-	35,034

Notes to the financial statements

For the year ended 31 December 2024

5a Analysis of expenditure (current year)

	Charitable activities					2024 Total £	2023 Total £
	Raising funds £	Member services £	Publications and journals £	Conferences and seminars £	Research programmes £		
Staff costs (Note 8)	110,594	119,803	86,222	233,018	1,892,962	2,442,599	2,944,706
Direct costs	39	131,484	29,173	23,917	1,241,769	1,426,382	812,655
Grants payable (Note 7)						-	1,316,389
Support costs:							
- Other staff costs	432	981	451	1,003	12,242	15,109	66,446
- General fundraising and marketing costs	169	384	176	392	4,786	5,907	17,413
- Property costs	3,461	7,862	3,610	8,040	98,079	121,052	112,744
- Communication costs	3,098	7,037	3,231	7,195	87,784	108,345	83,373
- Other office costs	654	1,486	683	1,520	18,541	22,884	26,630
- Depreciation and losses on disposals	3,033	6,889	3,164	7,044	85,942	106,072	111,853
- Other costs	1,063	2,413	1,108	2,467	30,104	37,155	20,387
Governance costs	623	1,415	650	1,446	17,648	21,782	14,564
Total expenditure 2024	123,166	279,754	128,468	286,042	3,489,857	4,307,287	5,527,160
Total expenditure 2023	188,016	299,777	111,505	169,209	4,758,653		5,527,160

Staff costs of £2,442,599 (2023: £2,944,705) include costs of support staff £769,248 (2023: £790,436).

Other staff costs comprises: temporary staff, recruitment costs, staff travel, accommodation, subsistence and entertaining, and staff professional fees, training and conference costs.

Governance costs include audit fees of £20,548 (2023: £14,565) and Board of Trustees meeting costs of £nil (2023: £nil).

Notes to the financial statements

For the year ended 31 December 2024

5b Analysis of expenditure (previous year)

	Charitable activities					2023 Total £
	Raising funds £	Member services £	Publications and journals £	Conferences and seminars £	Research programmes £	
Staff costs (Note 8)	173,203	188,069	66,641	107,910	2,408,883	2,944,706
Direct costs	240	88,372	36,222	34,635	653,186	812,655
Grants payable (Note 7)					1,316,389	1,316,389
Support costs:						
– Other staff costs	2,265	3,612	1,344	2,039	57,186	66,446
– General fundraising and marketing costs	46	175	27	13,591	3,574	17,413
– Property costs	3,844	6,129	2,280	3,459	97,032	112,744
– Communication costs	2,843	4,532	1,686	2,558	71,754	83,373
– Other office costs	908	1,448	538	817	22,919	26,630
– Depreciation and losses on disposals	3,475	5,541	2,061	3,127	97,649	111,853
– Other costs	695	1,108	412	626	17,546	20,387
Governance costs	497	791	294	447	12,535	14,564
Total expenditure 2023	188,016	299,777	111,505	169,209	4,758,653	5,527,160

Notes to the financial statements

For the year ended 31 December 2024

6 Net outgoing resources for the year

This is stated after charging / (crediting):

	2024 £	2023 £
Depreciation	100,549	111,854
Operating lease rentals:		
Property	1	1
Other		-
Auditor's remuneration:		
Audit fee (excl VAT)	14,500	15,460
Under-accrual for audit fee in prior year		1,605
Profit on disposal of assets	5,523	-
Foreign exchange (gains)/losses	16,007	31,855
	<u>16,007</u>	<u>31,855</u>

7 Analysis of grants payable

The funding provided by the Arts and Humanities Research Council for the Modern Slavery Policy and Evidence Centre and the Role of Good Governance and the Rule of Law project included funding for some activities that are to be carried out by partner institutions. Funds payable to those partner institutions are as follows:

	2024 £	2023 £
University of Liverpool	-	116,691
University of Nottingham	-	113,632
University of Hull	-	122,449
The Alan Turing Institute	-	39,418
Afruca	-	-
University of Twickenham	-	-
Bonavero Institute of Human Rights, University of Oxford	-	39,033
University of Sheffield	-	(106)
University of Essex	-	44,484
Cardiff University	-	92,538
FAST	-	31,918
Aberystwyth University	-	204,861
St Mary's University	-	83,042
Public Interest Research	-	16,800
University of Portsmouth	-	80,560
University of Roehampton	-	86,660
Sheffield Hallam University	-	88,001
University of Sussex/Surrey	-	85,035
University College London	-	71,373
	<u>-</u>	<u>1,316,389</u>

Notes to the financial statements

For the year ended 31 December 2024

8 Analysis of staff costs, trustee remuneration and expenses, and the cost of key management personnel

Staff costs were as follows:

	2024 £	2023 £
Salaries and wages	2,105,766	2,552,053
Social security costs	205,547	225,501
Employer's contributions to defined contribution pension schemes	108,992	133,891
Employer's contributions to defined benefit pension scheme	22,294	33,210
Other forms of employee benefits	-	49
	<u>2,442,599</u>	<u>2,944,705</u>

The following number of employees received employee benefits (including salary, but excluding employer's national insurance contributions and employer pension contributions) during the year between:

	2024 No.	2023 No.
£60,000 – £69,999	4	3
£70,000 – £79,999	2	2
£120,000 – £129,999	-	1
£150,000 – £159,999	1	1

The total employee benefits, including employer's national insurance contributions and employer's pension contributions, of the key management personnel were £356,754 (2023: £418,482).

The charity trustees were not paid and did not receive any other benefits. Trustees expenses reimbursed in 2024 were £nil. No charity trustee received payment for professional or other services supplied to the charity (2023: £nil).

9 Staff numbers

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

	2024 Employed No.	2024 FTE (*) No.	2023 Employed No.	2023 FTE (*) No.
Raising funds (Including marketing)	2.3	2.0	3.7	2.5
Member services	3.6	3.0	3.4	2.7
Publications and journals	1.3	1.1	1.0	1.0
Conferences and seminars	2.7	2.3	2.0	2.0
Research programmes	28.5	23.8	38.3	30.2
Support	6.1	5.1	6.7	5.7
	<u>44.6</u>	<u>37.1</u>	<u>55.1</u>	<u>44.1</u>

(*) Full-time equivalent

Notes to the financial statements

For the year ended 31 December 2024

10 Related party transactions

In 2019 an interest-free loan of £7,113 was made to the International Rule of Law Project Inc., a non-profit organisation incorporated in the United States of America for the purpose of raising funds for the charity. The Company Secretary of the British Institute of International and Comparative Law is one of the three directors of this company. The loan is repayable at such point as funds become available and the position will be reviewed annually. The outstanding balance of the loan at the end of the year was £7,113 (2023: £7,113).

Aggregate donations from related parties were £nil (2023: £nil).

11 Taxation

The charitable company is exempt from corporation tax as all its income is charitable and is applied for charitable purposes.

12 Tangible fixed assets

	Improvements to leasehold property £	Computer equipment £	Office equipment, fixtures and fittings £	Total £
Cost or valuation				
At the start of the year	1,591,339	227,847	113,082	1,932,268
Additions	-	14,648	-	14,648
Disposals	-	(15,454)	-	(15,454)
At the end of the year	1,591,339	227,042	113,082	1,931,463
Depreciation				
At the start of the year	330,438	221,918	84,149	636,505
Charge for the year	79,567	4,788	16,194	100,549
Disposals	-	(9,930)	-	(9,930)
At the end of the year	410,005	216,776	100,343	727,124
Net book value				
At the end of the year	1,181,334	10,266	12,739	1,204,339
At the start of the year	1,260,901	5,929	28,933	1,295,763

All of the above assets are used for charitable purposes.

The Institute assessed the cost of improvements to leasehold property made in 2019 to be £1,275,000. Additional costs of £290,167 were capitalised in 2020 in accordance with the final determination of the costs payable to the University of London.

Notes to the financial statements

For the year ended 31 December 2024

13 Listed investments

	2024 £	2023 £
Fair value of investments at the start of the year	792,832	977,478
Net gain (loss) on change in fair value	54,131	15,354
Additions	887	–
(Disposals)	(703)	(200,000)
Fair value of investments at the end of the year	<u>847,147</u>	<u>792,832</u>
Cash held by investment manager pending investment	<u>28</u>	<u>1,863</u>
Fair value of total portfolio at the end of the year	<u><u>847,175</u></u>	<u><u>794,695</u></u>
Investments comprise:		
	2024 £	2023 £
Cash held by investment broker	28	1,863
UK Investment Companies	847,147	792,832
	<u>847,175</u>	<u>794,695</u>

14 Debtors

	2024 £	2023 £
Trade debtors	177,538	554,210
Other debtors	1,801	1,742
Prepayments	17,736	14,663
Accrued income	235,704	91,632
	<u>432,779</u>	<u>662,247</u>

15 Creditors: amounts falling due within one year

	2024 £	2023 £
Trade creditors	66,072	11,062
Taxation and social security	54,116	61,752
Other creditors	50,336	122,756
Loan from University of London	90,367	85,142
Grants payable	–	1,119,838
Accruals	354,645	527,335
Deferred income (Note 17)	156,182	531,973
	<u>771,718</u>	<u>2,459,858</u>

16 Creditors: amounts falling due after one year

	2024	2023
Loan from University of London	<u>671,317</u>	<u>761,684</u>

The University of London loan creditor £761,684 relates to the cost of leasehold improvement works carried out to the Institute's offices in 2019. The final cost of the works was £1,565,167 and the Institute made an interim payment of £500,000 to the University during 2019, leaving a remaining creditor of £1,065,167. A further repayment of £47,500 was made in 2020, reducing the creditor to £1,017,667. The University has made a loan to the Institute of £1,017,167 at an interest rate of 6%, repayable over 10 years commencing January 2022. In 2024, £85,142 was paid in respect to this loan.

Notes to the financial statements

For the year ended 31 December 2024

17 Deferred income

Deferred income comprises:

	2024 £	2023 £
Balances at the beginning of the year:		
Member services	267,840	61,580
Publications and journals	91,849	120,557
Conferences and seminars	-	1,675
Research programmes	170,316	54,629
Other income	1,968	-
	<u>531,973</u>	<u>238,441</u>
Amounts released to income in the year	(531,973)	(238,441)
Amounts deferred in the year	156,282	531,973
	<u>156,282</u>	<u>531,973</u>
Analysis of deferred income balances at the end of the year:		
Member services	52,632	267,840
Publications and journals	89,000	91,849
Conferences and seminars	-	-
Research programmes	-	170,316
Other income	14,550	1,968
	<u>156,182</u>	<u>531,973</u>

18 Pension schemes

The Institute participates in the Universities Superannuation Scheme (USS), a defined benefit scheme which is contracted out of the State Second Pension (S2P). The assets of the scheme are held in a separate fund administered by the trustee, Universities Superannuation Scheme Limited. The Institute is required to contribute a specified percentage of payroll costs to the pension scheme to fund the benefits payable to the Institute's employees. In 2020 the percentage was 21.1%. The Institute is unable to identify its share of the underlying assets and liabilities of the scheme on a consistent and reasonable basis and therefore, as required by FRS 102 Section 28, accounts for the scheme as if it were a defined contribution scheme.

The total cost charged to the SOFA in respect of this scheme was £22,294 (2023: £33,210), as shown in note 8. This includes £nil (2022: £nil) outstanding contributions at the balance sheet date.

The latest available triennial actuarial valuation of the scheme was carried out as at 31 March 2023. At the valuation date, the value of the assets of the scheme was £73.1 billion and the value of the scheme's technical provisions was £65.7 billion indicating a surplus of £7.4 billion. The assets therefore were sufficient to cover more than 100% of the benefits which had accrued to members after allowing for expected future increases in earnings.

The Institute also makes contributions to one defined contribution scheme. Contributions charged to the SOFA for this scheme represent the various contributions payable to the scheme in respect of the accounting period. The total cost charged to the SOFA was £108,992 (2023: £133,891), as shown in note 8. This includes £18,963 (2023: £17,068) outstanding contributions at the balance sheet date.

	2024 £	2023 £
Employer contributions to the USS defined benefit scheme	22,294	33,210
Employer contributions to defined contribution schemes	108,992	133,891
	<u>131,286</u>	<u>167,101</u>
	2024 No.	2023 No.
Average number of Institute members of USS defined benefit scheme	1	1
Average number of Institute members of defined contribution schemes	40	51
	<u>41</u>	<u>52</u>

Notes to the financial statements

For the year ended 31 December 2024

19a Analysis of net assets between funds (current year)

	General £	Capital £	Endowments £	Restricted £	Total funds £
Tangible fixed assets	-	1,204,339	-	-	1,204,339
Investments	725,643	-	121,532	-	847,175
Net current assets	(317,954)	(89,606)	-	860,811	453,251
Creditors: amounts falling due after one year	-	(671,317)	-	-	(671,317)
Net assets at the end of the year	407,689	443,416	121,532	860,811	1,833,448

19b Analysis of net assets between funds (prior year)

	General £	Capital £	Endowments £	Restricted £	Total funds £
Tangible fixed assets	-	1,290,242	-	5,523	1,295,765
Investments	274,902	-	519,793	-	794,695
Net current assets	(267,655)	(85,142)	-	1,667,811	1,315,014
Creditors: amounts falling due after one year	-	(761,684)	-	-	(761,684)
Net assets at the end of the year	7,247	443,416	519,793	1,673,334	2,643,790

Notes to the financial statements

For the year ended 31 December 2024

20a Movements in funds (current year)

	At 1 January 2024 £	Income and gains £	Expenditure and losses £	Transfers £	At 31 December 2024 £
Endowment funds:					
Sunley–Percy Rugg	199,131	–	–	(199,131)	–
Sunley–Sebag Shaw	199,131	–	–	(199,131)	–
Barnett Shine	121,532	–	–	–	121,532
Total endowment funds	519,795	–	–	(398,263)	121,532
Restricted income funds:					
Bingham Centre Appeal – Phase 2	207,525	253,303	(358,239)	(14,061)	88,528
Arthur Watts Fellowship – Phase 2	33,860	9,945	(1,399)	–	42,406
RECONNECT (H2020)	–	–	–	–	–
Global Promotion of the Rule of Law	60,660	100,000	(47,968)	–	112,692
Big Data and Algorithms	–	–	–	–	–
Exposing Labour Exploitation in Cuba	334	142,011	(127,424)	–	14,921
Climate Litigation and the Separation of Powers	240	–	–	–	240
international law: Identifying common ground among states on unlawful behaviour in cyberspace	(943)	45,512	(44,569)	–	–
Beyond Restitution: Exploring the Story of Cultural Objects After Repatriation	–	–	–	–	–
Rule of Law, Legitimacy and Effective COVID-19 Control Technologies	124	–	–	–	124
Influencing Covid-19 legislation through Rule of Law-based scrutiny	97	–	–	–	97
Modern Slavery Policy and Evidence Centre	981,580	145,931	(1,057,299)	–	70,212
Covid-19 and the Law – Protection and Recovery for Vulnerable Groups	8,374	115,048	(114,385)	–	9,037
Global Labor Program – Platform for Organising by Workers for Empowerment and Recognition	(2,655)	131,246	(128,591)	–	–
Interdisciplinary Study on Medical Research: Rescuing Intellectual Property Rights in Pandemic Emergencies from "Tragedy of the Anticommon"	2,801	47,356	(50,157)	–	–
Global Perspectives on Corporate Climate Change Legal Tactics	108,920	185,620	(202,885)	–	91,655
Protection of Intangible Cultural Heritage in the Pacific Region	–	–	–	–	–
Research Council Open Access Block Award 2022/3	25,951	17,353	(25,951)	–	17,353

Notes to the financial statements

For the year ended 31 December 2024

20a Movements in funds (current year) (continued)

Identifying and comparing impacts of mandatory due diligence legal models on internal corporate practice	38,238	93,773	(123,342)		8,669
Access to Legal Advice for Survivors for Modern Slavery	-	-	-	-	-
Identification of Adults with Lived Experiences of Modern Slavery in the UK	1	-	-	-	1
Independent Commission on UK Counterterrorism Legislation, Policy and Practice	22,888	19,667	(39,175)	-	3,380
Project looking at the non-punishment principle for the victims of human trafficking	5,500	-	-	-	5,500
Rule of Law Monitoring Project	15,210	50,600	(63,057)	-	2,753
Independent Commission on Public Health Emergency Powers	836	-	(14,897)	14,061	-
The Dorset Fellowship in Public International Law	90,310	145,000	(135,000)	-	100,310
Democratising law-making after Brexit	7,251	10,800	(18,051)	-	-
Sybil Shine Memorial Trust Youth and Public Engagement Programme	66,234	75,000	(57,976)	-	83,258
Immigration Detention and the Rule of Law	-	29,486	(29,486)	-	-
Rule of Law and Judicial Selection – Developing a Toolkit for Improving Outcomes	-	5,073	(5,073)	-	-
Rule of Law Restoration Project	-	75,903	(47,242)	-	28,661
The Immunity of State Officials from Foreign Criminal Jurisdiction: Lessons from the United Nations War Crimes Commission	-	2,917	-	-	2,917
The Dynamics of the Judiciary in Ukraine in the Context of the Rule of Law and the EU Accession Aspirations	-	150,000	(71,078)	-	78,922
Mixed Disputes in International Dispute Settlement funded by the Ministry of Financial Affairs, Republic of Korea	-	77,164	(18,946)	-	58,218
Jordan Prevention and Protection of Migrant Workers, funded by the American Bar Association through its Fund for Justice and Human Rights in global supply chains: Measuring the effectiveness of home state regulatory models on corporate behaviour	-	43,844	(27,828)	-	16,016
Beyond Restitution: Exploring the Story of Cultural Objects After Repatriation	-	85,381	(60,441)	-	24,940
Other restricted projects	(4)	4,720	(9,103)	4,383	-
Total restricted income funds	1,673,332	2,062,652	(2,879,560)	-	856,424
Total restricted funds	2,193,127	2,062,652	(2,879,560)	(393,876)	982,343
Unrestricted funds:					
Designated fund – 60th Anniversary Appeal	-	107,925	-	(107,925)	-
Capital fund	443,416	-	-	-	443,416
General funds	7,247	1,288,245	(1,389,603)	501,801	407,689
Total unrestricted funds	450,663	1,396,170	(1,389,603)	393,876	851,105
Total funds	2,643,790	3,458,821	(4,269,163)	-	1,833,448

Notes to the financial statements

For the year ended 31 December 2024

20b Movements in funds (prior year)

	At 1 January 2023 £	Income and gains £	Expenditure and losses £	Transfers £	At 1 January 2024 £
Endowment funds:					
Sunley–Percy Rugg	195,119	4,012		–	199,131
Sunley–Sebag Shaw	195,119	4,012		–	199,131
Barnett Shine	121,532	–	–	–	121,532
Total endowment funds	511,771	8,024	–	–	519,795
Restricted income funds:					
Bingham Centre Appeal – Phase 2	215,243	409,346	(424,564)	7,500	207,525
Arthur Watts Fellowship – Phase 2	38,984	8,318	(13,442)	–	33,860
RECONNECT (H2020)	13,970	–	(13,970)	–	–
Global Promotion of the Rule of Law	8,721	96,466	(44,527)	–	60,660
Big Data and Algorithms	63	–	(63)	–	–
Exposing Labour Exploitation in Cuba	1,689	798	(2,153)	–	334
Climate Litigation and the Separation of Powers	240	–	–	–	240
Beyond theoretical differences on international law: Identifying common ground among states on unlawful behaviour in cyberspace	–	11,068	(12,011)	–	(943)
Beyond Restitution: Exploring the Story of Cultural Objects After Repatriation	32,872	46,304	(79,176)	–	–
Rule of Law, Legitimacy and Effective COVID-19 Control Technologies	124	–	–	–	124
Influencing Covid-19 legislation through Rule of Law-based scrutiny	97	–	–	–	97
Modern Slavery Policy and Evidence Centre	778,183	2,795,819	(2,525,417)	(67,005)	981,580
Covid-19 and the Law – Protection and Recovery for Vulnerable Groups	2,017	114,124	(107,767)	–	8,374
Global Labor Program – Platform for Organising by Workers for Empowerment and Recognition	19,428	83,965	(106,048)	–	(2,655)
Interdisciplinary Study on Medical Research: Rescuing Intellectual Property Rights in Pandemic Emergencies from "Tragedy of the Anticommon"	(1,434)	25,290	(21,055)	–	2,801
Global Perspectives on Corporate Climate Change Legal Tactics	102,487	259,292	(252,859)	–	108,920
Protection of Intangible Cultural Heritage in the Pacific Region	8,568	–	(8,568)	–	–
Research Council Open Access Block Award 2022/3	26,381	25,951	(26,381)	–	25,951
Identifying and comparing impacts of mandatory due diligence legal models on internal corporate practice	–	79,993	(41,755)	–	38,238
Access to Legal Advice for Survivors for Modern Slavery	–	–	(2,654)	2,654	–
Identification of Adults with Lived Experiences of Modern Slavery in the UK	–	–	(64,351)	64,351	–

Notes to the financial statements

For the year ended 31 December 2024

20b Movements in funds (prior year) (continued)

Independent Commission on UK Counterterrorism Legislation, Policy and Practice	71,497	22,975	(71,585)	-	22,887
Project looking at the non-punishment principle for the victims of human trafficking	-	5,500	-	-	5,500
Rule of Law Monitoring Project	3,434	16,866	(5,090)	-	15,210
Independent Commission on Public Health Emergency Powers	40,926	26,000	(66,090)	-	836
The Dorset Fellowship in Public International Law	55,865	145,000	(110,555)	-	90,310
Democratising law-making after Brexit	-	10,800	(3,550)	-	7,250
Sybil Shine Memorial Trust Youth and Public Engagement Programme	61,598	75,000	(70,365)	-	66,233
Total restricted income funds	1,480,953	4,258,875	(4,073,997)	7,500	1,673,332
Total restricted funds	1,992,725	4,266,899	(4,073,997)	7,500	2,193,127
Unrestricted funds:					
Designated fund – 60th Anniversary Appeal	-	112,015	-	(112,015)	-
Capital fund	450,283	-	-	(6,867)	443,416
General funds	111,362	1,261,245	(1,476,742)	111,382	7,247
Total unrestricted funds	561,645	1,373,260	(1,476,742)	(7,500)	450,663
Total funds	2,554,370	5,640,159	(5,550,739)	-	2,643,790

20b Movements in funds (prior year) (continued)

Purposes of endowment funds:

Permanent: The Sunley–Percy Rugg and the Sunley–Sebag Shaw Endowment Funds

The Bernard Sunley Charitable Foundation established two Endowment Funds in 1982, namely:

- The Sunley–Percy Rugg Endowment Fund; and
- The Sunley–Sebag Shaw Endowment Fund

The funds were established to recognise the contributions of Sir Percy Rugg and the Rt. Hon. Sir Sebag Shaw and were received by the Institute over the period from 1982 to 1991.

Each fund is owned and administered by the Institute and consists of £199,131 (2022: £195,119) held in perpetuity for the permanent endowment of the Institute. Income arising from the funds is applied for the general purposes of the Institute.

The assets of each fund are held in listed investments. At the end of the year the fair value of these investments had increased by £4,012 (2022: decreased £36,559) for each fund. Therefore each fund increased in value by £4,012 in respect of unrealised gains (2022: £36,559 unrealised gains).

Expendable: The Barnett Shine Charitable Foundation

This fund was originally established as the Shine Denning Endowment Fund of the British Institute of International and Comparative Law in 1982. A total of £300,000 was donated over the period from 1982 to 2000, to provide income to the Institute for its general purposes, including “the provision of financial or material assistance to the Institute”, but with the power to “apply the whole or any part of the Trust Fund whether capital or income in or towards the implementation of any one or more of the objects of the Trust”. Income arising from the funds is applied for the general purposes of the Institute. A transfer from expendable endowments of £178,468 was made in 2000 to settle a deficit on unrestricted funds. This left a balance of £121,532 which has remained unaltered since then.

Purposes of restricted funds: current year

Phase 2 of the Bingham Centre Appeal was launched in May 2013 to raise further funds to sustain the Centre beyond Phase 1.

The Bingham Centre receives grants from the Jones Day Foundation in respect of specific Global Rule of Law Exchange international conferences.

The Legal Education Foundation funded secretariat support for the All–Party Parliamentary Group on the Rule of Law.

Phase 2 of the Arthur Watts Fellowship Appeal was launched in December 2014 to raise further funds to sustain the Fellowship beyond Phase 1.

The Laudes Foundation provided funding for a project on Global Perspectives on Corporate Climate Legal Tactics. This project is from September 2022 to December 2024.

FILE Foundation provided funding for a project on Global Perspectives on Corporate Climate Legal Tactics. This project is from September 2022 to December 2024.

The Laudes Foundation provided funding for a project on Identifying and comparing impacts of mandatory due diligence legal models on internal corporate practice.

The Role of Good Governance and the Rule of Law in Building Public Trust in Data–Driven Responses to Public Health Emergencies.

The United States of America Department of State provided funding for a Trafficking in Persons research project.

Purposes of restricted funds: current year (continued)

The Pan American Development Foundation provided funds for research into Exposing Labour Exploitation in Cuba.

Hausfeld LLP provided funds for research into Climate Litigation and the Separation of Powers.

The Leverhulme Trust provided funding for the research project Beyond Restitution: Exploring the Story of Cultural Objects After Repatriation.

The Institute for Ethics in Artificial Intelligence provided funding for the research project Rule of Law, Legitimacy and Effective COVID-19 Control Technologies.

The Baring Foundation provided funding for the research project Influencing Covid-19 legislation through Rule of Law-based scrutiny.

The Arts and Humanities Research Council provided funding for the research project The Role of Good Governance and the Rule of Law in Building Public Trust in Data-Driven Responses to Public Health Emergencies.

The UK Research Councils awarded an Open Access Block Grant to support the implementation of the Research Councils' Policy on Open Access. It provided a further grant in 2022.

The Legal Education Foundation provided funding for co-creating and sustaining a programme of Policy-relevant Rule of Law Research.

The Arts and Humanities Research Council provided funding for the establishment of a Modern Slavery Policy and Evidence Centre.

The Independent Commission on UK Counterterrorism Legislation, Policy and Practice is funded by Barrow Cadbury Trust, the Open Society Initiative for Europe, the Joseph Rowntree Charitable Trust and Unbound Philanthropy.

The Rule of Law Monitoring Project is funded by the David and Elaine Potter Foundation, the Joseph Rowntree Charitable Trust, the Joseph Rowntree Reform Trust and AB Charitable Trust.

The Joseph Rowntree Reform Trust provided funding for the Depolarising Constitutional Debate project to campaign to build the constitution back better by facilitating the rediscovery of shared constitutional values in the UK.

The UKRI provided 3 year grant funding for a research project into Covid-19 and the Law – Protection and Recovery for Vulnerable Groups. This project began in February 2022 and will continue to January 2025.

Solidar Suisse provided a research grant for a Global Labor Program – Platform for Organising by Workers for Empowerment and Recognition. This commenced in 2022 and will be completed in October 2026.

A collaborative research project funded by the Economic and Social Research Council was undertaken with Aberdeen University for an Interdisciplinary Study on Medical Research: Rescuing Intellectual Property Rights in Pandemic Emergencies from "Tragedy of the Anticommon". Aberdeen University are leading the project which commenced in 2022 and will continue until January 2025.

The Laudes Foundation provided a 2 year grant for a project on Global Perspectives on Corporate Climate Change Legal Tactics, with a selection of tools for NGOs, government bodies, local communities, other affected groups and individuals around the world, and those representing them.

Konrad Adenauer Stiftung (Australia) Ltd provided funding for a research project into the Protection of Intangible Cultural Heritage in the Pacific Region. The final report is due at the beginning of 2023.

Funding was provided by the PEC for a study into the Access to Legal Advice for Survivors of Modern Slavery.

Funding was provided by the PEC for a study into the Identification of adults with lived experiences of modern slavery in the UK.

The FCDO provided funding for a project on 'Beyond theoretical differences on international law: Identifying common ground among states on unlawful behaviour in cyberspace'.

The Independent Commission on UK Public Health is generously supported by the JRSST Charitable Trust, alongside other funders.

The Dorset Fellowship in Public International Law is 3 year funding from the Dorset Foundation.

The Foreign and Commonwealth Office provided funding for a London conference which was held in October 2022 on international law.

The Sybil Shine Memorial Trust provided funding for a Youth and Public Engagement Programme.

Purposes of restricted funds: prior year

Phase 2 of the Bingham Centre Appeal was launched in May 2013 to raise further funds to sustain the Centre beyond Phase 1.

The Bingham Centre receives grants from the Jones Day Foundation in respect of specific Global Rule of Law Exchange international conferences.

The Legal Education Foundation funded secretariat support for the All-Party Parliamentary Group on the Rule of Law.

Phase 2 of the Arthur Watts Fellowship Appeal was launched in December 2014 to raise further funds to sustain the Fellowship beyond Phase 1.

The European Union provided funding for a collaborative research project RECONNECT (H2020) led by the University of Leuven.

The Jones Day Foundation provided funding for the global promotion of the rule of law for the period September 2018 to August 2021.

The Foundation Open Society Institute and the Digital Freedom Fund provided funding for a research project on big data and algorithms.

The Bluston Charitable Foundation provided funds for the creation of a new meeting room in Charles Clore House to be known as the Bluston Hub.

The United States of America Department of State provided funding for a Trafficking in Persons research project.

The Caribbean Community (CARICOM) provided funding to provide assistance to member states to harmonise companies and insolvency laws and instruments for the mutual recognition of companies.

The Pan American Development Foundation provided funds for research into Exposing Labour Exploitation in Cuba.

Hausfeld LLP provided funds for research into Climate Litigation and the Separation of Powers.

The Leverhulme Trust provided funding for the research project Beyond Restitution: Exploring the Story of Cultural Objects After Repatriation.

The Institute for Ethics in Artificial Intelligence provided funding for the research project Rule of Law, Legitimacy and Effective COVID-19 Control Technologies.

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The Sybil Shine Memorial Trust provided funding for a Youth and Public Engagement Programme.

Notes to the financial statements

For the year ended 31 December 2024

Unrestricted funds: current year

A designated fund established in respect of funds raised from the 60th Anniversary Appeal was used to provide funds towards the refurbishment of the Institute's office space, the creation of a new conference and events suite, and the development of new programmes of research, training and events.

Unrestricted funds: prior year

A designated fund was established in respect of funds raised from the 60th Anniversary Appeal, which was used to provide funds towards the refurbishment of the Institute's office space, the creation of a new conference and events suite, and the development of new programmes of research, training and events.

Capital Fund

The capital fund represents the net book value of fixed assets less the value of the University of London creditor £846,826 (2022: £927,046) associated with the cost of leasehold improvements.

Transfers between funds: current year

50% of the income (£7,500) for an unrestricted project funded by Prizsm, was transferred to the Bingham Centre to offset associated staff costs.

Transfers between funds: prior year

As per the agreement, the outstanding balance from the project 'Harmonising Caribbean company and insolvency law' was transferred to unrestricted funds. This amount totalled £5,261.

Funds received from the 60th Anniversary Appeal have been transferred from designated funds to general unrestricted funds, as these funds are to be applied for the general purposes of the Institute.

21 Operating lease commitments

The charity's total future minimum lease payments under non-cancellable operating leases are as follows:

	Property		Equipment	
	2024 £	2023 £	2024 £	2023 £
Less than one year	1	1	-	-
One to five years	3	4	-	-
Over five years	45	46	-	-
	49	51	-	-

22 Legal status of the charity

The charity is a company limited by guarantee and has no share capital. The liability of each member in the event of winding up is limited to £1.

THE BRITISH INSTITUTE OF INTERNATIONAL AND COMPARATIVE LAW

England & Wales - Charity number 209425

Accounts



**British Institute of
International and
Comparative Law**

Company number: 615025

Charity number: 209425

The British Institute of International and Comparative Law

Report and financial statements

For the year ended 31 December 2023



The British Institute of International and Comparative Law

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Reference and administrative information

For the year ended 31 December 2023

Company number	615025 – Registered in the United Kingdom	
Charity number	209425 – Registered in England and Wales	
Registered office & operational address	Charles Clore House, 17 Russell Square London, WC1B 5JP	
Trustees	Trustees, who are also directors under company law, who served during the year and up to the date of this report, were as follows:	
	Chiann Bao	
	Guy Beringer	
	Professor Thom Brooks (to 19/12/2023)	
	Shehzad Charania MBE	
	Dean Curtis	
	Shaheed Fatima KC (to 10/11/2023)	
	Naomi Hart	
	Alex Just	
	Sorcha MacLeod	
	Professor Iain MacNeil	
	Habib Motani	
	Constantine Partasides KC (to 6/12/2023)	
	Elizabeth Perks	Chair of the Finance & Audit Committee
	Eve Salomon CBE (from 1/7/2023)	Chair of the Board of Trustees
	Professor Dan Sarooshi KC	
	Rupert Skilbeck	
	Professor Elies van Sliedregt	
Key Management Personnel	Professor Spyros Maniatis	Institute Director
	Murray Hunt	Director of the Bingham Centre (to 31/3/2024)
	Deepa Craig	Director of Finance and Operations (from 1/4/2023 to 31/3/2024)
	Ben McGrath	Interim Director of Finance (from 1/4/2024)
	Patricia Ambrose	Director of Governance and Operations (from 1/4/2024)
Bankers	CAF Bank Limited 25 Kings Hill Avenue, Kings Hill West Malling, Kent, ME19 4JQ	HSBC plc 39 Tottenham Court Road London, W1T 2AR
Auditor	Sayer Vincent LLP Chartered Accountants and Statutory Auditor 110 Golden Lane, London, EC1Y 0TG	

Trustees' annual report

For the year ended 31 December 2023

The Trustees are pleased to present their report and the audited financial statements for the year ended 31 December 2023.

The reference and administrative information set out on page 1 forms part of this report. The financial statements comply with current statutory and company law requirements, the memorandum and articles of association and the Statement of Recommended Practice – Accounting and Reporting by Charities: SORP applicable to charities preparing their accounts in accordance with FRS 102.

Objectives and activities

Purposes and aims

The British Institute of International and Comparative Law (BIICL, the Institute) is an independent charitable research body. Our key purposes are to develop and advance the understanding of international and comparative law in the UK and around the world, and to promote the rule of law in national and international affairs. Through our work, we seek to improve decision-making on law and policy issues, and so have a positive impact on people's daily lives. We are a hub for new ideas, bringing together governments, international organisations, judiciaries, practitioners, and business.

Our mission is to contribute towards informed, independent thinking in law and decision making for a global community and to promote the rule of law at the international and national level.

Our vision is a just, peaceful and safe world built on strong structures where the rule of law is upheld and human rights respected, all underpinned by resilient legal systems that can respond to social, economic, technological, and environmental change.

We conduct research, offer training and events, run specialist fora, and publish a top-ranked academic journal. We are an outward looking organisation, with specialist researchers drawn from multiple jurisdictions and across legal fields, from human rights, the rule of law, climate change, and migration to artificial intelligence, dispute resolution, trade, and competition law.

We aim to make a unique contribution as an independent and authoritative voice on international and comparative legal issues by:

- providing high quality applied research, based on strong conceptual foundations, that influences law and policy-making; and
- promoting the application and wider dissemination of our research through publications, events and training.

BIICL has no recurrent core funding. We receive funding for our research and other activities from a wide variety of bodies, including research councils, law firms, national governments, international and regional organisations, private trusts and foundations, and non-governmental organisations, as well as BIICL members, training delegates and event attendees. In many instances, our research projects have more than one funder.

Trustees' annual report

For the year ended 31 December 2023

BIICL's Strategic Plan 2019–2023 is organised under four main themes:

- continued excellence and independence;
- developing and growing;
- open BIICL; and
- improving our organisation.

The Strategic Plan highlights the context, key risks, opportunities and challenges for each of these themes and identifies objectives and targets to be achieved over the five year period.

The Trustees review progress against the Strategic Plan on a regular basis to ensure our activities are consistent with our aims and support our public benefit mission. This report considers what BIICL has achieved during 2023 and the outcomes, impacts and benefits of our work.

Principal Activities

Membership

BIICL membership is open to all people, both in the UK and around the world. Our members come from: legal practice (including solicitors and barristers); academia (staff and students); the judiciary; corporations and other commercial bodies; government and non-governmental organisations; and members of the wider public who are interested in the many aspects of international and comparative law.

Members benefit from access to BIICL's research outputs, as well as opportunities to contribute to specialist discussion groups and to network with the diverse range of people and organisations with whom we interact. The diversity of BIICL's membership, as well as the many non-members who attend our events, and our ability to engage across a broad range of international and comparative legal issues, ensures that BIICL remains a relevant and essential institution. We also convene Fora of experts in four areas (Human Rights Due Diligence, Competition Law, Investment Treaty Law and Product Liability).

Research

BIICL's research is co-ordinated via three Centres: International Law; Comparative Law; and the Bingham Centre for the Rule of Law. From April 2021–March 2024 the Bingham Centre has also hosted the UK's Modern Slavery & Human Rights Policy and Evidence Centre which is supported by funding from the Arts and Humanities Research Council. Our focus is primarily on practical and applied research, based on strong conceptual foundations, which offers examples of good practice, recommendations for future improvements and seeks to have an impact on law and policy. The research often crosses traditional boundaries of law, integrating private and public international law, for example, and engaging with national, regional and comparative law. Our research is always independent, irrespective of its funding source.

Events and Training

BIICL organises an extensive public events programme covering a broad spectrum of current legal topics within the areas of our expertise. These events typically include full day conferences, shorter

Trustees' annual report

For the year ended 31 December 2023

seminars and lectures.

We offer a range of training activities to the public to provide information, practical assistance and capacity building to governments, institutions, firms, corporations, groups, individuals and others. During 2023, we have offered short courses on a range of topics including Law of the Sea, Public International Law, Business & Human Rights, Climate Change Law, and Cultural Heritage.

Publications

BIICL's main publication is the *International and Comparative Law Quarterly*, which is produced by Cambridge University Press and is recognised as one of the leading journals in its field. BIICL also occasionally publishes books, mainly of our own research, as well as some by other experts in our fields of work. Most of our research projects also produce final reports, many of which are publicly available to download for free from our website (www.biicl.org).

Volunteers

BIICL offers flexible, part-time and short-term opportunities for people to volunteer for the charity (typically postgraduate law students) and to assist in our research and related activities. We aim to offer interesting and developmental opportunities that include training and skills development.

Public Benefit

The Trustees confirm that they have paid due regard to the public benefit guidance published by the Charity Commission in deciding on BIICL's activities. In particular, the Trustees consider how planned activities will contribute to our aims and objectives.

BIICL considers that its activities are of public benefit in at least the following ways:

- provision of independent research to external bodies, including governments, for the purpose of assisting these bodies to formulate public policy, such as future regulation and legislation, which can have significant benefit for people in the UK and elsewhere in the world;
- provision of information, education and training to build capacity in the UK and around the world in the application and enhancement of international and comparative law, and the rule of law, to support the judiciary, government legal officials and civil society;
- dissemination of research and information about international and comparative law directly to BIICL members, including legal scholars, judges, barristers, solicitors, students, advisers to governments, corporations and non-governmental organisations, who are then better able to advise public and private bodies accurately about international and comparative legal issues;
- dissemination of research and information about international and comparative law, and the rule of law, to the general public, especially to all those interested in these matters, who are then better informed in their active engagement with these issues;
- offering a wide range of conferences, seminars, lectures, training courses and other events on contemporary issues of international and comparative law, and the rule of law, that are open to the general public to attend and be better informed about these important areas, as these issues may affect their daily lives;
- dissemination to the general public of matters of international and comparative law, and the rule

Trustees' annual report

For the year ended 31 December 2023

- of law, by the printing and distribution of publications and journals;
- publication of the Institute's activities, newsletters and other information to the general public on the Institute's website; and
- contributing to the broader education of the general public about the many important aspects of international and comparative law, and the rule of law, and the impacts these may have on national systems.

Some specific examples of the provision of public benefit through the activities carried out by BIICL in 2023 are provided below.

Achievements and performance

BIICL's main activities and beneficiaries during the year are described below. All of our charitable activities focus on international and comparative law, and the rule of law, and are undertaken to further BIICL's charitable purposes for the public benefit.

Membership

BIICL membership (comprising both individuals and organisations) was 361 at the end of 2023 (2022: 375). Membership income was £41,717 (2022: £43,635).

During 2023, we continued to support four Fora in the areas of: Human Rights Due Diligence; Competition Law; Investment Treaty Law; and Product Liability. All of our Fora make an important contribution to the work of BIICL, provide opportunities to explore current issues and prompt further research. Total Forum membership in 2023 was 131, comprising 97 organisations and 34 individuals (2022: 124, comprising 89 organisations and 35 individuals). Forum membership income was £287,178 in 2023 (2022: £256,234).

Research

BIICL continued to develop its active and responsive programme of practical and applied research during 2023. We received funding from several external organisations to support a diverse range of research topics, including work in the following areas:

- a major, new project to develop a 'Practical Toolbox on Corporate Climate Litigation' supported by the FILE Foundation;
- a Rule of Law Monitoring of Legislation project funded by the Joseph Rowntree Charitable Trust;
- a study on the 'Impacts of the Nationality and Borders Act on People Experiencing Modern Slavery' for the Modern Slavery and Human Rights Policy and Evidence Centre;
- a USAID-funded project on 'Labour Exploitation in Cuba's Medical Missions', in partnership with PADF;
- a report for the European Committee of the Regions on optimisation of EU Treaties through inter-institutional cooperation; and

The British Institute of International and Comparative Law

Trustees' annual report

For the year ended 31 December 2023

- a study for the Foreign, Commonwealth and Development Office (FCDO) looking at common ground among states on unlawful behaviour in cyberspace.

BIICL was also pleased to continue hosting three Ukrainian researchers via the British Academy/CARA Scholars-at-Risk scheme.

BIICL's Annual Impact Reports provide further details of our achievements and research impacts. Copies may be downloaded from our website (www.biicl.org).

Events and training

Event topics in 2023 were wide-ranging and included legal issues related to: Climate Change, Sustainability and Greenwashing; Artificial Intelligence; the Rule of Law; International Arbitration in Africa; and Intellectual Property. The annual Weinrebe memorial event featured Karim A A Khan KC, Prosecutor of the International Criminal Court, in conversation with Shehzad Charania MBE. There were rapid response events on the Biodiversity beyond National Jurisdiction Treaty and the USA vs Google case. The ICLQ Annual Lecture was given by Professor Clair Gammage of Exeter University and Professor Phil Syrpis of Bristol University, based on their article 'Sovereignty Fictions in the United Kingdom's Trade Agenda', published in Vol 71(3) of the journal. The Competition Law Forum hosted a celebratory 21st anniversary event.

Our programme of online and hybrid short courses continued to grow and diversify, including sessions on: AI, Law and Ethics; Aviation Law; WTO Law; International Migration and Refugee Law; Energy Law; Cyber Operations and International Law; Climate Change Litigation; War in Ukraine in Context; International Cultural Heritage Law; Foundations of Public International Law; and Law of the Sea.

As well as BIICL's training courses, three MOOCs are available in the areas of Citizenship and the Rule of Law, Rule of Law and Democracy in Europe, and International Investment Law and Dispute Resolution.

In 2023, BIICL's income from events and training courses was £291,952 (2022: £364,307). There were 58 events during the year (2022: 55) and 19 training courses (2022: 16).

Publications

The *International and Comparative Law Quarterly (ICLQ)* continues to attract a very high standard of scholarship from around the world in the fields of public international law, private international law, comparative law, human rights law and European law. The journal is managed by an active Editorial Board of senior academics and retains its reputation as a world leading academic legal journal, with a high impact factor. A strict peer review system is operated to ensure that articles are selected purely on merit. This reflects the independence of the *ICLQ* and BIICL.

Cambridge University Press manages production, marketing and distribution of the *ICLQ* and provides additional support. Overall income from the *ICLQ* was £251,230 in 2023 (2022: £246,795).

In addition to the journal, BIICL occasionally publishes its own books. No new priced titles were

Trustees' annual report

For the year ended 31 December 2023

published in 2023 (2022: 0). In 2022, the Board of Trustees took the decision to cease hard copy book publications and to convert the most recent titles to accessible ePublications which are available on the Kindle platform. Income from e-book sales in 2023 was £7,374 (2022: £ 7,737).

BIICL also produces working papers, research reports, responses to government proposals and other submissions, many of which are freely available to download from our website. Staff regularly publish their own research in other academic journals and books.

Public Benefit

Much of BIICL's work makes an active contribution to our public benefit mission. Our diverse range of research, events, training and publications continues to enable increased public knowledge and awareness of important issues of international law, comparative law and the rule of law. We list below some selected examples of the impact of our work during 2023:

- The EU Commission highlighted the success of the 'RECONNECT Project' which involved researchers in the Bingham Centre in partnership with other European institutions (Julinda Beqiraj, Lucy Moxham, Daniela Nadj, Oliver Garner and Katie Lines). Youth educational materials from the project were also translated in Portuguese and Albanian for further use and dissemination.
- Citation of the BIICL submission (Kristin Hausler and Alina Holzhausen) to the Special Rapporteur in the field of cultural rights in the annual report on migration (A/HRC/52/35, 2 February 2023);
- Staff in the Bingham Centre for the Rule of Law (Jeff King, Katie Lines, Lucy Moxham and Jan van Zyl Smit) acted as an expert advisory committee in the preparation of a report on 'The Making of Bills of Rights: Relevant International Human Rights Law Obligations' (Bonavero Institute of Human Rights, January 2023).
- In March 2023, Jean-Pierre Gauci gave Oral Evidence on the 'Illegal Migration Bill' to the UK Parliament's Joint Committee on Human Rights.
- Research by Constantinos Yiallourides on marine pollution was cited in the 'Final Report on the London Protocol (Marine Pollution by Dumping of Wastes)' (Australian Parliament, June 2023) and quoted with approval by the Australian Minister for Environment and Water while introducing the Environment Protection (Sea Dumping) Amendment (Using New Technologies to Fight Climate Change) Bill 2023.

We measure our overall performance against the strategic aims and objectives set out in our Strategic Plan. Analysis of the fifth year of progress against our Strategic Plan 2019–2023 demonstrated a good level of progress against our objectives and targets, despite the global challenges faced over the last few years.

A major focus in the second half of 2023 was the development of a new BIICL Strategy 2024–2026. This new Strategy identifies three enabling, strategic priorities (see Table 1).

Table 1: BIICL's Enabling, Strategic Priorities

The role of law in tomorrow's world	Global awareness of the impact of our work	A robust, fair and sustainable organisation
Nurturing talent	Increasing visibility of the impact of our work	Investing in our staff
Focus on developing research that meets emerging realities and needs	Promote our important work	Develop a resilient organisation
Continue to develop and share expertise	Foster meaningful and engaged networks	Embrace technology

Future progress will be evaluated against the new Strategy and annual Business Plan targets and KPIs.

Beneficiaries of our services

Beneficiaries of BIICL's research and other activities are diverse and include: legal practitioners; academics; the judiciary; corporations and other commercial bodies; government and non-governmental organisations; and members of the wider public.

Trustees' annual report

For the year ended 31 December 2023

Financial review

The Statement of Financial Activities shows that overall income increased during 2023 by 38%, from £4,071K in 2022 to £5,632K in 2023. The net increase comprises a 20% increase (£230K) in Unrestricted Fund income and a 45% increase (£1,331K) in Restricted Fund income.

Total expenditure increased by 36% to £5,527K (2022: £4,051K). Unrestricted Fund expenditure increased by 7.3% (£100K), and Restricted Fund expenditure increased by 51% (£1,376K).

The Institute has a deficit for the year on Unrestricted Funds of £111K (2022: deficit £219K) and a surplus on Restricted Funds of £200K (2022: surplus £168K). Total fund balances increased by £89K (2022: decrease of £51K) to £2,644K (2022: £2,554K). This was after taking into account net unrealised gains on investments and foreign exchange losses of £16K (2022: net loss £71K).

Restricted Fund income has been recognised in accordance with the current Statement of Recommended Practice Accounting and Reporting by Charities (the Charities SORP). This treatment may mean that income is not recognised in the same period as the related expenditure. Over time Restricted Fund income should match expenditure, although significant surpluses or deficits may occur in certain years depending on the timing of income and expenditure.

The 2023 income on Restricted Funds primarily relates to:

- Donations to the Bingham Centre received in respect of the Bingham Appeal;
- A grant from the Dorset Foundation for the Dorset Fellowship;
- Grant funding from the Sybil Shine Memorial Trust for a Youth and Public Engagement Programme
- Grant funding from FILE Foundation for a project on the Global perspectives on Corporate Climate Change Legal Tactics;
- Grant funding from the Laudes Foundation for a project on Identifying and comparing impacts of mandatory due diligence legal models on internal corporate practice.
- Grant funding from the UKRI for research into Covid-19 and the Law – Protection and Recovery for Vulnerable Groups;
- Research funding from Solidar Suisse for a Global Labor Program – a platform for organising by Workers for Empowerment and Recognition;
- Funding from the Leverhulme Trust for a research project Beyond Restitution: Exploring the Story of Cultural Objects after Repatriation;
- Funding from Jones Day Foundation for the global promotion of the Rule of Law;
- Grant funding from the Arts and Humanities Research Council for the Modern Slavery Policy and Evidence Centre.

Trustees' annual report

For the year ended 31 December 2023

The Trustees reaffirmed BIICL's investment policy, which seeks to produce the optimum total return, balanced between income and capital, from its investment portfolio. The performance of our investment funds is monitored by the Finance and Audit Committee for the Trustees. Our funds are invested in an investment fund for charities, which provides us with a suitable balanced portfolio coupled with ready liquidity.

The average yield on investments in 2023 was 2.8% (2022: 2.4%). The average (unrealised) movement in the market value of investments in 2023 was a 4.8% increase (2022: 10.2% decrease).

Pensions

During 2023, BIICL participated in two funded pension schemes: one defined benefit scheme and one defined contribution schemes. Further details are provided in note 18 to the financial statements.

Principal risks and uncertainties

The Trustees operate a formal risk management process to assess business risks and implement risk management strategies. This involves identifying the risks faced by BIICL, prioritising these in relation to impact, likelihood of occurrence and overall risk level, and identifying mitigating factors and ways to manage the risks. In addition, all risks are owned by a member of BIICL's management team. This risk register is regularly reviewed by the Finance and Audit Committee and by the Trustees, to ensure that it is kept up-to-date. As part of this process the Trustees have reviewed the adequacy of the Institute's current internal controls and the costs of operating particular controls relative to the benefits obtained. Procedures have been established for reporting failings immediately to appropriate levels of management and to the Board of Trustees.

The Trustees consider that the lack of recurrent core funding represents a significant risk to the Institute. To mitigate this risk, the Trustees continue to seek core funding as a key part of our fundraising activity. During 2023, we continued to secure donations through our Appeals to assist with future growth of our strategic priority areas and to contribute towards major refurbishment costs.

Taken together, the Trustees consider that the lack of recurrent core funding could present a potential risk to the continued going concern status of the Institute in future years. The Trustees are mindful of this risk and have reviewed a financial scenario for 2024 which has adopted a prudent approach with regard to income streams that are volatile or unsecured, and identified mitigating actions which could be taken should the need arise. As a result, the Trustees consider that there are currently no material uncertainties about the Institute's ability to continue as a going concern.

All fundraising and other income generation activities abide by our Guidelines for Ethical Funding.

In addition to our fundraising activities, we continue to diversify and actively seek new sources of income for our research and training activities.

Trustees' annual report

For the year ended 31 December 2023

Reserves policy

Free reserves available for use by BIICL are deemed to be those that are readily realisable, less those funds whose uses are restricted or designated for particular purposes. The calculation thus excludes funds of £1,296K (2022: £1,377K) invested in property and other fixed assets that will continue to be used in the day-to-day running of the Institute.

As a matter of policy, each year the Trustees review the value of the reserves retained in the form of investments, cash and cash equivalents not held for restricted purposes or designated projects. The Board of Trustees considers BIICL's exposure to major risks in terms of their likely impact on its income sources and planned expenditure in the short to medium term, as well as assessing the best way to manage such risks.

The present target for free reserves is a minimum of 50% of the year's audited figure for total unrestricted resources expended, to recognise the risks relating to lack of recurrent core funding and to enable the Institute to cope with any emergencies. As at 31 December 2023 this target equates to £738K (2022: £679K).

The exceptional expenditure on major building refurbishment in 2019 and 2020 represented a substantial investment in our office and event space in a building that had had no major improvements since it was built in the late 1970s. Trustees saw this investment as necessary to bring the building's services and infrastructure up to 21st century standards. As a result, there has been a substantial increase in BIICL's fixed assets and a major decrease in free reserves.

While we have excluded fixed assets when calculating our free reserves in line with Charity Commission advice, our liquid assets have not in large part been committed to the fixed assets. As a consequence, applying this usual treatment does not fairly represent the underlying reality for the organisation. Our calculation of free reserves, therefore, now takes into account both the value of fixed assets and the total value of a loan from the University of London of £847K (2022: £927K) to repay the full cost of BIICL's part of the building refurbishment.

At 31 December 2023, BIICL's free reserves are calculated as follows:

	2023	2022
	Total	Total
	£K	£K
Unrestricted funds at 31 December	451	562
Expendable endowment fund at 31 December	122	122
University of London loan	847	927
Less: Investment in tangible fixed assets for the Institute's use	<u>(1,290)</u>	<u>(1,377)</u>
	<u>130</u>	<u>234</u>

In 2023, the BIICL Trustees reviewed the endowment funds in light of the major redevelopment of our premises. After serious consideration, the Trustees resolved that the best use of some of these

Trustees' annual report

For the year ended 31 December 2023

original endowment funds for the Institute was to invest them in this programme to enable the future work of the Institute in the years to come. The Bernard–Sunley Foundation agreed to the use of the endowment funds for this purpose, and correspondence was received from the Charity Commission approving this transfer. As a result, a sum of £398k was transferred to unrestricted funds on 25 March 2024. In doing so, the Trustees have noted their desire to recognise the Foundation in the naming of an appropriate part of the BIICL premises.

While this transfer improves the position, Trustees recognise that the free reserves are still short of the target and a key priority for the next few years will be to rebuild these back to the necessary level as soon as practicable. New income generation is being actively pursued through a variety of measures including income growth from training activities, research funding, consultancy services, fundraising and international partnerships. A balanced budget has been set for 2024, with close monitoring of expenditure and, if necessary, the implementation of cost-cutting measures.

Fundraising

BIICL undertakes a peer-to-peer approach to fundraising which is governed by our Guidelines on Ethical Funding. We have a small, in-house Development team of four staff (2.9fte), who operate with support from our trustees, senior staff and other volunteers (typically senior lawyers or former law firm partners). BIICL does not use any external fundraisers or other commercial participators.

We have received no complaints about our fundraising activity and there have been no failures to comply with fundraising standards or regulation. BIICL's peer-to-peer approach to fundraising ensures that vulnerable people and other members of the public are protected from any unreasonable behaviour and intrusion. Our Privacy Policy includes a section on donors and is available on our website.

Plans for the future

BIICL's new Strategy 2024–2026 will provide the framework to guide and inform our future plans. We continue to adapt our events and training activities and have worked hard to maximise our research income, with several new multi-year projects having been secured. We have continued to develop new and existing relationships with both national and international partner organisations and universities. The contribution of our work to upholding international law and the rule of law has arguably never been more important, as States around the world struggle to find the most effective legislative responses to global challenges.

The Trustees are mindful of the risks presented by the Institute's lack of recurrent core funding and recognise the need to develop new income-generating activities as part of the Institute's business development strategy. This strategy includes:

- Developing dissemination activities and training programmes, including through partnerships with academic and professional organisations;
- Enhancing our global audience and establishing ourselves as the foremost organisation for multidisciplinary, responsive, and high-quality applied research in our fields of expertise;

Trustees' annual report

For the year ended 31 December 2023

- Maintaining and building new relationships with partners to consider joint projects; and
- Expansion of the activities of our Forums and Business Network.

Structure, governance and management

Trustees

BIICL is governed by its Memorandum and Articles of Association adopted on 2 October 1958 and last amended on 5 December 2022.

The present Trustees, and any past Trustees who served during the year, are listed on page 1 of this Annual Report, together with the Institute Director and key management personnel.

The Board of Trustees is responsible for the overall governance of the Institute and the total number of Trustees may not exceed eighteen. Trustees are in office for a term of three years and may not serve more than two consecutive full terms.

Trustees meet at least 4 times a year. Apart from the Annual General Meeting, these meetings consist of formal Board meetings, held every quarter. At these meetings, Trustees review and set overall strategy and operational performance, as well as review the direction of BIICL research, events and publications.

Effective partnership between Trustees and BIICL staff continues to contribute significantly to our success. The Board delegates the exercise of certain powers in connection with the management and administration of the Institute as set out below. This is monitored by regular reporting to the Board, and by receipt and discussion of reports by the Institute Director and other staff as required, so that all decisions made under delegated powers can be ratified by the full Board in due course. These measures ensure that Trustees have the necessary understanding for effective and informed decision-making.

Trustee Recruitment, Induction and Training

Trustees are nominated by the Board of Trustees and elected to the Board at BIICL's Annual General Meeting. Generally, Trustees have already had an involvement with our activities, which ensures a broad understanding of BIICL's work. Special advisors to the Board of Trustees are co-opted on an *ad hoc* basis.

All new Trustees receive a general induction to BIICL's governance and operations by the Institute Director, Company Secretary and other senior staff. Training on specific matters is available, where appropriate. Sometimes this training takes the form of a presentation to the Board of Trustees by a guest speaker or a member of staff.

Trustees' annual report

For the year ended 31 December 2023

Finance and Audit Committee

The members of the Finance and Audit Committee are appointed by the Board of Trustees. The members during 2023 were:

- Trustees: Liz Perks (Chair); Thom Brooks (to 19/12/2023), Dean Curtis, Iain MacNeil;
- External Members: Aimee-Jane Lee (to 5/6/2023); Jo Kaybryn, Jason Reeves.

The Committee met 4 times during 2023. Meetings were also attended by the Institute Director, Director of Finance and Operations, and the Director of the Bingham Centre.

Membership of the Committee shall include at least two BIICL Trustees (one of whom must be the Chair of the Committee). Other members shall comprise former Trustees or other independent external individuals with recent and relevant experience and expertise in finance, audit or other appropriate areas. Committee members should have no executive responsibility for the management of BIICL and no significant interests in the institution. The Chair of the Board of Trustees shall not be a member of the Committee. There shall be no fewer than five members. A quorum shall be at least three members (one of whom must be a Trustee).

Trustee member appointments to the Committee shall be in line with their Trustee terms of office. Other members shall be appointed for an initial term of three years and may serve for one further consecutive term. Appointments to the Committee are staggered to ensure some regular turnover of members.

The Committee's terms of reference are:

Financial issues

- To be responsible for the financial review of BIICL's activities including: financial results; risk assessment and management; and internal financial controls.
- To determine an annual budget for recommendation to the Board of Trustees.
- To ensure proper procedures are in place to manage cash resources prudently and to maximise income from liquid assets whilst maintaining sufficient funds to meet daily cash requirements.
- To review the strategy, policy and management of BIICL's investment portfolio, and to advise the Board of Trustees on the appropriate level of free reserves and of any significant changes needed in the investment strategy.
- To determine the policies applicable to the annual salary review of BIICL staff and any general staffing salary issues, and to advise on specific staffing salary and other benefits issues, for recommendation to the Board of Trustees.

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For the year ended 31 December 2023

Audit issues

- To consider all aspects of the external audit, including appointment and remuneration of the external auditor, the nature and scope of the statutory audit, the recommendation of audited financial statements to the Board of Trustees, and the discussion of issues raised in the external auditor's management letter.
- To ensure that the annual financial statements are true and fair and conform to accounting standards, and that accounting policies are appropriate and applied consistently.
- To review the performance reported in the Trustees' Annual Report and to ensure that this is a true reflection of the charity's performance.
- To review all reports prepared by the external auditor and to agree the programme of work proposed by management to address any issues raised.
- To review the process for awarding non-audit work to the external audit firm and to ensure that potential conflicts of interest are managed in the best interests of the charity.
- To monitor the compliance of BIICL with applicable laws and regulations, as well as its own policies and procedures.

Research Ethics Committee

The Board of Trustees established a Research Ethics Committee in 2015, with responsibility for the development and implementation of policy and processes relating to research ethics.

Its terms of reference are:

- to consider new research proposals in line with BIICL's research ethics policy and process, and to approve, refer or decline proposals, as appropriate;
- to monitor and review the effective application and operation of BIICL's research ethics policy;
- to advise BIICL's Board of Trustees on developments relating to research ethics policy, good practice and implementation.

The Chair of the Committee is a Trustee or former Trustee appointed by the Board. Other members comprise: one other BIICL Trustee; two lay members; the Institute Director; and three Senior Research Fellows.

Advisory Panels

Advisory Panels operate in each of the main BIICL research areas, with Panel members appointed for their expertise in these fields of law.

Institute Director

The Institute Director is responsible for the day-to-day management of the Institute's affairs and for implementing strategies agreed by the Board of Trustees. The Institute Director is assisted by a team of senior managers and senior researchers, with whom there are regular meetings.

Trustees' annual report

For the year ended 31 December 2023

Corporate Governance

Internal controls over all forms of financial commitments, obligations and expenditure continue to be refined to improve efficiency and as part of ongoing internal risk assessment processes. Policies and procedures are in place to ensure that performance is monitored and that appropriate management information is prepared and reviewed regularly by both senior management and the Board of Trustees.

The systems of internal control are designed to provide reasonable but not absolute assurance against material misstatement or loss. These are contained within BIICL's Financial Regulations and Procedures and include:

- an annual budget approved by the Trustees;
- regular consideration by the Trustees of financial results, variances from budgets, non-financial performance indicators and benchmarking reviews;
- delegation of day-to-day management authority and segregation of responsibilities; and
- identification and management of risks.

All Trustees give their time voluntarily and receive no benefits from the charity. Trustees' expenses reimbursed in 2023 were £nil (2022: £nil). No charity trustee received payment for professional or other services supplied to the charity (2022: £nil).

Related parties and relationships with other organisations

BIICL sometimes receives grants from The International Rule of Law Project Inc. (IROLP), a US public charity established by supporters of BIICL, tax exempt under Section 501(c)(3) of the US Internal Revenue Code. IROLP is governed by its own independent Board. No grants from IROLP were received in 2023 (2022: no grants received).

Remuneration policy for key management personnel

The Finance and Audit Committee makes an annual recommendation to the Board of Trustees on the general principles to operate in relation to the remuneration of all staff, including key management personnel. In determining these general principles, the Finance and Audit Committee considers the following matters:

- UK inflation (CPI/CPIH) over the period and any other general economic matters;
- comparator sectors' salaries and salary increases, being the higher education sector; the charity sector; and the public sector;
- BIICL's financial position in the previous year and expected financial position in the current year; and
- Information on any changes in roles and levels of responsibility, as well as the overall performance of staff at their annual reviews.

Trustees' annual report

For the year ended 31 December 2023

Once the Board of Trustees has agreed these principles, the Institute Director applies them to individual staff members as part of the annual review process. The salary of the Institute Director is decided by the Board of Trustees on the recommendation of the Chair of the Board, taking account of the same general principles.

Statement of responsibilities of the Trustees

The Trustees (who are also directors of the British Institute of International and Comparative Law 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 charitable company and of the incoming resources and application of resources, including the income and expenditure, of the charitable company 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 SORP;
- make judgements and estimates that are reasonable and prudent;
- state whether applicable UK Accounting Standards and statements of recommended practice 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 charity 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 charitable company 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 charitable company 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;
- there are no material uncertainties relating to BIICL's ability to continue to adopt the going concern basis of accounting;
- 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 charitable company's website. Legislation in the United Kingdom governing the preparation and dissemination of financial statements may differ from legislation in other jurisdictions.

Trustees' annual report

For the year ended 31 December 2023

Members of the charity guarantee to contribute an amount not exceeding £1 to the assets of the charity in the event of winding up. The total number of such guarantees at 31 December 2023 was 361 (2022: 375). The Trustees are members of the charity but this entitles them only to voting rights. The Trustees have no beneficial interest in the charity.

Auditor

Sayer Vincent LLP was re-appointed as the charitable company's auditor during the year and has expressed its willingness to continue in that capacity.

The Trustees' annual report has been prepared in accordance with the special provisions applicable to companies subject to the small companies' regime.

The Trustees' annual report has been approved by the Trustees and signed on their behalf by

26 June 2024

Eve Salomon CBE

Chair of the Board of Trustees

Independent auditor's report

To the members of

The British Institute of International and Comparative Law

Opinion

We have audited the financial statements of The British Institute of International and Comparative Law (the 'charitable company') for the year ended 31 December 2023 which comprise the statement of financial activities, balance sheet, statement of cash flows and 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 FRS 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 charitable company's affairs as at 31 December 2023 and of its incoming resources and application of resources, including its income and expenditure for the year then ended
- Have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice
- 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 charitable company in accordance with the ethical requirements that are relevant to our audit of the financial statements in the UK, including the FRC'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.

Conclusions relating to going concern

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.

Based on the work we have performed, we have not identified any material uncertainties relating to events or conditions that, individually or collectively, may cast significant doubt on The British Institute of International and Comparative Law's ability to continue as a going concern for a period of at least twelve months from when the financial statements are authorised for issue.

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

Independent auditor's report

To the members of

The British Institute of International and Comparative Law

Other Information

The other information comprises the information included in the trustees' annual report other than the financial statements and our auditor's 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.

Opinions 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' annual report for the financial year for which the financial statements are prepared is consistent with the financial statements; and
- The trustees' annual report has been prepared in accordance with applicable legal requirements.

Matters on which we are required to report by exception

In the light of the knowledge and understanding of the charitable company and its environment obtained in the course of the audit, we have not identified material misstatements in the trustees' annual 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, or returns adequate for our audit have not been received from branches not visited by us; or
- The 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 directors 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' annual report and from the requirement to prepare a strategic report.

Independent auditor's report

To the members of

The British Institute of International and Comparative Law

Responsibilities of trustees

As explained more fully in the statement of trustees' responsibilities set out in the trustees' annual report, 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 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 charitable company or to cease operations, or have no realistic alternative but to do so.

Auditor's 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 are set out below.

Capability of the audit in detecting irregularities

In identifying and assessing risks of material misstatement in respect of irregularities, including fraud and non-compliance with laws and regulations, our procedures included the following:

- We enquired of management, which included obtaining and reviewing supporting documentation, concerning the charity's policies and procedures relating to:
- Identifying, evaluating, and complying with laws and regulations and whether they were aware of any instances of non-compliance;
- Detecting and responding to the risks of fraud and whether they have knowledge of any actual, suspected, or alleged fraud;
- The internal controls established to mitigate risks related to fraud or non-compliance with laws and regulations.

Independent auditor's report

To the members of

The British Institute of International and Comparative Law

- We inspected the minutes of meetings of those charged with governance.
- We obtained an understanding of the legal and regulatory framework that the charity operates in, focusing on those laws and regulations that had a material effect on the financial statements or that had a fundamental effect on the operations of the charity from our professional and sector experience.
- We communicated applicable laws and regulations throughout the audit team and remained alert to any indications of non-compliance throughout the audit.
- We reviewed any reports made to regulators.
- We reviewed the financial statement disclosures and tested these to supporting documentation to assess compliance with applicable laws and regulations.
- We performed analytical procedures to identify any unusual or unexpected relationships that may indicate risks of material misstatement due to fraud.
- In addressing the risk of fraud through management override of controls, we tested the appropriateness of journal entries and other adjustments, assessed whether the judgements made in making accounting estimates are indicative of a potential bias and tested significant transactions that are unusual or those outside the normal course of business.

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 is available on the Financial Reporting Council's website at: www.frc.org.uk/auditorsresponsibilities. This description forms part of our auditor's report.

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 the charitable company's members as a body, for our audit work, for this report, or for the opinions we have formed.

Joanna Pittman (Senior statutory auditor)

9 July 2024

for and on behalf of Sayer Vincent LLP, Statutory Auditor

110 Golden Lane, LONDON, EC1Y 0TG

Statement of Financial Activities (incorporating an income and expenditure account)

For the year ended 31 December 2023

	Note	Unrestricted £	Restricted £	2023 Total £	Unrestricted £	Restricted £	2022 Total £
Income from:							
Donations and legacies	2	199,359	117,522	316,881	156,253	197,791	354,044
Charitable activities							
Member services	3	328,895	–	328,895	299,869	–	299,869
Publications and journals	3	254,546	4,058	258,604	254,532	–	254,532
Conferences and seminars	3	278,490	13,462	291,952	257,427	106,880	364,307
Research programmes	3	261,863	4,123,833	4,385,696	140,381	2,623,324	2,763,705
Other Income		15,073	–	15,073	10,685	–	10,685
Investments	4	35,034	–	35,034	24,022	–	24,022
Total income		1,373,260	4,258,875	5,632,135	1,143,169	2,927,995	4,071,164
Expenditure on:							
Raising funds	5a	119,229	68,779	188,008	126,715	46,885	173,600
Charitable activities							
Member services	5a	299,764	–	299,764	308,678	–	308,678
Publications and journals	5a	111,501	–	111,501	127,391	–	127,391
Conferences and seminars	5a	144,157	25,045	169,202	203,065	106,880	309,945
Research programmes	5a	794,931	3,963,754	4,758,685	603,815	2,527,687	3,131,502
Total expenditure		1,469,582	4,057,578	5,527,160	1,369,664	2,681,452	4,051,116
Net income before net gains on investments		(96,322)	201,297	104,975	(226,495)	246,543	20,048
Net gains/losses on investments		8,277	8,023	16,300	(66,803)	(73,117)	(139,920)
Foreign exchange gains/losses on bank balances		(15,437)	(16,418)	(31,855)	68,762	–	68,762
Net income / (expenditure) for the year	6	(103,482)	192,902	89,420	(224,536)	173,426	(51,110)
Transfers between funds		(7,500)	7,500	–	5,261	(5,261)	–
Net movement in funds		(110,982)	200,402	89,420	(219,275)	168,165	(51,110)
Reconciliation of funds:							
Total funds brought forward		561,645	1,992,725	2,554,370	780,920	1,824,560	2,605,480
Total funds carried forward		450,663	2,193,127	2,643,790	561,645	1,992,725	2,554,370

All of the above results are derived from continuing activities. There were no recognised gains or losses other than those stated above. Movements in funds are disclosed in Note 20 to the financial statements.

Balance Sheet

Company no. 615025

As at 31 December 2023

	Note	£	2023 £	£	2022 £
Fixed assets:					
Tangible assets	12		1,295,765		1,377,329
Investments	13		794,695		979,341
			<u>2,090,460</u>		<u>2,356,670</u>
Current assets:					
Debtors	14	662,247		279,515	
Cash at bank and in hand		3,112,625		1,905,430	
		<u>3,774,872</u>		<u>2,184,945</u>	
Liabilities:					
Creditors: amounts falling due within one year	15	2,459,858		1,140,419	
Net current assets			<u>1,315,014</u>		<u>1,044,526</u>
Creditors: amounts falling due after one year	15		761,684		846,826
Total net assets			<u><u>2,643,790</u></u>		<u><u>2,554,370</u></u>
The funds of the charity:					
Endowment funds	20a	519,793		511,771	
Restricted income funds		1,673,334		1,480,954	
		<u>2,193,127</u>		<u>1,992,725</u>	
Unrestricted income funds:					
Capital fund		443,416		450,283	
General funds		7,247		111,362	
		<u>450,663</u>		<u>561,645</u>	
Total charity funds			<u><u>2,643,790</u></u>		<u><u>2,554,370</u></u>

Approved by the trustees on 26 June 2024 and signed on their behalf by

Eve Salomon CBE
Chair of the Board of Trustees

Dean Curtis
Trustee

Statement of Cash Flows

For the year ended 31 December 2023

	£	2023 £	£	2022 £
Cash flows from operating activities				
Net income for the reporting period (as per the statement of financial activities)	89,420		(51,110)	
Depreciation charges	111,855		112,635	
Losses on investments and foreign exchange	(15,354)		139,921	
Dividends and interest from investments	(35,034)		(24,022)	
Decrease in debtors	(382,732)		(161,280)	
Increase in creditors	1,314,247		(369,211)	
		1,082,402		(353,067)
Cash flows from investing activities:				
Dividends, interest and rents from investments	35,034		24,002	
Drawdown of investments	200,000		-	
Purchase of fixed assets	(30,287)		-	
		204,747		24,002
Cash flows from finance activities:				
Repayments of loan borrowings	(79,954)		(90,621)	
		(79,954)		(90,621)
Change in cash and cash equivalents in the year		1,207,195		(419,666)
Cash and cash equivalents at the beginning of the year		1,905,430		2,325,096
Cash and cash equivalents at the end of the year		3,112,625		1,905,430
Analysis of cash and cash equivalents				
	At 1 January 2022 £	Cash flows £	Other changes £	At 31 December 2023 £
Cash at bank and in hand	1,905,430	1,207,195	-	3,112,625
Total cash and cash equivalents	1,905,430	1,207,195	-	3,112,625

1 Accounting policies

a) Statutory information

The British Institute of International and Comparative Law is a charitable company limited by guarantee and is incorporated in the United Kingdom.

The registered office address and principal place of business is Charles Clore House, 17 Russell Square, London WC1B 5JP.

b) Basis of preparation

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 UK and Republic of Ireland (FRS 102) – (Charities SORP FRS 102), the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102) and the Companies Act 2006.

Assets and liabilities are initially recognised at historical cost or transaction value unless otherwise stated in the relevant accounting policy or note.

In applying the financial reporting framework, the trustees have made a number of subjective judgements, for example in respect of significant accounting estimates. Estimates and judgements are continually evaluated and are based on historical experience and other factors, including expectations of future events that are believed to be reasonable under the circumstances. The nature of the estimation means the actual outcomes could differ from those estimates. Any significant estimates and judgements affecting these financial statements are detailed within the relevant accounting policy below.

c) Public benefit entity

The charitable company meets the definition of a public benefit entity under FRS 102.

d) Going concern

The trustees consider that there are no material uncertainties about the charitable company's ability to continue as a going concern. This assessment has been reached after preparing projections of the level of unrestricted reserves and cash up to 12 months beyond the date of signing annual financial statements, taking into account future repayments due under the loan agreement with the University of London, general economic conditions and the future operating plans of the Institute. A worst case approach has been adopted with regard to income streams that are volatile or unsecured.

The trustees do not consider that there are any sources of estimation uncertainty at the reporting date that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next reporting period.

e) Income

Income is recognised when the charity has entitlement to the funds, any performance conditions attached to the income have been met, it is probable that the income will be received and that the amount can be measured reliably.

Income from government and other grants, whether 'capital' grants or 'revenue' grants, is recognised when the charity has entitlement to the funds, any performance conditions attached to the grants have been met, it is probable that the income will be received and the amount can be measured reliably and is not deferred.

For legacies, entitlement is taken as the earlier of the date on which either: the charity is aware that probate has been granted, the estate has been finalised and notification has been made by the executor(s) to the charity that a distribution will be made, or when a distribution is received from the estate. Receipt of a legacy, in whole or in part, is only considered probable when the amount can be measured reliably and the charity has been notified of the executor's intention to make a distribution. Where legacies have been notified to the charity, or the charity is aware of the granting of probate, and the criteria for income recognition have not been met, then the legacy is treated as a contingent asset and disclosed if material.

Income received in advance of the provision of a specified service is deferred until the criteria for income recognition are met.

1 Accounting policies/continued

f) Donations of gifts, services and facilities

Donated professional services and donated facilities are recognised as income when the charity has control over the item or received the service, any conditions associated with the donation have been met, the receipt of economic benefit from the use by the charity of the item is probable and that economic benefit can be measured reliably. In accordance with the Charities SORP (FRS 102), volunteer time is not recognised; more information about their contribution may be found in the trustees' annual report.

On receipt, donated gifts, professional services and donated facilities are recognised on the basis of the value of the gift to the charity, which is the amount the charity would have been willing to pay to obtain services or facilities of equivalent economic benefit on the open market; a corresponding amount is then recognised in expenditure in the period of receipt.

g) Interest receivable

Interest on funds held on deposit is included when receivable and the amount can be measured reliably by the charity; this is normally upon notification of the interest paid or payable by the bank.

h) Fund accounting

Restricted funds are to be used for specific purposes as laid down by the donor. Expenditure which meets these criteria is charged to the fund.

Endowment funds represent expendible and permanent endowments which are held in the charity's investment portfolio

Unrestricted funds are donations and other incoming resources received or generated for the charitable purposes.

i) Expenditure and irrecoverable VAT

Expenditure is recognised once there is a legal or constructive obligation to make a payment to a third party, it is probable that settlement will be required and the amount of the obligation can be measured reliably. Expenditure is classified under the following activity headings:

- Costs of raising funds relate to the costs incurred by the charitable company in encouraging third parties to make voluntary contributions to it, as well as the cost of any activities with a fundraising purpose.
- Expenditure on charitable activities includes the costs of delivering services to members, publishing books and journals, holding events and running research programmes and projects, all undertaken to further the purposes of the charity, and their associated support costs.

Irrecoverable VAT is charged as a cost of the activity for which the expenditure was incurred.

j) Grants payable

Grants payable do not represent grant-giving activities by the charity but relate to the transfer of third party project funding to project partners. Expenditure related to grants payable is recognised in accordance with the agreed payment schedule or time period of each grant.

k) Allocation of support costs

Resources expended are allocated to the particular activity where the cost relates directly to that activity. The cost of overall direction and administration of each activity, comprising the salary and overhead costs of the central function, is apportioned pro rata to the staffing levels of the relevant activity.

l) Allocation of governance costs

Governance costs comprise audit fees and Board of Trustees meeting costs. These costs are apportioned across the Institute's activities, pro rata to the staffing levels of the relevant activity.

m) Operating leases

Rental charges are charged on a straight line basis over the term of the lease.

n) Tangible fixed assets

Items of equipment are capitalised where the purchase price exceeds £500. Depreciation costs are allocated to activities on the basis of the use of the related assets in those activities. Assets are reviewed for impairment if circumstances indicate their carrying value may exceed their net realisable value and value in use. Major components are treated as separate assets where they have significantly different patterns of consumption of economic benefits and are depreciated separately over their useful lives.

Depreciation is provided at rates calculated to write down the cost of each asset to its estimated residual value over its expected useful life. The depreciation rates in use are as follows:

1 Accounting policies/continued

- Improvements to long leasehold properties 20 years
- Computer equipment 3 years
- Office equipment, fixtures and fittings 5 years

o) Listed investments

Investments are a form of basic financial instrument and are initially recognised at their transaction value and subsequently measured at their fair value as at the balance sheet date using the closing quoted market price. Any change in fair value is recognised in the statement of financial activities and any excess of fair value over the historical cost of investments is included in reserves. Investment gains and losses, whether realised or unrealised, are combined and shown in the heading "Net gains/(losses) on investments" in the statement of financial activities. The charity does not acquire put options, derivatives or other complex financial instruments.

p) Debtors

Trade and other debtors are recognised at the settlement amount due after any trade discount offered. Prepayments are valued at the amount prepaid net of any trade discounts due.

q) Cash at bank and in hand

Cash includes short term highly liquid investments with a maturity of three months or less from the date of acquisition or opening of the deposit or similar account.

r) Creditors and provisions

Creditors and provisions are recognised where the charity has a present obligation resulting from a past event that will probably result in the transfer of funds to a third party and the amount due to settle the obligation can be measured or estimated reliably. Creditors and provisions are normally recognised at their settlement amount after allowing for any trade discounts due.

s) Financial instruments

Basic financial instruments are initially recognised at transaction value and subsequently measured at their settlement value. Other financial instruments such as loans are initially recognised at the present value of future cash payments discounted at a market interest rate, and are subsequently measured at amortised cost using the effective interest method.

t) Pensions

The Institute participates in the Universities Superannuation Scheme (USS), a defined benefit scheme which is externally funded and contracted out of State Pension (S2P). The assets of the scheme are held in a separate trustee-administered fund. Because of the mutual nature of the scheme, the scheme's assets are not hypothecated to individual institutions and a scheme-wide contribution rate is set. The Institute is therefore exposed to actuarial risks associated with other institutions' employees and is unable to identify its share of the underlying assets and liabilities of the scheme on a consistent and reasonable basis and, as required by FRS 102 Section 28, accounts for the scheme as if it were a defined contribution scheme. As a result, the amount charged to the SOFA represents the contributions payable to the scheme in respect of the accounting period.

The Institute also operates one defined contribution scheme. The amount charged to the SOFA represents the contributions payable to the scheme in respect of the accounting period.

Notes to the financial statements

For the year ended 31 December 2023

2 Income from donations and legacies

	2023		2022			
	Unrestricted £	Restricted £	Total £	Unrestricted £	Restricted £	Total £
60th Anniversary Appeal	112,015	–	112,015	129,503	–	129,503
Bingham Centre donations	–	14,204	14,204	–	125,291	125,291
Bingham Centre Business Network	–	85,000	85,000	–	70,000	70,000
Other donations	87,344	18,318	105,662	26,750	2,500	29,250
Total income from donations and legacies	199,359	117,522	316,881	156,253	197,791	354,044

3 Income from charitable activities

	2023		2022			
	Unrestricted £	Restricted £	Total £	Unrestricted £	Restricted £	Total £
Forum memberships	287,178	–	287,178	256,234	–	256,234
Institute memberships	41,717	–	41,717	43,635	–	43,635
Sub-total for Member services	328,895	–	328,895	299,869	–	299,869
ICLQ journal royalties and other income	251,230	–	251,230	246,795	–	246,795
Publications	3,316	4,058	7,374	7,737	–	7,737
Sub-total for Publications and journals	254,546	4,058	258,604	254,532	–	254,532
Bingham Centre rule of law events	–	13,462	13,462	2,303	–	2,303
International law short courses	194,201	–	194,201	160,858	106,880	267,738
Investment treaty law events	12,255	–	12,255	12,141	–	12,141
Public international law events	37,401	–	37,401	46,150	–	46,150
WTO law events	9,762	–	9,762	17,546	–	17,546
Other events	24,871	–	24,871	18,429	–	18,429
Sub-total for Conferences and seminars	278,490	13,462	291,952	257,427	106,880	364,307
Funding from:						
Overseas NGOs, trusts and foundations	172,493	776,810	949,303	371	481,065	481,436
UK NGOs, trusts and foundations	–	337,726	337,726	–	388,003	388,003
Law firms	20,763	–	20,763	9,500	5,334	14,834
Overseas government departments	2,600	–	2,600	–	90,381	90,381
UK research councils	–	2,758,609	2,758,609	–	1,426,477	1,426,477
UK government departments	–	188,353	188,353	–	113,706	113,706
Companies	22,500	–	22,500	47,050	–	47,050
Other sources	43,507	62,335	105,842	83,460	118,358	201,818
Sub-total for Research programmes	261,863	4,123,833	4,385,696	140,381	2,623,324	2,763,705
Total income from charitable activities	1,123,794	4,141,353	5,265,147	952,209	2,730,204	3,682,413

Restricted fund income from Charitable Activities in the current year includes £18,686 (2022: £33,334) from the Joseph Rowntree Charitable Trust

Notes to the financial statements

For the year ended 31 December 2023

4 Income from investments

	Unrestricted £	Restricted £	2023 Total £	Unrestricted £	Restricted £	2022 Total £
Dividends received from investments	20,534	–	20,534	20,411	–	20,411
Interest received from investments	7,021	–	7,021	3,184	–	3,184
Bank interest	7,479	–	7,479	427	–	427
	35,034	–	35,034	24,022	–	24,022

Notes to the financial statements

For the year ended 31 December 2023

5a Analysis of expenditure (current year)

	Charitable activities					2023 Total £	2022 Total £
	Raising funds £	Member services £	Publications and journals £	Conferences and seminars £	Research programmes £		
Staff costs (Note 8)	173,203	188,069	66,641	107,910	2,408,883	2,944,706	2,606,554
Direct costs	240	88,372	36,222	34,635	653,186	812,655	604,717
Grants payable (Note 7)					1,316,389	1,316,389	450,937
Support costs:							
– Other staff costs	2,265	3,612	1,344	2,039	57,186	66,446	54,657
– General fundraising and marketing costs	46	175	27	13,591	3,574	17,413	15,439
– Property costs	3,844	6,129	2,280	3,459	97,032	112,744	92,734
– Communication costs	2,843	4,532	1,686	2,558	71,754	83,373	61,460
– Other office costs	908	1,448	538	817	22,919	26,630	7,406
– Depreciation and losses on disposals	3,475	5,541	2,061	3,127	97,649	111,853	112,635
– Other costs	695	1,108	412	626	17,546	20,387	32,755
Governance costs	497	791	294	447	12,535	14,564	11,820
Total expenditure 2023	188,016	299,777	111,505	169,209	4,758,653	5,527,160	4,051,116
Total expenditure 2022	173,600	308,678	127,391	312,633	3,128,814		4,051,116

Staff costs of £2,944,705 (2022, £2,606,554) include costs of support staff £790,436 (2022, £845,048).

Other staff costs comprises: temporary staff, recruitment costs, staff travel, accommodation, subsistence and entertaining, and staff professional fees, training and conference costs.

Governance costs include audit fees of £14,565 (2022: £11,820) and Board of Trustees meeting costs of £nil (2021: £nil).

Notes to the financial statements

For the year ended 31 December 2023

5b Analysis of expenditure (previous year)

	Charitable activities					2022 Total £
	Raising funds £	Member services £	Publications and journals £	Conferences and seminars £	Research programmes £	
Staff costs (Note 8)	143,437	220,692	80,743	115,168	2,046,513	2,606,554
Direct costs	-	59,427	34,862	166,101	344,327	604,717
Grants payable (Note 7)	-	-	-	-	450,937	450,937
Support costs:						
- Other staff costs	15,839	3,090	1,275	3,394	31,059	54,657
- General fundraising and marketing costs	662	1,176	486	1,292	11,824	15,439
- Property costs	3,974	7,066	2,916	7,759	71,019	92,734
- Communication costs	2,634	4,683	1,933	5,143	47,068	61,460
- Other office costs	317	564	233	620	5,672	7,406
- Depreciation and losses on disposals	4,827	8,582	3,542	9,426	86,259	112,635
- Other costs	1,404	2,496	1,030	2,741	25,085	32,755
Governance costs	507	901	372	989	9,052	11,820
Total expenditure 2022	173,600	308,678	127,391	312,633	3,128,814	4,051,116

Notes to the financial statements

For the year ended 31 December 2023

6 Net outgoing resources for the year

This is stated after charging / (crediting):

	2023 £	2022 £
Depreciation	111,854	112,634
Operating lease rentals:		
Property	1	1
Other	–	560
Auditor's remuneration:	14,565	
Audit fee (excl VAT)	10,800	10,100
Under-accrual for audit fee in prior year	1,605	1,720
Other services	3,000	2,500
	<u>111,854</u>	<u>112,634</u>

7 Analysis of grants payable

The funding provided by the Arts and Humanities Research Council for the Modern Slavery Policy and Evidence Centre and the Role of Good Governance and the Rule of Law project included funding for some activities that are to be carried out by partner institutions. Funds payable to those partner institutions are as follows:

	2023 £	2022 £
University of Liverpool	116,691	166,124
University of Nottingham	113,632	101,397
University of Hull	122,449	42,451
The Alan Turing Institute	39,418	39,418
Afruca	–	30,253
University of Twickenham	–	13,161
Bonavero Institute of Human Rights, University of Oxford	39,033	39,033
University of Sheffield	(106)	19,100
University of Essex	44,484	–
Cardiff University	92,538	–
FAST	31,918	
Aberystwyth University	204,861	–
St Mary's University	83,042	–
Public Interest Research	16,800	–
University of Portsmouth	80,560	–
University of Roehampton	86,660	–
Sheffield Hallam University	88,001	–
University of Sussex/Surrey	85,035	–
University College London	71,373	–
	<u>1,316,389</u>	<u>450,937</u>

Notes to the financial statements

For the year ended 31 December 2023

8 Analysis of staff costs, trustee remuneration and expenses, and the cost of key management personnel

Staff costs were as follows:

	2023 £	2022 £
Salaries and wages	2,552,053	2,232,876
Social security costs	225,501	219,525
Employer's contributions to defined contribution pension schemes	133,891	125,631
Employer's contributions to defined benefit pension scheme	33,210	26,906
Other forms of employee benefits	49	1,616
	2,944,705	2,606,554

The following number of employees received employee benefits (including salary, but excluding employer's national insurance contributions and employer pension contributions) during the year between:

	2023 No.	2022 No.
£60,000 – £69,999	3	5
£70,000 – £79,999	2	1
£120,000 – £129,999	1	2
£150,000 – £159,999	1	-

The total employee benefits, including employer's national insurance contributions and employer's pension contributions, of the key management personnel were £418,482 (2022: £507,591).

The charity trustees were not paid and did not receive any other benefits. Trustees expenses reimbursed in 2023 were £nil. No charity trustee received payment for professional or other services supplied to the charity (2022: £nil).

9 Staff numbers

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

	2023 Employed No.	2023 FTE (*) No.	2022 Employed No.	2022 FTE (*) No.
Raising funds (Including marketing)	3.7	2.5	1.6	1.1
Member services	3.4	2.7	2.9	2.1
Publications and journals	1.0	1.0	1.6	1.5
Conferences and seminars	2.0	2.0	0.0	0.0
Research programmes	38.3	30.2	29.6	24.7
Support	6.7	5.7	12.8	10.9
	55.1	44.1	48.4	40.3

(*) Full-time equivalent

Notes to the financial statements

For the year ended 31 December 2023

10 Related party transactions

In 2019 an interest-free loan of £7,113 was made to the International Rule of Law Project Inc., a non-profit organisation incorporated in the United States of America for the purpose of raising funds for the charity. The Company Secretary of the British Institute of International and Comparative Law is one of the three directors of this company. The loan is repayable at such point as funds become available and the position will be reviewed annually. The outstanding balance of the loan at the end of the year was £7,113 (2022: £7,113).

Aggregate donations from related parties were £nil (2022: £621).

11 Taxation

The charitable company is exempt from corporation tax as all its income is charitable and is applied for charitable purposes.

12 Tangible fixed assets

	Improvements to leasehold property £	Computer equipment £	Office equipment, fixtures and fittings £	Total £
Cost or valuation				
At the start of the year	1,591,339	212,393	98,249	1,901,981
Additions	-	15,454	14,833	30,287
At the end of the year	1,591,339	227,847	113,082	1,932,268
Depreciation				
At the start of the year	250,871	206,513	67,268	524,652
Charge for the year	79,567	15,405	16,881	111,853
At the end of the year	330,438	221,918	84,149	636,505
Net book value				
At the end of the year	1,260,901	5,929	28,933	1,295,763
At the start of the year	1,340,468	5,880	30,981	1,377,329

All of the above assets are used for charitable purposes.

The Institute assessed the cost of improvements to leasehold property made in 2019 to be £1,275,000. Additional costs of £290,167 were capitalised in 2020 in accordance with the final determination of the costs payable to the University of London.

13 Listed investments

	2023 £	2022 £
Fair value of investments at the start of the year	979,341	1,119,262
Net gain (loss) on change in fair value	15,354	(139,921)
Disposals	(200,000)	
Fair value of investments at the end of the year	794,695	979,341
Inv		
	2023 £	2022 £
UK Investment Companies	794,695	979,341
	794,695	979,341

Notes to the financial statements

For the year ended 31 December 2023

14 Debtors	2023 £	2022 £
Trade debtors	554,210	77,958
Other debtors	1,742	14,230
Prepayments	14,663	10,919
Accrued income	91,632	176,408
	662,247	279,515

15 Creditors: amounts falling due within one year	2023 £	2022 £
Trade creditors	11,062	22,196
Taxation and social security	61,752	61,037
Other creditors	122,756	83,798
Loan from University of London	85,142	80,220
Grants payable	1,119,838	387,923
Accruals	527,335	266,804
Deferred income (Note 17)	531,973	238,441
	2,459,858	1,140,419

16 Creditors: amounts falling due after one year	2023	2022
Loan from University of London	761,684	846,826

The University of London loan creditor £846,826 relates to the cost of leasehold improvement works carried out to the Institute's offices in 2019. The final cost of the works was £1,565,167 and the Institute made an interim payment of £500,000 to the University during 2019, leaving a remaining creditor of £1,065,167. A further repayment of £47,500 was made in 2020, reducing the creditor to £1,017,667. The University has made a loan to the Institute of £1,017,167 at an interest rate of 6%, repayable over 10 years commencing January 2022. In 2023, £80,219 was paid in respect to this loan.

Notes to the financial statements

For the year ended 31 December 2023

17 Deferred income

Deferred income comprises:

	2023 £	2022 £
Balances at the beginning of the year:		
Member services	61,580	49,385
Publications and journals	120,557	–
Conferences and seminars	1,675	6,467
Research programmes	54,629	208,750
	238,441	264,602
Amounts released to income in the year	(238,441)	(264,602)
Amounts deferred in the year	531,973	238,441
Balance at the end of the year	531,973	238,441
Analysis of deferred income balances at the end of the year:		
Member services	267,840	61,580
Publications and journals	91,849	120,557
Conferences and seminars	–	1,675
Research programmes	170,316	54,629
Other income	1,968	–
	531,973	238,441

18 Pension schemes

The Institute participates in the Universities Superannuation Scheme (USS), a defined benefit scheme which is contracted out of the State Second Pension (S2P). The assets of the scheme are held in a separate fund administered by the trustee, Universities Superannuation Scheme Limited. The Institute is required to contribute a specified percentage of payroll costs to the pension scheme to fund the benefits payable to the Institute's employees. In 2020 the percentage was 21.1%. The Institute is unable to identify its share of the underlying assets and liabilities of the scheme on a consistent and reasonable basis and therefore, as required by FRS 102 Section 28, accounts for the scheme as if it were a defined contribution scheme.

The total cost charged to the SOFA in respect of this scheme was £33,210 (2022: £26,906), as shown in note 8. This includes £nil (2022: £nil) outstanding contributions at the balance sheet date.

The latest available triennial actuarial valuation of the scheme was carried out as at 31 March 2020. At the valuation date, the value of the assets of the scheme was £66.5 billion and the value of the scheme's technical provisions was £80.6 billion indicating a shortfall of £14.1 billion. The assets therefore were sufficient to cover 83% of the benefits which had accrued to members after allowing for expected future increases in earnings.

The Institute also makes contributions to one defined contribution scheme. Contributions charged to the SOFA for this scheme represent the various contributions payable to the scheme in respect of the accounting period. The total cost charged to the SOFA was £133,891 (2022: £125,631), as shown in note 8. This includes £17,068 (2022: £nil) outstanding contributions at the balance sheet date.

	2023 £	2022 £
Employer contributions to the USS defined benefit scheme	33,210	26,906
Employer contributions to defined contribution schemes	133,891	125,631
	167,101	152,537
	2023 No.	2022 No.
Average number of Institute members of USS defined benefit scheme	1	1
Average number of Institute members of defined contribution schemes	51	44
	52	45

Notes to the financial statements

For the year ended 31 December 2023

19a Analysis of net assets between funds (current year)

	General £	Capital £	Endowments £	Restricted £	Total funds £
Tangible fixed assets	-	1,290,242		5,523	1,295,765
Investments	274,902	-	519,793	-	794,695
Net current assets	(267,655)	(85,142)	-	1,667,811	1,315,014
Creditors: amounts falling due after one year	-	(761,684)	-	-	(761,684)
Net assets at the end of the year	7,247	443,416	519,793	1,673,334	2,643,790

19b Analysis of net assets between funds (prior year)

	General £	Capital £	Endowments £	Restricted £	Total funds £
Tangible fixed assets	-	1,377,329	-	-	1,377,329
Investments	467,570	-	511,771	-	979,341
Net current assets	(356,208)	(80,220)	-	1,480,954	1,044,526
Creditors: amounts falling due after one year	-	(846,826)	-	-	(846,826)
Net assets at the end of the year	111,362	450,283	511,771	1,480,954	2,554,370

Notes to the financial statements

For the year ended 31 December 2023

20a Movements in funds (current year)

	At 1 January 2023 £	Income and gains £	Expenditure and losses £	Transfers £	At 31 December 2023 £
Endowment funds:					
Sunley-Percy Rugg	195,119	4,012	-	-	199,131
Sunley-Sebag Shaw	195,119	4,012	-	-	199,131
Barnett Shine	121,532	-	-	-	121,532
Total endowment funds	511,771	8,024	-	-	519,795
Restricted income funds:					
Bingham Centre Appeal – Phase 2	215,243	409,346	(424,564)	7,500	207,525
Arthur Watts Fellowship – Phase 2	38,984	8,318	(13,442)	-	33,860
RECONNECT (H2020)	13,970	-	(13,970)	-	-
Global Promotion of the Rule of Law	8,721	96,466	(44,527)	-	60,660
Big Data and Algorithms	63	-	(63)	-	-
Exposing Labour Exploitation in Cuba	1,689	798	(2,153)	-	334
Climate Litigation and the Separation of Powers	240	-	-	-	240
Beyond theoretical differences on international law: Identifying common ground among states on unlawful behaviour in cyberspace	-	11,068	(12,011)	-	(943)
Beyond Restitution: Exploring the Story of Cultural Objects After Repatriation	32,872	46,304	(79,176)	-	-
Rule of Law, Legitimacy and Effective COVID-19 Control Technologies	124	-	-	-	124
Influencing Covid-19 legislation through Rule of Law-based scrutiny	97	-	-	-	97
Modern Slavery Policy and Evidence Centre	778,183	2,795,819	(2,525,417)	(67,005)	981,580
Covid-19 and the Law – Protection and Recovery for Vulnerable Groups	2,017	114,124	(107,767)	-	8,374
Global Labor Program – Platform for Organising by Workers for Empwerment and Recognition	19,428	83,965	(106,048)	-	(2,655)
Interdisciplinary Study on Medical Research: Rescuing Intellectual Property Rights in Pandemic Emergencies from "Tragedy of the Anticommon"	(1,434)	25,290	(21,055)	-	2,801
Global Perspectives on Corporate Climate Change Legal Tactics	102,487	259,292	(252,859)	-	108,920
Protection of Intangible Cultural Heritage in the Pacific Region	8,568	-	(8,568)	-	-
Research Council Open Access Block Award 2022/3	26,381	25,951	(26,381)	-	25,951

Notes to the financial statements

For the year ended 31 December 2023

20a Movements in funds (current year) (continued)

Identifying and comparing impacts of mandatory due diligence legal models on internal corporate practice	-	79,993	(41,755)		38,238
Access to Legal Advice for Survivors of Modern Slavery	-		(2,654)	2,654	-
Identification of Adults with Lived Experiences of Modern Slavery in the UK	-	-	(64,351)	64,351	-
Independent Commission on UK Counterterrorism Legislation, Policy and Practice	71,497	22,975	(71,585)	-	22,887
Project looking at the non-punishment principle for the victims of human traffickin	-	5,500	-		5,500
Rule of Law Monitoring Project	3,434	16,866	(5,090)	-	15,210
Independent Commission on Public Health Emergency Powers	40,926	26,000	(66,090)	-	836
The Dorset Fellowship in Public International Law	55,865	145,000	(110,555)	-	90,310
Democratising law-making after Brexit	-	10,800	(3,550)		7,250
Sybil Shine Memorial Trust Youth and Public Engagement Programme	61,598	75,000	(70,365)	-	66,233
Total restricted income funds	1,480,953	4,258,875	(4,073,996)	7,500	1,673,332
Total restricted funds	1,992,725	4,266,899	(4,073,996)	7,500	2,193,127
Unrestricted funds:					
Designated fund – 60th Anniversary Appeal	-	112,015	-	(112,015)	-
Capital fund	450,283	-	-	(6,867)	443,416
General funds	111,362	1,261,245	(1,476,742)	111,382	7,247
Total unrestricted funds	561,645	1,373,260	(1,476,742)	(7,500)	450,663
Total funds	2,554,370	5,640,159	(5,550,738)	-	2,643,790

Notes to the financial statements

For the year ended 31 December 2023

20b Movements in funds (prior year)

	At 1 January 2021 £	Income and gains £	Expenditure and losses £	Transfers £	At 31 December 2022 £
Endowment funds:					
Sunley–Percy Rugg	231,678	–	(36,559)	–	195,119
Sunley–Sebag Shaw	231,678	–	(36,559)	–	195,119
Barnett Shine	121,532	–	–	–	121,532
Total endowment funds	584,888	–	(73,118)	–	511,770
Restricted income funds:					
Bingham Centre Appeal – Phase 2	150,068	483,624	(418,449)	–	215,243
Global Rule of Law Exchange	12,395	–	–	–	12,395
Arthur Watts Fellowship – Phase 2	36,484	2,500	–	–	38,984
RECONNECT (H2020)	17,223	67,254	(70,507)	–	13,970
Global Promotion of the Rule of Law	1,398	5,335	(10,407)	–	(3,674)
Big Data and Algorithms	37,583	(37,520)	–	–	63
Trafficking in Persons	51,336	59,915	(111,251)	–	–
Harmonising Caribbean company and insolvency law	5,261	–	–	(5,261)	–
		30,466	(28,777)	–	1,689
Exposing Labour Exploitation in Cuba	–	–	–	–	–
Climate Litigation and the Separation of Powers	1,279	–	(1,039)	–	240
	39,035	71,270	(77,433)	–	32,872
Beyond Restitution: Exploring the Story of Cultural Objects After Repatriation					
Rule of Law, Legitimacy and Effective COVID–19 Control Technologies	3,636	–	(3,512)	–	124
	2,767	–	(2,670)	–	97
Influencing Covid–19 legislation through Rule of Law–based scrutiny					
The Role of Good Governance and the Rule of Law in Building Public Trust in Data–Driven Responses to Public Health Emergencies.	83,396	(83,396)	–	–	–
Research Councils Open Access Block Award	9,816	–	(9,816)	–	–
Policy–relevant Rule of Law Research	5,313	26,565	(31,878)	–	–
Modern Slavery Policy and Evidence Centre	605,766	1,483,990	(1,232,527)	(79,046)	778,183
Covid–19 and the Law – Protection and Recovery for Vulnerable Groups	–	113,207	(111,190)	–	2,017
Global Labor Program – Platform for Organising by Workers for Empwerment and Recognition	–	66,144	(46,716)	–	19,428
Interdisciplinary Study on Medical Research: Rescuing Intellectual Property Rights in Pandemic Emergencies from "Tragedy of the Global Perspectives on Corporate Climate Change Legal Tactics	–	21,104	(22,538)	–	(1,434)
	–	149,993	(47,506)	–	102,487

Notes to the financial statements

For the year ended 31 December 2023

20b Movements in funds (current year) (continued)

Protection of Intangible Cultural Heritage in the Pacific Region	-	36,198	(27,630)	-	8,568
Research Council Open Access Block Award 2022	-	26,381	-	-	26,381
Access to Legal Advice for Survivors fo Modern Slavery	-	-	(55,342)	55,342	-
Identification of Adults with Lived Experiences of Modern Slavery in the UK	-	-	(23,704)	23,704	-
Independent Commission on UK Counterterrorism Legislation, Policy and Practice	98,410	20,000	(46,913)	-	71,497
Rule of Law Monitoring Project	10,960	31,668	(49,671)	-	(7,043)
Depolarising the Constitutional Debate	10,478	-	-	-	10,478
Independent Commission on Public Health Emergency Powers	-	53,500	(12,574)	-	40,926
The Dorset Fellowship in Public International Law	-	132,917	(77,052)	-	55,865
Foreign Commonwealth and Development Office London Conference	-	106,880	(106,880)	-	-
Sybil Shine Memorial Trust Youth and Public Engagement Programme	57,068	60,000	(55,470)	-	61,598
Total restricted income funds	1,239,672	2,927,995	(2,681,452)	(5,261)	1,480,954
Total restricted funds	1,824,560	2,927,995	(2,754,569)	(5,261)	1,992,725
Unrestricted funds:					
Designated fund – 60th Anniversary Appeal	-	129,503	-	(129,503)	-
Capital fund	472,297	-	-	(22,014)	450,283
General funds	308,623	1,082,428	(1,436,467)	156,778	111,362
Total unrestricted funds	780,920	1,211,931	(1,436,467)	5,261	561,645
Total funds	2,605,480	4,139,926	(4,191,036)	-	2,554,370

20b Movements in funds (prior year) (continued)

Purposes of endowment funds:

Permanent: The Sunley–Percy Rugg and the Sunley–Sebag Shaw Endowment Funds

The Bernard Sunley Charitable Foundation established two Endowment Funds in 1982, namely:

- The Sunley–Percy Rugg Endowment Fund; and
- The Sunley–Sebag Shaw Endowment Fund

The funds were established to recognise the contributions of Sir Percy Rugg and the Rt. Hon. Sir Sebag Shaw and were received by the Institute over the period from 1982 to 1991.

Each fund is owned and administered by the Institute and consists of £199,131 (2022: £195,119) held in perpetuity for the permanent endowment of the Institute. Income arising from the funds is applied for the general purposes of the Institute.

The assets of each fund are held in listed investments. At the end of the year the fair value of these investments had increased by £4,012 (2022: decreased £36,559) for each fund. Therefore each fund increased in value by £4,012 in respect of unrealised gains (2022: £36,559 unrealised gains).

Expendable: The Barnett Shine Charitable Foundation

This fund was originally established as the Shine Denning Endowment Fund of the British Institute of International and Comparative Law in 1982. A total of £300,000 was donated over the period from 1982 to 2000, to provide income to the Institute for its general purposes, including “the provision of financial or material assistance to the Institute”, but with the power to “apply the whole or any part of the Trust Fund whether capital or income in or towards the implementation of any one or more of the objects of the Trust”. Income arising from the funds is applied for the general purposes of the Institute. A transfer from expendable endowments of £178,468 was made in 2000 to settle a deficit on unrestricted funds. This left a balance of £121,532 which has remained unaltered since then.

Purposes of restricted funds: current year

Phase 2 of the Bingham Centre Appeal was launched in May 2013 to raise further funds to sustain the Centre beyond Phase 1.

The Bingham Centre receives grants from the Jones Day Foundation in respect of specific Global Rule of Law Exchange international conferences.

The Legal Education Foundation funded secretariat support for the All–Party Parliamentary Group on the Rule of Law.

Phase 2 of the Arthur Watts Fellowship Appeal was launched in December 2014 to raise further funds to sustain the Fellowship beyond Phase 1.

The Laudes Foundation provided funding for a project on Global Perspectives on Corporate Climate Legal Tactics. This project is from September 2022 to December 2024.

FILE Foundation provided funding for a project on Global Perspectives on Corporate Climate Legal Tactics. This project is from September 2022 to December 2024.

The Laudes Foundation provided funding for a project on Identifying and comparing impacts of mandatory due diligence legal models on internal corporate practice.

The Role of Good Governance and the Rule of Law in Building Public Trust in Data–Driven Responses to Public Health Emergencies.

The United States of America Department of State provided funding for a Trafficking in Persons research project.

Purposes of restricted funds: current year (continued)

The Pan American Development Foundation provided funds for research into Exposing Labour Exploitation in Cuba. Hausfeld LLP provided funds for research into Climate Litigation and the Separation of Powers.

The Leverhulme Trust provided funding for the research project Beyond Restitution: Exploring the Story of Cultural Objects After Repatriation.

The Institute for Ethics in Artificial Intelligence provided funding for the research project Rule of Law, Legitimacy and Effective COVID-19 Control Technologies.

The Baring Foundation provided funding for the research project Influencing Covid-19 legislation through Rule of Law-based scrutiny.

The Arts and Humanities Research Council provided funding for the research project The Role of Good Governance and the Rule of Law in Building Public Trust in Data-Driven Responses to Public Health Emergencies.

The UK Research Councils awarded an Open Access Block Grant to support the implementation of the Research Councils' Policy on Open Access. It provided a further grant in 2022.

The Legal Education Foundation provided funding for co-creating and sustaining a programme of Policy-relevant Rule of Law Research.

The Arts and Humanities Research Council provided funding for the establishment of a Modern Slavery Policy and Evidence Centre.

The Independent Commission on UK Counterterrorism Legislation, Policy and Practice is funded by Barrow Cadbury Trust, the Open Society Initiative for Europe, the Joseph Rowntree Charitable Trust and Unbound Philanthropy.

The Rule of Law Monitoring Project is funded by the David and Elaine Potter Foundation, the Joseph Rowntree Charitable Trust, the Joseph Rowntree Reform Trust and AB Charitable Trust.

The Joseph Rowntree Reform Trust provided funding for the Depolarising Constitutional Debate project to campaign to build the constitution back better by facilitating the rediscovery of shared constitutional values in the UK.

The UKRI provided 3 year grant funding for a research project into Covid-19 and the Law – Protection and Recovery for Vulnerable Groups. This project began in February 2022 and will continue to January 2025.

Solidar Suisse provided a research grant for a Global Labor Program – Platform for Organising by Workers for Empowerment and Recognition. This commenced in 2022 and will be completed in October 2026.

A collaborative research project funded by the Economic and Social Research Council was undertaken with Aberdeen University for an Interdisciplinary Study on Medical Research: Rescuing Intellectual Property Rights in Pandemic Emergencies from "Tragedy of the Anticommon". Aberdeen University are leading the project which commenced in 2022 and will continue until January 2025.

The Laudes Foundation provided a 2 year grant for a project on Global Perspectives on Corporate Climate Change Legal Tactics, with a selection of tools for NGOs, government bodies, local communities, other affected groups and individuals around the world, and those representing them.

Konrad Adenauer Stiftung (Australia) Ltd provided funding for a research project into the Protection of Intangible Cultural Heritage in the Pacific Region. The final report is due at the beginning of 2023.

Funding was provided by the PEC for a study into the Access to Legal Advice for Survivors of Modern Slavery.

Funding was provided by the PEC for a study into the Identification of adults with lived experiences of modern slavery in the UK.

The FCDO provided funding for a project on 'Beyond theoretical differences on international law: Identifying common ground among states on unlawful behaviour in cyberspace'.

The Independent Commission on UK Public Health is generously supported by the JRSST Charitable Trust, alongside other funders.

The Dorset Fellowship in Public International Law is 3 year funding from the Dorset Foundation.

The Foreign and Commonwealth Office provided funding for a London conference which was held in October 2022 on international law

The Sybil Shine Memorial Trust provided funding for a Youth and Public Engagement Programme.

Purposes of restricted funds: prior year

Phase 2 of the Bingham Centre Appeal was launched in May 2013 to raise further funds to sustain the Centre beyond Phase 1.

The Bingham Centre receives grants from the Jones Day Foundation in respect of specific Global Rule of Law Exchange international conferences.

The Legal Education Foundation funded secretariat support for the All-Party Parliamentary Group on the Rule of Law.

Phase 2 of the Arthur Watts Fellowship Appeal was launched in December 2014 to raise further funds to sustain the Fellowship beyond Phase 1.

The European Union provided funding for a collaborative research project RECONNECT (H2020) led by the University of Leuven.

The Jones Day Foundation provided funding for the global promotion of the rule of law for the period September 2018 to August 2021.

The Foundation Open Society Institute and the Digital Freedom Fund provided funding for a research project on big data and algorithms.

The Bluston Charitable Foundation provided funds for the creation of a new meeting room in Charles Clore House to be known as the Bluston Hub.

The United States of America Department of State provided funding for a Trafficking in Persons research project.

The Caribbean Community (CARICOM) provided funding to provide assistance to member states to harmonise companies and insolvency laws and instruments for the mutual recognition of companies.

The Pan American Development Foundation provided funds for research into Exposing Labour Exploitation in Cuba.

Hausfeld LLP provided funds for research into Climate Litigation and the Separation of Powers.

The Leverhulme Trust provided funding for the research project Beyond Restitution: Exploring the Story of Cultural Objects After Repatriation.

The Institute for Ethics in Artificial Intelligence provided funding for the research project Rule of Law, Legitimacy and Effective COVID-19 Control Technologies.

The Baring Foundation provided funding for the research project Influencing Covid-19 legislation through Rule of Law-based scrutiny.

The Arts and Humanities Research Council provided funding for the research project The Role of Good Governance and the Rule of Law in Building Public Trust in Data-Driven Responses to Public Health Emergencies.

The UK Research Councils awarded an Open Access Block Grant to support the implementation of the Research Councils' Policy on Open Access.

The Legal Education Foundation provided funding for co-creating and sustaining a programme of Policy-relevant Rule of Law Research.

The Arts and Humanities Research Council provided funding for the establishment of a Modern Slavery Policy and Evidence Centre.

The Independent Commission on UK Counterterrorism Legislation, Policy and Practice is funded by Barrow Cadbury Trust, the Open Society Initiative for Europe, the Joseph Rowntree Charitable Trust and Unbound Philanthropy.

The Rule of Law Monitoring Project is funded by the David and Elaine Potter Foundation, the Joseph Rowntree Charitable Trust, the Joseph Rowntree Reform Trust and AB Charitable Trust.

The Joseph Rowntree Reform Trust provided funding for the Depolarising Constitutional Debate project to campaign to build the constitution back better by facilitating the rediscovery of shared constitutional values in the UK.

The Sybil Shine Memorial Trust provided funding for a Youth and Public Engagement Programme.

Unrestricted funds: current year

A designated fund established in respect of funds raised from the 60th Anniversary Appeal was used to provide funds towards the refurbishment of the Institute's office space, the creation of a new conference and events suite, and the development of new programmes of research, training and events.

Unrestricted funds: prior year

A designated fund was established in respect of funds raised from the 60th Anniversary Appeal, which was used to provide funds towards the refurbishment of the Institute's office space, the creation of a new conference and events suite, and the development of new programmes of research, training and events.

Capital Fund

The capital fund represents the net book value of fixed assets less the value of the University of London creditor £846,826 (2022: £927,046) associated with the cost of leasehold improvements.

Transfers between funds: current year

50% of the income (£7,500) for an unrestricted project funded by Prizsm, was transferred to the Bingham Centre to offset associated staff costs.

Transfers between funds: prior year

As per the agreement, the outstanding balance from the project 'Harmonising Caribbean company and insolvency law' was transferred to unrestricted funds. This amount totalled £5,261.

Funds received from the 60th Anniversary Appeal have been transferred from designated funds to general unrestricted funds, as these funds are to be applied for the general purposes of the Institute.

21 Operating lease commitments

The charity's total future minimum lease payments under non-cancellable operating leases are as follows:

	Property		Equipment	
	2023 £	2022 £	2023 £	2022 £
Less than one year	1	1	–	560
One to five years	4	4	–	480
Over five years	46	47	–	–
	51	52	–	1,040

22 Legal status of the charity

The charity is a company limited by guarantee and has no share capital. The liability of each member in the event of winding up is limited to £1.

THE BRITISH INSTITUTE OF INTERNATIONAL AND COMPARATIVE LAW

England & Wales - Charity number 209425

Accounts



**British Institute of
International and
Comparative Law**

Company number: 615025

Charity number: 209425

The British Institute of International and Comparative Law

Report and financial statements

For the year ended 31 December 2022



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For the year ended 31 December 2022

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The British Institute of International and Comparative Law

Reference and administrative information

For the year ended 31 December 2022

Company number	615025 – Registered in the United Kingdom	
Charity number	209425 – Registered in England and Wales	
Registered office & operational address	Charles Clore House, 17 Russell Square London, WC1B 5JP	
Trustees	Trustees, who are also directors under company law, who served during the year and up to the date of this report, were as follows:	
	Chiann Bao	
	Guy Beringer	
	Professor Thom Brooks	
	Shehzad Charania	
	Dean Curtis	
	Shaheed Fatima QC	
	Naomi Hart	
	Alex Just	
	Sorcha MacLeod	
	Professor Iain MacNeil	
	Habib Motani	
	Constantine Partasides	
	Elizabeth Perks	Chair of the Finance & Audit Committee
	Keith Ruddock (to 31/12/2022)	Chair of the Board of Trustees
	Eve Salomon (from 1/7/2023)	
	Professor Dan Sarooshi QC	
	Rupert Skilbeck	
	Professor Elies van Sliedregt	
	Diana Wallis (to 31/12/2022)	
Key Management Personnel	Professor Spyros Maniatis	Institute Director
	Murray Hunt	Director of the Bingham Centre
	Peter Bond	Chief Operating Officer (to 31/12/2022)
	Stephen Oates	Director of Finance (to 31/12/2022)
	Deepa Craig	Director of Finance and Operations (from 1/4/2023)
Bankers	CAF Bank Limited 25 Kings Hill Avenue, Kings Hill West Malling, Kent, ME19 4JQ	HSBC plc 39 Tottenham Court Road London, W1T 2AR
Auditor	Sayer Vincent LLP Chartered Accountants and Statutory Auditor Invicta House, 108–114 Golden Lane, London, EC1Y 0TL	

Trustees' annual report

For the year ended 31 December 2022

The Trustees are pleased to present their report and the audited financial statements for the year ended 31 December 2022.

The reference and administrative information set out on page 1 forms part of this report. The financial statements comply with current statutory and company law requirements, the memorandum and articles of association and the Statement of Recommended Practice – Accounting and Reporting by Charities: SORP applicable to charities preparing their accounts in accordance with FRS 102.

Objectives and activities

Purposes and aims

The British Institute of International and Comparative Law (BIICL, the Institute) is an independent charitable research body. Our key purposes are to develop and advance the understanding of international and comparative law in the UK and around the world, and to promote the rule of law in national and international affairs. Through our work, we seek to improve decision-making on law and policy issues, and so have a positive impact on people's daily lives.

Our organisational vision is for BIICL to be an independent leader in applied legal research and ideas: informing debate, policy and practice; upholding and maintaining humane and democratic values; promoting evidence-based decision-making; and contributing to the upholding of the international legal order and the rule of law in the UK and worldwide.

We aim to make a unique contribution as an independent and authoritative voice on international and comparative legal issues by:

- providing high quality applied research, based on strong conceptual foundations, that influences law and policy-making; and
- promoting the application and wider dissemination of our research through publications, events and training.

BIICL has no recurrent core funding. We receive funding for our research and other activities from a wide variety of bodies, including research councils, law firms, national governments, international and regional organisations, private trusts and foundations, and non-governmental organisations, as well as BIICL members, training delegates and event attendees. In many instances, our research projects have more than one funder.

BIICL's Strategic Plan 2019–2023 is organised under four main themes:

- continued excellence and independence;
- developing and growing;
- open BIICL; and
- improving our organisation.

Trustees' annual report

For the year ended 31 December 2022

The Strategic Plan highlights the context, key risks, opportunities and challenges for each of these themes and identifies objectives and targets to be achieved over the five year period.

The Trustees review progress against the Strategic Plan on a regular basis to ensure our activities are consistent with our aims and support our public benefit mission. This report considers what BIICL has achieved during 2022 and the outcomes, impacts and benefits of our work.

Principal Activities

Membership

BIICL membership is open to all people, both in the UK and around the world. Our members come from: legal practice (including solicitors and barristers); academia (staff and students); the judiciary; corporations and other commercial bodies; government and non-governmental organisations; and members of the wider public who are interested in the many aspects of international and comparative law.

Members benefit from access to BIICL's research outcomes, as well as opportunities to contribute to specialist discussion groups and to network with the diverse range of people and organisations with whom we interact. The diversity of BIICL's membership, as well as the many non-members who attend our events, and our ability to engage across a broad range of international and comparative legal issues, ensures that BIICL remains a relevant and essential institution. We also convene Fora of experts in four areas (Human Rights Due Diligence, Competition Law, Investment Treaty Law and Product Liability).

Research

BIICL's research is co-ordinated via three Centres: International Law; Comparative Law; and the Bingham Centre for the Rule of Law. The Bingham Centre also acts as the host for the UK's Modern Slavery & Human Rights Policy and Evidence Centre which is supported by funding from UKRI. Our focus is primarily on practical and applied research, based on strong conceptual foundations, which offers examples of good practice, recommendations for future improvements and seeks to have an impact on law and policy. The research often crosses traditional boundaries of law, integrating private and public international law, for example, and engaging with national, regional and comparative law. Our research is always independent, irrespective of its funding source.

Events and Training

BIICL organises an extensive public events programme covering a broad spectrum of current legal topics within the areas of our expertise. These events typically include full day conferences, shorter seminars and lectures.

We offer a range of training activities to the public to provide information, practical assistance and capacity building to governments, institutions, firms, corporations, groups, individuals and others. During 2022, we have offered short courses on a range of topics including Law of the Sea, Public International Law, Business & Human Rights, Climate Change Law, and Cultural Heritage.

Trustees' annual report

For the year ended 31 December 2022

Publications

BIICL's main publication is the *International and Comparative Law Quarterly*, which is produced by Cambridge University Press and is recognised as one of the leading journals in its field. BIICL also occasionally publishes books, mainly of our own research, as well as some by other experts in our fields of work. Most of our research projects also produce final reports, many of which are publicly available to download for free from our website (www.biicl.org).

Volunteers

BIICL offers flexible, part-time and short-term opportunities for people to volunteer for the charity (typically postgraduate law students) and to assist in our research and related activities. We aim to offer interesting and developmental opportunities that include training and skills development.

Public Benefit

The Trustees confirm that they have paid due regard to the public benefit guidance published by the Charity Commission in deciding on BIICL's activities. In particular, the Trustees consider how planned activities will contribute to our aims and objectives.

BIICL considers that its activities are of public benefit in at least the following ways:

- provision of independent research to external bodies, including governments, for the purpose of assisting these bodies to formulate public policy, such as future regulation and legislation, which can have significant benefit for people in the UK and elsewhere in the world;
- provision of information, education and training to build capacity in the UK and around the world in the application and enhancement of international and comparative law, and the rule of law, to support the judiciary, government legal officials and civil society;
- dissemination of research and information about international and comparative law directly to BIICL members, including legal scholars, judges, barristers, solicitors, students, advisers to governments, corporations and non-governmental organisations, who are then better able to advise public and private bodies accurately about international and comparative legal issues;
- dissemination of research and information about international and comparative law, and the rule of law, to the general public, especially to all those interested in these matters, who are then better informed in their active engagement with these issues;
- offering a wide range of conferences, seminars, lectures, training courses and other events on contemporary issues of international and comparative law, and the rule of law, that are open to the general public to attend and be better informed about these important areas, as these issues may affect their daily lives;
- dissemination to the general public of matters of international and comparative law, and the rule of law, by the printing and distribution of publications and journals;
- publication of the Institute's activities, newsletters and other information to the general public on the Institute's website; and

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- contributing to the broader education of the general public about the many important aspects of international and comparative law, and the rule of law, and the impacts these may have on national systems.

Some specific examples of the provision of public benefit through the activities carried out by BIICL in 2022 are provided below.

Achievements and performance

BIICL's main activities and beneficiaries during the year are described below. All of our charitable activities focus on international and comparative law, and the rule of law, and are undertaken to further BIICL's charitable purposes for the public benefit. The impact of the COVID-19 pandemic continued to be felt during 2022, with many of our events and training courses largely delivered via online platforms. The BIICL team continued to demonstrate innovation, resilience and energy, and the trustees thank them for all that they have achieved in challenging circumstances.

Membership

BIICL membership (comprising both individuals and organisations) was 375 at the end of 2022 (2021: 440). Membership income was £43,635 (2021: £43,713).

During 2022, we continued to support four Forums in the areas of: Human Rights Due Diligence; Competition Law; Investment Treaty Law; and Product Liability. All of our Forums make an important contribution to the work of BIICL, provide opportunities to explore current issues and prompt further research. Total Forum membership in 2022 was 124, comprising 89 organisations and 35 individuals (2021: 100, comprising 64 organisations and 36 individuals). Forum membership income was £256,234 in 2022 (2021: £238,470).

Research

BIICL continued to develop its active and responsive programme of practical and applied research during 2022. We received funding from several external organisations to support a diverse range of research topics, including work in the following areas:

- a project on the *Impact of Lack of Legal Advice for People with Lived Experience of Modern Slavery*, funded by the Modern Slavery and Human Rights Policy and Evidence Centre;
- funding from the European Committee of the Regions for a *Study on Democratic Participation in Europe*;
- an *Independent Commission on UK Public Health Emergency Powers*, supported by the Joseph Rowntree Reform Trust, alongside other funders;
- two phases of research related to the future EU instrument to ban goods made (or transported) with forced labour funded by the Greens/EFA group of the European Parliament, Anti-Slavery International and the European Center for Constitutional and Human Rights (ECCHR); and

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- additional funding from the Konrad Adenauer Stiftung to extend work on a project examining *The Role of Cultural Heritage in Strengthening Climate Resilience*.

BIICL was also delighted to be successful in applications to host three Ukrainian researchers via the British Academy/CARA Scholars-at-Risk scheme.

BIICL's Annual Impact Reports provide further details of our achievements and research impacts. Copies may be downloaded from our website (www.biicl.org).

Events and training

The pandemic continued to cast a shadow over BIICL's programme of events and training during 2022. Most continued to be delivered mainly online, but with some hybrid and fully in-person events starting to return.

Event topics were wide-ranging and included legal issues related to: Climate Change; Artificial Intelligence; Displacement in and from Ukraine; Product Liability; Collective Redress; Merger Control; and Trade and Investment. BIICL was also a co-convenor for the second London Conference on International Law. The annual Weinrebe Lecture was given by Professors Amal Clooney and Philippa Webb on *Defending the Right to a Fair Trial*, with reflections offered by discussants, Baroness Kennedy of the Shaws QC and The Rt. Hon. Lady Arden of Heswall DBE.

Our programme of online short courses continued to grow and diversify, including sessions on: AI, Law and Ethics; Pharmaceuticals and Intellectual Property; WTO Law; International Migration and Refugee Law; Energy Law; and International Labour Law. Intensive courses were also offered on a hybrid model with topics including: Climate Change Litigation, Foundations of Public International Law; Law of the Sea; and International Cross Border Dispute Resolution.

As well as BIICL's training courses, three MOOCs are available in the areas of Citizenship and the Rule of Law, Rule of Law and Democracy in Europe, and International Investment Law and Dispute Resolution.

In 2022, BIICL's income from events and training courses was £364,307 (2021: £195,369). There were 55 events during the year (2021: 87) and 16 training courses (2021: 14).

Publications

The *International and Comparative Law Quarterly (ICLQ)* continues to attract a very high standard of scholarship from around the world in the fields of public international law, private international law, comparative law, human rights law and European law. The journal is managed by an active Editorial Board of senior academics and retains its reputation as a world leading academic legal journal, with a high impact factor. A strict peer review system is operated to ensure that articles are selected purely on merit. This reflects the independence of the *ICLQ* and BIICL.

Cambridge University Press manages production, marketing and distribution of the *ICLQ* and provides additional support. Overall income from the *ICLQ* was £246,795 in 2022 (2021: £236,156).

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In addition to the journal, BIICL occasionally publishes its own books. No new priced titles were published in 2022 (2021: 0). During the year, the Board of Trustees took the decision to cease hard copy book publications and to convert the most recent titles to accessible ePublications which are now available on the Kindle platform. Income from book sales in 2022 was £7,737 (2021: £ 8,124).

BIICL also produces working papers, research reports, responses to government proposals and other submissions, many of which are freely available to download from our website. Staff regularly publish their own research in other academic journals and books.

Public Benefit

Much of BIICL's work makes an active contribution to our public benefit mission. Our diverse range of research, events, training and publications continues to enable increased public knowledge and awareness of important issues of international law, comparative law and the rule of law. We list below some selected examples of the impact of our work during 2022:

- Sections from an edited volume, *Climate Change Litigation: Global Perspectives*, by Ivano Alogna, Jean-Pierre Gauci and Christine Bakker, were quoted in a 2022 IPCC Report;
- A BIICL-led study by Lise Smit for the European Commission on mandatory human rights and environmental due diligence formed the basis for the Commission's proposal for a Directive on Corporate Sustainability Due Diligence;
- The UN Rapporteur in the Field of Cultural Rights cited a submission from Kristin Hausler in her Annual Report to the UN General Assembly on *Development and cultural rights*;
- The Bingham Centre Rule of Law Monitoring of Legislation report on the by Oliver Garner on the Northern Ireland Protocol Bill was cited by Sir Bob Neill MP in the House of Commons; and
- A Judicial Appointments Commission (JAC) report, *Judicial diversity in common law jurisdictions outside of England and Wales: a rapid evidence assessment*, extensively cited research by Jan van Zyl Smit on judicial appointments in the Commonwealth.

We measure our overall performance against the strategic aims and objectives set out in our Strategic Plan. Analysis of the fourth year of progress against our Strategic Plan 2019–2023 demonstrated a reasonable level of progress against our objectives and targets, despite the challenges of the pandemic.

Beneficiaries of our services

Beneficiaries of BIICL's research and other activities are diverse and include: legal practitioners; academics; the judiciary; corporations and other commercial bodies; government and non-governmental organisations; and members of the wider public.

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For the year ended 31 December 2022

Financial review

The Statement of Financial Activities shows that overall income increased during 2022 by 1.5%, from £ 4,009K in 2021 to £4,071K in 2022. The net increase comprises a 3.7% increase (£41K) in Unrestricted Fund income and a 0.7% increase (£21K) in Restricted Fund income.

Total expenditure decreased by 3% to £4,051K (2021: £4,180K). Unrestricted Fund expenditure decreased by 4.5% (£63K), and Restricted Fund expenditure decreased by 2% (£66K).

The Institute has a deficit for the year on Unrestricted Funds of £219K (2021: deficit £199K) and a surplus on Restricted Funds of £168K (2021: surplus £150K). Total fund balances decreased by £51K (2021: decrease of £49K) to £2,554K (2021: 2,606K). This was after taking into account net unrealised losses on investments and foreign exchange gains of £71K (2021: net gains £122K).

Restricted Fund income has been recognised in accordance with the current Statement of Recommended Practice Accounting and Reporting by Charities (the Charities SORP). This treatment may mean that income is not recognised in the same period as the related expenditure. Over time Restricted Fund income should match expenditure, although significant surpluses or deficits may occur in certain years depending on the timing of income and expenditure.

The 2022 income on Restricted Funds primarily relates to:

- Donations to the Bingham Centre received in respect of the Bingham Appeal;
- A grant from the Dorset Foundation for the Dorset Fellowship;
- Grant funding from the Sybil Shine Memorial Trust for a Youth and Public Engagement Programme
- A bi-annual conference on behalf of the Foreign Commonwealth and Development Office;
- Grant funding from The Laudes Foundation for a project on the Global perspectives on Corporate Climate Change Legal Tactics;
- Grant funding from the UKRI for research into Covid-19 and the Law – Protection and Recovery for Vulnerable Groups;
- Research funding from Solidar Suisse for a Global Labor Program – a platform for organising by Workers for Empowerment and Recognition;
- Grant funding from the United States of America Department of State for a Trafficking in Persons research project;
- Funding from the Leverhulme Trust for a research project Beyond Restitution: Exploring the Story of Cultural Objects after Repatriation;
- Grant funding from the Arts and Humanities Research Council for the establishment of a Modern Slavery Policy and Evidence Centre.

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For the year ended 31 December 2022

The Trustees reaffirmed BIICL's investment policy, which seeks to produce the optimum total return, balanced between income and capital, from its investment portfolio. The performance of our investment funds is monitored by the Finance and Audit Committee for the Trustees. Our funds are invested in an investment fund for charities, which provides us with a suitable balanced portfolio coupled with ready liquidity.

The average yield on investments in 2022 was 2.4% (2021: 2.2%). The average (unrealised) movement in the market value of investments in 2022 was a 10.2% decrease (2021: 12.0% increase).

Pensions

During 2022, BIICL participated in two funded pension schemes: one defined benefit scheme and one defined contribution schemes. Further details are provided in note 18 to the financial statements.

Principal risks and uncertainties

The Trustees operate a formal risk management process to assess business risks and implement risk management strategies. This involves identifying the risks faced by BIICL, prioritising these in relation to impact, likelihood of occurrence and overall risk level, and identifying mitigating factors and ways to manage the risks. In addition, all risks are owned by a member of BIICL's management team. This risk register is regularly reviewed by the Finance and Audit Committee and by the Trustees, to ensure that it is kept up-to-date. As part of this process the Trustees have reviewed the adequacy of the Institute's current internal controls and the costs of operating particular controls relative to the benefits obtained. Procedures have been established for reporting failings immediately to appropriate levels of management and to the Board of Trustees.

The Trustees consider that the lack of recurrent core funding represents a significant risk to the Institute. To mitigate this risk, the Trustees continue to seek core funding as a key part of our fundraising activity. During 2022, we continued to secure donations through our Appeals to assist with future growth of our strategic priority areas and to contribute towards major refurbishment costs.

The financial impact of the COVID-19 pandemic has continued to have an impact on the Institute's finances in 2022, particularly with regard to income derived from events and training courses. Substantial mitigation was achieved by continuing to deliver the majority of the events and training programme online, with some hybrid and in-person activities returning during the year.

Taken together, the Trustees consider that the lack of recurrent core funding and the continuing impact of the COVID-19 pandemic could present a potential risk to the continued going concern status of the Institute in future years. The Trustees are mindful of this risk and have reviewed a financial scenario for 2023 which has adopted a worst case scenario approach with regard to income streams that are volatile or unsecured, and identified mitigating actions which could be taken should the need arise. As a result, the Trustees consider that there are currently no material uncertainties about the Institute's ability to continue as a going concern.

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For the year ended 31 December 2022

All fundraising and other income generation activities abide by our Guidelines for Ethical Funding.

In addition to our fundraising activities, we continue to diversify and actively seek new sources of income for our research and training activities.

Reserves policy

Free reserves available for use by BIICL are deemed to be those that are readily realisable, less those funds whose uses are restricted or designated for particular purposes. The calculation thus excludes funds of £1,377K (2021: £1,490K) invested in property and other fixed assets that will continue to be used in the day-to-day running of the Institute.

As a matter of policy, each year the Trustees review the value of the reserves retained in the form of investments, cash and cash equivalents not held for restricted purposes or designated projects. The Board of Trustees considers BIICL's exposure to major risks in terms of their likely impact on its income sources and planned expenditure in the short to medium term, as well as assessing the best way to manage such risks.

The present target for free reserves is a minimum of 50% of the year's audited figure for total unrestricted resources expended, to recognise the risks relating to lack of recurrent core funding and to enable the Institute to cope with any emergencies. As at 31 December 2022 this target equates to £679K (2021: £717K).

The exceptional expenditure on major building refurbishment in 2019 and 2020 represented a substantial investment in our office and event space in a building that had had no major improvements since it was built in the late 1970s. Trustees saw this investment as necessary to bring the building's services and infrastructure up to 21st century standards. As a result, there has been a substantial increase in BIICL's fixed assets and a major decrease in free reserves.

While we have excluded fixed assets when calculating our free reserves in line with Charity Commission advice, our liquid assets have not in large part been committed to the fixed assets. As a consequence, applying this usual treatment does not fairly represent the underlying reality for the organisation. Our calculation of free reserves, therefore, now takes into account both the value of fixed assets and the total value of the loan from the University of London of £927K (2021: £1,018K).

The Covid-19 pandemic has continued to have a significant effect on BIICL's finances and activities during 2022. Trustees do, however, recognise that a key priority for the next few years will be to rebuild free reserves back to the target level as soon as practicable. New income generation is actively being pursued through a variety of measures including income growth from new training activities, research funding, consultancy services, fundraising and international partnerships. Expenditure will be closely monitored by the Board and cost-cutting measures implemented, if necessary.

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BIICL's free reserves are calculated as follows:

	2022	2021
	Total	Total
	£K	£K
Unrestricted funds at 31 December	562	781
Expendable endowment fund at 31 December	122	122
University of London loan	927	1,018
Less: Investment in tangible fixed assets for the Institute's use	<u>(1,377)</u>	<u>(1,490)</u>
	<u>234</u>	<u>431</u>

The Trustees will continue to keep this policy under review.

Fundraising

BIICL undertakes a peer-to-peer approach to fundraising which is governed by our Guidelines on Ethical Funding. We have a small, in-house Development team of four staff, who operate with support from our trustees, senior staff and other volunteers (typically senior lawyers or former law firm partners). BIICL does not use any external fundraisers or other commercial participators.

We have received no complaints about our fundraising activity and there have been no failures to comply with fundraising standards or regulation. BIICL's peer-to-peer approach to fundraising ensures that vulnerable people and other members of the public are protected from any unreasonable behaviour and intrusion. Our Donor Privacy Policy is available on our website.

Plans for the future

BIICL's Strategic Plan 2019–2023 provides the framework to guide and inform our future plans. Like many other organisations, our programme of work continues to be affected by the COVID-19 pandemic. In response, as discussed earlier in this report, we have adapted our events and training activities and have worked hard to maximise our research income, including several new projects related to the impact of the pandemic. Some of our plans related to partnership working and new funding streams may take longer to be realised than we initially anticipated, but we have continued to develop new and existing relationships with both national and international partner organisations and universities. The contribution of our work to upholding international law and the rule of law has arguably never been more important, as States around the world struggle to find the most effective legislative and medical responses to the pandemic alongside other global challenges.

The Trustees are mindful of the risks presented by the Institute's lack of recurrent core funding and the impact of the COVID-19 pandemic, and recognise the need to develop new income-generating activities as part of the Institute's business development strategy. This strategy includes:

- Developing a strategy for seeking major gifts.
- The development of an executive education programme in partnership with a European business school to start in Autumn 2023. This is a major long-term goal for a substantial and sustainable new income stream.

Structure, governance and management

Trustees

BIICL is governed by its Memorandum and Articles of Association adopted on 2 October 1958 and last amended on 5 December 2022.

The present Trustees, and any past Trustees who served during the year, are listed on page 1 of this Annual Report, together with the Institute Director and key management personnel.

The Board of Trustees is responsible for the overall governance of the Institute and the total number of Trustees may not exceed eighteen. Trustees are in office for a term of three years and may not serve more than two consecutive full terms.

Trustees meet at least 4 times a year. Apart from the Annual General Meeting, these meetings consist of formal Board meetings, held every quarter. At these meetings, Trustees review and set overall strategy and operational performance, as well as review the direction of BIICL research, events and publications.

Effective partnership between Trustees and BIICL staff continues to contribute significantly to our success. The Board delegates the exercise of certain powers in connection with the management and administration of the Institute as set out below. This is monitored by regular reporting to the Board, and by receipt and discussion of reports by the Institute Director and other staff as required, so that all decisions made under delegated powers can be ratified by the full Board in due course. In addition, each Trustee is a mentor to a member of the Institute's staff. These measures ensure that Trustees have the necessary understanding for effective and informed decision-making.

Trustee Recruitment, Induction and Training

Trustees are nominated by the Board of Trustees and elected to the Board at BIICL's Annual General Meeting. Generally, Trustees have already had an involvement with our activities, which ensures a broad understanding of BIICL's work. Special advisors to the Board of Trustees are co-opted on an *ad hoc* basis.

All new Trustees receive a general induction to BIICL's governance and operations by the Institute Director, Company Secretary and other senior staff. Training on specific matters is available, where appropriate. Sometimes this training takes the form of a presentation to the Board of Trustees by a guest speaker or a member of staff.

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Finance and Audit Committee

The members of the Finance and Audit Committee are appointed by the Board of Trustees. The members during 2022 were:

- Trustees: Liz Perks (Chair); Thom Brooks, Dean Curtis, Iain MacNeil;
- External Members: Aimee-Jane Lee; Jo Kaybryn, Jason Reeves.

The Committee met 6 times during 2022. Meetings were also attended by the Institute Director, Institute Chief Operating Officer, Director of Finance, and the Director of the Bingham Centre.

Membership of the Committee shall include at least two BIICL Trustees (one of whom must be the Chair of the Committee). Other members shall comprise former Trustees or other independent external individuals with recent and relevant experience and expertise in finance, audit or other appropriate areas. Committee members should have no executive responsibility for the management of BIICL and no significant interests in the institution. The Chair of the Board of Trustees shall not be a member of the Committee. There shall be no fewer than five members. A quorum shall be at least three members (one of whom must be a Trustee).

Trustee member appointments to the Committee shall be in line with their Trustee terms of office. Other members shall be appointed for an initial term of three years and may serve for one further consecutive term. Appointments to the Committee are staggered to ensure some regular turnover of members.

The Committee's terms of reference are:

Financial issues

- To be responsible for the financial review of BIICL's activities including: financial results; risk assessment and management; and internal financial controls.
- To determine an annual budget for recommendation to the Board of Trustees.
- To ensure proper procedures are in place to manage cash resources prudently and to maximise income from liquid assets whilst maintaining sufficient funds to meet daily cash requirements.
- To review the strategy, policy and management of BIICL's investment portfolio, and to advise the Board of Trustees on the appropriate level of free reserves and of any significant changes needed in the investment strategy.
- To determine the policies applicable to the annual salary review of BIICL staff and any general staffing salary issues, and to advise on specific staffing salary and other benefits issues, for recommendation to the Board of Trustees.

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Audit issues

- To consider all aspects of the external audit, including appointment and remuneration of the external auditor, the nature and scope of the statutory audit, the recommendation of audited financial statements to the Board of Trustees, and the discussion of issues raised in the external auditor's management letter.
- To ensure that the annual financial statements are true and fair and conform to accounting standards, and that accounting policies are appropriate and applied consistently.
- To review the performance reported in the Trustees' Annual Report and to ensure that this is a true reflection of the charity's performance.
- To review all reports prepared by the external auditor and to agree the programme of work proposed by management to address any issues raised.
- To review the process for awarding non-audit work to the external audit firm and to ensure that potential conflicts of interest are managed in the best interests of the charity.
- To monitor the compliance of BIICL with applicable laws and regulations, as well as its own policies and procedures.

Research Ethics Committee

The Board of Trustees established a Research Ethics Committee in 2015, with responsibility for the development and implementation of policy and processes relating to research ethics.

Its terms of reference are:

- to consider new research proposals in line with BIICL's research ethics policy and process, and to approve, refer or decline proposals, as appropriate;
- to monitor and review the effective application and operation of BIICL's research ethics policy;
- to advise BIICL's Board of Trustees on developments relating to research ethics policy, good practice and implementation.

The Chair of the Committee is a Trustee or former Trustee appointed by the Board. Other members comprise: one other BIICL Trustee; two lay members; the Institute Director; three Senior Research Fellows, at least one of whom will be from the Bingham Centre; and the Institute Chief Operating Officer.

Advisory Panels

Advisory Panels operate in each of the main BIICL research areas, with Panel members appointed for their expertise in these fields of law.

Institute Director

The Institute Director is responsible for the day-to-day management of the Institute's affairs and for implementing strategies agreed by the Board of Trustees. The Institute Director is assisted by a team of senior managers and senior researchers, with whom there are regular meetings.

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Corporate Governance

Internal controls over all forms of financial commitments, obligations and expenditure continue to be refined to improve efficiency and as part of ongoing internal risk assessment processes. Policies and procedures are in place to ensure that performance is monitored and that appropriate management information is prepared and reviewed regularly by both senior management and the Board of Trustees.

The systems of internal control are designed to provide reasonable but not absolute assurance against material misstatement or loss. These are contained within BIICL's Financial Regulations and Procedures and include:

- an annual budget approved by the Trustees;
- regular consideration by the Trustees of financial results, variances from budgets, non-financial performance indicators and benchmarking reviews;
- delegation of day-to-day management authority and segregation of responsibilities; and
- identification and management of risks.

All Trustees give their time voluntarily and receive no benefits from the charity. Trustees' expenses reimbursed in 2022 were £nil (2021: £nil). No charity trustee received payment for professional or other services supplied to the charity (2021: £nil).

Related parties and relationships with other organisations

BIICL sometimes receives grants from The International Rule of Law Project Inc. (IROLP), a US public charity established by supporters of BIICL, tax exempt under Section 501(c)(3) of the US Internal Revenue Code. IROLP is governed by its own independent Board, which included the Institute Chief Operating Officer. No grants from IROLP were received in 2022 (2021: no grants received).

Remuneration policy for key management personnel

The Finance and Audit Committee makes an annual recommendation to the Board of Trustees on the general principles to operate in relation to the remuneration of all staff, including key management personnel. In determining these general principles, the Finance and Audit Committee considers the following matters:

- UK inflation (CPI/CPIH) over the period and any other general economic matters;
- comparator sectors' salaries and salary increases, being the higher education sector; the charity sector; and the public sector;
- BIICL's financial position in the previous year and expected financial position in the current year; and
- Information on any changes in roles and levels of responsibility, as well as the overall performance of staff at their annual reviews.

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Once the Board of Trustees has agreed these principles, the Institute Director applies them to individual staff members as part of the annual review process. The salary of the Institute Director is decided by the Board of Trustees on the recommendation of the Chair of the Board, taking account of the same general principles.

Statement of responsibilities of the Trustees

The Trustees (who are also directors of the British Institute of International and Comparative Law 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 charitable company and of the incoming resources and application of resources, including the income and expenditure, of the charitable company 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 SORP;
- make judgements and estimates that are reasonable and prudent;
- state whether applicable UK Accounting Standards and statements of recommended practice 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 charity 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 charitable company 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 charitable company 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;
- there are no material uncertainties relating to BIICL's ability to continue to adopt the going concern basis of accounting;
- 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 charitable company's website. Legislation in the United Kingdom governing the preparation and dissemination of financial statements may differ from legislation in other jurisdictions.

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Members of the charity guarantee to contribute an amount not exceeding £1 to the assets of the charity in the event of winding up. The total number of such guarantees at 31 December 2022 was 375 (2021: 440). The Trustees are members of the charity but this entitles them only to voting rights. The Trustees have no beneficial interest in the charity.

Auditor

Sayer Vincent LLP was re-appointed as the charitable company's auditor during the year and has expressed its willingness to continue in that capacity.

The Trustees' annual report has been prepared in accordance with the special provisions applicable to companies subject to the small companies' regime.

The Trustees' annual report has been approved by the Trustees and signed on their behalf by

Date 17 July 2023
Eve Salomon CBE
Chair of the Board of Trustees

Independent auditor's report

To the members of

The British Institute of International and Comparative Law

Opinion

We have audited the financial statements of The British Institute of International and Comparative Law (the 'charitable company') for the year ended 31 December 2022 which comprise the statement of financial activities, balance sheet, statement of cash flows and 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 FRS 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 charitable company's affairs as at 31 December 2022 and of its incoming resources and application of resources, including its income and expenditure for the year then ended
- Have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice
- 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 charitable company in accordance with the ethical requirements that are relevant to our audit of the financial statements in the UK, including the FRC'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.

Conclusions relating to going concern

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.

Based on the work we have performed, we have not identified any material uncertainties relating to events or conditions that, individually or collectively, may cast significant doubt on The British Institute of International and Comparative Law's ability to continue as a going concern for a period of at least twelve months from when the financial statements are authorised for issue.

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

Independent auditor's report

To the members of

The British Institute of International and Comparative Law

Other Information

The other information comprises the information included in the trustees' annual report other than the financial statements and our auditor's 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.

Opinions 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' annual report for the financial year for which the financial statements are prepared is consistent with the financial statements; and
- The trustees' annual report has been prepared in accordance with applicable legal requirements.

Matters on which we are required to report by exception

In the light of the knowledge and understanding of the charitable company and its environment obtained in the course of the audit, we have not identified material misstatements in the trustees' annual 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, or returns adequate for our audit have not been received from branches not visited by us; or
- The 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 directors 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' annual report and from the requirement to prepare a strategic report.

Independent auditor's report

To the members of

The British Institute of International and Comparative Law

Responsibilities of trustees

As explained more fully in the statement of trustees' responsibilities set out in the trustees' annual report, 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 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 charitable company or to cease operations, or have no realistic alternative but to do so.

Auditor's 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 are set out below.

Capability of the audit in detecting irregularities

In identifying and assessing risks of material misstatement in respect of irregularities, including fraud and non-compliance with laws and regulations, our procedures included the following:

- We enquired of management, which included obtaining and reviewing supporting documentation, concerning the charity's policies and procedures relating to:
- Identifying, evaluating, and complying with laws and regulations and whether they were aware of any instances of non-compliance;
- Detecting and responding to the risks of fraud and whether they have knowledge of any actual, suspected, or alleged fraud;
- The internal controls established to mitigate risks related to fraud or non-compliance with laws and regulations.

Independent auditor's report

To the members of

The British Institute of International and Comparative Law

- We inspected the minutes of meetings of those charged with governance.
- We obtained an understanding of the legal and regulatory framework that the charity operates in, focusing on those laws and regulations that had a material effect on the financial statements or that had a fundamental effect on the operations of the charity from our professional and sector experience.
- We communicated applicable laws and regulations throughout the audit team and remained alert to any indications of non-compliance throughout the audit.
- We reviewed any reports made to regulators.
- We reviewed the financial statement disclosures and tested these to supporting documentation to assess compliance with applicable laws and regulations.
- We performed analytical procedures to identify any unusual or unexpected relationships that may indicate risks of material misstatement due to fraud.
- In addressing the risk of fraud through management override of controls, we tested the appropriateness of journal entries and other adjustments, assessed whether the judgements made in making accounting estimates are indicative of a potential bias and tested significant transactions that are unusual or those outside the normal course of business.

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 is available on the Financial Reporting Council's website at: www.frc.org.uk/auditorsresponsibilities. This description forms part of our auditor's report.

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 the charitable company's members as a body, for our audit work, for this report, or for the opinions we have formed.

Joanna Pittman (Senior statutory auditor)

18 August 2023

for and on behalf of Sayer Vincent LLP, Statutory Auditor
Invicta House, 108-114 Golden Lane, LONDON, EC1Y 0TL

Statement of Financial Activities (incorporating an income and expenditure account)

For the year ended 31 December 2022

	Note	Unrestricted £	Restricted £	2022 Total £	Unrestricted £	Restricted £	2021 Total £
Income from:							
Donations and legacies	2	156,253	197,791	354,044	59,351	290,335	349,686
Charitable activities							
Member services	3	299,869	-	299,869	282,183	-	282,183
Publications and journals	3	254,532	-	254,532	244,280	-	244,280
Conferences and seminars	3	257,427	106,880	364,307	195,369	-	195,369
Research programmes	3	140,381	2,623,324	2,763,705	286,625	2,616,948	2,903,573
Other Income		10,685	-	10,685	12,339	-	12,339
Investments	4	24,022	-	24,022	21,763	-	21,763
Total income		1,143,169	2,927,995	4,071,164	1,101,910	2,907,283	4,009,193
Expenditure on:							
Raising funds	5a	126,715	46,885	173,600	232,638	53,135	285,773
Charitable activities							
Member services	5a	308,678	-	308,678	321,641	-	321,641
Publications and journals	5a	127,391	-	127,391	109,541	-	109,541
Conferences and seminars	5a	203,065	106,880	309,945	224,558	-	224,558
Research programmes	5a	603,815	2,527,687	3,131,502	544,752	2,694,122	3,238,874
Total expenditure		1,369,664	2,681,452	4,051,116	1,433,130	2,747,257	4,180,387
Net income before net gains on investments		(226,495)	246,543	20,048	(331,220)	160,026	(171,194)
Net gains/losses on investments		(66,803)	(73,117)	(139,920)	58,237	63,742	121,979
Foreign exchange gains on bank balances		68,762	-	68,762	-	-	-
Net income / (expenditure) for the year	6	(224,536)	173,426	(51,110)	(272,983)	223,768	(49,215)
Transfers between funds		5,261	(5,261)	-	73,878	(73,878)	-
Net movement in funds		(219,275)	168,165	(51,110)	(199,105)	149,890	(49,215)
Reconciliation of funds:							
Total funds brought forward		780,920	1,824,560	2,605,480	980,025	1,674,670	2,654,695
Total funds carried forward		561,645	1,992,725	2,554,370	780,920	1,824,560	2,605,480

All of the above results are derived from continuing activities. There were no recognised gains or losses other than those stated above. Movements in funds are disclosed in Note 20 to the financial statements.

Balance Sheet

Company no. 615025

As at 31 December 2022

	Note	£	2022 £	£	2021 £
Fixed assets:					
Tangible assets	12		1,377,329		1,489,964
Investments	13		979,341		1,119,262
			<u>2,356,670</u>		<u>2,609,226</u>
Current assets:					
Debtors	14	279,515		118,235	
Cash at bank and in hand		1,905,430		2,325,096	
		<u>2,184,945</u>		<u>2,443,331</u>	
Liabilities:					
Creditors: amounts falling due within one year	15	1,140,419		1,520,031	
Net current assets			<u>1,044,526</u>		<u>923,300</u>
Creditors: amounts falling due after one year	15		846,826		927,046
Total net assets			<u><u>2,554,370</u></u>		<u><u>2,605,480</u></u>
The funds of the charity:					
Endowment funds	20a	511,771		584,888	
Restricted income funds		1,480,954		1,239,672	
			<u>1,992,725</u>		<u>1,824,560</u>
Unrestricted income funds:					
Capital fund		450,283		472,297	
General funds		111,362		308,623	
		<u>561,645</u>		<u>780,920</u>	
Total unrestricted funds			<u>561,645</u>		<u>780,920</u>
Total charity funds			<u><u>2,554,370</u></u>		<u><u>2,605,480</u></u>

Approved by the trustees on 17 July 2023 and signed on their behalf by

Eve Salomon CBE
Chair of the Board of Trustees

Elizabeth Perks
Trustee

Statement of Cash Flows

For the year ended 31 December 2022

	£	2022 £	£	2021 £
Cash flows from operating activities				
Net income for the reporting period (as per the statement of financial activities)	(51,110)		(49,215)	
Depreciation charges	112,635		128,053	
Losses on investments	139,921		(121,979)	
Dividends and interest from investments	(24,022)		(21,763)	
Decrease in debtors	(161,280)		98,091	
Increase in creditors	(459,832)		229,259	
	<u> </u>		<u> </u>	
Net cash provided by operating activities		(443,688)		262,446
Cash flows from investing activities:				
Dividends, interest and rents from investments	24,022		21,763	
Purchase of fixed assets	-		(2,184)	
	<u> </u>		<u> </u>	
Net cash used in investing activities		24,022		19,579
Cash flows from finance activities:				
Increase in loan borrowings	-		-	
	<u> </u>		<u> </u>	
Net cash provided by finance activities		-		-
Change in cash and cash equivalents in the year		(419,666)		282,025
Cash and cash equivalents at the beginning of the year		<u>2,325,096</u>		<u>2,043,071</u>
Cash and cash equivalents at the end of the year		<u><u>1,905,430</u></u>		<u><u>2,325,096</u></u>
Analysis of cash and cash equivalents				
	At 1 January 2022 £	Cash flows £	Other changes £	At 31 December 2022 £
Cash at bank and in hand	2,325,096	(419,666)	-	1,905,430
Total cash and cash equivalents	<u>2,325,096</u>	<u>(419,666)</u>	<u>-</u>	<u>1,905,430</u>

1 Accounting policies

a) Statutory information

The British Institute of International and Comparative Law is a charitable company limited by guarantee and is incorporated in the United Kingdom.

The registered office address and principal place of business is Charles Clore House, 17 Russell Square, London WC1B 5JP.

b) Basis of preparation

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 UK and Republic of Ireland (FRS 102) – (Charities SORP FRS 102), the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102) and the Companies Act 2006.

Assets and liabilities are initially recognised at historical cost or transaction value unless otherwise stated in the relevant accounting policy or note.

In applying the financial reporting framework, the trustees have made a number of subjective judgements, for example in respect of significant accounting estimates. Estimates and judgements are continually evaluated and are based on historical experience and other factors, including expectations of future events that are believed to be reasonable under the circumstances. The nature of the estimation means the actual outcomes could differ from those estimates. Any significant estimates and judgements affecting these financial statements are detailed within the relevant accounting policy below.

c) Public benefit entity

The charitable company meets the definition of a public benefit entity under FRS 102.

d) Going concern

The trustees consider that there are no material uncertainties about the charitable company's ability to continue as a going concern. This assessment has been reached after preparing projections of the level of unrestricted reserves and cash up to 12 months beyond the date of signing annual financial statements, taking into account the financial effects of the Covid pandemic, future repayments due under the loan agreement with the University of London, general economic conditions and the future operating plans of the Institute. A worst case approach has been adopted with regard to income streams that are volatile or unsecured.

The trustees do not consider that there are any sources of estimation uncertainty at the reporting date that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next reporting period.

e) Income

Income is recognised when the charity has entitlement to the funds, any performance conditions attached to the income have been met, it is probable that the income will be received and that the amount can be measured reliably.

Income from government and other grants, whether 'capital' grants or 'revenue' grants, is recognised when the charity has entitlement to the funds, any performance conditions attached to the grants have been met, it is probable that the income will be received and the amount can be measured reliably and is not deferred.

For legacies, entitlement is taken as the earlier of the date on which either: the charity is aware that probate has been granted, the estate has been finalised and notification has been made by the executor(s) to the charity that a distribution will be made, or when a distribution is received from the estate. Receipt of a legacy, in whole or in part, is only considered probable when the amount can be measured reliably and the charity has been notified of the executor's intention to make a distribution. Where legacies have been notified to the charity, or the charity is aware of the granting of probate, and the criteria for income recognition have not been met, then the legacy is treated as a contingent asset and disclosed if material.

Income received in advance of the provision of a specified service is deferred until the criteria for income recognition are met.

1 Accounting policies/continued

f) Donations of gifts, services and facilities

Donated professional services and donated facilities are recognised as income when the charity has control over the item or received the service, any conditions associated with the donation have been met, the receipt of economic benefit from the use by the charity of the item is probable and that economic benefit can be measured reliably. In accordance with the Charities SORP (FRS 102), volunteer time is not recognised; more information about their contribution may be found in the trustees' annual report.

On receipt, donated gifts, professional services and donated facilities are recognised on the basis of the value of the gift to the charity, which is the amount the charity would have been willing to pay to obtain services or facilities of equivalent economic benefit on the open market; a corresponding amount is then recognised in expenditure in the period of receipt.

g) Interest receivable

Interest on funds held on deposit is included when receivable and the amount can be measured reliably by the charity; this is normally upon notification of the interest paid or payable by the bank.

h) Fund accounting

Restricted funds are to be used for specific purposes as laid down by the donor. Expenditure which meets these criteria is charged to the fund.

Unrestricted funds are donations and other incoming resources received or generated for the charitable purposes.

i) Expenditure and irrecoverable VAT

Expenditure is recognised once there is a legal or constructive obligation to make a payment to a third party, it is probable that settlement will be required and the amount of the obligation can be measured reliably. Expenditure is classified under the following activity headings:

- Costs of raising funds relate to the costs incurred by the charitable company in encouraging third parties to make voluntary contributions to it, as well as the cost of any activities with a fundraising purpose.
- Expenditure on charitable activities includes the costs of delivering services to members, publishing books and journals, holding events and running research programmes and projects, all undertaken to further the purposes of the charity, and their associated support costs.

Irrecoverable VAT is charged as a cost of the activity for which the expenditure was incurred.

j) Grants payable

Grants payable do not represent grant-giving activities by the charity but relate to the transfer of third party project funding to project partners. Expenditure related to grants payable is recognised in accordance with the agreed payment schedule or time period of each grant.

k) Allocation of support costs

Resources expended are allocated to the particular activity where the cost relates directly to that activity. The cost of overall direction and administration of each activity, comprising the salary and overhead costs of the central function, is apportioned pro rata to the staffing levels of the relevant activity.

l) Allocation of governance costs

Governance costs comprise audit fees and Board of Trustees meeting costs. These costs are apportioned across the Institute's activities, pro rata to the staffing levels of the relevant activity.

m) Operating leases

Rental charges are charged on a straight line basis over the term of the lease.

n) Tangible fixed assets

Items of equipment are capitalised where the purchase price exceeds £500. Depreciation costs are allocated to activities on the basis of the use of the related assets in those activities. Assets are reviewed for impairment if circumstances indicate their carrying value may exceed their net realisable value and value in use. Major components are treated as separate assets where they have significantly different patterns of consumption of economic benefits and are depreciated separately over their useful lives.

Depreciation is provided at rates calculated to write down the cost of each asset to its estimated residual value over its expected useful life. The depreciation rates in use are as follows:

1 Accounting policies/continued

- Improvements to long leasehold properties 20 years
- Computer equipment 3 years
- Office equipment, fixtures and fittings 5 years

o) Listed investments

Investments are a form of basic financial instrument and are initially recognised at their transaction value and subsequently measured at their fair value as at the balance sheet date using the closing quoted market price. Any change in fair value is recognised in the statement of financial activities and any excess of fair value over the historical cost of investments is included in reserves. Investment gains and losses, whether realised or unrealised, are combined and shown in the heading "Net gains/(losses) on investments" in the statement of financial activities. The charity does not acquire put options, derivatives or other complex financial instruments.

p) Debtors

Trade and other debtors are recognised at the settlement amount due after any trade discount offered. Prepayments are valued at the amount prepaid net of any trade discounts due.

q) Cash at bank and in hand

Cash includes short term highly liquid investments with a maturity of three months or less from the date of acquisition or opening of the deposit or similar account.

r) Creditors and provisions

Creditors and provisions are recognised where the charity has a present obligation resulting from a past event that will probably result in the transfer of funds to a third party and the amount due to settle the obligation can be measured or estimated reliably. Creditors and provisions are normally recognised at their settlement amount after allowing for any trade discounts due.

s) Financial instruments

Basic financial instruments are initially recognised at transaction value and subsequently measured at their settlement value. Other financial instruments such as loans are initially recognised at the present value of future cash payments discounted at a market interest rate, and are subsequently measured at amortised cost using the effective interest method.

t) Pensions

The Institute participates in the Universities Superannuation Scheme (USS), a defined benefit scheme which is externally funded and contracted out of State Pension (S2P). The assets of the scheme are held in a separate trustee-administered fund. Because of the mutual nature of the scheme, the scheme's assets are not hypothecated to individual institutions and a scheme-wide contribution rate is set. The Institute is therefore exposed to actuarial risks associated with other institutions' employees and is unable to identify its share of the underlying assets and liabilities of the scheme on a consistent and reasonable basis and, as required by FRS 102 Section 28, accounts for the scheme as if it were a defined contribution scheme. As a result, the amount charged to the SOFA represents the contributions payable to the scheme in respect of the accounting period.

The Institute also operates one defined contribution scheme. The amount charged to the SOFA represents the contributions payable to the scheme in respect of the accounting period.

Notes to the financial statements

For the year ended 31 December 2022

2 Income from donations and legacies

	Unrestricted £	Restricted £	2022 Total £	Unrestricted £	Restricted £	2021 Total £
60th Anniversary Appeal	129,503	–	129,503	30,725	75,000	105,725
Bingham Centre donations	–	125,291	125,291	–	152,740	152,740
Bingham Centre Business Network	–	70,000	70,000	–	50,000	50,000
Clare Duffield Foundation	–	–	–	–	–	–
Other donations	26,750	2,500	29,250	28,626	12,595	41,221
Total income from donations and legacies	156,253	197,791	354,044	59,351	290,335	349,686

3 Income from charitable activities

	Unrestricted £	Restricted £	2022 Total £	Unrestricted £	Restricted £	2021 Total £
Forum memberships	256,234	–	256,234	238,470	–	238,470
Institute memberships	43,635	–	43,635	43,713	–	43,713
Sub-total for Member services	299,869	–	299,869	282,183	–	282,183
ICLQ journal royalties and other income	246,795	–	246,795	236,156	–	236,156
Publications	7,737	–	7,737	8,124	–	8,124
Sub-total for Publications and journals	254,532	–	254,532	244,280	–	244,280
Bingham Centre rule of law events	2,303	–	2,303	–	–	–
International law short courses	160,858	106,880	267,738	144,724	–	144,724
Investment treaty law events	12,141	–	12,141	12,306	–	12,306
Public international law events	46,150	–	46,150	22,450	–	22,450
European law events	–	–	–	–	–	–
Comparative law events	–	–	–	–	–	–
WTO law events	17,546	–	17,546	1,754	–	1,754
Other events	18,429	–	18,429	14,135	–	14,135
Sub-total for Conferences and seminars	257,427	106,880	364,307	195,369	–	195,369
Funding from:						
Overseas NGOs, trusts and foundations	371	481,065	481,436	103,750	396,870	500,620
UK NGOs, trusts and foundations	–	388,003	388,003	–	322,915	322,915
Law firms	9,500	5,334	14,834	31,081	37,398	68,479
Overseas government departments	–	90,381	90,381	–	288,010	288,010
UK research councils	–	1,426,477	1,426,477	–	1,571,755	1,571,755
UK government departments	–	113,706	113,706	–	–	–
Companies	47,050	–	47,050	128,446	–	128,446
Other sources	83,460	118,358	201,818	23,348	–	23,348
Sub-total for Research programmes	140,381	2,623,324	2,763,705	286,625	2,616,948	2,903,573
Total income from charitable activities	952,209	2,730,204	3,682,413	1,008,457	2,616,948	3,625,405

Notes to the financial statements

For the year ended 31 December 2022

4 Income from investments

	Unrestricted £	Restricted £	2022 Total £	Unrestricted £	Restricted £	2021 Total £
Dividends received from investments	20,411	–	20,411	18,979	–	18,979
Interest received from investments	3,184	–	3,184	2,781	–	2,781
Bank interest	427	–	427	3	–	3
	24,022	–	24,022	21,763	–	21,763

Notes to the financial statements

For the year ended 31 December 2022

5a Analysis of expenditure (current year)

	Charitable activities					2022 Total £	2021 Total £
	Raising funds £	Member services £	Publications and journals £	Conferences and seminars £	Research programmes £		
Staff costs (Note 8)	143,437	220,692	80,743	115,168	2,046,513	2,606,554	2,614,830
Direct costs	-	59,427	34,862	166,101	471,431	731,821	530,091
Grants payable (Note 7)	-	-	-	-	323,833	323,833	644,438
Support costs:							
- Other staff costs	15,839	3,090	1,275	3,394	31,059	54,657	76,788
- General fundraising and marketing costs	662	1,176	486	1,292	11,824	15,439	26,437
- Property costs	3,974	7,066	2,916	7,759	71,019	92,734	58,591
- Communication costs	2,634	4,683	1,933	5,143	47,068	61,460	63,169
- Other office costs	317	564	233	620	5,672	7,406	9,997
- Depreciation and losses on disposals	4,827	8,582	3,542	9,426	86,259	112,635	128,052
- Other costs	1,404	2,496	1,030	2,741	25,085	32,755	14,678
Governance costs	507	901	372	989	9,052	11,820	13,316
Total expenditure 2022	173,600	308,678	127,391	312,633	3,128,814	4,051,116	4,180,387
Total expenditure 2021	285,773	321,641	109,541	224,558	3,238,874		4,180,387

Staff costs of £2,606,554 (2021 £2,614,830) include costs of support staff £845,048 (2021 £874,187).

Other staff costs comprises: temporary staff, recruitment costs, staff travel, accommodation, subsistence and entertaining, and staff professional fees, training and conference costs.

Governance costs include audit fees of £11,820 (2021: £13,316) and Board of Trustees meeting costs of £nil (2021: £nil).

The British Institute of International and Comparative Law

Notes to the financial statements

For the year ended 31 December 2022

5b Analysis of expenditure (prior year)

	Charitable activities					2021 Total £
	Raising funds £	Member services £	Publications and journals £	Conferences and seminars £	Research programmes £	
Staff costs (Note 8)	186,756	225,412	74,999	170,636	1,957,027	2,614,830
Direct costs	18,800	70,560	25,800	36,001	378,930	530,091
Grants payable (Note 7)	-	-	-	-	644,438	644,438
Support costs:						
- Other staff costs	58,735	1,491	508	1,041	15,013	76,788
- General fundraising and marketing costs	1,807	2,034	693	1,420	20,483	26,437
- Property costs	4,005	4,508	1,535	3,147	45,396	58,591
- Communication costs	4,318	4,860	1,655	3,393	48,943	63,169
- Other office costs	683	769	262	537	7,746	9,997
- Depreciation and losses on disposals	8,754	9,852	3,355	6,879	99,212	128,052
- Other costs	1,005	1,130	385	789	11,369	14,678
Governance costs	910	1,025	349	715	10,317	13,316
Total expenditure 2021	285,773	321,641	109,541	224,558	3,238,874	4,180,387

Notes to the financial statements

For the year ended 31 December 2022

6 Net outgoing resources for the year

This is stated after charging / (crediting):

	2022 £	2021 £
Depreciation	112,634	128,053
Operating lease rentals:		
Property	1	1
Other	560	636
Auditor's remuneration:		
Audit fee (excl VAT)	10,100	9,750
Under-accrual for audit fee in prior year	1,720	3,566
Foreign exchange (gains)losses	(68,762)	(9,497)

7 Analysis of grants payable

The funding provided by the Arts and Humanities Research Council for the Modern Slavery Policy and Evidence Centre and the Role of Good Governance and the Rule of Law project included funding for some activities that are to be carried out by partner institutions. Funds payable to those partner institutions are as follows:

	2022 £	2021 £
University of Liverpool	63,238	75,809
University of Nottingham	60,774	63,688
University of Hull	-	80,214
The Alan Turing Institute	152,433	104,019
Afruca	15,127	-
University of Twickenham	13,161	
Royal Holloway University of London	-	14,400
Bonavero Institute of Human Rights, University of Oxford	-	67,134
University of Sheffield	19,100	59,680
University of Edinburgh	-	32,560
University of Newcastle	-	31,934
Ada Lovelace Institute	-	115,000
	323,833	644,438

Notes to the financial statements

For the year ended 31 December 2022

8 Analysis of staff costs, trustee remuneration and expenses, and the cost of key management personnel

Staff costs were as follows:

	2022 £	2021 £
Salaries and wages	2,232,876	2,262,615
Social security costs	219,525	198,698
Employer's contributions to defined contribution pension schemes	125,631	119,382
Employer's contributions to defined benefit pension scheme	26,906	32,557
Other forms of employee benefits	1,616	1,578
	2,606,554	2,614,830

The following number of employees received employee benefits (including salary, but excluding employer's national insurance contributions and employer pension contributions) during the year between:

	2022 No.	2021 No.
£60,000 – £69,999	5	4
£80,000 – £89,999	1	1
£120,000 – £129,999	2	1
£150,000 – £159,999	–	1

The total employee benefits, including employer's national insurance contributions and employer's pension contributions, of the key management personnel were £507,591 (2021: £539,989).

The charity trustees were not paid and did not receive any other benefits. Trustees expenses reimbursed in 2022 were £nil. No charity trustee received payment for professional or other services supplied to the charity (2021: £nil).

9 Staff numbers

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

	2022 Employed No.	2022 FTE (*) No.	2021 Employed No.	2021 FTE (*) No.
Raising funds (Including marketing)	1.6	1.1	5.4	4.5
Member services	2.9	2.1	4.0	3.4
Publications and journals	1.6	1.5	1.9	1.9
Conferences and seminars	0.0	0.0	3.9	3.8
Research programmes	29.6	24.7	32.0	26.0
Support	12.8	10.9	1.8	1.7
	48.4	40.3	49.0	41.3

(*) Full-time equivalent

Notes to the financial statements

For the year ended 31 December 2022

10 Related party transactions

In 2019 an interest-free loan of £7,113 was made to the International Rule of Law Project Inc., a non-profit organisation incorporated in the United States of America for the purpose of raising funds for the charity. The Company Secretary of the British Institute of International and Comparative Law is one of the three directors of this company. The loan is repayable at such point as funds become available and the position will be reviewed annually. The outstanding balance of the loan at the end of the year was £7,113 (2021: £7,113).

Aggregate donations from related parties were £621 (2021: £nil).

11 Taxation

The charitable company is exempt from corporation tax as all its income is charitable and is applied for charitable purposes.

12 Tangible fixed assets

	Improvements to leasehold property £	Computer equipment £	Office equipment, fixtures and fittings £	Total £
Cost or valuation				
At the start of the year	1,591,339	212,393	98,250	1,901,982
Additions	-	-	-	-
At the end of the year	1,591,339	212,393	98,250	1,901,982
Depreciation				
At the start of the year	171,304	190,991	49,723	412,018
Charge for the year	79,567	15,522	17,546	112,635
At the end of the year	250,871	206,513	67,269	524,653
Net book value				
At the end of the year	1,340,468	5,880	30,981	1,377,329
At the start of the year	1,420,035	21,402	48,527	1,489,964

All of the above assets are used for charitable purposes.

The Institute assessed the cost of improvements to leasehold property made in 2019 to be £1,275,000. Additional costs of £290,167 were capitalised in 2020 in accordance with the final determination of the costs payable to the University of London.

13 Listed investments

	2022 £	2021 £
Fair value of investments at the start of the year	1,119,262	997,283
Net gain (loss) on change in fair value	(139,921)	121,979
Fair value of investments at the end of the year	979,341	1,119,262
Investments comprise:		
	2022 £	2021 £
UK Investment Companies	979,341	1,119,262
	979,341	1,119,262

Notes to the financial statements

For the year ended 31 December 2022

14 Debtors	2022 £	2021 £
Trade debtors	77,958	10,923
Other debtors	14,230	14,691
Prepayments	10,919	10,751
Accrued income	176,408	81,870
	<u>279,515</u>	<u>118,235</u>
15 Creditors: amounts falling due within one year	2022 £	2021 £
Trade creditors	22,196	60,320
Taxation and social security	61,037	60,738
Other creditors	83,798	134,574
Loan from University of London	80,220	90,621
Grants payable	387,923	600,671
Accruals	266,804	308,505
Deferred income (Note 17)	238,441	264,602
	<u>1,140,419</u>	<u>1,520,031</u>
16 Creditors: amounts falling due after one year	2022	2021
Loan from University of London	<u>846,826</u>	<u>927,046</u>

The University of London loan creditor £927,046 relates to the cost of leasehold improvement works carried out to the Institute's offices in 2019. The final cost of the works was £1,565,167 and the Institute made an interim payment of £500,000 to the University during 2019, leaving a remaining creditor of £1,065,167. A further repayment of £47,500 was made in 2020, reducing the creditor to £1,017,667. The University has made a loan to the Institute of £1,017,167 at an interest rate of 6%, repayable over 10 years commencing January 2022. In 2022, £90,621 was paid in respect to this loan.

Notes to the financial statements

For the year ended 31 December 2022

17 Deferred income

Deferred income comprises:

	2022 £	2021 £
Balances at the beginning of the year:		
Member services	49,385	170,365
Publications and journals	-	-
Conferences and seminars	6,467	-
Research programmes	208,750	173,197
Rental services	-	-
	264,602	343,562
Amounts released to income in the year	(264,602)	(343,562)
Amounts deferred in the year	238,441	264,602
Balance at the end of the year	238,441	264,602
Analysis of deferred income balances at the end of the year:		
Member services	61,580	49,385
Publications and journals	120,557	-
Conferences and seminars	1,675	6,467
Research programmes	54,629	208,750
	238,441	264,602

18 Pension schemes

The Institute participates in the Universities Superannuation Scheme (USS), a defined benefit scheme which is contracted out of the State Second Pension (S2P). The assets of the scheme are held in a separate fund administered by the trustee, Universities Superannuation Scheme Limited. The Institute is required to contribute a specified percentage of payroll costs to the pension scheme to fund the benefits payable to the Institute's employees. In 2020 the percentage was 21.1%. The Institute is unable to identify its share of the underlying assets and liabilities of the scheme on a consistent and reasonable basis and therefore, as required by FRS 102 Section 28, accounts for the scheme as if it were a defined contribution scheme.

The total cost charged to the SOFA in respect of this scheme was £26,906 (2021: £32,557), as shown in note 8. This includes £nil (2021: £nil) outstanding contributions at the balance sheet date.

The latest available triennial actuarial valuation of the scheme was carried out as at 31 March 2020. At the valuation date, the value of the assets of the scheme was £66.5 billion and the value of the scheme's technical provisions was £80.6 billion indicating a shortfall of £14.1 billion. The assets therefore were sufficient to cover 83% of the benefits which had accrued to members after allowing for expected future increases in earnings.

The Institute also makes contributions to one defined contribution scheme. Contributions charged to the SOFA for this scheme represent the various contributions payable to the scheme in respect of the accounting period. The total cost charged to the SOFA was £125,631 (2021: £119,382), as shown in note 8. This includes £nil (2021: £nil) outstanding contributions at the balance sheet date.

	2022 £	2021 £
Employer contributions to the USS defined benefit scheme	26,906	32,557
Employer contributions to defined contribution schemes	125,631	119,382
	152,537	151,939
	2022 No.	2021 No.
Average number of Institute members of USS defined benefit scheme	1	1
Average number of Institute members of defined contribution schemes	44	39
	45	40

Notes to the financial statements

For the year ended 31 December 2022

19a Analysis of net assets between funds (current year)

	General £	Capital £	Endowments £	Restricted £	Total funds £
Tangible fixed assets	-	1,377,329	-	-	1,377,329
Investments	467,570	-	511,771	-	979,341
Net current assets	(356,208)	(80,220)	-	1,480,954	1,044,526
Creditors: amounts falling due after one year	-	(846,826)	-	-	(846,826)
Net assets at the end of the year	111,362	450,283	511,771	1,480,954	2,554,370

19b Analysis of net assets between funds (prior year)

	General £	Capital £	Endowments £	Restricted £	Total funds £
Tangible fixed assets	-	1,489,964	-	-	1,489,964
Investments	534,374	-	584,888	-	1,119,262
Net current assets	(225,751)	(90,621)	-	1,239,672	923,300
Creditors: amounts falling due after one year	-	(927,046)	-	-	(927,046)
Net assets at the end of the year	308,623	472,297	584,888	1,239,672	2,605,480

Notes to the financial statements

For the year ended 31 December 2022

20a Movements in funds (current year)

	At 1 January 2022 £	Income and gains £	Expenditure and losses £	Transfers £	At 31 December 2022 £
Endowment funds:					
Sunley-Percy Rugg	231,678	-	(36,559)	-	195,119
Sunley-Sebag Shaw	231,678	-	(36,559)	-	195,119
Barnett Shine	121,532	-	-	-	121,532
Total endowment funds	584,888	-	(73,117)	-	511,771
Restricted income funds:					
Bingham Centre Appeal – Phase 2	150,068	483,624	(418,449)	-	215,243
Global Rule of Law Exchange	12,395	-	-	-	12,395
Arthur Watts Fellowship – Phase 2	36,484	2,500	-	-	38,984
RECONNECT (H2020)	17,223	67,254	(70,507)	-	13,970
Global Promotion of the Rule of Law	1,398	5,335	(10,407)	-	(3,674)
Big Data and Algorithms	37,583	(37,520)	-	-	63
Trafficking in Persons	51,336	59,915	(111,251)	-	-
Harmonising Caribbean company and insolvency law	5,261	-	-	(5,261)	-
Exposing Labour Exploitation in Cuba	-	30,466	(28,777)	-	1,689
Climate Litigation and the Separation of Powers	1,279	-	(1,039)	-	240
Beyond Restitution: Exploring the Story of Cultural Objects After Repatriation	39,035	71,270	(77,433)	-	32,872
Rule of Law, Legitimacy and Effective COVID-19 Control Technologies	3,636	-	(3,512)	-	124
Influencing Covid-19 legislation through Rule of Law-based scrutiny	2,767	-	(2,670)	-	97
The Role of Good Governance and the Rule of Law in Building Public Trust in Data-Driven Responses to Public Health Emergencies.	83,396	(83,396)	-	-	-
Research Councils Open Access Block Award	9,816	-	(9,816)	-	-
Policy-relevant Rule of Law Research	5,313	26,565	(31,878)	-	-
Modern Slavery Policy and Evidence Centre	605,766	1,483,990	(1,232,527)	(79,046)	778,183
Covid-19 and the Law – Protection and Recovery for Vulnerable Groups	-	113,207	(111,190)	-	2,017
Global Labor Program – Platform for Organising by Workers for Empowerment and Recognition	-	66,144	(46,716)	-	19,428
Interdisciplinary Study on Medical Research: Rescuing Intellectual Property Rights in Pandemic Emergencies from "Tragedy of the Anticommon"	-	21,104	(22,538)	-	(1,434)
Global Perspectives on Corporate Climate Change Legal Tactics	-	149,993	(47,506)	-	102,487
Protection of Intangible Cultural Heritage in the Pacific Region	-	36,198	(27,630)	-	8,568
Research Council Open Access Block Award 2022	-	26,381	-	-	26,381

Notes to the financial statements

For the year ended 31 December 2022

20a Movements in funds (current year) (continued)

Access to Legal Advice for Survivors fo Modern Slavery	-	-	(55,342)	55,342	-
Identification of Adults with Lived Experiences of Modern Slavery in the UK		-	(23,704)	23,704	-
Independent Commission on UK Counterterrorism Legislation, Policy and Practice	98,410	20,000	(46,913)	-	71,497
Rule of Law Monitoring Project	10,960	31,668	(49,671)	-	(7,043)
Depolarising the Constitutional Debate	10,478	-	-	-	10,478
Independent Commission on Public Health Emergency Powers	-	53,500	(12,574)	-	40,926
The Dorset Fellowship in Public International Law	-	132,917	(77,052)	-	55,865
Foreign Commonwealth and Development Office London Conference	-	106,880	(106,880)	-	-
Sybil Shine Memorial Trust Youth and Public Engagement Programme	57,068	60,000	(55,470)	-	61,598
Total restricted income funds	1,239,672	2,927,995	(2,681,452)	(5,261)	1,480,954
	-	-			
Total restricted funds	1,824,560	2,927,995	(2,754,569)	(5,261)	1,992,725
Unrestricted funds:					
Designated fund – 60th Anniversary Appeal	-	129,503	-	(129,503)	-
Capital fund	472,297	-	-	(22,014)	450,283
General funds	308,623	1,082,428	(1,436,467)	156,778	111,362
Total unrestricted funds	780,920	1,211,931	(1,436,467)	5,261	561,645
Total funds	2,605,480	4,139,926	(4,191,036)	-	2,554,370

Notes to the financial statements

For the year ended 31 December 2022

20b Movements in funds (prior year)

	At 31 December 2020 £	Income and gains £	Expenditure and losses £	Transfers £	At 31 December 2021 £
Endowment funds:					
Sunley–Percy Rugg	199,807	31,871	–	–	231,678
Sunley–Sebag Shaw	199,807	31,871	–	–	231,678
Barnett Shine	121,532	–	–	–	121,532
Total endowment funds	521,146	63,742	–	–	584,888
Restricted income funds:					
Bingham Centre Appeal – Phase 2	2,071	448,573	(300,576)	–	150,068
Global Rule of Law Exchange	12,395	–	–	–	12,395
All–Party Parliamentary Group on the Rule of Law	18,507	–	(18,507)	–	–
Arthur Watts Fellowship – Phase 2	32,210	12,595	(8,321)	–	36,484
RECONNECT (H2020)	121,229	–	(104,006)	–	17,223
Global Promotion of the Rule of Law	12,975	60,000	(71,577)	–	1,398
Big Data and Algorithms	69,925	55,187	(87,529)	–	37,583
Bluston Charitable Foundation	–	75,000	–	(75,000)	–
Trafficking in Persons	68,131	230,951	(247,746)	–	51,336
Harmonising Caribbean company and insolvency law	–	7,181	(1,920)	–	5,261
Exposing Labour Exploitation in Cuba	–	57,059	(58,181)	1,122	–
Climate Litigation and the Separation	–	37,398	(36,119)	–	1,279
Beyond Restitution: Exploring the Story	–	78,070	(39,035)	–	39,035
Rule of Law, Legitimacy and Effective	–	20,959	(17,323)	–	3,636
Influencing Covid–19 legislation	–	39,864	(37,097)	–	2,767
through Rule of Law–based scrutiny					
The Role of Good Governance and the	–	409,044	(325,648)	–	83,396
Rule of Law in Building Public Trust in					
Data–Driven Responses to Public					
Health Emergencies.					
Research Councils Open Access Block	–	9,816	–	–	9,816
Policy–relevant Rule of Law Research	–	5,313	–	–	5,313
Modern Slavery Policy and Evidence	672,966	1,152,895	(1,220,095)	–	605,766
Centre					
Independent Commission on UK	83,700	56,710	(42,000)	–	98,410
Counterterrorism Legislation, Policy					
and Practice					
Rule of Law Monitoring Project	15,603	64,000	(68,643)	–	10,960
Depolarising the Constitutional Debate	–	26,668	(16,190)	–	10,478
Sybil Shine Memorial Trust Youth and	43,812	60,000	(46,744)	–	57,068
Public Engagement Programme					
Total restricted funds	1,153,524	2,907,283	(2,747,257)	(73,878)	1,239,672
Unrestricted funds:					
Designated fund – 60th Anniversary	–	30,725	–	(30,725)	–
Appeal					
Capital fund	598,166	–	–	(125,869)	472,297
General funds	381,859	1,129,422	(1,433,130)	230,472	308,623
Total unrestricted funds	980,025	1,160,147	(1,433,130)	73,878	780,920
Total funds	2,654,695	4,131,172	(4,180,387)	–	2,605,480

20b Movements in funds (prior year) (continued)

Purposes of endowment funds:

Permanent: The Sunley–Percy Rugg and the Sunley–Sebag Shaw Endowment Funds

The Bernard Sunley Charitable Foundation established two Endowment Funds in 1982, namely:

- The Sunley–Percy Rugg Endowment Fund; and
- The Sunley–Sebag Shaw Endowment Fund

The funds were established to recognise the contributions of Sir Percy Rugg and the Rt. Hon. Sir Sebag Shaw and were received by the Institute over the period from 1982 to 1991.

Each fund is owned and administered by the Institute and consists of £195,119 (2021: £231,678) held in perpetuity for the permanent endowment of the Institute. Income arising from the funds is applied for the general purposes of the Institute.

The assets of each fund are held in listed investments. At the end of the year the fair value of these investments had decreased by £36,559 (2021: increased £31,871) for each fund. Therefore each fund decreased in value by £36,559 in respect of unrealised gains (2021: £31,871 unrealised gains).

Expendable: The Barnett Shine Charitable Foundation

This fund was originally established as the Shine Denning Endowment Fund of the British Institute of International and Comparative Law in 1982. A total of £300,000 was donated over the period from 1982 to 2000, to provide income to the Institute for its general purposes, including “the provision of financial or material assistance to the Institute”, but with the power to “apply the whole or any part of the Trust Fund whether capital or income in or towards the implementation of any one or more of the objects of the Trust”. Income arising from the funds is applied for the general purposes of the Institute. A transfer from expendable endowments of £178,468 was made in 2000 to settle a deficit on unrestricted funds. This left a balance of £121,532 which has remained unaltered since then.

Purposes of restricted funds: current year

Phase 2 of the Bingham Centre Appeal was launched in May 2013 to raise further funds to sustain the Centre beyond Phase 1.

The Bingham Centre receives grants from the Jones Day Foundation in respect of specific Global Rule of Law Exchange international conferences.

The Legal Education Foundation funded secretariat support for the All-Party Parliamentary Group on the Rule of Law.

Phase 2 of the Arthur Watts Fellowship Appeal was launched in December 2014 to raise further funds to sustain the Fellowship beyond Phase 1.

The European Union provided funding for a collaborative research project RECONNECT (H2020) led by the University of Leuven.

The Laudes Foundation provided funding for a project on Global Perspectives on Corporate Climate Legal Tactics. This project is from September 2022 to September 2024.

The Role of Good Governance and the Rule of Law in Building Public Trust in Data-Driven Responses to Public Health Emergencies.

The Foundation Open Society Institute and the Digital Freedom Fund provided funding for a research project on big data and algorithms.

The United States of America Department of State provided funding for a Trafficking in Persons research project.

The Caribbean Community (CARICOM) provided funding to provide assistance to member states to harmonise companies and insolvency laws and instruments for the mutual recognition of companies.

Purposes of restricted funds: current year (continued)

The Pan American Development Foundation provided funds for research into Exposing Labour Exploitation in Cuba. Hausfeld LLP provided funds for research into Climate Litigation and the Separation of Powers.

The Leverhulme Trust provided funding for the research project Beyond Restitution: Exploring the Story of Cultural Objects After Repatriation.

The Institute for Ethics in Artificial Intelligence provided funding for the research project Rule of Law, Legitimacy and Effective COVID-19 Control Technologies.

The Baring Foundation provided funding for the research project Influencing Covid-19 legislation through Rule of Law-based scrutiny.

The Arts and Humanities Research Council provided funding for the research project The Role of Good Governance and the Rule of Law in Building Public Trust in Data-Driven Responses to Public Health Emergencies.

The UK Research Councils awarded an Open Access Block Grant to support the implementation of the Research Councils' Policy on Open Access. It provided a further grant in 2022.

The Legal Education Foundation provided funding for co-creating and sustaining a programme of Policy-relevant Rule of Law Research.

The Arts and Humanities Research Council provided funding for the establishment of a Modern Slavery Policy and Evidence Centre.

The Independent Commission on UK Counterterrorism Legislation, Policy and Practice is funded by Barrow Cadbury Trust, the Open Society Initiative for Europe, the Joseph Rowntree Charitable Trust and Unbound Philanthropy.

The Rule of Law Monitoring Project is funded by the David and Elaine Potter Foundation, the Joseph Rowntree Charitable Trust, the Joseph Rowntree Reform Trust and AB Charitable Trust.

The Joseph Rowntree Reform Trust provided funding for the Depolarising Constitutional Debate project to campaign to build the constitution back better by facilitating the rediscovery of shared constitutional values in the UK.

The UKRI provided 3 year grant funding for a research project into Covid-19 and the Law – Protection and Recovery for Vulnerable Groups. This project began in February 2022 and will continue to January 2025.

Solidar Suisse provided a research grant for a Global Labor Program – Platform for Organising by Workers for Empowerment and Recognition. This commenced in 2022 and will be completed in October 2026.

A collaborative research project funded by the Economic and Social Research Council was undertaken with Aberdeen University for an Interdisciplinary Study on Medical Research: Rescuing Intellectual Property Rights in Pandemic Emergencies from "Tragedy of the Anticommon". Aberdeen University are leading the project which commenced in 2022 and will continue until January 2025.

The Laudes Foundation provided a 2 year grant for a project on Global Perspectives on Corporate Climate Change Legal Tactics, with a selection of tools for NGOs, government bodies, local communities, other affected groups and individuals around the world, and those representing them.

Konrad Adenauer Stiftung (Australia) Ltd provided funding for a research project into the Protection of Intangible Cultural Heritage in the Pacific Region. The final report is due at the beginning of 2023.

Funding was provided by the PEC for a study into the Access to Legal Advice for Survivors of Modern Slavery.

Funding was provided by the PEC for a study into the Identification of adults with lived experiences of modern slavery in the UK.

The Independent Commission on UK Public Health is generously supported by the JRSST Charitable Trust, alongside other funders.

The Dorset Fellowship in Public International Law is 3 year funding from the Dorset Foundation.

The Foreign and Commonwealth Office provided funding for a London conference which was held in October 2022 on international law

The Sybil Shine Memorial Trust provided funding for a Youth and Public Engagement Programme.

Purposes of restricted funds: prior year

Phase 2 of the Bingham Centre Appeal was launched in May 2013 to raise further funds to sustain the Centre beyond Phase 1.

The Bingham Centre receives grants from the Jones Day Foundation in respect of specific Global Rule of Law Exchange international conferences.

The Legal Education Foundation funded secretariat support for the All-Party Parliamentary Group on the Rule of Law.

Phase 2 of the Arthur Watts Fellowship Appeal was launched in December 2014 to raise further funds to sustain the Fellowship beyond Phase 1.

The European Union provided funding for a collaborative research project RECONNECT (H2020) led by the University of Leuven.

The Jones Day Foundation provided funding for the global promotion of the rule of law for the period September 2018 to August 2021.

The Foundation Open Society Institute and the Digital Freedom Fund provided funding for a research project on big data and algorithms.

The Bluston Charitable Foundation provided funds for the creation of a new meeting room in Charles Clore House to be known as the Bluston Hub.

The United States of America Department of State provided funding for a Trafficking in Persons research project.

The Caribbean Community (CARICOM) provided funding to provide assistance to member states to harmonise companies and insolvency laws and instruments for the mutual recognition of companies.

The Pan American Development Foundation provided funds for research into Exposing Labour Exploitation in Cuba.

Hausfeld LLP provided funds for research into Climate Litigation and the Separation of Powers.

The Leverhulme Trust provided funding for the research project Beyond Restitution: Exploring the Story of Cultural Objects After Repatriation.

The Institute for Ethics in Artificial Intelligence provided funding for the research project Rule of Law, Legitimacy and Effective COVID-19 Control Technologies.

The Baring Foundation provided funding for the research project Influencing Covid-19 legislation through Rule of Law-based scrutiny.

The Arts and Humanities Research Council provided funding for the research project The Role of Good Governance and the Rule of Law in Building Public Trust in Data-Driven Responses to Public Health Emergencies.

The UK Research Councils awarded an Open Access Block Grant to support the implementation of the Research Councils' Policy on Open Access.

The Legal Education Foundation provided funding for co-creating and sustaining a programme of Policy-relevant Rule of Law Research.

The Arts and Humanities Research Council provided funding for the establishment of a Modern Slavery Policy and Evidence Centre.

The Independent Commission on UK Counterterrorism Legislation, Policy and Practice is funded by Barrow Cadbury Trust, the Open Society Initiative for Europe, the Joseph Rowntree Charitable Trust and Unbound Philanthropy.

The Rule of Law Monitoring Project is funded by the David and Elaine Potter Foundation, the Joseph Rowntree Charitable Trust, the Joseph Rowntree Reform Trust and AB Charitable Trust.

The Joseph Rowntree Reform Trust provided funding for the Depolarising Constitutional Debate project to campaign to build the constitution back better by facilitating the rediscovery of shared constitutional values in the UK.

The Sybil Shine Memorial Trust provided funding for a Youth and Public Engagement Programme.

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Unrestricted funds: current year

A designated fund established in respect of funds raised from the 60th Anniversary Appeal was used to provide funds towards the refurbishment of the Institute's office space, the creation of a new conference and events suite, and the development of new programmes of research, training and events.

Unrestricted funds: prior year

A designated fund was established in respect of funds raised from the 60th Anniversary Appeal, which was used to provide funds towards the refurbishment of the Institute's office space, the creation of a new conference and events suite, and the development of new programmes of research, training and events.

Capital Fund

The capital fund represents the net book value of fixed assets less the value of the University of London creditor £927,046 (2021: £1,017,667) associated with the cost of leasehold improvements.

Transfers between funds: current year

As per the agreement, the outstanding balance from the project 'Harmonising Caribbean company and insolvency law' was transferred to unrestricted funds. This amount totalled £5,261.

Transfers between funds: prior year

Restricted funds given by the Bluston Charitable Foundation specifically to fund aspects of the refurbishment of Charles Clore House have been transferred from restricted funds to unrestricted funds in recognition that the purpose for which the funds were given, namely the completion of the refurbishment, has been satisfied.

Funds received from the 60th Anniversary Appeal have been transferred from designated funds to general unrestricted funds, as these funds are to be applied for the general purposes of the Institute.

21 Operating lease commitments

The charity's total future minimum lease payments under non-cancellable operating leases are as follows:

	Property		Equipment	
	2022 £	2021 £	2022 £	2021 £
Less than one year	1	1	560	640
One to five years	4	4	480	960
Over five years	47	48	-	-
	52	53	1,040	1,600

22 Legal status of the charity

The charity is a company limited by guarantee and has no share capital. The liability of each member in the event of winding up is limited to £1.

THE BRITISH INSTITUTE OF INTERNATIONAL AND COMPARATIVE LAW

England & Wales - Charity number 209425

Accounts



**British Institute of
International and
Comparative Law**

Company number: 615025

Charity number: 209425

The British Institute of International and Comparative Law

Report and financial statements

For the year ended 31 December 2021

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For the year ended 31 December 2021

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The British Institute of International and Comparative Law

Reference and administrative information

For the year ended 31 December 2021

Company number	61 5025
Country of incorporation	United Kingdom
Charity number	209425
Country of registration	England and Wales
Registered office and operational address	Charles Clore House 17 Russell Square London, WC1B 5JP

Trustees Trustees, who are also directors under company law, who served during the year and up to the date of this report, were as follows:

Professor Oladapo Akande	(to 20/09/2021)
Chiann Bao	(from 05/12/2021)
Emeritus Professor John Bell	(to 20/09/2021)
Guy Beringer	(from 20/09/2021)
Professor Thom Brooks	(from 20/09/2021)
Shehzad Charania	(from 20/09/2021)
Dean Curtis	(from 20/09/2021)
Professor Malik Dahlan	(to 20/09/2021)
Shaheed Fatima QC	
Naomi Hart	(from 20/09/2021)
Alex Just	(from 20/09/2021)
Sir Iain MacLeod	(to 20/09/2021)
Sorcha MacLeod	(from 20/09/2021)
Professor Iain MacNeil	(from 20/09/2021)
Habib Motani	(from 20/09/2021)
Nigel Parr	(to 20/09/2021)
Constantine Partasides	
Elizabeth Perks	Chair of the Finance & Audit Committee
Keith Ruddock	Chair of the Board of Trustees
Professor Dan Sarooshi QC	(from 20/09/2021)
Rupert Skilbeck	
Professor Elies van Sliedregt	(from 20/09/2021)
Diana Wallis	

Key Management Personnel	Professor Spyros Maniatis Murray Hunt Peter Bond Stephen Oates	Institute Director Director of the Bingham Centre Chief Operating Officer Director of Finance
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The British Institute of International and Comparative Law

Reference and administrative information

For the year ended 31 December 2021

Bankers

CAF Bank Limited
25 Kings Hill Avenue
Kings Hill
London, W1T 2AR

HSBC plc
39 Tottenham Court Road
West Malling
Kent, ME19 4JQ

Auditor

Sayer Vincent LLP
Chartered Accountants and Statutory Auditor
Invicta House, 108–114 Golden Lane
London, EC1Y 0TL

The Trustees are pleased to present their report and the audited financial statements for the year ended 31 December 2021.

The reference and administrative information set out on page 1 forms part of this report. The financial statements comply with current statutory and company law requirements, the memorandum and articles of association and the Statement of Recommended Practice – Accounting and Reporting by Charities: SORP applicable to charities preparing their accounts in accordance with FRS 102.

Objectives and activities

Purposes and aims

The British Institute of International and Comparative Law (BIICL, the Institute) is an independent charitable research body. Our key purposes are to develop and advance the understanding of international and comparative law in the UK and around the world, and to promote the rule of law in national and international affairs. Through our work, we seek to improve decision-making on law and policy issues, and so have a positive impact on people's daily lives.

Our organisational vision is for BIICL to be an independent leader in applied legal research and ideas: informing debate, policy and practice; upholding and maintaining humane and democratic values; promoting evidence-based decision-making; and contributing to the upholding of the international legal order and the rule of law in the UK and worldwide.

We aim to make a unique contribution as an independent and authoritative voice on international and comparative legal issues by:

- providing high quality applied research, based on strong conceptual foundations, that influences law and policy-making; and
- promoting the application and wider dissemination of our research through publications, events and training.

BIICL has no recurrent core funding. We receive funding for our research and other activities from a wide variety of bodies, including research councils, law firms, national governments, international and regional organisations, private trusts and foundations, and non-governmental organisations, as well as BIICL members, training delegates and event attendees. In many instances, our research projects have more than one funder.

BIICL's Strategic Plan 2019–2023 is organised under four main themes:

- continued excellence and independence;
- developing and growing;
- open BIICL; and
- improving our organisation

Trustees' annual report

For the year ended 31 December 2021

The Strategic Plan highlights the context, key risks, opportunities and challenges for each of these themes and identifies objectives and targets to be achieved over the five year period.

The Trustees review progress against the Strategic Plan on a regular basis to ensure our activities are consistent with our aims and support our public benefit mission. This report considers what BIICL has achieved during 2021 and the outcomes, impacts and benefits of our work.

Principal Activities

Research

BIICL's research is co-ordinated via three Centres: International Law; Comparative Law; and the Bingham Centre for the Rule of Law. The Bingham Centre also acts as the host for the UK's Modern Slavery & Human Rights Policy and Evidence Centre which is supported by funding from UKRI. Our focus is primarily on practical and applied research, based on strong conceptual foundations, which offers examples of good practice, recommendations for future improvements and seeks to have an impact on law and policy. The research often crosses traditional boundaries of law, integrating private and public international law, for example, and engaging with national, regional and comparative law. Our research is always independent, irrespective of its funding source.

Events and Training

BIICL organises an extensive public events programme covering a broad spectrum of current legal topics within the areas of our expertise. These events typically include full day conferences, shorter seminars and lectures.

We offer a range of training activities to the public to provide information, practical assistance and capacity building to governments, institutions, firms, corporations, groups, individuals and others. During 2021, we have significantly expanded our range of short courses on topics including Law of the Sea, Public International Law, Business & Human Rights, Climate Change Law, and Cultural Heritage. These courses have been offered online during the pandemic and have enabled our reach and impact to grow globally, as well as providing an important revenue streams.

Membership

BIICL membership is open to all people, both in the UK and around the world. Our members come from: legal practice (including solicitors and barristers); academia (staff and students); the judiciary; corporations and other commercial bodies; government and non-governmental organisations; and members of the wider public who are interested in the many aspects of international and comparative law.

Members benefit from access to BIICL's research outcomes, as well as opportunities to contribute to specialist discussion groups and to network with the diverse range of people and organisations with whom we interact. The diversity of BIICL's membership, as well as the many non-members who attend our events, and our ability to engage across a broad range of international and comparative legal issues, ensures that BIICL remains a relevant and essential institution. We also convene Forums of experts in four areas (Business and Human Rights, Competition Law, Investment Treaty Law and

Trustees' annual report

For the year ended 31 December 2021

Product Liability).

Publications

BIICL's main publication is the *International and Comparative Law Quarterly*, which is produced by Cambridge University Press and is recognised as one of the leading journals in its field. BIICL also occasionally publishes books, mainly of our own research, as well as some by other experts in our fields of work. Most of our research projects also produce final reports, many of which are publicly available to download for free from our website (www.biicl.org).

Volunteers

BIICL offers flexible, part-time and short-term opportunities for people to volunteer for the charity (typically postgraduate law students) and to assist in our research and related activities. We aim to offer interesting and developmental opportunities that include training and skills development.

Public Benefit

The Trustees confirm that they have paid due regard to the public benefit guidance published by the Charity Commission in deciding on BIICL's activities. In particular, the Trustees consider how planned activities will contribute to our aims and objectives.

BIICL considers that its activities are of public benefit in at least the following ways:

- provision of independent research to external bodies, including governments, for the purpose of assisting these bodies to formulate public policy, such as future regulation and legislation, which can have significant benefit for people in the UK and elsewhere in the world;
- provision of information, education and training to build capacity in the UK and around the world in the application and enhancement of international and comparative law, and the rule of law, to support the judiciary, government legal officials and civil society;
- dissemination of research and information about international and comparative law directly to BIICL members, including legal scholars, judges, barristers, solicitors, students, advisers to governments, corporations and non-governmental organisations, who are then better able to advise public and private bodies accurately about international and comparative legal issues;
- dissemination of research and information about international and comparative law, and the rule of law, to the general public, especially to all those interested in these matters, who are then better informed in their active engagement with these issues;
- offering a wide range of conferences, seminars, lectures, training courses and other events on contemporary issues of international and comparative law, and the rule of law, that are open to the general public to attend, as these issues may affect their daily lives and/or better inform them about these important issues;
- dissemination to the general public of matters of international and comparative law, and the rule of law, by the printing and distribution of publications and journals;
- publication of the Institute's activities, newsletters and other information to the general public on the Institute's website; and

Trustees' annual report

For the year ended 31 December 2021

- contributing to the broader education of the general public about the many important aspects of international and comparative law, and the rule of law, and the impacts these may have on national systems.

Some specific examples of the provision of public benefit through the activities carried out by BIICL in 2021 are provided below.

Achievements and performance

BIICL's main activities and beneficiaries during the year are described below. All of our charitable activities focus on international and comparative law, and the rule of law, and are undertaken to further BIICL's charitable purposes for the public benefit. The COVID-19 pandemic continued to have a major impact on our activities during 2021, with the majority of our events and training courses being delivered via online platforms. The BIICL team has risen superbly to the challenge of keeping our programme of research, events and training running during this challenging time and the trustees thank them for their resilience and energy and for all that they have achieved despite these very difficult circumstances.

Membership

BIICL membership (comprising both individuals and organisations) was 346 at the end of 2021 (2020: 324). Membership income was £43,713 (2020: £50,033). The reduction of income was caused by a lower level of organisation membership.

During 2021, we continued to support four Forums in the areas of: Business and Human Rights; Competition Law; Investment Treaty Law; and Product Liability. All of our Forums make an important contribution to the work of BIICL, provide opportunities to explore current issues and prompt further research. Total Forum membership in 2021 was 100, comprising 64 organisations and 36 individuals (2020: 110, comprising 79 organisations and 31 individuals). Forum membership income was £238,470 in 2021 (2020: £253,633).

Research

BIICL continued to develop its active and responsive programme of practical and applied research during 2021. We received funding from several external organisations to support a diverse range of research topics, including work in the following areas:

- A two-year project on Determinants of Anti-Trafficking Efforts, funded by the US Government, which is analysing the processes which influence governments' anti-trafficking measures and exploring how factors interlink to yield change in government policy;
- A Leverhulme Trust funded research project on cultural heritage which seeks to offer a longer-term view on restitution through an analysis of past experiences, and continued work on the role of multilateral development banks in the protection of intangible cultural heritage.
- A study analysing the obligations of multinational corporations working in the tourism and hospitality sector in Cuba to provide a better understanding of potential strategies to advance the protection of human rights in the face of risks of labour exploitation and discrimination.

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- A comparative study in partnership with the European Bank for Reconstruction and Development to inform the develop a new framework for online small claims courts in Ukraine and provide a solution that increases access to efficient and affordable justice for small business and citizens to resolve disputes without formal court proceedings.
- A major interdisciplinary project on The Role of Good Governance and the Rule of Law in Building Public Trust in Data Driven Responses to Public Health Emergencies which considered the history of legal responses to public health emergencies, and a legal analysis of domestic data-driven responses such as vaccine passports, contact tracing, and venue check-in apps.
- The Rule of Law Monitoring of Legislation project, led by the Bingham Centre, to monitor the compatibility of UK Government Bills with the internationally agreed standards in the Venice Commission's Rule of Law Checklist. The Project produces independent, expert reports to ensure that any Rule of Law issues are identified early and subjected to rigorous scrutiny and debate in Parliament. A particular focus has been given to the government's coronavirus legislation.

BIICL's Annual Impact Reports provide further details of our achievements and research impacts. Copies may be downloaded from our website (www.biicl.org).

Events and training

BIICL's programme of events and training remained online during 2021 due to the risks posed by the COVID-19 pandemic, but continued to offer high level discussions with speakers from around the world. We continued to see significant growth in the global audience for our events as a results of them being made available via online platforms.

During the 2021, BIICL partnered with a variety of organisations to put in high profile events including the Asia-Pacific Europe Law Institutes Alliance (APELIA), Sant'Anna School of Advanced Studies (SSSA), The Alan Turing Institute and the Centre for Climate Change Studies and Sustainable Actions (3CSA). Many other collaborations for events during the year involved law firms and members of our forums as speakers and sponsors.

Key events during 2021 included the ICLQ annual lecture delivered by Professor Simon Chesterman from the National University of Singapore on his paper *Artificial Intelligence and the Limits of Legal Personality*, and the Grotius lecture delivered by Professor Sir Malcolm Evans KCMG OBE, who spoke about the UN Human Rights Treaty Systems.

The BIICL WTO Conference featured a keynote address from H.E. Ambassador Simon Manley CMG from the UK Mission to the WTO, as well as speakers from the WTO alongside government representatives, academics, and businesses, to debate the impact of COVID-19 on world trade.

In July 2021, BIICL partnered with international law firm Hausfeld to convene an international virtual summit on *Our Future in the Balance: The Role of Courts and Tribunals in Meeting the Climate Crisis*. This event led to the publication of a *Declaration on Climate Change, Rule of Law, and the Courts*, distilling some of the critical conclusions and outlining the fundamental role of the law and judiciary in tackling climate change. As official observers at COP26, the Declaration was presented by BIICL staff in a panel session led by Mary Robinson, Former UN Special Envoy on Climate Change and High

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For the year ended 31 December 2021

Commissioner for Human Rights, and Vanessa Nakate, Ugandan climate justice activist.

Other high-profile events on climate change included a seminar on the topic of *Corporate Accountability and Liability Mechanisms for Climate Change* and a webinar series entitled *Rising Sea Levels: Promoting Climate Justice Through International Law*.

As well as BIICL's short training courses, three MOOCs are available in the areas of *Citizenship and the Rule of Law*, which has had over 2,500 completions, *Rule of Law and Democracy in Europe* drawing on the work of the RECONNECT project, and *International Investment Law and Dispute Resolution*, with over 450 enrolments since launching in 2020.

In 2021, BIICL's income from events and training courses was £195,369 (2020: £183,251). During the pandemic many events were provided as free online webinars or at a much reduced cost, with the increase in income due to the expansion of training courses. There were 87 events during the year (2020: 85).

Publications

The *International and Comparative Law Quarterly (ICLQ)*, which celebrated its 70th Anniversary in 2021, continues to attract a very high standard of scholarship from around the world in the fields of public international law, private international law, comparative law, human rights law and European law. The journal is managed by an active Editorial Board of senior academics and retains its reputation as a world leading academic legal journal, with a high impact factor. A strict peer review system is operated to ensure that articles are selected purely on merit. This reflects the independence of the *ICLQ* and BIICL.

Cambridge University Press manages production, marketing and distribution of the *ICLQ* and provides additional support. Overall income from the *ICLQ* was £236,156 in 2021 (2020: £247,668). In addition to the journal, BIICL occasionally publishes its own books and income from book sales in 2021 was £8,124 (2020: £16,415).

BIICL also produces working papers, research reports, responses to government proposals and other submissions, many of which are freely available to download from our website. Staff also regularly publish their own research in other academic journals and books.

Public Benefit

Much of BIICL's work makes an active contribution to our public benefit mission. Our diverse range of research, events, training and publications continues to enable increased public knowledge and awareness of important issues of international law, comparative law and the rule of law. We list below some selected examples of the impact of our work during 2021:

- The BIICL Guidelines for the resolution of disputes following the pandemic set out practical ways in which corporate organisations might be encouraged to adopt conciliatory approaches to COVID-19 related contractual disputes without prejudicing or altering parties' legal rights. The

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For the year ended 31 December 2021

guidelines have been translated into seven languages and disseminated widely.

- Submission of written evidence to the Public Administration and Constitutional Affairs Committee on vaccine certification, arising from work undertaken on the Data-Driven Responses to Public Health Emergencies Project.
- Detailed reports and engagement with Parliamentarians from the Rule of Law Monitoring of Legislation Project, including drafting amendments to the Overseas Operations Bill which led to a government policy change, analysis on the Coronavirus Bill and COVID-19 regulations which were cited in Parliamentary debates on matters such as the proportionality of lockdown measures, and work on the Environment Bill leading to amendments being tabled for discussion in the House of Lords on a cross-party basis.
- The Product Liability Forum undertook work on the acceptability of emergency vaccines and remedies for adverse reactions which led to submission of important evidence to the UK Government's consultation on modification of medicine licensing rules to support the rollout of COVID-19 vaccines.
- We measure our overall performance against the strategic aims and objectives set out in our Strategic Plan. Analysis of the third year of progress against our new Strategic Plan 2019-2023 illustrated a reasonable level of progress against our objectives and targets, despite the challenges of the pandemic. Some key indicators of progress during the year include:
 - The continued growth of our training programme of short courses, with over 550 people registered during 2021, including new courses provided in Aviation Law, Cultural Heritage Law, and Migration and Refugee Law, alongside our popular offerings in Business & Human Rights, Climate Change Law, International Trade Law, Law of the Sea, and Public International Law.
 - The development of the Modern Slavery & Human Rights Policy and Evidence Centre, led by BIICL's Bingham Centre for the Rule of Law, which published its strategy for 2021-2024 in April, following an extensive consultation with a wide range of people working the anti-slavery field including academics, civil society, policymakers, lawmakers, businesses, frontline activists and – most importantly – those with lived experience.
 - The expansion of our public engagement activities with a volunteering initiative for young lawyers bringing them into school classrooms to teach students about the rule of law.
 - Continuing to win significant new research funding in collaboration with a range of new UK and international partners.

Beneficiaries of our services

Beneficiaries of BIICL's research and other activities are diverse and include: legal practitioners; academics; the judiciary; corporations and other commercial bodies; government and non-governmental organisations; and members of the wider public.

Trustees' annual report

For the year ended 31 December 2021

Financial review

The Statement of Financial Activities shows that overall income increased slightly during 2021 from £3,998K in 2020 to £4,009K in 2021. The net increase comprises a 5% increase (£52K) in Unrestricted Fund income and a 1% decrease (£41K) in Restricted Fund income.

Total expenditure increased by 25% to £4,180K (2020: £3,336K). Unrestricted Fund expenditure increased by 5% (£74K), and Restricted Fund expenditure increased by 39% (£770K).

The Institute has a deficit for the year on Unrestricted Funds of £199K (2020: surplus £11K) and a surplus on Restricted Funds of £150K (2020: surplus £698K). Total fund balances decreased by £49K (2020: an increase of £709K) to £2,606K (2020: £2,655K). This was after taking into account net unrealised gains on investments of £122K (2020: net gains £48K).

Restricted Fund income has been recognised in accordance with the current Statement of Recommended Practice Accounting and Reporting by Charities (the Charities SORP). This treatment may mean that income is not recognised in the same period as the related expenditure. Over time Restricted Fund income should match expenditure, although significant surpluses or deficits may occur in certain years depending on the timing of income and expenditure.

The 2021 income on Restricted Funds primarily relates to:

- Donations to the Bingham Centre received in respect of the Bingham Appeal;
- Grant funding from the Arts and Humanities Research Council for research into the Role of Good Governance and the Rule of Law in Building Public Trust in Data-Driven Responses to Public Health Emergencies;
- Grant funding from the Sybil Shine Memorial Trust for a Youth and Public Engagement Programme;
- Grant funding from the United States of America Department of State for a Trafficking in Persons research project;
- Grants from various funders for the establishment of an Independent Commission on UK Counterterrorism Legislation, Policy and Practice;
- Grant funding from the Arts and Humanities Research Council for the establishment of a Modern Slavery Policy and Evidence Centre.

The Trustees reaffirmed BIICL's investment policy, which seeks to produce the optimum total return, balanced between income and capital, from its investment portfolio. The performance of our investment funds is monitored by the Finance and Audit Committee for the Trustees. Our funds are invested in an investment fund for charities, which provides us with a suitable balanced portfolio coupled with ready liquidity.

The average yield on investments in 2021 was 2.2% (2020: 2.0%). The average (unrealised) movement in the market value of investments in 2021 was a 12% increase (2020: 5.0% increase).

Trustees' annual report

For the year ended 31 December 2021

Pensions

During 2021, BIICL participated in two funded pension schemes: one defined benefit scheme and one defined contribution scheme. Further details are provided in note 18 to the financial statements.

Principal risks and uncertainties

The Trustees operate a formal risk management process to assess business risks and implement risk management strategies. This involves identifying the risks faced by BIICL, prioritising these in relation to impact, likelihood of occurrence and overall risk level, and identifying mitigating factors and ways to manage the risks. In addition, all risks are owned by a member of BIICL's management team. This risk register is regularly reviewed by the Finance and Audit Committee and by the Trustees, to ensure that it is kept up-to-date. As part of this process the Trustees have reviewed the adequacy of the Institute's current internal controls and the costs of operating particular controls relative to the benefits obtained. Procedures have been established for reporting failings immediately to appropriate levels of management and to the Board of Trustees.

The Trustees consider that the lack of recurrent core funding represents a significant risk to the Institute. To mitigate this risk, the Trustees continue to seek core funding as a key part of our fundraising activity. During 2021, we continued to secure donations through our Appeals to assist with future growth of our strategic priority areas and to contribute towards major refurbishment costs.

The financial impact of the COVID-19 pandemic has continued to have a significant effect on the Institute's finances in 2021, particularly with regard to income derived from events and training courses. The high risk of a continuing impact in 2021 was considered when setting the Institute's operating budget for 2021 and substantial mitigation was achieved by re-designing the training programme to be delivered wholly online. This approach is likely to continue into 2022.

Taken together, the Trustees consider that the lack of recurrent core funding and the ongoing impact of the COVID-19 pandemic could present a potential risk to the continued going concern status of the Institute in future years. The Trustees are mindful of this risk and have reviewed a financial scenario for 2023 which has adopted a worst case scenario approach with regard to income streams that are volatile or unsecured, and have identified mitigating actions which could be taken should the need arise. As a result, the Trustees consider that there are currently no material uncertainties about the Institute's ability to continue as a going concern.

All fundraising and other income generation activities abide by our Guidelines for Ethical Funding.

In addition to our fundraising activities, we continue to diversify and seek new sources of income for our research and training activities.

Trustees' annual report

For the year ended 31 December 2021

Reserves policy

Free reserves available for use by BIICL are deemed to be those that are readily realisable, less those funds whose uses are restricted or designated for particular purposes. The calculation thus excludes funds of £1,490K (2020: £1,616K) invested in property and other fixed assets that will continue to be used in the day-to-day running of the Institute.

As a matter of policy, each year the Trustees review the value of the reserves retained in the form of investments, cash and cash equivalents not held for restricted purposes or designated projects. The Board of Trustees considers BIICL's exposure to major risks in terms of their likely impact on its income sources and planned expenditure in the short to medium term, as well as assessing the best way to manage such risks.

The present target for free reserves is a minimum of 50% of the year's audited figure for total unrestricted resources expended, to recognise the risks relating to lack of recurrent core funding and to enable the Institute to cope with any emergencies. As at 31 December 2021 this target equates to £717K (2020: £679K).

The exceptional expenditure on major building refurbishment in 2019 and 2020 represents a substantial investment in our office and event space in a building that has had no major improvements since it was built in the late 1970s. Trustees saw this investment as necessary to bring the building's services and infrastructure up to 21st century standards. As a result, there has been a substantial increase in BIICL's fixed assets.

While we have excluded fixed assets when calculating our free reserves in line with Charity Commission advice, our liquid assets have not in large part been committed to the fixed assets. As a consequence, applying this usual treatment does not fairly represent the underlying reality for the organisation. Our calculation of free reserves, therefore, now takes into account both the value of fixed assets and the total value of the loan from the University of London of £1,018K (2020: £1,018K).

The Covid-19 pandemic has continued to have a significant effect on BIICL's finances and activities during 2021 and the financial impact of this will continue to be experienced during 2022. Trustees do, however, recognise that a key priority for the next few years will be to rebuild free reserves back to the target level as soon as practicable. New income generation is actively being pursued through a variety of measures including income growth from new training activities, research funding, consultancy services, fundraising and international partnerships. Expenditure will be closely monitored by the Board and cost-cutting measures implemented, if necessary.

Trustees' annual report

For the year ended 31 December 2021

BIICL's free reserves are calculated as follows:

	2021 Total	2020 Total	
		£K	£K
Unrestricted funds at 31 December		781	980
Expendable endowment fund at 31 December		122	122
University of London loan		1,018	1,018
Less: Investment in tangible fixed assets for the Institute's use		<u>(1,490)</u>	<u>(1,616)</u>
		<u>431</u>	<u>504</u>

The Trustees will continue to keep this policy under review.

Fundraising

BIICL undertakes a peer-to-peer approach to fundraising which is governed by our Guidelines on Ethical Funding. We have a small, in-house Development team of three staff, who operate with support from our trustees, senior staff and other volunteers (typically senior lawyers or former law firm partners). BIICL does not use any external fundraisers or other commercial participators.

We have received no complaints about our fundraising activity and there have been no failures to comply with fundraising standards or regulation. BIICL's peer-to-peer approach to fundraising ensures that vulnerable people and other members of the public are protected from any unreasonable behaviour and intrusion. Our Donor Privacy Policy is available on our website.

Plans for the future

BIICL's Strategic Plan 2019–2023 provides the framework to guide and inform our future plans. Like many other organisations, our programme of work continues to be affected by the COVID-19 pandemic. In response, as discussed earlier in this report, we have adapted our events and training activities and have worked hard to maximise our research income, including several new projects related to the impact of the pandemic. Some of our plans related to partnership working and new funding streams may take longer to be realised than we initially anticipated, but we have continued to develop new and existing relationships with both national and international partner organisations and universities. The contribution of our work to upholding international law and the rule of law has arguably never been more important, as States around the world struggle to find the most effective legislative and medical responses to the pandemic alongside other global challenges.

The Trustees are mindful of the risks presented by the Institute's lack of recurrent core funding and the impact of the COVID-19 pandemic, and recognise the need to develop new income-generating activities as part of the Institute's business development strategy. This strategy includes the development of new postgraduate and executive education programmes in partnership with other academic institutions as a major long-term goal for a substantial and sustainable new income stream.

Structure, governance and management

Trustees

BIICL is governed by its Memorandum and Articles of Association adopted on 2 October 1958 and last amended on 13 September 2010.

The present Trustees, and any past Trustees who served during the year, are listed on page 1 of this Annual Report, together with the Institute Director and key management personnel.

During 2021, the Board of Trustees widely advertised an open call for new members of the Board to fill vacant positions from a pool that drew as wide and diverse a field of applicants as possible. The Board was delighted by the response which attracted nearly 100 expressions of interest for the 12 vacant positions. A rigorous process of shortlisting and selection was undertaken to appoint the new Trustees listed on page 1.

The Board of Trustees is responsible for the overall governance of the Institute and the total number of Trustees may not exceed eighteen. Trustees are in office for a term of three years and may not serve more than two consecutive full terms.

Trustees meet at least 4 times a year. Apart from the Annual General Meeting, these meetings consist of formal Board meetings, held every quarter. At these meetings, Trustees review and set overall strategy and operational performance, as well as review the direction of BIICL research, events and publications.

Effective partnership between Trustees and BIICL staff continues to contribute significantly to our success. The Board delegates the exercise of certain powers in connection with the management and administration of the Institute as set out below. This is monitored by regular reporting to the Board, and by receipt and discussion of reports by the Institute Director and other staff as required, so that all decisions made under delegated powers can be ratified by the full Board in due course. These measures ensure that Trustees have the necessary understanding for effective and informed decision-making.

Trustee Recruitment, Induction and Training

Trustees are nominated by the Board of Trustees and elected to the Board at BIICL's Annual General Meeting. Generally, Trustees have already had an involvement with our activities, which ensures a broad understanding of BIICL's work. Special advisors to the Board of Trustees are co-opted on an *ad hoc* basis.

All new Trustees receive a general induction to BIICL's governance and operations by the Institute Director, Company Secretary and other senior staff. Training on specific matters is available, where appropriate. Sometimes this training takes the form of a presentation to the Board of Trustees by a guest speaker or a member of staff.

Trustees' annual report

For the year ended 31 December 2021

Finance and Audit Committee

The members of the Finance and Audit Committee are appointed by the Board of Trustees. The members during 2021 were:

- Trustees: Liz Perks (Chair), Nigel Parr (to September 2021), Thom Brooks, Dean Curtis, Iain MacNeil (all from September 2021).
- Former Trustees: Adam Johnson and Sir Stanley Burnton (both to September 2021).
- External Members: Aimee-Jane Lee; Jo Kaybryn, Jason Reeves (both from September 2021).

The Committee met 3 times during 2021. Meetings were also attended by the Institute Director, Institute Chief Operating Officer, Director of Finance, and the Director of the Bingham Centre.

Membership of the Committee shall include at least two BIICL Trustees (one of whom must be the Chair of the Committee). Other members shall comprise former Trustees or other independent external individuals with recent and relevant experience and expertise in finance, audit or other appropriate areas. Committee members should have no executive responsibility for the management of BIICL and no significant interests in the institution. The Chair of the Board of Trustees shall not be a member of the Committee. There shall be no fewer than five members. A quorum shall be at least three members (one of whom must be a Trustee).

Trustee member appointments to the Committee shall be in line with their Trustee terms of office. Other members shall be appointed for an initial term of three years and may serve for one further consecutive term. Appointments to the Committee are staggered to ensure some regular turnover of members.

The Committee's terms of reference are:

Financial issues

- To be responsible for the financial review of BIICL's activities including: financial results; risk assessment and management; and internal financial controls.
- To determine an annual budget for recommendation to the Board of Trustees.
- To ensure proper procedures are in place to manage cash resources prudently and to maximise income from liquid assets whilst maintaining sufficient funds to meet daily cash requirements.
- To review the strategy, policy and management of BIICL's investment portfolio, and to advise the Board of Trustees on the appropriate level of free reserves and of any significant changes needed in the investment strategy.
- To determine the policies applicable to the annual salary review of BIICL staff and any general staffing salary issues, and to advise on specific staffing salary and other benefits issues, for recommendation to the Board of Trustees.

Trustees' annual report

For the year ended 31 December 2021

Audit issues

- To consider all aspects of the external audit, including appointment and remuneration of the external auditor, the nature and scope of the statutory audit, the recommendation of audited financial statements to the Board of Trustees, and the discussion of issues raised in the external auditor's management letter.
- To ensure that the annual financial statements are true and fair and conform to accounting standards, and that accounting policies are appropriate and applied consistently.
- To review the performance reported in the Trustees' Annual Report and to ensure that this is a true reflection of the charity's performance.
- To review all reports prepared by the external auditor and to agree the programme of work proposed by management to address any issues raised.
- To review the process for awarding non-audit work to the external audit firm and to ensure that potential conflicts of interest are managed in the best interests of the charity.
- To monitor the compliance of BIICL with applicable laws and regulations, as well as its own policies and procedures.

Research Ethics Committee

The Board of Trustees established a Research Ethics Committee in 2015, with responsibility for the development and implementation of policy and processes relating to research ethics.

Its terms of reference are:

- to consider new research proposals in line with BIICL's research ethics policy and process, and
- to approve, refer or decline proposals, as appropriate;
- to monitor and review the effective application and operation of BIICL's research ethics policy;
- to advise BIICL's Board of Trustees on developments relating to research ethics policy, good practice and implementation.

The Chair of the Committee is a Trustee or former Trustee appointed by the Board. Other members comprise: one other BIICL Trustee; two lay members; the Institute Director; three Senior Research Fellows, at least one of whom will be from the Bingham Centre; and the Institute Chief Operating Officer.

Advisory Panels

Advisory Panels operate in each of the main BIICL research areas, with Panel members appointed for their expertise in these fields of law.

Institute Director

The Institute Director is responsible for the day-to-day management of the Institute's affairs and for implementing strategies agreed by the Board of Trustees. The Institute Director is assisted by a team of senior managers and senior researchers, with whom there are regular meetings.

Trustees' annual report

For the year ended 31 December 2021

Corporate Governance

Internal controls over all forms of financial commitments, obligations and expenditure continue to be refined to improve efficiency and as part of ongoing internal risk assessment processes. Policies and procedures are in place to ensure that performance is monitored and that appropriate management information is prepared and reviewed regularly by both senior management and the Board of Trustees.

The systems of internal control are designed to provide reasonable but not absolute assurance against material misstatement or loss. These are contained within BIICL's Financial Regulations and Procedures and include:

- an annual budget approved by the Trustees;
- regular consideration by the Trustees of financial results, variances from budgets, non-financial performance indicators and benchmarking reviews;
- delegation of day-to-day management authority and segregation of responsibilities; and
- identification and management of risks.

All Trustees give their time voluntarily and receive no benefits from the charity. Trustees' expenses reimbursed in 2021 were £nil (2020: nil). No charity trustee received payment for professional or other services supplied to the charity (2020: £nil).

Related parties and relationships with other organisations

BIICL sometimes receives grants from The International Rule of Law Project Inc. (IROLP), a US public charity established by supporters of BIICL, tax exempt under Section 501(c)(3) of the US Internal Revenue Code. IROLP is governed by its own independent Board, which includes the Institute Chief Operating Officer. No grants from IROLP were received in 2021 (2020: no grants received).

Remuneration policy for key management personnel

The Finance and Audit Committee makes an annual recommendation to the Board of Trustees on the general principles to operate in relation to the remuneration of all staff, including key management personnel. In determining these general principles, the Finance and Audit Committee considers the following matters:

- UK inflation (CPI/CPIH) over the period and any other general economic matters;
- comparator sectors' salaries and salary increases, being the higher education sector; the charity sector; and the public sector;
- BIICL's financial position in the previous year and expected financial position in the current year; and
- Information on any changes in roles and levels of responsibility, as well as the overall performance of staff at their annual reviews.

Trustees' annual report

For the year ended 31 December 2021

Once the Board of Trustees has agreed these principles, the Institute Director applies them to individual staff members as part of the annual review process. The salary of the Institute Director is decided by the Board of Trustees on the recommendation of the Chair of the Board, taking account of the same general principles.

Statement of responsibilities of the Trustees

The Trustees (who are also directors of the British Institute of International and Comparative Law 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 charitable company and of the incoming resources and application of resources, including the income and expenditure, of the charitable company 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 SORP;
- make judgements and estimates that are reasonable and prudent;
- state whether applicable UK Accounting Standards and statements of recommended practice 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 charity 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 charitable company 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 charitable company 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;
- there are no material uncertainties relating to BIICL's ability to continue to adopt the going concern basis of accounting;
- 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 charitable company's website. Legislation in the United Kingdom governing the preparation and dissemination of financial statements may differ from legislation in other jurisdictions.

Trustees' annual report

For the year ended 31 December 2021

Members of the charity guarantee to contribute an amount not exceeding £1 to the assets of the charity in the event of winding up. The total number of such guarantees at 31 December 2021 was 357 (2020: 324). The Trustees are members of the charity but this entitles them only to voting rights. The Trustees have no beneficial interest in the charity.

Auditor

Sayer Vincent LLP was re-appointed as the charitable company's auditor during the year and has expressed its willingness to continue in that capacity.

The Trustees' annual report has been prepared in accordance with the special provisions applicable to companies subject to the small companies' regime.

The Trustees' annual report has been approved by the Trustees and signed on their behalf by

4 July 2022
Keith Ruddock
Chair of the Board of Trustees

Independent auditor's report

To the members of

The British Institute of International and Comparative Law

Opinion

We have audited the financial statements of The British Institute of International and Comparative Law (the 'charitable company') for the year ended 31 December 2021 which comprise the statement of financial activities, balance sheet, statement of cash flows and 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 FRS 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 charitable company's affairs as at 31 December 2021 and of its incoming resources and application of resources, including its income and expenditure for the year then ended
- Have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice
- 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 charitable company in accordance with the ethical requirements that are relevant to our audit of the financial statements in the UK, including the FRC'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.

Conclusions relating to going concern

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.

Based on the work we have performed, we have not identified any material uncertainties relating to events or conditions that, individually or collectively, may cast significant doubt on The British Institute of International and Comparative Law's ability to continue as a going concern for a period of at least twelve months from when the financial statements are authorised for issue.

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

Independent auditor's report

To the members of

The British Institute of International and Comparative Law

Other Information

The other information comprises the information included in the trustees' annual report other than the financial statements and our auditor's 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.

Opinions 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' annual report for the financial year for which the financial statements are prepared is consistent with the financial statements; and
- The trustees' annual report has been prepared in accordance with applicable legal requirements.

Matters on which we are required to report by exception

In the light of the knowledge and understanding of the charitable company and its environment obtained in the course of the audit, we have not identified material misstatements in the trustees' annual 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, or returns adequate for our audit have not been received from branches not visited by us; or
- The 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 directors 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' annual report and from the requirement to prepare a strategic report.

Independent auditor's report

To the members of

The British Institute of International and Comparative Law

Responsibilities of trustees

As explained more fully in the statement of trustees' responsibilities set out in the trustees' annual report, 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 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 charitable company or to cease operations, or have no realistic alternative but to do so.

Auditor's 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 are set out below.

Capability of the audit in detecting irregularities

In identifying and assessing risks of material misstatement in respect of irregularities, including fraud and non-compliance with laws and regulations, our procedures included the following:

- We enquired of management, which included obtaining and reviewing supporting documentation, concerning the charity's policies and procedures relating to:
 - Identifying, evaluating, and complying with laws and regulations and whether they were aware of any instances of non-compliance;
 - Detecting and responding to the risks of fraud and whether they have knowledge of any actual, suspected, or alleged fraud;
 - The internal controls established to mitigate risks related to fraud or non-compliance with laws and regulations.
- We inspected the minutes of meetings of those charged with governance.

Independent auditor's report

To the members of

The British Institute of International and Comparative Law

- We obtained an understanding of the legal and regulatory framework that the charity operates in, focusing on those laws and regulations that had a material effect on the financial statements or that had a fundamental effect on the operations of the charity from our professional and sector experience.
- We communicated applicable laws and regulations throughout the audit team and remained alert to any indications of non-compliance throughout the audit.
- We reviewed any reports made to regulators.
- We reviewed the financial statement disclosures and tested these to supporting documentation to assess compliance with applicable laws and regulations.
- We performed analytical procedures to identify any unusual or unexpected relationships that may indicate risks of material misstatement due to fraud.
- In addressing the risk of fraud through management override of controls, we tested the appropriateness of journal entries and other adjustments, assessed whether the judgements made in making accounting estimates are indicative of a potential bias and tested significant transactions that are unusual or those outside the normal course of business.

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 is available on the Financial Reporting Council's website at: www.frc.org.uk/auditorsresponsibilities. This description forms part of our auditor's report.

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 the charitable company's members as a body, for our audit work, for this report, or for the opinions we have formed.

Joanna Pittman (Senior statutory auditor)

1 August 2022

for and on behalf of Sayer Vincent LLP, Statutory Auditor
Invicta House, 108-114 Golden Lane, LONDON, EC1Y 0TL

Statement of Financial Activities (incorporating an income and expenditure account)

For the year ended 31 December 2021

	Note	Unrestricted £	Restricted £	2021 Total £	Unrestricted £	Restricted £	2020 Total £
Income from:							
Donations and legacies	2	59,351	290,335	349,686	89,651	481,242	570,893
Charitable activities							
Member services	3	282,183	–	282,183	303,666	–	303,666
Publications and journals	3	244,280	–	244,280	257,983	6,100	264,083
Conferences and seminars	3	195,369	–	195,369	150,406	32,845	183,251
Research programmes	3	286,625	2,616,948	2,903,573	209,405	2,427,396	2,636,801
Other Income		12,339	–	12,339	18,998	633	19,631
Investments	4	21,763	–	21,763	19,446	–	19,446
Total income		1,101,910	2,907,283	4,009,193	1,049,555	2,948,216	3,997,771
Expenditure on:							
Raising funds	5a	232,638	53,135	285,773	162,688	59,566	222,254
Charitable activities							
Member services	5a	321,641	–	321,641	291,386	–	291,386
Publications and journals	5a	109,541	–	109,541	114,431	–	114,431
Conferences and seminars	5a	224,558	–	224,558	198,337	23,850	222,187
Research programmes	5a	544,752	2,694,122	3,238,874	591,810	1,894,381	2,486,191
Total expenditure		1,433,130	2,747,257	4,180,387	1,358,652	1,977,797	3,336,449
Net income before net gains on investments		(331,220)	160,026	(171,194)	(309,097)	970,419	661,322
Net gains on investments		58,237	63,742	121,979	22,785	24,938	47,723
Net income / (expenditure) for the year	6	(272,983)	223,768	(49,215)	(286,312)	995,357	709,045
Transfers between funds		73,878	(73,878)	–	297,500	(297,500)	–
Net movement in funds		(199,105)	149,890	(49,215)	11,188	697,857	709,045
Reconciliation of funds:							
Total funds brought forward		980,025	1,674,670	2,654,695	968,837	976,813	1,945,650
Total funds carried forward		780,920	1,824,560	2,605,480	980,025	1,674,670	2,654,695

All of the above results are derived from continuing activities. There were no recognised gains or losses other than those stated above. Movements in funds are disclosed in Note 20 to the financial statements.

Balance Sheet

Company no. 615025

As at 31 December 2021

	Note	£	2021 £	£	2020 £
Fixed assets:					
Tangible assets	12		1,489,964		1,615,833
Investments	13		1,119,262		997,283
			<u>2,609,226</u>		<u>2,613,116</u>
Current assets:					
Debtors	14	118,235		216,326	
Cash at bank and in hand		2,325,096		2,043,071	
			<u>2,443,331</u>	<u>2,259,397</u>	
Liabilities:					
Creditors: amounts falling due within one year	15	1,520,031		1,200,151	
Net current assets			<u>923,300</u>		<u>1,059,246</u>
Creditors: amounts falling due after one year	15		927,046		1,017,667
Total net assets			<u><u>2,605,480</u></u>		<u><u>2,654,695</u></u>
The funds of the charity:					
Endowment funds	20a	584,888		521,146	
Restricted income funds		1,239,672		1,153,524	
			<u>1,824,560</u>		<u>1,674,670</u>
Unrestricted income funds:					
Capital fund		472,297		598,166	
General funds		308,623		381,859	
			<u>780,920</u>		<u>980,025</u>
Total unrestricted funds			<u>780,920</u>		<u>980,025</u>
Total charity funds			<u><u>2,605,480</u></u>		<u><u>2,654,695</u></u>

Approved by the trustees on 4 July 2022 and signed on their behalf by

Keith Ruddock
Chair of the Board of Trustees

Elizabeth Perks
Trustee

Statement of Cash Flows

For the year ended 31 December 2021

	£	2021 £	£	2020 £
Cash flows from operating activities				
Net income for the reporting period (as per the statement of financial activities)	(49,215)		709,045	
Depreciation charges	128,053		133,290	
(Gains) on investments	(121,979)		(47,723)	
Dividends and interest from investments	(21,763)		(19,446)	
Decrease in debtors	98,091		324,269	
Increase in creditors	229,259		236,978	
Net cash provided by operating activities		262,446		1,336,413
Cash flows from investing activities:				
Dividends, interest and rents from investments	21,763		19,446	
Purchase of fixed assets	(2,184)		(361,023)	
Net cash used in investing activities		19,579		(341,577)
Cash flows from finance activities:				
Increase in loan borrowings	-		242,667	
Net cash provided by finance activities		-		242,667
Change in cash and cash equivalents in the year		282,025		1,237,503
Cash and cash equivalents at the beginning of the year		2,043,071		805,568
Cash and cash equivalents at the end of the year		2,325,096		2,043,071
Analysis of cash and cash equivalents				
	At 1 January 2021 £	Cash flows £	Other changes £	At 31 December 2021 £
Cash at bank and in hand	2,043,071	282,025	-	2,325,096
Total cash and cash equivalents	2,043,071	282,025	-	2,325,096

1 Accounting policies

a) Statutory information

The British Institute of International and Comparative Law is a charitable company limited by guarantee and is incorporated in the United Kingdom.

The registered office address and principal place of business is Charles Clore House, 17 Russell Square, London WC1B 5JP.

b) Basis of preparation

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 UK and Republic of Ireland (FRS 102) – (Charities SORP FRS 102), the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102) and the Companies Act 2006.

Assets and liabilities are initially recognised at historical cost or transaction value unless otherwise stated in the relevant accounting policy or note.

In applying the financial reporting framework, the trustees have made a number of subjective judgements, for example in respect of significant accounting estimates. Estimates and judgements are continually evaluated and are based on historical experience and other factors, including expectations of future events that are believed to be reasonable under the circumstances. The nature of the estimation means the actual outcomes could differ from those estimates. Any significant estimates and judgements affecting these financial statements are detailed within the relevant accounting policy below.

c) Public benefit entity

The charitable company meets the definition of a public benefit entity under FRS 102.

d) Going concern

The trustees consider that there are no material uncertainties about the charitable company's ability to continue as a going concern. This assessment has been reached after preparing projections of the level of unrestricted reserves and cash up to 12 months beyond the date of signing annual financial statements, taking into account the financial effects of the Covid pandemic, future repayments due under the loan agreement with the University of London, general economic conditions and the future operating plans of the Institute. A worst case approach has been adopted with regard to income streams that are volatile or unsecured.

The trustees do not consider that there are any sources of estimation uncertainty at the reporting date that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next reporting period.

e) Income

Income is recognised when the charity has entitlement to the funds, any performance conditions attached to the income have been met, it is probable that the income will be received and that the amount can be measured reliably.

Income from government and other grants, whether 'capital' grants or 'revenue' grants, is recognised when the charity has entitlement to the funds, any performance conditions attached to the grants have been met, it is probable that the income will be received and the amount can be measured reliably and is not deferred.

For legacies, entitlement is taken as the earlier of the date on which either: the charity is aware that probate has been granted, the estate has been finalised and notification has been made by the executor(s) to the charity that a distribution will be made, or when a distribution is received from the estate. Receipt of a legacy, in whole or in part, is only considered probable when the amount can be measured reliably and the charity has been notified of the executor's intention to make a distribution. Where legacies have been notified to the charity, or the charity is aware of the granting of probate, and the criteria for income recognition have not been met, then the legacy is treated as a contingent asset and disclosed if material.

Income received in advance of the provision of a specified service is deferred until the criteria for income recognition are met.

1 Accounting policies/continued

f) Donations of gifts, services and facilities

Donated professional services and donated facilities are recognised as income when the charity has control over the item or received the service, any conditions associated with the donation have been met, the receipt of economic benefit from the use by the charity of the item is probable and that economic benefit can be measured reliably. In accordance with the Charities SORP (FRS 102), volunteer time is not recognised; more information about their contribution may be found in the trustees' annual report.

On receipt, donated gifts, professional services and donated facilities are recognised on the basis of the value of the gift to the charity, which is the amount the charity would have been willing to pay to obtain services or facilities of equivalent economic benefit on the open market; a corresponding amount is then recognised in expenditure in the period of receipt.

g) Interest receivable

Interest on funds held on deposit is included when receivable and the amount can be measured reliably by the charity; this is normally upon notification of the interest paid or payable by the bank.

h) Fund accounting

Restricted funds are to be used for specific purposes as laid down by the donor. Expenditure which meets these criteria is charged to the fund.

Unrestricted funds are donations and other incoming resources received or generated for the charitable purposes.

i) Expenditure and irrecoverable VAT

Expenditure is recognised once there is a legal or constructive obligation to make a payment to a third party, it is probable that settlement will be required and the amount of the obligation can be measured reliably. Expenditure is classified under the following activity headings:

- Costs of raising funds relate to the costs incurred by the charitable company in encouraging third parties to make voluntary contributions to it, as well as the cost of any activities with a fundraising purpose.
- Expenditure on charitable activities includes the costs of delivering services to members, publishing books and journals, holding events and running research programmes and projects, all undertaken to further the purposes of the charity, and their associated support costs.

Irrecoverable VAT is charged as a cost of the activity for which the expenditure was incurred.

j) Grants payable

Grants payable do not represent grant-giving activities by the charity but relate to the transfer of third party project funding to project partners. Expenditure related to grants payable is recognised in accordance with the agreed payment schedule or time period of each grant.

k) Allocation of support costs

Resources expended are allocated to the particular activity where the cost relates directly to that activity. The cost of overall direction and administration of each activity, comprising the salary and overhead costs of the central function, is apportioned pro rata to the staffing levels of the relevant activity.

l) Allocation of governance costs

Governance costs comprise audit fees and Board of Trustees meeting costs. These costs are apportioned across the Institute's activities, pro rata to the staffing levels of the relevant activity.

m) Operating leases

Rental charges are charged on a straight line basis over the term of the lease.

n) Tangible fixed assets

Items of equipment are capitalised where the purchase price exceeds £500. Depreciation costs are allocated to activities on the basis of the use of the related assets in those activities. Assets are reviewed for impairment if circumstances indicate their carrying value may exceed their net realisable value and value in use. Major components are treated as separate assets where they have significantly different patterns of consumption of economic benefits and are depreciated separately over their useful lives.

Depreciation is provided at rates calculated to write down the cost of each asset to its estimated residual value over its expected useful life. The depreciation rates in use are as follows:

Notes to the financial statements

For the year ended 31 December 2021

1 Accounting policies/continued

- Improvements to long leasehold properties 20 years
- Computer equipment 3 years
- Office equipment, fixtures and fittings 5 years

o) Listed investments

Investments are a form of basic financial instrument and are initially recognised at their transaction value and subsequently measured at their fair value as at the balance sheet date using the closing quoted market price. Any change in fair value is recognised in the statement of financial activities and any excess of fair value over the historical cost of investments is included in reserves. Investment gains and losses, whether realised or unrealised, are combined and shown in the heading "Net gains/(losses) on investments" in the statement of financial activities. The charity does not acquire put options, derivatives or other complex financial instruments.

p) Debtors

Trade and other debtors are recognised at the settlement amount due after any trade discount offered. Prepayments are valued at the amount prepaid net of any trade discounts due.

q) Cash at bank and in hand

Cash includes short term highly liquid investments with a maturity of three months or less from the date of acquisition or opening of the deposit or similar account.

r) Creditors and provisions

Creditors and provisions are recognised where the charity has a present obligation resulting from a past event that will probably result in the transfer of funds to a third party and the amount due to settle the obligation can be measured or estimated reliably. Creditors and provisions are normally recognised at their settlement amount after allowing for any trade discounts due.

s) Financial instruments

Basic financial instruments are initially recognised at transaction value and subsequently measured at their settlement value. Other financial instruments such as loans are initially recognised at the present value of future cash payments discounted at a market interest rate, and are subsequently measured at amortised cost using the effective interest method.

t) Pensions

The Institute participates in the Universities Superannuation Scheme (USS), a defined benefit scheme which is externally funded and contracted out of State Pension (S2P). The assets of the scheme are held in a separate trustee-administered fund. Because of the mutual nature of the scheme, the scheme's assets are not hypothecated to individual institutions and a scheme-wide contribution rate is set. The Institute is therefore exposed to actuarial risks associated with other institutions' employees and is unable to identify its share of the underlying assets and liabilities of the scheme on a consistent and reasonable basis and, as required by FRS 102 Section 28, accounts for the scheme as if it were a defined contribution scheme. As a result, the amount charged to the SOFA represents the contributions payable to the scheme in respect of the accounting period.

The Institute also operates one defined contribution scheme. The amount charged to the SOFA represents the contributions payable to the scheme in respect of the accounting period.

Notes to the financial statements

For the year ended 31 December 2021

2 Income from donations and legacies

	Unrestricted £	Restricted £	2021 Total £	Unrestricted £	Restricted £	2020 Total £
60th Anniversary Appeal	30,725	75,000	105,725	49,110	250,000	299,110
Bingham Centre donations	-	152,740	152,740	-	90,344	90,344
Bingham Centre Business Network	-	50,000	50,000	-	85,000	85,000
Clore Duffield Foundation	-	-	-	-	47,500	47,500
Other donations	28,626	12,595	41,221	40,541	8,398	48,939
Total income from donations and legacies	59,351	290,335	349,686	89,651	481,242	570,893

3 Income from charitable activities

	Unrestricted £	Restricted £	2021 Total £	Unrestricted £	Restricted £	2020 Total £
Forum memberships	238,470	-	238,470	253,633	-	253,633
Institute memberships	43,713	-	43,713	50,033	-	50,033
Sub-total for Member services	282,183	-	282,183	303,666	-	303,666
ICLQ journal royalties and other income	236,156	-	236,156	247,668	-	247,668
Publications	8,124	-	8,124	10,315	6,100	16,415
Sub-total for Publications and journals	244,280	-	244,280	257,983	6,100	264,083
Bingham Centre rule of law events	-	-	-	3,866	32,845	36,711
International law short courses	144,724	-	144,724	75,002	-	75,002
Investment treaty law events	12,306	-	12,306	16,741	-	16,741
Public international law events	22,450	-	22,450	7,009	-	7,009
European law events	-	-	-	3,149	-	3,149
Comparative law events	-	-	-	4,504	-	4,504
WTO law events	1,754	-	1,754	9,555	-	9,555
Other events	14,135	-	14,135	30,580	-	30,580
Sub-total for Conferences and seminars	195,369	-	195,369	150,406	32,845	183,251
Funding from:						
Overseas NGOs, trusts and foundations	103,750	396,870	500,620	106,138	551,218	657,356
UK NGOs, trusts and foundations	-	322,915	322,915	-	264,062	264,062
Law firms	31,081	37,398	68,479	57,700	-	57,700
Overseas government departments	-	288,010	288,010	-	144,750	144,750
UK research councils	-	1,571,755	1,571,755	-	1,392,606	1,392,606
UK government departments	-	-	-	-	28,122	28,122
Companies	128,446	-	128,446	33,869	-	33,869
Other sources	23,348	-	23,348	11,698	46,638	58,336
Sub-total for Research programmes	286,625	2,616,948	2,903,573	209,405	2,427,396	2,636,801
Total income from charitable activities	1,008,457	2,616,948	3,625,405	921,460	2,466,341	3,387,801

Notes to the financial statements

For the year ended 31 December 2021

4 Income from investments

	Unrestricted £	Restricted £	2021 Total £	Unrestricted £	Restricted £	2020 Total £
Dividends received from investments	18,979	–	18,979	16,393	–	16,393
Interest received from investments	2,781	–	2,781	3,033	–	3,033
Bank interest	3	–	3	20	–	20
	21,763	–	21,763	19,446	–	19,446

Notes to the financial statements

For the year ended 31 December 2021

5a Analysis of expenditure (current year)

	Charitable activities					2021 Total £	2020 Total £
	Raising funds £	Member services £	Publications and journals £	Conferences and seminars £	Research programmes £		
Staff costs (Note 8)	186,756	225,412	74,999	170,636	1,957,027	2,614,830	2,102,829
Direct costs	18,800	70,560	25,800	36,001	378,930	530,091	515,491
Grants payable (Note 7)	-	-	-	-	644,438	644,438	407,818
Support costs:							
- Other staff costs	58,735	1,491	508	1,041	15,013	76,788	73,880
- General fundraising and marketing costs	1,807	2,034	693	1,420	20,483	26,437	26,344
- Property costs	4,005	4,508	1,535	3,147	45,396	58,591	(50,771)
- Communication costs	4,318	4,860	1,655	3,393	48,943	63,169	61,785
- Other office costs	683	769	262	537	7,746	9,997	12,075
- Depreciation and losses on disposals	8,754	9,852	3,355	6,879	99,212	128,052	133,290
- Other costs	1,005	1,130	385	789	11,369	14,678	39,559
Governance costs	910	1,025	349	715	10,317	13,316	14,149
Total expenditure 2021	285,773	321,641	109,541	224,558	3,238,874	4,180,387	3,336,449
Total expenditure 2020	222,254	291,386	114,431	222,187	2,486,191		3,336,449

Staff costs £2,681,208 (2020 £2,102,829) include costs of support staff £874,187 (2020 £817,891).

Other staff costs comprises: temporary staff, recruitment costs, staff travel, accommodation, subsistence and entertaining, and staff professional fees, training and conference costs.

Governance costs include audit fees of £13,316 (2020: £13,550) and Board of Trustees meeting costs of £nil (2020: £nil).

Notes to the financial statements

For the year ended 31 December 2021

5b Analysis of expenditure (prior year)

	Charitable activities					2020 Total £
	Raising funds £	Member services £	Publications and journals £	Conferences and seminars £	Research programmes £	
Staff costs (Note 8)	146,267	211,210	79,548	161,204	1,504,600	2,102,829
Direct costs	5,303	57,755	26,078	43,886	382,469	515,491
Grants payable (Note 7)	-	-	-	-	407,818	407,818
Support costs:						
- Other staff costs	54,937	1,771	695	1,354	15,123	73,880
- General fundraising and marketing costs	1,755	2,301	904	1,754	19,630	26,344
- Property costs	(3,383)	(4,434)	(1,741)	(3,381)	(37,832)	(50,771)
- Communication costs	4,116	5,396	2,119	4,114	46,040	61,785
- Other office costs	804	1,055	414	804	8,998	12,075
- Depreciation and losses on disposals	8,878	11,640	4,572	8,876	99,324	133,290
- Other costs	2,635	3,456	1,357	2,634	29,477	39,559
Governance costs	942	1,236	485	942	10,544	14,149
Total expenditure 2020	222,254	291,386	114,431	222,187	2,486,191	3,336,449

Staff costs £2,102,829 (2020 £2,102,829) include costs of support staff £817,891 (2020 £817,891).

Other staff costs comprises: temporary staff, recruitment costs, staff travel, accommodation, subsistence and entertaining, and staff professional fees, training and conference costs.

Property costs include the removal of a previous accrual of £84,000 made in respect of the Institute's potential contribution to the costs of the University of London's ongoing programme of building renovation at Charles Clore House. The accrual related to work completed in 2012. The accrual has been removed as the Institute has now reached a final agreement with the University of London regarding its liability for renovation costs.

Governance costs include audit fees of £13,550 (2020: £13,550) and Board of Trustees meeting costs of £nil (2020: £nil).

Notes to the financial statements

For the year ended 31 December 2021

6 Net outgoing resources for the year

This is stated after charging / (crediting):

	2021 £	2020 £
Depreciation	128,053	133,290
Operating lease rentals:		
Property	1	1
Other	636	636
Auditor's remuneration:		
Audit fee	9,750	9,500
Under-accrual for audit fee in prior year	3,566	4,050
Foreign exchange (gains)losses	(9,497)	18,656
	<u>128,053</u>	<u>133,290</u>

7 Analysis of grants payable

The funding provided by the Arts and Humanities Research Council for the Modern Slavery Policy and Evidence Centre and the Role of Good Governance and the Rule of Law project included funding for some activities that are to be carried out by partner institutions. Funds payable to those partner institutions are as follows:

	2021 £	2020 £
University of Liverpool	75,809	86,105
University of Nottingham	63,688	77,139
University of Hull	80,214	73,327
The Alan Turing Institute	104,019	92,378
Royal Holloway University of London	14,400	14,525
Bonavero Institute of Human Rights, University of Oxford	67,134	64,344
University of Sheffield	59,680	-
University of Edinburgh	32,560	-
University of Newcastle	31,934	-
Ada Lovelace Institute	115,000	-
	<u>644,438</u>	<u>407,818</u>

8 Analysis of staff costs, trustee remuneration and expenses, and the cost of key management personnel

Staff costs were as follows:

	2021 £	2020 £
Salaries and wages	2,262,615	1,789,924
Social security costs	198,698	171,519
Employer's contributions to defined contribution pension schemes	119,382	107,377
Employer's contributions to defined benefit pension scheme	32,557	32,441
Other forms of employee benefits	1,578	1,568
	<u>2,614,830</u>	<u>2,102,829</u>

Notes to the financial statements

For the year ended 31 December 2021

8 Analysis of staff costs, trustee remuneration and expenses, and the cost of key management personnel/continued

The following number of employees received employee benefits (including salary, but excluding employer's national insurance contributions and employer pension contributions) during the year between:

	2021 No.	2020 No.
£60,000 – £69,999	4	2
£80,000 – £89,999	1	–
£120,000 – £129,999	1	1
£150,000 – £159,999	1	1

The total employee benefits, including employer's national insurance contributions and employer's pension contributions, of the key management personnel were £539,989 (2020: £497,733).

The charity trustees were not paid and did not receive any other benefits. Trustees expenses reimbursed in 2021 were £nil. No charity trustee received payment for professional or other services supplied to the charity (2020: £nil).

9 Staff numbers

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

	2021 Employed No.	2021 FTE (*) No.	2020 Employed No.	2020 FTE (*) No.
Raising funds (Including marketing)	5.4	4.5	4.7	3.8
Member services	4.0	3.4	3.3	3.0
Publications and journals	1.9	1.9	1.3	1.2
Conferences and seminars	3.9	3.8	3.6	3.5
Research programmes	32.0	26.0	25.8	22.0
Support	1.8	1.7	2.1	1.7
	49.0	41.3	40.8	35.2

(*) Full-time equivalent

10 Related party transactions

In 2019 an interest-free loan of £7,113 was made to the International Rule of Law Project Inc., a non-profit organisation incorporated in the United States of America for the purpose of raising funds for the charity. The Company Secretary of the British Institute of International and Comparative Law is one of the three directors of this company. The loan is repayable at such point as funds become available and the position will be reviewed annually. The outstanding balance of the loan at the end of the year was £7,113 (2020: £7,113).

Aggregate donations from related parties were £nil (2020: £nil).

11 Taxation

The charitable company is exempt from corporation tax as all its income is charitable and is applied for charitable purposes.

Notes to the financial statements

For the year ended 31 December 2021

12 Tangible fixed assets

	Improvements to leasehold property £	Computer equipment £	Office equipment, fixtures and fittings £	Total £
Cost or valuation				
At the start of the year	1,591,339	210,209	98,250	1,899,798
Additions	-	2,184	-	2,184
At the end of the year	1,591,339	212,393	98,250	1,901,982
Depreciation				
At the start of the year	91,737	160,555	31,673	283,965
Charge for the year	79,567	30,436	18,050	128,053
At the end of the year	171,304	190,991	49,723	412,018
Net book value				
At the end of the year	1,420,035	21,402	48,527	1,489,964
At the start of the year	1,499,602	49,654	66,577	1,615,833

All of the above assets are used for charitable purposes.

The Institute assessed the cost of improvements to leasehold property made in 2019 to be £1,275,000. Additional costs of £290,167 were capitalised in 2020 in accordance with the final determination of the costs payable to the University of London.

13 Listed investments

	2021 £	2020 £
Fair value of investments at the start of the year	997,283	949,560
Net gain on change in fair value	121,979	47,223
Fair value of investments at the end of the year	1,119,262	997,283
Investments comprise:		
	2021 £	2020 £
UK Investment Companies	1,119,262	997,283
	1,119,262	997,283

14 Debtors

	2021 £	2020 £
Trade debtors	10,923	17,393
Other debtors	14,691	13,095
Prepayments	10,751	18,856
Accrued income	81,870	166,982
	118,235	216,326

Notes to the financial statements

For the year ended 31 December 2021

15 Creditors: amounts falling due within one year

	2021 £	2020 £
Trade creditors	60,320	62,173
Taxation and social security	60,738	52,288
Other creditors	134,574	182,533
Loan from University of London	90,621	–
Grants payable	600,671	319,591
Accruals	308,505	240,004
Deferred income (Note 17)	264,602	343,562
	<u>1,520,031</u>	<u>1,200,151</u>

16 Creditors: amounts falling due after one year

	2021	2020
Loan from University of London	<u>927,046</u>	<u>1,017,667</u>

The University of London loan creditor £1,017,667 relates to the cost of leasehold improvement works carried out to the Institute's offices in 2019. The final cost of the works was £1,565,167 and the Institute made an interim payment of £500,000 to the University during 2019, leaving a remaining creditor of £1,065,167. A further repayment of £47,500 was made in 2020, reducing the creditor to £1,017,667. The University has made a loan to the Institute of £1,017,167 at an interest rate of 6%, repayable over 10 years commencing January 2022 .

17 Deferred income

Deferred income comprises:

	2021 £	2020 £
Balances at the beginning of the year:		
Member services	170,365	184,497
Publications and journals	–	–
Conferences and seminars	–	10,792
Research programmes	173,197	320,783
Rental services	–	–
	<u>343,562</u>	<u>516,072</u>
Amounts released to income in the year	(343,562)	(516,072)
Amounts deferred in the year	264,602	343,562
Balance at the end of the year	<u>264,602</u>	<u>343,562</u>
Analysis of deferred income balances at the end of the year:		
Member services	49,385	170,365
Conferences and seminars	6,467	–
Research programmes	208,750	173,197
	<u>264,602</u>	<u>343,562</u>

18 Pension schemes

The Institute participates in the Universities Superannuation Scheme (USS), a defined benefit scheme which is contracted out of the State Second Pension (S2P). The assets of the scheme are held in a separate fund administered by the trustee, Universities Superannuation Scheme Limited. The Institute is required to contribute a specified percentage of payroll costs to the pension scheme to fund the benefits payable to the Institute's employees. In 2020 the percentage was 21.1%. The Institute is unable to identify its share of the underlying assets and liabilities of the scheme on a consistent and reasonable basis and therefore, as required by FRS 102 Section 28, accounts for the scheme as if it were a defined contribution scheme.

The total cost charged to the SOFA in respect of this scheme was £32,557 (2020: £32,441), as shown in note 6. This includes £nil (2020: £nil) outstanding contributions at the balance sheet date.

The latest available triennial actuarial valuation of the scheme was carried out as at 31 March 2020. At the valuation date, the value of the assets of the scheme was £66.5 billion and the value of the scheme's technical provisions was £80.6 billion indicating a shortfall of £14.1 billion. The assets therefore were sufficient to cover 83% of the benefits which had accrued to members after allowing for expected future increases in earnings.

The Institute also makes contributions to one defined contribution scheme. Contributions charged to the SOFA for this scheme represent the various contributions payable to the scheme in respect of the accounting period. The total cost charged to the SOFA was £119,382 (2020: £107,377), as shown in note 7. This includes £nil (2020: £nil) outstanding contributions at the balance sheet date.

	2021 £	2020 £
Employer contributions to the USS defined benefit scheme	32,557	32,441
Employer contributions to defined contribution schemes	119,382	107,377
	<u>151,939</u>	<u>139,818</u>

	2021 No.	2020 No.
Average number of Institute members of USS defined benefit scheme	1	1
Average number of Institute members of defined contribution schemes	39	34
	<u>40</u>	<u>35</u>

19a Analysis of net assets between funds (current year)

	General £	Capital £	Endowments £	Restricted £	Total funds £
Tangible fixed assets	–	1,489,964	–	–	1,489,964
Investments	534,374	–	584,888	–	1,119,262
Net current assets	(225,751)	(90,621)	–	1,239,672	923,300
Creditors: amounts falling due after one year	–	(927,046)	–	–	(927,046)
Net assets at the end of the year	<u>308,623</u>	<u>472,297</u>	<u>584,888</u>	<u>1,239,672</u>	<u>2,605,480</u>

19b Analysis of net assets between funds (prior year)

	General £	Capital £	Endowments £	Restricted £	Total funds £
Tangible fixed assets	–	1,615,833	–	–	1,615,833
Investments	476,137	–	521,146	–	997,283
Net current assets	(94,278)	–	–	1,153,524	1,059,246
Creditors: amounts falling due after one year	–	(1,017,667)	–	–	(1,017,667)
Net assets at the end of the year	381,859	598,166	521,146	1,153,524	2,654,695

Notes to the financial statements

For the year ended 31 December 2021

20a Movements in funds (current year)

	At 1 January 2021 £	Income and gains £	Expenditure and losses £	Transfers £	At 31 December 2021 £
Endowment funds:					
Sunley-Percy Rugg	199,807	31,871	-	-	231,678
Sunley-Sebag Shaw	199,807	31,871	-	-	231,678
Barnett Shine	121,532	-	-	-	121,532
Total endowment funds	521,146	63,742	-	-	584,888
Restricted income funds:					
Bingham Centre Appeal – Phase 2	2,071	448,573	(300,576)	-	150,068
Global Rule of Law Exchange	12,395	-	-	-	12,395
All-Party Parliamentary Group on the Rule of Law	18,507	-	(18,507)	-	-
Arthur Watts Fellowship – Phase 2	32,210	12,595	(8,321)	-	36,484
RECONNECT (H2020)	121,229	-	(104,006)	-	17,223
Global Promotion of the Rule of Law	12,975	60,000	(71,577)	-	1,398
Big Data and Algorithms	69,925	55,187	(87,529)	-	37,583
Bluston Charitable Foundation	-	75,000	-	(75,000)	-
Trafficking in Persons	68,131	230,951	(247,746)	-	51,336
Harmonising Caribbean company and insolvency law	-	7,181	(1,920)	-	5,261
Exposing Labour Exploitation in Cuba	-	57,059	(58,181)	1,122	-
Climate Litigation and the Separation of Powers	-	37,398	(36,119)	-	1,279
	-	78,070	(39,035)	-	39,035
Beyond Restitution: Exploring the Story of Cultural Objects After Repatriation	-	20,959	(17,323)	-	3,636
Rule of Law, Legitimacy and Effective COVID-19 Control Technologies	-	39,864	(37,097)	-	2,767
Influencing Covid-19 legislation through Rule of Law-based scrutiny	-	409,044	(325,648)	-	83,396
The Role of Good Governance and the Rule of Law in Building Public Trust in Data-Driven Responses to Public Health Emergencies.	-	9,816	-	-	9,816
Research Councils Open Access Block Award	-	5,313	-	-	5,313
Policy-relevant Rule of Law Research	672,966	1,152,895	(1,220,095)	-	605,766
Modern Slavery Policy and Evidence Centre	83,700	56,710	(42,000)	-	98,410
Independent Commission on UK Counterterrorism Legislation, Policy and Practice	15,603	64,000	(68,643)	-	10,960
Rule of Law Monitoring Project	-	26,668	(16,190)	-	10,478
Depolarising the Constitutional Debate	43,812	60,000	(46,744)	-	57,068
Sybil Shine Memorial Trust Youth and Public Engagement Programme					
Total restricted income funds	1,153,524	2,907,283	(2,747,257)	(73,878)	1,239,672
Total restricted funds	1,674,670	2,971,025	(2,747,257)	(73,878)	1,824,560

Notes to the financial statements

For the year ended 31 December 2021

20a Movements in funds (current year continued)

Unrestricted funds:

Designated fund – 60th Anniversary Appeal	–	30,725	–	(30,725)	–
Capital fund	598,166	–	–	(125,869)	472,297
General funds	381,859	1,129,422	(1,433,130)	230,472	308,623
Total unrestricted funds	980,025	1,160,147	(1,433,130)	73,878	780,920
Total funds	2,654,695	4,131,172	(4,180,387)	–	2,605,480

20b Movements in funds (prior year)

	At 1 January 2020 £	Income and gains £	Expenditure and losses £	Transfers £	At 31 December 2020 £
Endowment funds:					
Sunley-Percy Rugg	187,338	12,469	-	-	199,807
Sunley-Sebag Shaw	187,338	12,469	-	-	199,807
Barnett Shine	121,532	-	-	-	121,532
Total endowment funds	496,208	24,938	-	-	521,146
Restricted income funds:					
Bingham Centre Appeal – Phase 2	30,257	428,744	(456,930)	-	2,071
Global Rule of Law Exchange	12,395	-	-	-	12,395
All-Party Parliamentary Group on the Rule of Law	-	20,000	(1,493)	-	18,507
Arthur Watts Fellowship – Phase 2	53,476	8,398	(29,664)	-	32,210
Mainstreaming the Rule of Law	-	23,212	(23,212)	-	-
RECONNECT (H2020)	107,175	36,598	(22,544)	-	121,229
Global Promotion of the Rule of Law	14,125	90,000	(91,150)	-	12,975
Big Data and Algorithms	61,604	210,885	(202,564)	-	69,925
Removal of Judges	4,056	24,686	(28,742)	-	-
Dorset Foundation Public Events Space	-	125,000	-	(125,000)	-
Sybil Shine Memorial Trust	-	100,000	-	(100,000)	-
Bluston Charitable Foundation	-	25,000	-	(25,000)	-
Clore Duffield Foundation	-	47,500	-	(47,500)	-
Trafficking in Persons	69,481	144,750	(146,100)	-	68,131
Modern Slavery Policy and Evidence Centre	128,036	1,367,921	(822,991)	-	672,966
Strengthening the Rule of Law in the Gambia	-	16,522	(16,522)	-	-
Independent Commission on UK Counterterrorism Legislation, Policy and Practice	-	124,000	(40,300)	-	83,700
Rule of Law Monitoring Project	-	95,000	(79,397)	-	15,603
Sybil Shine Memorial Trust Youth and Public Engagement Programme	-	60,000	(16,188)	-	43,812
Total restricted income funds	480,605	2,948,216	(1,977,797)	(297,500)	1,153,524
Total restricted funds	976,813	2,973,154	(1,977,797)	(297,500)	1,674,670
Unrestricted funds:					
Designated fund – 60th Anniversary Appeal	-	24,110	-	(24,110)	-
Capital fund	613,100	-	-	(14,934)	598,166
General funds	355,737	1,048,230	(1,358,652)	336,544	381,859
Total unrestricted funds	968,837	1,072,340	(1,358,652)	297,500	980,025
Total funds	1,945,650	4,045,494	(3,336,449)	-	2,654,695

20b Movements in funds (prior year continued)

Purposes of endowment funds:

Permanent: The Sunley–Percy Rugg and the Sunley–Sebag Shaw Endowment Funds

The Bernard Sunley Charitable Foundation established two Endowment Funds in 1982, namely:

- The Sunley–Percy Rugg Endowment Fund; and
- The Sunley–Sebag Shaw Endowment Fund

The funds were established to recognise the contributions of Sir Percy Rugg and the Rt. Hon. Sir Sebag Shaw and were received by the Institute over the period from 1982 to 1991.

Each fund is owned and administered by the Institute and consists of £231,678 (2020: £199,807) held in perpetuity for the permanent endowment of the Institute. Income arising from the funds is applied for the general purposes of the Institute.

The assets of each fund are held in listed investments. At the end of the year the fair value of these investments had increased by £31,871 (2020: increased £12,469) for each fund. Therefore each fund increased in value by £31,871 in respect of unrealised gains (2020: £12,469 unrealised gains).

Expendable: The Barnett Shine Charitable Foundation

This fund was originally established as the Shine Denning Endowment Fund of the British Institute of International and Comparative Law in 1982. A total of £300,000 was donated over the period from 1982 to 2000, to provide income to the Institute for its general purposes, including “the provision of financial or material assistance to the Institute”, but with the power to “apply the whole or any part of the Trust Fund whether capital or income in or towards the implementation of any one or more of the objects of the Trust”. Income arising from the funds is applied for the general purposes of the Institute. A transfer from expendable endowments of £178,468 was made in 2000 to settle a deficit on unrestricted funds. This left a balance of £121,532 which has remained unaltered since then.

Purposes of restricted funds: current year

Phase 2 of the Bingham Centre Appeal was launched in May 2013 to raise further funds to sustain the Centre beyond Phase 1.

The Bingham Centre receives grants from the Jones Day Foundation in respect of specific Global Rule of Law Exchange international conferences.

The Legal Education Foundation funded secretariat support for the All-Party Parliamentary Group on the Rule of Law.

Phase 2 of the Arthur Watts Fellowship Appeal was launched in December 2014 to raise further funds to sustain the Fellowship beyond Phase 1.

The European Union provided funding for a collaborative research project RECONNECT (H2020) led by the University of Leuven.

The Jones Day Foundation provided funding for the global promotion of the rule of law for the period September 2018 to August 2021.

The Foundation Open Society Institute and the Digital Freedom Fund provided funding for a research project on big data and algorithms.

The Bluston Charitable Foundation provided funds for the creation of a new meeting room in Charles Clore House to be known as the Bluston Hub.

The United States of America Department of State provided funding for a Trafficking in Persons research project.

The Caribbean Community (CARICOM) provided funding to provide assistance to member states to harmonise companies and insolvency laws and instruments for the mutual recognition of companies.

Purposes of restricted funds: current year/continued

The Pan American Development Foundation provided funds for research into Exposing Labour Exploitation in Cuba. Hausfeld LLP provided funds for research into Climate Litigation and the Separation of Powers.

The Leverhulme Trust provided funding for the research project Beyond Restitution: Exploring the Story of Cultural Objects After Repatriation.

The Institute for Ethics in Artificial Intelligence provided funding for the research project Rule of Law, Legitimacy and Effective COVID-19 Control Technologies.

The Baring Foundation provided funding for the research project Influencing Covid-19 legislation through Rule of Law-based scrutiny.

The Arts and Humanities Research Council provided funding for the research project The Role of Good Governance and the Rule of Law in Building Public Trust in Data-Driven Responses to Public Health Emergencies.

The UK Research Councils awarded an Open Access Block Grant to support the implementation of the Research Councils' Policy on Open Access.

The Legal Education Foundation provided funding for co-creating and sustaining a programme of Policy-relevant Rule of Law Research.

The Arts and Humanities Research Council provided funding for the establishment of a Modern Slavery Policy and Evidence Centre.

The Independent Commission on UK Counterterrorism Legislation, Policy and Practice is funded by Barrow Cadbury Trust, the Open Society Initiative for Europe, the Joseph Rowntree Charitable Trust and Unbound Philanthropy.

The Rule of Law Monitoring Project is funded by the David and Elaine Potter Foundation, the Joseph Rowntree Charitable Trust, the Joseph Rowntree Reform Trust and AB Charitable Trust.

The Joseph Rowntree Reform Trust provided funding for the Depolarising Constitutional Debate project to campaign to build the constitution back better by facilitating the rediscovery of shared constitutional values in the UK.

The Sybil Shine Memorial Trust provided funding for a Youth and Public Engagement Programme.

Purposes of restricted funds: prior year

The Legal Education Foundation provided funding to devise a strategy for mainstreaming the rule of law in Parliament.

The Arts and Humanities Research Council provided funding for the Removal of Judges research project.

The Dorset Foundation provided funds for the creation of a new public events space in Charles Clore House to be known as the Harry Weinrebe Room.

The Sybil Shine Memorial Trust provided funds for the establishment of a new resources and meeting room within Charles Clore House.

The Clore Duffield Foundation provided funds of £500,000 to the University of London in respect of the refurbishment of Charles Clore House. In line with the agreed apportionment to the Institute of 9.5% of the cost of works to common parts of the building, the University has allocated £47,500, being 9.5% of the value of the donation, to the Institute.

The Foreign and Commonwealth Office provided funding for a project to strengthen the rule of law through the Gambia's constitutional reform process.

Unrestricted funds: current year

A designated fund established in respect of funds raised from the 60th Anniversary Appeal was used to provide funds towards the refurbishment of the Institute's office space, the creation of a new conference and events suite, and the development of new programmes of research, training and events.

Unrestricted funds: prior year

A designated fund was established in respect of funds raised from the 60th Anniversary Appeal, which was used to provide funds towards the refurbishment of the Institute's office space, the creation of a new conference and events suite, and the development of new programmes of research, training and events.

Capital Fund

The capital fund represents the net book value of fixed assets less the value of the University of London creditor £1,017,667 (2020: £1,017,667) associated with the cost of leasehold improvements.

Transfers between funds: current year

Restricted funds given by the Bluston Charitable Foundation specifically to fund aspects of the refurbishment of Charles Clore House have been transferred from restricted funds to unrestricted funds in recognition that the purpose for which the funds were given, namely the completion of the refurbishment, has been satisfied.

Funds received from the 60th Anniversary Appeal have been transferred from designated funds to general unrestricted funds, as these funds are to be applied for the general purposes of the Institute.

Transfers between funds: prior year

Restricted funds given by the Dorset Foundation, the Sybil Shine Memorial Trust, the Bluston Charitable Foundation and the Clore Duffield Foundation specifically to fund aspects of the refurbishment of Charles Clore House have been transferred from restricted funds to unrestricted funds in recognition that the purpose for which the funds were given, namely the completion of the refurbishment, has been satisfied.

Funds received from the 60th Anniversary Appeal have been transferred from designated funds to general unrestricted funds, as these funds are to be applied for the general purposes of the Institute.

21 Operating lease commitments

The charity's total future minimum lease payments under non-cancellable operating leases are as follows:

	Property		Equipment	
	2021 £	2020 £	2021 £	2020 £
Less than one year	1	1	640	640
One to five years	4	4	960	960
Over five years	48	49	-	-
	53	54	1,600	1,600

22 Legal status of the charity

The charity is a company limited by guarantee and has no share capital. The liability of each member in the event of winding up is limited to £1.

23 Post-balance sheet event

The fair value of investments at the end of the reporting period was £1,119,262. At 31 May 2022 market movements had reduced the fair value of investments significantly to £1,033,448.

THE BRITISH INSTITUTE OF INTERNATIONAL AND COMPARATIVE LAW

England & Wales - Charity number 209425

Accounts



**British Institute of
International and
Comparative Law**

Company number: 615025

Charity number: 209425

The British Institute of International and Comparative Law

Report and financial statements

For the year ended 31 December 2020

The British Institute of International and Comparative Law

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The British Institute of International and Comparative Law

Reference and administrative information

For the year ended 31 December 2020

Company number	615025 – Registered in the United Kingdom	
Charity number	209425 – Registered in England and Wales	
Registered office & operational address	Charles Clore House, 17 Russell Square London, WC1B 5JP	
Trustees	Trustees, who are also directors under company law, who served during the year and up to the date of this report, were as follows: Professor Oladapo Akande Emeritus Professor John Bell Sonya Branch (to 07/12/2020) Professor Malik Dahlan Shaheed Fatima QC Philip Haberman (to 07/12/2020) Lord Lloyd Jones (to 22/09/2020) Sir Iain Macleod Professor Catherine O'Regan (to 07/12/2020) Nigel Parr Constantine Partasides Elizabeth Perks (from 07/12/2020) Keith Ruddock Rupert Skilbeck (from 16/09/2020) Diana Wallis Andrew Whittaker (to 20/07/2020)	
Key Management Personnel	Professor Spyros Maniatis Patricia Ambrose Peter Bond Stephen Oates	Institute Director Institute Deputy Director (to 31/12/2020) Chief Operating Officer (from 01/01/2021) Director of Finance
Bankers	CAF Bank Limited 25 Kings Hill Avenue, Kings Hill West Malling, Kent, ME19 4JQ	HSBC plc 1 Woburn Place, Russell Square London, WC1H 0LQ
Auditor	Sayer Vincent LLP Chartered Accountants and Statutory Auditor Invicta House, 108–114 Golden Lane, London, EC1Y 0TL	

The British Institute of International and Comparative Law

Trustees' annual report

For the year ended 31 December 2020

The Trustees are pleased to present their report and the audited financial statements for the year ended 31 December 2020.

The reference and administrative information set out on page 1 forms part of this report. The financial statements comply with current statutory and company law requirements, the memorandum and articles of association and the Statement of Recommended Practice – Accounting and Reporting by Charities: SORP applicable to charities preparing their accounts in accordance with FRS 102.

Objectives and activities

Purposes and aims

The British Institute of International and Comparative Law (BIICL, the Institute) is an independent charitable research body. Our key purposes are to develop and advance the understanding of international and comparative law in the UK and around the world, and to promote the rule of law in national and international affairs. Through our work, we seek to improve decision-making on law and policy issues, and so have a positive impact on people's daily lives.

Our organisational vision is for BIICL to be an independent leader in applied legal research and ideas: informing debate, policy and practice; upholding and maintaining humane and democratic values; promoting evidence-based decision-making; and contributing to the upholding of the international legal order and the rule of law in the UK and worldwide.

We aim to make a unique contribution as an independent and authoritative voice on international and comparative legal issues by:

- providing high quality applied research, based on strong conceptual foundations, that influences law and policy-making; and
- promoting the application and wider dissemination of our research through publications, events and training.

BIICL has no recurrent core funding. We receive funding for our research and other activities from a wide variety of bodies, including research councils, law firms, national governments, international and regional organisations, private trusts and foundations, and non-governmental organisations, as well as BIICL members, training delegates and event attendees. In many instances, our research projects have more than one funder.

BIICL's Strategic Plan 2019–2023 is organised under four main themes:

- continued excellence and independence;
- developing and growing;
- open BIICL; and
- improving our organisation.

Trustees' annual report

For the year ended 31 December 2020

The Strategic Plan highlights the context, key risks, opportunities and challenges for each of these themes and identifies objectives and targets to be achieved over the five year period.

The Trustees review progress against the Strategic Plan on a regular basis to ensure our activities are consistent with our aims and support our public benefit mission. This report considers what BIICL has achieved during 2020 and the outcomes, impacts and benefits of our work.

Principal Activities

Membership

BIICL membership is open to all people, both in the UK and around the world. Our members come from: legal practice (including solicitors and barristers); academia (staff and students); the judiciary; corporations and other commercial bodies; government and non-governmental organisations; and members of the wider public who are interested in the many aspects of international and comparative law.

Members benefit from access to BIICL's research outcomes, as well as opportunities to contribute to specialist discussion groups and to network with the diverse range of people and organisations with whom we interact. The diversity of BIICL's membership, as well as the many non-members who attend our events, and our ability to engage across a broad range of international and comparative legal issues, ensures that BIICL remains a relevant and essential institution. We also convene Fora of experts in four areas (Business and Human Rights, Competition Law, Investment Treaty Law and Product Liability).

Research

BIICL's research is co-ordinated via three Centres: International Law; Comparative Law; and the Bingham Centre for the Rule of Law. Our focus is primarily on practical and applied research, based on strong conceptual foundations, which offers examples of good practice, recommendations for future improvements and seeks to have an impact on law and policy. The research often crosses traditional boundaries of law, integrating private and public international law, for example, and engaging with national, regional and comparative law. Our research is always independent, irrespective of its funding source.

Events and Training

BIICL organises an extensive public events programme covering a broad spectrum of current legal topics within the areas of our expertise. These events typically include full day conferences, shorter seminars and lectures.

We also undertake a range of training activities to provide information, practical assistance and capacity building to governments, institutions, firms, corporations, groups, individuals and others. This training occurs in the UK and around the world.

Trustees' annual report

For the year ended 31 December 2020

Publications

BIICL's main publication is the *International and Comparative Law Quarterly*, which is produced by Cambridge University Press and is recognised as one of the leading journals in its field. BIICL also occasionally publishes books, mainly of our own research, as well as some by other experts in our fields of work. Most of our research projects also produce final reports, many of which are publicly available to download for free from our website (www.biicl.org).

Volunteers

BIICL offers flexible, part-time and short-term opportunities for people to volunteer for the charity (typically postgraduate law students) and to assist in our research and related activities. We aim to offer interesting and developmental opportunities that include training and skills development. During 2020, we benefited from the support of 11 research volunteers.

Public Benefit

The Trustees confirm that they have paid due regard to the public benefit guidance published by the Charity Commission in deciding on BIICL's activities. In particular, the Trustees consider how planned activities will contribute to our aims and objectives.

BIICL considers that its activities are of public benefit in at least the following ways:

- provision of independent research to external bodies, including governments, for the purpose of assisting these bodies to formulate public policy, such as future regulation and legislation, which can have significant benefit for people in the UK and elsewhere in the world;
- provision of information, education and training to build capacity in the UK and around the world in the application and enhancement of international and comparative law, and the rule of law, to support the judiciary, government legal officials and civil society;
- dissemination of research and information about international and comparative law directly to BIICL members, including legal scholars, judges, barristers, solicitors, students, advisers to governments, corporations and non-governmental organisations, who are then better able to advise public and private bodies accurately about international and comparative legal issues;
- dissemination of research and information about international and comparative law, and the rule of law, to the general public, especially to all those interested in these matters, who are then better informed in their active engagement with these issues;
- offering a wide range of conferences, seminars, lectures, training courses and other events on contemporary issues of international and comparative law, and the rule of law, that are open to the general public to attend, as these issues may affect their daily lives and/or better inform them about these important issues;
- dissemination to the general public of matters of international and comparative law, and the rule of law, by the printing and distribution of publications and journals;
- publication of the Institute's activities, newsletters and other information to the general public on the Institute's website; and

Trustees' annual report

For the year ended 31 December 2020

- contributing to the broader education of the general public about the many important aspects of international and comparative law, and the rule of law, and the impacts these may have on national systems.

Some specific examples of the provision of public benefit through the activities carried out by BIICL in 2020 are provided below.

Achievements and performance

BIICL's main activities and beneficiaries during the year are described below. All of our charitable activities focus on international and comparative law, and the rule of law, and are undertaken to further BIICL's charitable purposes for the public benefit. The COVID-19 pandemic had a major impact on our activities during 2020, with many of our events and training courses being delivered via online platforms. We were particularly successful at securing new research funding during this year, some of which was related to the implications of the pandemic in relation to international law and the rule of law. The BIICL team has risen superbly to the challenge of keeping our programme of research, events and training running during this challenging time and the trustees thank them for their resilience and energy and for all that they have achieved despite these very difficult circumstances.

Membership

BIICL membership (comprising both individuals and organisations) was 324 at the end of 2020 (2019: 320). Membership income was £50,033 (2019: £59,290), the decrease being due to a change in applicable VAT rates. We continue to focus on recruitment and retention of members within our Marketing Strategy.

During 2020, we continued to support four Forums in the areas of: Business and Human Rights; Competition Law; Investment Treaty Law; and Product Liability. All of our Forums make an important contribution to the work of BIICL, provide opportunities to explore current issues and prompt further research. Total Forum membership in 2020 was 110, comprising 79 organisations and 31 individuals (2019: 109, comprising 81 organisations and 28 individuals). Forum membership income was £253,633 in 2020 (2019: £190,538). (Income in 2019 was partly affected by the write-off of some old debtors.)

Research

BIICL continued to develop its active and responsive programme of practical and applied research during 2020. We received funding from several external organisations to support a diverse range of research topics, including work in the following areas:

- a two-year project on *Determinants of Anti-Trafficking Efforts*, funded by the US Government, which is analysing the processes which influence governments' anti-trafficking measures and exploring how factors interlink to yield change in government policy;
- a report on *Offshore Methane Hydrates in Japan: Prospects, Challenges and the Law*,

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For the year ended 31 December 2020

supported by the Japan Society for the Promotion of Science, which explores the place of the natural gas produced from those hydrates in Japan's overall energy policies, and how the country might best prepare for the onset of natural gas production from those offshore assets;

- a new study by BIICL and White & Case LLP which provides the first comprehensive empirical study on provisional measures in investment treaty arbitration, offering unique insights into how international tribunals treat such applications;
- a report by BIICL and the Global Health Academy of the University of Edinburgh, funded by A4ID/ROLE UK, on *The Rule of Law in Times of Health Crisis*, which contends that the rule of law contributes to an effective pandemic response by promoting transparency, clarity, participation, engagement and representation, international cooperation, equality, accountability and anti-corruption, among other principles;
- a study for the European Commission to evaluate the application of the Rome II Regulation; and
- a new Rule of Law Monitoring of Legislation project, led by the Bingham Centre, with funding from to monitor the compatibility of UK Government Bills with the internationally agreed standards in the Venice Commission's Rule of Law Checklist. The Project produces independent, expert reports to ensure that any Rule of Law issues are identified early and subjected to rigorous scrutiny and debate in Parliament.

BIICL's Annual Impact Reports provide further details of our achievements and research impacts. Copies may be downloaded from our website (www.biicl.org).

Events and training

BIICL's programme of events and training underwent significant challenges and change during 2020. From the time of the first lockdown in March 2020, all events, conferences and training courses were provided online. Despite the challenges, BIICL continued to attract expert speakers from diverse backgrounds and experiences, and we saw significant growth in the global audience for our events.

Our popular short course, *Public International Law in Practice*, ran again in 2020. Other new short courses were provided during the year on *Business and Human Rights*, *Climate Change Law* and *Law of the Sea*. We also trialled a course in *Comparative Business Law* in partnership with ESCP Europe Business School.

2020 saw the launch of two online, remote learning courses. The first of these, *Citizenship and the Rule of Law*, was developed in collaboration with the University of London and Coursera and is aimed at (aspiring) lawyers, campaigners and students interested in learning more about the practical requirements of the Rule of Law and its application to everyday situations. The course has already engaged over 2,000 active learners and achieved more than 600 completions.

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For the year ended 31 December 2020

Early in 2020, BIICL also launched an online course in International Investment Law and Dispute Resolution. By bringing together leading experts in the field, this course enables participants to understand the theory and practice of international investment law and dispute resolution. The course has proved to be popular with practitioners, leading law firms and governments from around the world, attracting over 5,000 learners since its launch.

Understandably, the impact of the pandemic was a significant theme running through many of our events in 2020. It featured in a diverse range of topics including: avoiding and minimising violations of international investment law; guidelines for the resolution of disputes in the pandemic; international and comparative perspectives on compensation schemes for COVID-19 vaccines; legislative responses to the coronavirus pandemic by different states; product liability and emergency products; and the impact of the pandemic on human trafficking. Early in the first lockdown, BIICL hosted a very popular webinar on *COVID-19 and International Law: What went wrong?* featuring a conversation between award-winning author and international lawyer, Philippe Sands, and the international health law expert and WHO former legal counsel, Gian Luca Burci.

Other significant themes covered in the events programme included climate change, artificial intelligence (AI), Big Data and modern slavery. Another topical issue was covered in a webinar on *Toppled Statues and Monuments: Perspectives on the Global Movement Confronting Heritage*.

In cooperation with the School of International Arbitration at Queen Mary University of London and Babcock University, BIICL organised the first African Arbitration Day, an authoritative conference on recent developments and topics of interest in international arbitration in Africa. The Annual Harry Weinrebe Memorial Lecture was held on the topic of *Inclusivity and the Law: Do We Need to Prohibit Class Discrimination?* BIICL and the Institute of Small and Micro States (ISMS) co-hosted a two-day conference on human rights as they relate to small and micro states, the fifth in a series of events on issues relating to small states.

In 2020, BIICL's income from events and training courses was £183,251 (2019: £326,168). During the pandemic many events were provided as free online webinars or at a much reduced cost. There were 85 events during the year (2019: 68).

Publications

The *International and Comparative Law Quarterly* (ICLQ) continues to attract a very high standard of scholarship from around the world in the fields of public international law, private international law, comparative law, human rights law and European law. The journal is managed by an active Editorial Board of senior academics and retains its reputation as a world leading academic legal journal, with a high impact factor. A strict peer review system is operated to ensure that articles are selected purely on merit. This reflects the independence of the ICLQ and BIICL.

Cambridge University Press manages production, marketing and distribution of the ICLQ and provides additional support. Overall income from the ICLQ was £247K in 2020 (2019: £243K). In

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For the year ended 31 December 2020

addition to the journal, BIICL occasionally publishes its own books. No new priced titles were published in 2020 (2019: 0). Income from book sales in 2020 was £5,712 (2019: £6,156).

BIICL also produces working papers, research reports, responses to government proposals and other submissions, many of which are freely available to download from our website. Staff also regularly publish their own research in other academic journals and books.

Public Benefit

Much of BIICL's work makes an active contribution to our public benefit mission. Our diverse range of research, events, training and publications continues to enable increased public knowledge and awareness of important issues of international law, comparative law and the rule of law. We list below some selected examples of the impact of our work during 2020:

- The UN Special Rapporteur on the Rights of Persons with Disabilities, Catalina Devandas Aguilar, cited our 2017 report, *Access to justice for persons with disabilities: From international principles to practice* (Julinda Beqiraj, Lawrence McNamara, Victoria Wicks), in her report on *Interim Principles and Guidelines on Access to Justice for Persons with Disabilities*;
- Senior Research Fellow, Jean-Pierre Gauci, contributed to the outcomes for a practice guide to be published by the Regional Support Office of the Bali Process on smuggling and trafficking at sea;
- Various reports and blogs on the UK Internal Market Bill (Ronan Cormacain, Murray Hunt, Oliver Garner) were extensively referred to during Parliamentary debates and by legal journalist, Joshua Rozenberg, amongst others;
- Senior Research Fellow, Duncan Fairgrieve, made several appearances on French television on Brexit-related legal issues; and
- Our *Reimagining the Law* initiative showcased the views of many academics, former judges, practitioners and commentators on ways in which some aspect of the law or our justice system might be reimagined and improved, in just 50 words. There was an overwhelming response to our call for submissions with up to five contributions each day on the website during June 2020.

We measure our overall performance against the strategic aims and objectives set out in our Strategic Plan. Analysis of the second year of progress against our new Strategic Plan 2019–2023 illustrated a reasonable level of progress against our objectives and targets, despite the challenges of the pandemic. Some key indicators of progress during the year include:

- The growth of our training programme, with new courses in Business and Human Rights, Climate Change Law and Law of the Sea, and our first online course on International Investment Law;

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For the year ended 31 December 2020

- The establishment of the new Modern Slavery and Human Rights Policy and Evidence Centre, led by BIICL's Bingham Centre for the Rule of Law in partnership with Rights Lab at the University of Nottingham, the Wilberforce Institute at the University of Hull, the Centre for the Study of International Slavery at the University of Liverpool, the Bonavero Institute on Human Rights at the University of Oxford and The Alan Turing Institute;
- Extending our public engagement mission through the *Reimagining the Law initiative* which invited leading legal professionals to reimagine an area of the law or justice system, and share their thoughts as part of a series of themed blogs; and
- Securing significant new research funding in collaboration with a range of new UK and international partners.

Beneficiaries of our services

Beneficiaries of BIICL's research and other activities are diverse and include: legal practitioners; academics; the judiciary; corporations and other commercial bodies; government and non-governmental organisations; and members of the wider public.

Financial review

The Statement of Financial Activities shows that overall income increased during 2020 by 40%, from £2,858K in 2019 to £3,998K in 2020. The net increase comprises a 20% decrease (£262K) in Unrestricted Fund income and a 91% increase (£1,402K) in Restricted Fund income.

Total expenditure increased by 18% to £3,336K (2019: £2,825K). Unrestricted Fund expenditure increased by 4% (£53K), and Restricted Fund expenditure increased by 30% (£458K).

The Institute has a surplus for the year on Unrestricted Funds of £11K (2019: surplus £161K) and a surplus on Restricted Funds of £698K (2019: net outgoing resources £19K). Total fund balances increased by £709K (2019: an increase of £142K) to £2,655K (2019: £1,946K). This was after taking into account net unrealised gains on investments of £48K (2019: net gains £109K).

Restricted Fund income has been recognised in accordance with the current Statement of Recommended Practice Accounting and Reporting by Charities (the Charities SORP). This treatment may mean that income is not recognised in the same period as the related expenditure. Over time Restricted Fund income should match expenditure, although significant surpluses or deficits may occur in certain years depending on the timing of income and expenditure.

The 2020 income on Restricted Funds primarily relates to:

- Donations to the Bingham Centre received in respect of the Bingham Appeal;
- Donations from the Dorset Foundation which contributed to the establishment of a public events space;
- Grant funding from the Sybil Shine Memorial Trust for a Youth and Public Engagement

Trustees' annual report

For the year ended 31 December 2020

Programme

- Grant funding from the Open Society Institute and the Digital Freedom Fund for a research project on big data and algorithms;
- Grant funding from the United States of America Department of State for a Trafficking in Persons research project;
- Grants from various funders for the establishment of an Independent Commission on UK Counterterrorism Legislation, Policy and Practice
- Grant funding from the Arts and Humanities Research Council for the establishment of a Modern Slavery Policy and Evidence Centre.

The Trustees reaffirmed BIICL's investment policy, which seeks to produce the optimum total return, balanced between income and capital, from its investment portfolio. The performance of our investment funds is monitored by the Finance and Audit Committee for the Trustees. Our funds are invested in an investment fund for charities, which provides us with a suitable balanced portfolio coupled with ready liquidity. BIICL pursues an ethical investment strategy and our investment manager is committed to responsible investment as a signatory to the United Nations Principles for Responsible Investment.

The average yield on investments in 2020 was 2.0% (2019: 2.8%). The average (unrealised) movement in the market value of investments in 2020 was a 5.0% increase (2019: 12.9% increase).

Pensions

During 2020, BIICL participated in two funded pension schemes: one defined benefit scheme and one defined contribution schemes. Further details are provided in note 18 to the financial statements.

Principal risks and uncertainties

The Trustees operate a formal risk management process to assess business risks and implement risk management strategies. This involves identifying the risks faced by BIICL, prioritising these in relation to impact, likelihood of occurrence and overall risk level, and identifying mitigating factors and ways to manage the risks. In addition, all risks are owned by a member of BIICL's management team. This risk register is regularly reviewed by the Finance and Audit Committee and by the Trustees, to ensure that it is kept up-to-date. As part of this process the Trustees have reviewed the adequacy of the Institute's current internal controls and the costs of operating particular controls relative to the benefits obtained. Procedures have been established for reporting failings immediately to appropriate levels of management and to the Board of Trustees.

The Trustees consider that the lack of recurrent core funding represents a significant risk to the Institute. To mitigate this risk, the Trustees continue to seek core funding as a key part of our fundraising activity. During 2020, we continued to secure donations through our Appeals to assist with future growth of our strategic priority areas and to contribute towards major refurbishment costs.

Trustees' annual report

For the year ended 31 December 2020

The financial impact of the COVID-19 pandemic has had a significant effect on the Institute's finances in 2020, particularly with regard to income derived from events and training courses. The high risk of a continuing impact in 2021 was considered when setting the Institute's operating budget for 2021 and substantial mitigation was achieved by re-designing the training programme to be delivered wholly online. This approach is likely to continue into 2022.

Taken together, the Trustees consider that the lack of recurrent core funding and the impact of the COVID-19 pandemic could present a potential risk to the continued going concern status of the Institute in future years. The Trustees are mindful of this risk and have reviewed a financial scenario for 2022 which adopted a worst case scenario approach with regard to income streams that are volatile or unsecured, and identified mitigating actions which could be taken should the need arise. As a result, the Trustees consider that there are currently no material uncertainties about the Institute's ability to continue as a going concern.

All fundraising and other income generation activities abide by our Guidelines for Ethical Funding.

In addition to our fundraising activities, we continue to diversify and seek new sources of income for our research and training activities.

Reserves policy

Free reserves available for use by BIICL are deemed to be those that are readily realisable, less those funds whose uses are restricted or designated for particular purposes. The calculation thus excludes funds of £1,616K (2019: £1,388K) invested in property and other fixed assets that will continue to be used in the day-to-day running of the Institute.

As a matter of policy, each year the Trustees review the value of the reserves retained in the form of investments, cash and cash equivalents not held for restricted purposes or designated projects. The Board of Trustees considers BIICL's exposure to major risks in terms of their likely impact on its income sources and planned expenditure in the short to medium term, as well as assessing the best way to manage such risks.

The present target for free reserves is a minimum of 50% of the year's audited figure for total unrestricted resources expended, to recognise the risks relating to lack of recurrent core funding and to enable the Institute to cope with any emergencies. As at 31 December 2020 this target equates to £679K (2019: £653K).

The exceptional expenditure on major building refurbishment in 2019 and 2020 represents a substantial investment in our office and event space in a building that has had no major improvements since it was built in the late 1970s. Trustees saw this investment as necessary to bring the building's services and infrastructure up to 21st century standards. As a result, there has been a substantial increase in BIICL's fixed assets; however free reserves did not decrease because they have been defined to exclude capital costs represented by fixed assets net of the associated loan.

Trustees' annual report

For the year ended 31 December 2020

While we have excluded fixed assets when calculating our free reserves, in line with Charity Commission advice, our liquid assets have not in large part been committed to the fixed assets. As a consequence, applying this usual treatment does not fairly represent the underlying reality for the organisation. Our calculation of free reserves, therefore, now takes into account both the value of fixed assets and the value of a related loan from the University of London of £1,018K (2019: £775K).

The Covid-19 pandemic has had a significant effect on BIICL's finances and activities during 2020. While income from our events and training has been considerably lower, this has been mitigated by providing many events and courses online. Research income is also significantly higher than budgeted and the BIICL 60+ Appeal has continued to bring in new unrestricted funding to the organisation. The capital spend on the refurbishment is an exceptional item and no further expenditure on this scale is expected for a considerable time. Trustees do, however, recognise that a key priority for the next few years will be to rebuild free reserves back to the target level as soon as practicable. This will be achieved through a variety of measures including income growth from new training activities, research funding, consultancy services, fundraising and international partnerships. Expenditure will be closely monitored by the Board and cost-cutting measures implemented, if necessary.

BIICL's free reserves are calculated as follows:

	2020	2019
	Total	Total
	£K	£K
General funds at 31 December	382	356
Expendable endowment fund at 31 December	<u>122</u>	<u>122</u>
Free Reserves	<u>504</u>	<u>478</u>

The Trustees will continue to keep this policy under review.

Fundraising

BIICL undertakes a peer-to-peer approach to fundraising which is governed by our Guidelines on Ethical Funding. We have a small, in-house Development team of four staff, who operate with support from our trustees, senior staff and other volunteers (typically senior lawyers or former law firm partners). BIICL does not use any external fundraisers or other commercial participators.

We have received no complaints about our fundraising activity and there have been no failures to comply with fundraising standards or regulation. BIICL's peer-to-peer approach to fundraising ensures that vulnerable people and other members of the public are protected from any unreasonable behaviour and intrusion. Our Donor Privacy Policy is available on our website.

Plans for the future

BIICL's Strategic Plan 2019-2023 provides the framework to guide and inform our future plans. Like many other organisations, our programme of work continues to be affected by the COVID-19

Trustees' annual report

For the year ended 31 December 2020

pandemic. In response, as discussed earlier in this report, we have adapted our events and training activities and have worked hard to maximise our research income, including several new projects related to the impact of the pandemic. Some of our plans related to partnership working and new funding streams may take longer to be realised than we initially anticipated, but we have continued to develop new and existing relationships with both national and international partner organisations and universities. The contribution of our work to upholding international law and the rule of law has arguably never been more important, as States around the world struggle to find the most effective legislative and medical responses to the pandemic alongside other global challenges.

The Trustees are mindful of the risks presented by the Institute's lack of recurrent core funding and the impact of the COVID-19 pandemic, and recognise the need to develop new income-generating activities as part of the Institute's business development strategy. This strategy includes:

- Plans to develop our individual membership offering to increase membership income.
- Developing a strategy for seeking major gifts.
- Plans for generating income from expanded education and training, including an expanded programme of short courses and the development of a programme of executive education.
- The development of a postgraduate degree programme with the potential to admit students from Autumn 2023. This is a major long-term goal for a substantial and sustainable new income stream.

Structure, governance and management

Trustees

BIICL is governed by its Memorandum and Articles of Association adopted on 2 October 1958 and last amended on 13 September 2010.

The present Trustees, and any past Trustees who served during the year, are listed on page 1 of this Annual Report, together with the Institute Director and key management personnel.

The Board of Trustees is responsible for the overall governance of the Institute and the total number of Trustees may not exceed eighteen. Trustees are in office for a term of three years and may not serve more than two consecutive full terms.

Trustees meet at least 4 times a year. Apart from the Annual General Meeting, these meetings consist of formal Board meetings, held every quarter. At these meetings, Trustees review and set overall strategy and operational performance, as well as review the direction of BIICL research, events and publications.

Effective partnership between Trustees and BIICL staff continues to contribute significantly to our success. The Board delegates the exercise of certain powers in connection with the management and administration of the Institute as set out below. This is monitored by regular reporting to the Board, and by receipt and discussion of reports by the Institute Director and other staff as required,

Trustees' annual report

For the year ended 31 December 2020

so that all decisions made under delegated powers can be ratified by the full Board in due course. In addition, each Trustee is a mentor to a member of the Institute's staff. These measures ensure that Trustees have the necessary understanding for effective and informed decision-making.

Trustee Recruitment, Induction and Training

Trustees are nominated by the Board of Trustees and elected to the Board at BIICL's Annual General Meeting. Generally, Trustees have already had an involvement with our activities, which ensures a broad understanding of BIICL's work. Special advisors to the Board of Trustees are co-opted on an *ad hoc* basis. The Board is undertaking a review of its trustee recruitment processes during 2021 in accordance with BIICL's new Diversity Policy.

All new Trustees receive a general induction to BIICL's governance and operations by the Institute Director, Company Secretary and other senior staff. Training on specific matters is available, where appropriate. Sometimes this training takes the form of a presentation to the Board of Trustees by a guest speaker or a member of staff.

Finance and Audit Committee

The members of the Finance and Audit Committee are appointed by the Board of Trustees. The members during 2020 and 2021 were:

- Trustees: Philip Haberman (Chair, to 07/12/20), Elizabeth Perks (Chair, from 08/12/20) and Nigel Parr;
- Former Trustees: Adam Johnson, Sonya Branch (to 07/12/2020) and Sir Stanley Burnton;
- External Members: Aimee-Jane Lee.

The Committee met 4 times during 2020. Meetings were also attended by the Institute Director, Institute Deputy Director, Director of Finance and the Director of the Bingham Centre.

Membership of the Committee shall include at least two BIICL Trustees (one of whom must be the Chair of the Committee). Other members shall comprise former Trustees or other independent external individuals with recent and relevant experience and expertise in finance, audit or other appropriate areas. Committee members should have no executive responsibility for the management of BIICL and no significant interests in the institution. The Chair of the Board of Trustees shall not be a member of the Committee. There shall be no fewer than five members. A quorum shall be at least three members (one of whom must be a Trustee).

Trustee member appointments to the Committee shall be in line with their Trustee terms of office. Other members shall be appointed for an initial term of three years and may serve for one further consecutive term. Appointments to the Committee are staggered to ensure some regular turnover of members.

Trustees' annual report

For the year ended 31 December 2020

The Committee's terms of reference are:

Financial issues

- To be responsible for the financial review of BIICL's activities including: financial results; risk assessment and management; and internal financial controls.
- To determine an annual budget for recommendation to the Board of Trustees.
- To ensure proper procedures are in place to manage cash resources prudently and to maximise income from liquid assets whilst maintaining sufficient funds to meet daily cash requirements.
- To review the strategy, policy and management of BIICL's investment portfolio, and to advise the Board of Trustees on the appropriate level of free reserves and of any significant changes needed in the investment strategy.
- To determine the policies applicable to the annual salary review of BIICL staff and any general staffing salary issues, and to advise on specific staffing salary and other benefits issues, for recommendation to the Board of Trustees.

Audit issues

- To consider all aspects of the external audit, including appointment and remuneration of the external auditor, the nature and scope of the statutory audit, the recommendation of audited financial statements to the Board of Trustees, and the discussion of issues raised in the external auditor's management letter.
- To ensure that the annual financial statements are true and fair and conform to accounting standards, and that accounting policies are appropriate and applied consistently.
- To review the performance reported in the Trustees' Annual Report and to ensure that this is a true reflection of the charity's performance.
- To review all reports prepared by the external auditor and to agree the programme of work proposed by management to address any issues raised.
- To review the process for awarding non-audit work to the external audit firm and to ensure that potential conflicts of interest are managed in the best interests of the charity.
- To monitor the compliance of BIICL with applicable laws and regulations, as well as its own policies and procedures

Research Ethics Committee

The Board of Trustees established a Research Ethics Committee in 2015, with responsibility for the development and implementation of policy and processes relating to research ethics.

Its terms of reference are:

- to consider new research proposals in line with BIICL's research ethics policy and process, and to approve, refer or decline proposals, as appropriate;
- to monitor and review the effective application and operation of BIICL's research ethics policy;
- to advise BIICL's Board of Trustees on developments relating to research ethics policy, good practice and implementation.

The British Institute of International and Comparative Law

Trustees' annual report

For the year ended 31 December 2020

The Chair of the Committee is a Trustee or former Trustee appointed by the Board (Emeritus Professor John Bell). Other members comprise: one other BIICL Trustee; two lay members; the Institute Director; three Senior Research Fellows, at least one of whom will be from the Bingham Centre; and the Institute Deputy Director.

Advisory Panels

Advisory Panels operate in each of the main BIICL research areas, with Panel members appointed for their expertise in these fields of law.

Institute Director

The Institute Director is responsible for the day-to-day management of the Institute's affairs and for implementing strategies agreed by the Board of Trustees. The Institute Director is assisted by a team of senior managers and senior researchers, with whom there are regular meetings.

Corporate Governance

Internal controls over all forms of financial commitments, obligations and expenditure continue to be refined to improve efficiency and as part of ongoing internal risk assessment processes. Policies and procedures are in place to ensure that performance is monitored and that appropriate management information is prepared and reviewed regularly by both senior management and the Board of Trustees.

The systems of internal control are designed to provide reasonable but not absolute assurance against material misstatement or loss. These are contained within BIICL's Financial Regulations and Procedures and include:

- an annual budget approved by the Trustees;
- regular consideration by the Trustees of financial results, variances from budgets, non-financial performance indicators and benchmarking reviews;
- delegation of day-to-day management authority and segregation of responsibilities; and
- identification and management of risks.

All Trustees give their time voluntarily and receive no benefits from the charity. Trustees' expenses reimbursed in 2020 were £nil (2019: £4,155 for one trustee's travel and accommodation costs reimbursed in connection with a conference attendance and a business development trip to Hong Kong). No charity trustee received payment for professional or other services supplied to the charity (2019: £nil).

Related parties and relationships with other organisations

BIICL sometimes receives grants from The International Rule of Law Project Inc. (IROLP), a US public charity established by supporters of BIICL, tax exempt under Section 501(c)(3) of the US Internal

Trustees' annual report

For the year ended 31 December 2020

Revenue Code. IROLP is governed by its own independent Board, which includes the Institute Deputy Director (Patricia Ambrose). No grants from IROLP were received in 2020 (2019: no grants received).

Remuneration policy for key management personnel

The Finance and Audit Committee makes an annual recommendation to the Board of Trustees on the general principles to operate in relation to the remuneration of all staff, including key management personnel. In determining these general principles, the Finance and Audit Committee considers the following matters:

- UK inflation (CPI/CPIH) over the period and any other general economic matters;
- comparator sectors' salaries and salary increases, being the higher education sector; the charity sector; and the public sector;
- BIICL's financial position in the previous year and expected financial position in the current year; and
- Information on any changes in roles and levels of responsibility, as well as the overall performance of staff at their annual reviews.

Once the Board of Trustees has agreed these principles, the Institute Director applies them to individual staff members as part of the annual review process. The salary of the Institute Director is decided by the Board of Trustees on the recommendation of the Chair of the Board, taking account of the same general principles.

Statement of responsibilities of the Trustees

The Trustees (who are also directors of the British Institute of International and Comparative Law 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 charitable company and of the incoming resources and application of resources, including the income and expenditure, of the charitable company 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 SORP;
- make judgements and estimates that are reasonable and prudent;
- state whether applicable UK Accounting Standards and statements of recommended practice 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 charity will continue in operation.

Trustees' annual report

For the year ended 31 December 2020

The Trustees are responsible for keeping adequate accounting records that disclose with reasonable accuracy at any time the financial position of the charitable company 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 charitable company 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;
- there are no material uncertainties relating to BIICL's ability to continue to adopt the going concern basis of accounting;
- 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 charitable company's website. Legislation in the United Kingdom governing the preparation and dissemination of financial statements may differ from legislation in other jurisdictions.

Members of the charity guarantee to contribute an amount not exceeding £1 to the assets of the charity in the event of winding up. The total number of such guarantees at 31 December 2020 was 324 (2019: 320). The Trustees are members of the charity but this entitles them only to voting rights.

The Trustees have no beneficial interest in the charity.

Auditor

Sayer Vincent LLP was re-appointed as the charitable company's auditor during the year and has expressed its willingness to continue in that capacity.

The Trustees' annual report has been prepared in accordance with the special provisions applicable to companies subject to the small companies' regime.

The Trustees' annual report has been approved by the Trustees and signed on their behalf by

20 September 2021
Keith Ruddock
Chair of the Board of Trustees

Independent auditor's report

To the members of

The British Institute of International and Comparative Law

Opinion

We have audited the financial statements of The British Institute of International and Comparative Law (the 'charitable company') for the year ended 31 December 2020 which comprise the statement of financial activities, balance sheet, statement of cash flows and 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 FRS 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 charitable company's affairs as at 31 December 2020 and of its incoming resources and application of resources, including its income and expenditure for the year then ended
- Have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice
- 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 charitable company in accordance with the ethical requirements that are relevant to our audit of the financial statements in the UK, including the FRC'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.

Conclusions relating to going concern

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.

Based on the work we have performed, we have not identified any material uncertainties relating to events or conditions that, individually or collectively, may cast significant doubt on The British Institute of International and Comparative Law's ability to continue as a going concern for a period of at least twelve months from when the financial statements are authorised for issue.

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

Independent auditor's report

To the members of

The British Institute of International and Comparative Law

Other information

The other information comprises the information included in the trustees' annual report other than the financial statements and our auditor's 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.

Opinions 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' annual report for the financial year for which the financial statements are prepared is consistent with the financial statements; and
- The trustees' annual report has been prepared in accordance with applicable legal requirements.

Matters on which we are required to report by exception

In the light of the knowledge and understanding of the charitable company and its environment obtained in the course of the audit, we have not identified material misstatements in the trustees' annual 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, or returns adequate for our audit have not been received from branches not visited by us; or
- The 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 directors 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' annual report and from the requirement to prepare a strategic report.

Independent auditor's report

To the members of

The British Institute of International and Comparative Law

Responsibilities of trustees

As explained more fully in the statement of trustees' responsibilities set out in the trustees' annual report, 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 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 charitable company or to cease operations, or have no realistic alternative but to do so.

Auditor's 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 are set out below.

Capability of the audit in detecting irregularities

In identifying and assessing risks of material misstatement in respect of irregularities, including fraud and non-compliance with laws and regulations, our procedures included the following:

- We enquired of management, which included obtaining and reviewing supporting documentation, concerning the charity's policies and procedures relating to:
 - Identifying, evaluating, and complying with laws and regulations and whether they were aware of any instances of non-compliance;
 - Detecting and responding to the risks of fraud and whether they have knowledge of any actual, suspected, or alleged fraud;
 - The internal controls established to mitigate risks related to fraud or non-compliance with laws and regulations.
- We inspected the minutes of meetings of those charged with governance.
- We obtained an understanding of the legal and regulatory framework that the charity

Independent auditor's report

To the members of

The British Institute of International and Comparative Law

operates in, focusing on those laws and regulations that had a material effect on the financial statements or that had a fundamental effect on the operations of the charity from our professional and sector experience.

- We communicated applicable laws and regulations throughout the audit team and remained alert to any indications of non-compliance throughout the audit.
- We reviewed any reports made to regulators.
- We reviewed the financial statement disclosures and tested these to supporting documentation to assess compliance with applicable laws and regulations.
- We performed analytical procedures to identify any unusual or unexpected relationships that may indicate risks of material misstatement due to fraud.
- In addressing the risk of fraud through management override of controls, we tested the appropriateness of journal entries and other adjustments, assessed whether the judgements made in making accounting estimates are indicative of a potential bias and tested significant transactions that are unusual or those outside the normal course of business.

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 is available on the Financial Reporting Council's website at: www.frc.org.uk/auditorsresponsibilities. This description forms part of our auditor's report.

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 the charitable company's members as a body, for our audit work, for this report, or for the opinions we have formed.

Joanna Pittman (Senior statutory auditor)

24 September 2021

for and on behalf of Sayer Vincent LLP, Statutory Auditor
Invicta House, 108-114 Golden Lane, LONDON, EC1Y 0TL

The British Institute of International and Comparative Law

Statement of Financial Activities (incorporating an income and expenditure account)

For the year ended 31 December 2020

	Note	Unrestricted £	Restricted £	2020 Total £	Unrestricted £	Restricted £	2019 Total £
Income from:							
Donations and legacies	2	89,651	481,242	570,893	195,560	434,107	629,667
Charitable activities							
Member services	3	303,666	–	303,666	249,828	–	249,828
Publications and journals	3	257,983	6,100	264,083	249,651	7,508	257,159
Conferences and seminars	3	150,406	32,845	183,251	164,509	161,659	326,168
Research programmes	3	209,405	2,427,396	2,636,801	393,834	939,802	1,333,636
Other Income		18,998	633	19,631	33,759	3,356	37,115
Investments	4	19,446	–	19,446	24,449	–	24,449
Total income		1,049,555	2,948,216	3,997,771	1,311,590	1,546,432	2,858,022
Expenditure on:							
Raising funds	5a	162,688	59,566	222,254	154,506	77,400	231,906
Charitable activities							
Member services	5a	291,386	–	291,386	303,184	–	303,184
Publications and journals	5a	114,431	–	114,431	113,890	–	113,890
Conferences and seminars	5a	198,337	23,850	222,187	179,595	170,950	350,545
Research programmes	5a	591,810	1,894,381	2,486,191	554,112	1,271,409	1,825,521
Total expenditure		1,358,652	1,977,797	3,336,449	1,305,287	1,519,759	2,825,046
Net income before net gains on investments		(309,097)	970,419	661,322	6,303	26,673	32,976
Net gains on investments		22,785	24,938	47,723	51,834	56,734	108,568
Net income / (expenditure) for the year	6	(286,312)	995,357	709,045	58,137	83,407	141,544
Transfers between funds		297,500	(297,500)	–	102,518	(102,518)	–
Net movement in funds		11,188	697,857	709,045	160,655	(19,111)	141,544
Reconciliation of funds:							
Total funds brought forward		968,837	976,813	1,945,650	808,182	995,924	1,804,106
Total funds carried forward		980,025	1,674,670	2,654,695	968,837	976,813	1,945,650

All of the above results are derived from continuing activities. There were no recognised gains or losses other than those stated above. Movements in funds are disclosed in Note 20 to the financial statements.

Balance Sheet

Company no. 615025

As at 31 December 2020

	Note	£	2020 £	£	2019 £
Fixed assets:					
Tangible assets	12		1,615,833		1,388,100
Investments	13		997,283		949,560
			<u>2,613,116</u>		<u>2,337,660</u>
Current assets:					
Debtors	14	216,326		540,595	
Cash at bank and in hand		2,043,071		805,568	
		<u>2,259,397</u>		<u>1,346,163</u>	
Liabilities:					
Creditors: amounts falling due within one year	15	1,200,151		963,173	
Net current assets			<u>1,059,246</u>		<u>382,990</u>
Creditors: amounts falling due after one year	15		1,017,667		775,000
Total net assets			<u><u>2,654,695</u></u>		<u><u>1,945,650</u></u>
The funds of the charity:					
Endowment funds	20a	521,146		496,208	
Restricted income funds		1,153,524		480,605	
		<u>1,674,670</u>		<u>976,813</u>	
Unrestricted income funds:					
Capital fund		598,166		613,100	
General funds		381,859		355,737	
		<u>980,025</u>		<u>968,837</u>	
Total unrestricted funds			<u>980,025</u>		<u>968,837</u>
Total charity funds			<u><u>2,654,695</u></u>		<u><u>1,945,650</u></u>

Approved by the trustees on 20 September 2021 and signed on their behalf by

Keith Ruddock
Chair of the Board of Trustees

Elizabeth Perks
Trustee

Statement of Cash Flows

For the year ended 31 December 2020

	£	2020 £	£	2019 £
Cash flows from operating activities				
Net income for the reporting period (as per the statement of financial activities)	709,045		141,544	
Depreciation charges	133,290		45,008	
(Gains) on investments	(47,723)		(108,568)	
Dividends and interest from investments	(19,446)		(24,449)	
Loss on the disposal of fixed assets	–		29,924	
Decrease in stocks	–		1,663	
Decrease in debtors	324,269		71,044	
Increase / (decrease) in creditors	236,978		(253,389)	
		1,336,413		(97,223)
Cash flows from investing activities:				
Dividends, interest and rents from investments	19,446		24,449	
Purchase of fixed assets	(361,023)		(1,371,128)	
		(341,577)		(1,346,679)
Cash flows from financing activities:				
Increase in loan borrowings	242,667		775,000	
		242,667		775,000
Change in cash and cash equivalents in the year		1,237,503		(668,902)
Cash and cash equivalents at the beginning of the year		805,568		1,474,470
Change in cash and cash equivalents due to exchange rate movements		–		–
Cash and cash equivalents at the end of the year		2,043,071		805,568
Analysis of cash and cash equivalents				
	At 1 January 2020 £	Cash flows £	Other changes £	At 31 December 2020 £
Cash at bank and in hand	805,568	1,237,503	–	2,043,071
Total cash and cash equivalents	805,568	1,237,503	–	2,043,071

1 Accounting policies

a) Statutory information

The British Institute of International and Comparative Law is a charitable company limited by guarantee and is incorporated in the United Kingdom.

The registered office address and principal place of business is Charles Clore House, 17 Russell Square, London WC1B 5JP.

b) Basis of preparation

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 UK and Republic of Ireland (FRS 102) – (Charities SORP FRS 102), the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102) and the Companies Act 2006.

Assets and liabilities are initially recognised at historical cost or transaction value unless otherwise stated in the relevant accounting policy or note.

In applying the financial reporting framework, the trustees have made a number of subjective judgements, for example in respect of significant accounting estimates. Estimates and judgements are continually evaluated and are based on historical experience and other factors, including expectations of future events that are believed to be reasonable under the circumstances. The nature of the estimation means the actual outcomes could differ from those estimates. Any significant estimates and judgements affecting these financial statements are detailed within the relevant accounting policy below.

c) Public benefit entity

The charitable company meets the definition of a public benefit entity under FRS 102.

d) Going concern

The trustees consider that there are no material uncertainties about the charitable company's ability to continue as a going concern. This assessment has been reached after preparing projections of the level of unrestricted reserves and cash up to 12 months beyond the date of signing annual financial statements, taking into account the financial effects of the Covid pandemic, future repayments due under the loan agreement with the University of London, general economic conditions and the future operating plans of the Institute. A worst case approach has been adopted with regard to income streams that are volatile or unsecured.

The trustees do not consider that there are any sources of estimation uncertainty at the reporting date that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next reporting period.

e) Income

Income is recognised when the charity has entitlement to the funds, any performance conditions attached to the income have been met, it is probable that the income will be received and that the amount can be measured reliably.

Income from government and other grants, whether 'capital' grants or 'revenue' grants, is recognised when the charity has entitlement to the funds, any performance conditions attached to the grants have been met, it is probable that the income will be received and the amount can be measured reliably and is not deferred.

For legacies, entitlement is taken as the earlier of the date on which either: the charity is aware that probate has been granted, the estate has been finalised and notification has been made by the executor(s) to the charity that a distribution will be made, or when a distribution is received from the estate. Receipt of a legacy, in whole or in part, is only considered probable when the amount can be measured reliably and the charity has been notified of the executor's intention to make a distribution. Where legacies have been notified to the charity, or the charity is aware of the granting of probate, and the criteria for income recognition have not been met, then the legacy is treated as a contingent asset and disclosed if material.

Income received in advance of the provision of a specified service is deferred until the criteria for income recognition are met.

1 Accounting policies/continued

f) Donations of gifts, services and facilities

Donated professional services and donated facilities are recognised as income when the charity has control over the item or received the service, any conditions associated with the donation have been met, the receipt of economic benefit from the use by the charity of the item is probable and that economic benefit can be measured reliably. In accordance with the Charities SORP (FRS 102), volunteer time is not recognised; more information about their contribution may be found in the trustees' annual report.

On receipt, donated gifts, professional services and donated facilities are recognised on the basis of the value of the gift to the charity, which is the amount the charity would have been willing to pay to obtain services or facilities of equivalent economic benefit on the open market; a corresponding amount is then recognised in expenditure in the period of receipt.

g) Interest receivable

Interest on funds held on deposit is included when receivable and the amount can be measured reliably by the charity; this is normally upon notification of the interest paid or payable by the bank.

h) Fund accounting

Restricted funds are to be used for specific purposes as laid down by the donor. Expenditure which meets these criteria is charged to the fund.

Unrestricted funds are donations and other incoming resources received or generated for the charitable purposes.

i) Expenditure and irrecoverable VAT

Expenditure is recognised once there is a legal or constructive obligation to make a payment to a third party, it is probable that settlement will be required and the amount of the obligation can be measured reliably. Expenditure is classified under the following activity headings:

- Costs of raising funds relate to the costs incurred by the charitable company in encouraging third parties to make voluntary contributions to it, as well as the cost of any activities with a fundraising purpose.
- Expenditure on charitable activities includes the costs of delivering services to members, publishing books and journals, holding events and running research programmes and projects, all undertaken to further the purposes of the charity, and their associated support costs.

Irrecoverable VAT is charged as a cost of the activity for which the expenditure was incurred.

j) Grants payable

Grants payable do not represent grant-giving activities by the charity but relate to the transfer of third party project funding to project partners. Expenditure related to grants payable is recognised in accordance with the agreed payment schedule or time period of each grant.

k) Allocation of support costs

Resources expended are allocated to the particular activity where the cost relates directly to that activity. The cost of overall direction and administration of each activity, comprising the salary and overhead costs of the central function, is apportioned pro rata to the staffing levels of the relevant activity.

l) Allocation of governance costs

Governance costs comprise audit fees and Board of Trustees meeting costs. These costs are apportioned across the Institute's activities, pro rata to the staffing levels of the relevant activity.

m) Operating leases

Rental charges are charged on a straight line basis over the term of the lease.

n) Tangible fixed assets

Items of equipment are capitalised where the purchase price exceeds £500. Depreciation costs are allocated to activities on the basis of the use of the related assets in those activities. Assets are reviewed for impairment if circumstances indicate their carrying value may exceed their net realisable value and value in use. Major components are treated as separate assets where they have significantly different patterns of consumption of economic benefits and are depreciated separately over their useful lives.

Depreciation is provided at rates calculated to write down the cost of each asset to its estimated residual value over its expected useful life. The depreciation rates in use are as follows:

- | | |
|---|----------|
| • Improvements to long leasehold properties | 20 years |
| • Computer equipment | 3 years |
| • Office equipment, fixtures and fittings | 5 years |

1 Accounting policies/continued

o) Listed investments

Investments are a form of basic financial instrument and are initially recognised at their transaction value and subsequently measured at their fair value as at the balance sheet date using the closing quoted market price. Any change in fair value is recognised in the statement of financial activities and any excess of fair value over the historical cost of investments is included in reserves. Investment gains and losses, whether realised or unrealised, are combined and shown in the heading "Net gains/(losses) on investments" in the statement of financial activities. The charity does not acquire put options, derivatives or other complex financial instruments.

p) Debtors

Trade and other debtors are recognised at the settlement amount due after any trade discount offered. Prepayments are valued at the amount prepaid net of any trade discounts due.

q) Cash at bank and in hand

Cash includes short term highly liquid investments with a maturity of three months or less from the date of acquisition or opening of the deposit or similar account.

r) Creditors and provisions

Creditors and provisions are recognised where the charity has a present obligation resulting from a past event that will probably result in the transfer of funds to a third party and the amount due to settle the obligation can be measured or estimated reliably. Creditors and provisions are normally recognised at their settlement amount after allowing for any trade discounts due.

s) Financial instruments

Basic financial instruments are initially recognised at transaction value and subsequently measured at their settlement value. Other financial instruments such as loans are initially recognised at the present value of future cash payments discounted at a market interest rate, and are subsequently measured at amortised cost using the effective interest method.

t) Pensions

The Institute participates in the Universities Superannuation Scheme (USS), a defined benefit scheme which is externally funded and contracted out of State Pension (S2P). The assets of the scheme are held in a separate trustee-administered fund. Because of the mutual nature of the scheme, the scheme's assets are not hypothecated to individual institutions and a scheme-wide contribution rate is set. The Institute is therefore exposed to actuarial risks associated with other institutions' employees and is unable to identify its share of the underlying assets and liabilities of the scheme on a consistent and reasonable basis and, as required by FRS 102 Section 28, accounts for the scheme as if it were a defined contribution scheme. As a result, the amount charged to the SOFA represents the contributions payable to the scheme in respect of the accounting period.

The Institute also operates one defined contribution scheme. The amount charged to the SOFA represents the contributions payable to the scheme in respect of the accounting period.

Notes to the financial statements

For the year ended 31 December 2020

2 Income from donations and legacies

	2020		2019	
	Unrestricted	Restricted	Unrestricted	Restricted
	£	£	£	£
60th Anniversary Appeal	49,110	250,000	143,463	125,000
Bingham Centre donations	-	90,344	-	198,097
Bingham Centre Business Network	-	85,000	-	105,000
Clore Duffield Foundation	-	47,500	-	-
Other donations	40,541	8,398	52,097	6,010
Total income from donations and legacies	89,651	481,242	195,560	434,107

3 Income from charitable activities

	2020		2019	
	Unrestricted	Restricted	Unrestricted	Restricted
	£	£	£	£
Forum memberships	253,633	-	190,538	-
Institute memberships	50,033	-	59,290	-
Sub-total for Member services	303,666	-	249,828	-
ICLQ journal royalties and other income	247,668	-	243,167	-
Publication sales	5,712	-	6,156	-
Publication royalties	4,603	6,100	328	7,508
Sub-total for Publications and journals	257,983	6,100	249,651	7,508
Private international law events	-	-	6,500	-
Bingham Centre rule of law events	3,866	32,845	29,679	-
International law short courses	75,002	-	32,360	-
Investment treaty law events	16,741	-	33,862	-
Public international law events	7,009	-	10,969	161,659
European law events	3,149	-	3,647	-
Comparative law events	4,504	-	7,775	-
WTO law events	9,555	-	11,583	-
Other events	30,580	-	28,134	-
Sub-total for Conferences and seminars	150,406	32,845	164,509	161,659
Funding from:				
Overseas NGOs, trusts and foundations	106,138	551,218	147,458	348,804
UK NGOs, trusts and foundations	-	264,062	-	46,425
Law firms	57,700	-	46,000	80,211
Overseas government departments	-	144,750	173,274	97,514
UK research councils	-	1,392,606	2,973	304,313
UK government departments	-	28,122	4,000	8,290
Companies	33,869	-	3,366	-
Other sources	11,698	46,638	16,763	54,245
Sub-total for Research programmes	209,405	2,427,396	393,834	939,802
Total income from charitable activities	921,460	2,466,341	1,057,822	1,108,969

Notes to the financial statements

For the year ended 31 December 2020

4 Income from investments

	Unrestricted £	Restricted £	2020 Total £	Unrestricted £	Restricted £	2019 Total £
Dividends received from investments	16,393	–	16,393	20,582	–	20,582
Interest received from investments	3,033	–	3,033	3,280	–	3,280
Bank interest	20	–	20	587	–	587
	<u>19,446</u>	<u>–</u>	<u>19,446</u>	<u>24,449</u>	<u>–</u>	<u>24,449</u>

Notes to the financial statements

For the year ended 31 December 2020

5a Analysis of expenditure (current year)

	Charitable activities					2020 Total £	2019 Total £
	Raising funds £	Member services £	Publications and journals £	Conferences and seminars £	Research programmes £		
Staff costs (Note 8)	146,267	211,210	79,548	161,204	1,504,600	2,102,829	1,851,158
Direct costs	5,303	57,755	26,078	43,886	382,469	515,491	586,168
Grants payable (Note 7)	-	-	-	-	407,818	407,818	-
Support costs:							
- Other staff costs	54,937	1,771	695	1,354	15,123	73,880	97,916
- General fundraising and marketing costs	1,755	2,301	904	1,754	19,630	26,344	42,612
- Property costs	(3,383)	(4,434)	(1,741)	(3,381)	(37,832)	(50,771)	67,770
- Communication costs	4,116	5,396	2,119	4,114	46,040	61,785	56,288
- Other office costs	804	1,055	414	804	8,998	12,075	14,882
- Depreciation and losses on disposals	8,878	11,640	4,572	8,876	99,324	133,290	74,932
- Other costs	2,635	3,456	1,357	2,634	29,477	39,559	19,525
Governance costs	942	1,236	485	942	10,544	14,149	13,795
Total expenditure 2020	222,254	291,386	114,431	222,187	2,486,191	3,336,449	2,825,046
Total expenditure 2019	231,906	303,184	113,890	350,545	1,825,521		2,825,046

Staff costs £2,102,829 (2019 £1,851,158) include costs of support staff £817,891 (2019 £778,995)

Other staff costs comprises: temporary staff, recruitment costs, staff travel, accommodation, subsistence and entertaining, and staff professional fees, training and conference costs.

Property costs include the removal of a previous accrual of £84,000 made in respect of the Institute's potential contribution to the costs of the University of London's ongoing programme of building renovation at Charles Clore House. The accrual related to work completed in 2012. The accrual has been removed as the Institute has now reached a final agreement with the University of London regarding its liability for renovation costs.

Governance costs include audit fees of £13,550 (2019: £13,469) and Board of Trustees meeting costs of £nil (2019: £4,155).

Notes to the financial statements

For the year ended 31 December 2020

5a Analysis of expenditure (prior year)

	Charitable activities					2019 Total £
	Raising funds £	Member services £	Publications and journals £	Conferences and seminars £	Research programmes £	
Staff costs (Note 8)	173,030	211,896	75,653	99,382	1,291,197	1,851,158
Direct costs	6,024	45,641	25,381	234,355	274,767	586,168
Support costs:						
– Other staff costs	21,626	13,483	2,267	3,987	56,553	97,916
– General fundraising and marketing costs	4,295	2,573	2,628	1,026	32,090	42,612
– Property costs	7,383	8,112	2,183	3,234	46,858	67,770
– Communication costs	6,133	6,738	1,813	2,686	38,918	56,288
– Other office costs	1,622	1,781	479	710	10,290	14,882
– Depreciation and losses on disposals	8,164	8,970	2,413	3,575	51,810	74,932
– Other costs	2,128	2,337	629	932	13,499	19,525
Governance costs	1,501	1,653	444	658	9,539	13,795
Total expenditure 2019	231,906	303,184	113,890	350,545	1,825,521	2,825,046

Staff costs £1,851,158 (2019 £1,851,158) include costs of support staff £778,995 (2019 £778,995)

Other staff costs comprises: temporary staff, recruitment costs, staff travel, accommodation, subsistence and entertaining, and staff professional fees, training and conference costs.

Governance costs include audit fees of £13,469 (2019: £13,469) and Board of Trustees meeting costs of £4,155 (2019: £4,155).

Notes to the financial statements

For the year ended 31 December 2020

6 Net outgoing resources for the year

This is stated after charging / (crediting):

	2020 £	2019 £
Depreciation	133,290	45,008
Loss on disposal of fixed assets	–	29,924
Operating lease rentals:		
Property	1	1
Other	636	625
Auditor's remuneration:		
Audit fee	9,500	9,000
Under-accrual for audit fee in prior year	4,050	4,469
Foreign exchange losses / (gains)	18,656	(1,015)
	<u>18,656</u>	<u>(1,015)</u>

7 Analysis of grants payable

The funding provided by the Arts and Humanities Research Council for the Modern Slavery Policy and Evidence Centre included funding for some activities that are to be carried out by partner institutions. Funds payable to those partner institutions are as follows:

	2020 £	2019 £
University of Liverpool	86,105	–
University of Nottingham	77,139	–
University of Hull	73,327	–
The Alan Turing Institute	92,378	–
Royal Holloway University of London	14,525	–
Bonavero Institute of Human Rights, University of Oxford	64,344	–
	<u>407,818</u>	<u>–</u>

8 Analysis of staff costs, trustee remuneration and expenses, and the cost of key management personnel

Staff costs were as follows:

	2020 £	2019 £
Salaries and wages	1,789,924	1,544,295
Social security costs	171,519	150,468
Employer's contributions to defined contribution pension schemes	107,377	95,117
Employer's contributions to defined benefit pension scheme	32,441	29,851
Termination costs	–	29,750
Other forms of employee benefits	1,568	1,677
	<u>2,102,829</u>	<u>1,851,158</u>

The termination costs were settled and paid at the balance sheet date.

Notes to the financial statements

For the year ended 31 December 2020

8 Analysis of staff costs, trustee remuneration and expenses, and the cost of key management personnel/continued

The following number of employees received employee benefits (including salary, but excluding employer's national insurance contributions and employer pension contributions) during the year between:

	2020 No.	2019 No.
£60,000 – £69,999	2	3
£70,000 – £79,999	–	1
£120,000 – £129,999	1	1
£150,000 – £159,999	1	1

The total employee benefits, including employer's national insurance contributions and employer's pension contributions, of the key management personnel were £497,733 (2019: £573,195).

The charity trustees were not paid and did not receive any other benefits. Trustees expenses reimbursed in 2020 were £nil (2019: £4,155 for one trustee's travel and accommodation costs reimbursed in connection with a conference attendance and a business development trip to Hong Kong). No charity trustee received payment for professional or other services supplied to the charity (2019: £nil).

9 Staff numbers

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

	2020 Employed No.	2020 FTE (*) No.	2019 Employed No.	2019 FTE (*) No.
Raising funds (Including marketing)	4.7	3.8	5.4	4.3
Member services	3.3	3.0	3.7	2.9
Publications and journals	1.3	1.2	1.1	0.9
Conferences and seminars	3.6	3.5	1.7	1.3
Research programmes	25.8	22.0	21.7	17.1
Support	2.1	1.7	4.4	3.4
	40.8	35.2	38.0	29.9

(*) Full-time equivalent

10 Related party transactions

In 2019 an interest-free loan of £7,113 was made to the International Rule of Law Project Inc., a non-profit organisation incorporated in the United States of America for the purpose of raising funds for the charity. The Company Secretary of the British Institute of International and Comparative Law is one of the three directors of this company. The loan is repayable at such point as funds become available and the position will be reviewed annually. The outstanding balance of the loan at the end of the year was £7,113 (2019: £7,113).

Aggregate donations from related parties were £nil (2019: £nil).

11 Taxation

The charitable company is exempt from corporation tax as all its income is charitable and is applied for charitable purposes.

Notes to the financial statements

For the year ended 31 December 2020

12 Tangible fixed assets

	Improvements to leasehold property £	Computer equipment £	Office equipment, fixtures and fittings £	Total £
Cost or valuation				
At the start of the year	1,275,000	183,833	85,353	1,544,186
Additions	316,339	26,376	18,308	361,023
Disposals	-	-	(5,411)	(5,411)
At the end of the year	1,591,339	210,209	98,250	1,899,798
Depreciation				
At the start of the year	10,625	124,643	20,818	156,086
Charge for the year	81,112	35,912	16,266	133,290
Eliminated on disposal	-	-	(5,411)	(5,411)
At the end of the year	91,737	160,555	31,673	283,965
Net book value				
At the end of the year	1,499,602	49,654	66,577	1,615,833
At the start of the year	1,264,375	59,190	64,535	1,388,100

All of the above assets are used for charitable purposes.

The Institute assessed the cost of improvements to leasehold property made in 2019 to be £1,275,000. Additional costs of £290,167 were capitalised in 2020 in accordance with the final determination of the costs payable to the University of London.

13 Listed investments

	2020 £	2019 £
Fair value of investments at the start of the year	949,560	840,992
Disposal proceeds	-	-
Net gain on change in fair value	47,723	108,568
Fair value of investments at the end of the year	997,283	949,560

Investments comprise:

	2020 £	2019 £
UK Investment Companies	997,283	949,560
	997,283	949,560

14 Debtors

	2020 £	2019 £
Trade debtors	17,393	61,881
Other debtors	13,095	13,874
Prepayments	18,856	17,317
Accrued income	166,982	447,523
	216,326	540,595

Notes to the financial statements

For the year ended 31 December 2020

15 Creditors: amounts falling due within one year

	2020 £	2019 £
Trade creditors	62,173	49,047
Taxation and social security	52,288	47,496
Other creditors	182,533	108,362
Grants payable	319,591	–
Accruals	240,004	242,196
Deferred income (Note 17)	343,562	516,072
	<u>1,200,151</u>	<u>963,173</u>

16 Creditors: amounts falling due after one year

	2020	2019
Loan from University of London	<u>1,017,667</u>	<u>775,000</u>

The University of London loan creditor £1,017,667 relates to the cost of leasehold improvement works carried out to the Institute's offices in 2019. The final cost of the works was £1,565,167 and the Institute made an interim payment of £500,000 to the University during 2019, leaving a remaining creditor of £1,065,167. A further repayment of £47,500 was made in 2020, reducing the creditor to £1,017,667. The University has made a loan to the Institute of £1,017,667 at an interest rate of 6%, repayable over 10 years commencing January 2022 .

17 Deferred income

Deferred income comprises:

	2020 £	2019 £
Balances at the beginning of the year:		
Member services	184,497	175,284
Publications and journals	–	3,730
Conferences and seminars	10,792	21,745
Research programmes	320,783	231,918
Rental services	–	10,000
	<u>516,072</u>	<u>442,677</u>
Amounts released to income in the year	(516,072)	(440,551)
Amounts deferred in the year	343,562	513,946
	<u>343,562</u>	<u>516,072</u>
Analysis of deferred income balances at the end of the year:		
Member services	170,365	184,497
Conferences and seminars	–	10,792
Research programmes	173,197	320,783
	<u>343,562</u>	<u>516,072</u>

Notes to the financial statements

For the year ended 31 December 2020

18 Pension schemes

The Institute participates in the Universities Superannuation Scheme (USS), a defined benefit scheme which is contracted out of the State Second Pension (S2P). The assets of the scheme are held in a separate fund administered by the trustee, Universities Superannuation Scheme Limited. The Institute is required to contribute a specified percentage of payroll costs to the pension scheme to fund the benefits payable to the Institute's employees. In 2020 the percentage was 21.1%. The Institute is unable to identify its share of the underlying assets and liabilities of the scheme on a consistent and reasonable basis and therefore, as required by FRS 102 Section 28, accounts for the scheme as if it were a defined contribution scheme.

The total cost charged to the SOFA in respect of this scheme was £32,441 (2019: £29,851), as shown in note 6. This includes £nil (2019: £3,933) outstanding contributions at the balance sheet date.

The latest available triennial actuarial valuation of the scheme was carried out as at 31 March 2018. At the valuation date, the value of the assets of the scheme was £63.7 billion and the value of the scheme's technical provisions was £67.3 billion indicating a shortfall of £3.6 billion. The assets therefore were sufficient to cover 95% of the benefits which had accrued to members after allowing for expected future increases in earnings.

The Institute also makes contributions to one defined contribution scheme. Contributions charged to the SOFA for this scheme represent the various contributions payable to the scheme in respect of the accounting period. The total cost charged to the SOFA was £107,377 (2019: £95,117), as shown in note 7. This includes £nil (2019: £nil) outstanding contributions at the balance sheet date.

	2020 £	2019 £
Employer contributions to the USS defined benefit scheme	32,441	29,851
Employer contributions to defined contribution schemes	107,377	95,117
	139,818	124,968
	2020 No.	2019 No.
Average number of Institute members of USS defined benefit scheme	1	1
Average number of Institute members of defined contribution schemes	34	31
	35	32

19a Analysis of net assets between funds (current year)

	General £	Capital £	Endowments £	Restricted £	Total funds £
Tangible fixed assets	-	1,615,833	-	-	1,615,833
Investments	476,137	-	521,146	-	997,283
Net current assets	(94,278)	-	-	1,153,524	1,059,246
Creditors: amounts falling due after one year	-	(1,017,667)	-	-	(1,017,667)
Net assets at the end of the year	381,859	598,166	521,146	1,153,524	2,654,695

19b Analysis of net assets between funds (prior year)

	General £	Capital £	Endowments £	Restricted £	Total funds £
Tangible fixed assets	-	1,388,100	-	-	1,388,100
Investments	453,352	-	496,208	-	949,560
Net current assets	(97,615)	-	-	480,605	382,990
Creditors: amounts falling due after one year	-	(775,000)	-	-	(775,000)
Net assets at the end of the year	355,737	613,100	496,208	480,605	1,945,650

Notes to the financial statements

For the year ended 31 December 2020

20a Movements in funds (current year)

	At 1 January 2020 £	Income and gains £	Expenditure and losses £	Transfers £	At 31 December 2020 £
Endowment funds:					
Sunley-Percy Rugg	187,338	12,469	-	-	199,807
Sunley-Sebag Shaw	187,338	12,469	-	-	199,807
Barnett Shine	121,532	-	-	-	121,532
Total endowment funds	496,208	24,938	-	-	521,146
Restricted income funds:					
Bingham Centre Appeal – Phase 2	30,257	428,744	(456,930)	-	2,071
Global Rule of Law Exchange	12,395	-	-	-	12,395
All-Party Parliamentary Group on the Rule of Law	-	20,000	(1,493)	-	18,507
Arthur Watts Fellowship – Phase 2	53,476	8,398	(29,664)	-	32,210
Mainstreaming the Rule of Law	-	23,212	(23,212)	-	-
RECONNECT (H2020)	107,175	36,598	(22,544)	-	121,229
Global Promotion of the Rule of Law	14,125	90,000	(91,150)	-	12,975
Big Data and Algorithms	61,604	210,885	(202,564)	-	69,925
Removal of Judges	4,056	24,686	(28,742)	-	-
Dorset Foundation Public Events Space	-	125,000	-	(125,000)	-
Sybil Shine Memorial Trust	-	100,000	-	(100,000)	-
Bluston Charitable Foundation	-	25,000	-	(25,000)	-
Clore Duffield Foundation	-	47,500	-	(47,500)	-
Trafficking in Persons	69,481	144,750	(146,100)	-	68,131
Modern Slavery Policy and Evidence Centre	128,036	1,367,921	(822,991)	-	672,966
Strengthening the Rule of Law in the Gambia	-	16,522	(16,522)	-	-
Independent Commission on UK Counterterrorism Legislation, Policy and Practice	-	124,000	(40,300)	-	83,700
Rule of Law Monitoring Project	-	95,000	(79,397)	-	15,603
Sybil Shine Memorial Trust Youth and Public Engagement Programme	-	60,000	(16,188)	-	43,812
Total restricted income funds	480,605	2,948,216	(1,977,797)	(297,500)	1,153,524
Total restricted funds	976,813	2,973,154	(1,977,797)	(297,500)	1,674,670
Unrestricted funds:					
Designated fund – 60th Anniversary Appeal	-	24,110	-	(24,110)	-
Capital fund	613,100	-	-	(14,934)	598,166
General funds	355,737	1,048,230	(1,358,652)	336,544	381,859
Total unrestricted funds	968,837	1,072,340	(1,358,652)	297,500	980,025
Total funds	1,945,650	4,045,494	(3,336,449)	-	2,654,695

20b Movements in funds (prior year)

	At 1 January 2019 £	Income and gains £	Expenditure and losses £	Transfers £	At 31 December 2019 £
Endowment funds:					
Sunley–Percy Rugg	158,971	28,367	–	–	187,338
Sunley–Sebag Shaw	158,971	28,367	–	–	187,338
Barnett Shine	121,532	–	–	–	121,532
Total endowment funds	439,474	56,734	–	–	496,208
Restricted income funds:					
Bingham Centre Appeal – Phase 2	238,935	534,434	(735,183)	(7,929)	30,257
Global Rule of Law Exchange	12,395	–	–	–	12,395
All-Party Parliamentary Group on the Rule of Law	9,150	–	(9,150)	–	–
Arthur Watts Fellowship – Phase 2	148,319	6,010	(105,058)	4,205	53,476
London Conference on International Law	9,291	161,659	(170,950)	–	–
Mainstreaming the Rule of Law	–	46,425	(54,354)	7,929	–
RECONNECT (H2020)	64,901	54,246	(11,972)	–	107,175
Global Promotion of the Rule of Law	10,774	89,881	(86,530)	–	14,125
Big Data and Algorithms	34,126	81,257	(53,779)	–	61,604
Failure to Prevent	–	41,954	(60,231)	18,277	–
Removal of Judges	28,559	83,484	(107,987)	–	4,056
Dorset Foundation Public Events Space	–	125,000	–	(125,000)	–
Trafficking in Persons	–	97,514	(28,033)	–	69,481
Modern Slavery Policy and Evidence Centre	–	216,278	(88,242)	–	128,036
Strengthening the Rule of Law in the Gambia	–	8,290	(8,290)	–	–
Total restricted income funds	556,450	1,546,432	(1,519,759)	(102,518)	480,605
Total restricted funds	995,924	1,603,166	(1,519,759)	(102,518)	976,813
Unrestricted funds:					
Designated fund – 60th Anniversary Appeal	–	143,463	–	(143,463)	–
Designated office refurbishment fund	500,000	–	–	(500,000)	–
Capital fund	91,904	–	–	521,196	613,100
General funds	216,278	1,219,961	(1,305,287)	224,785	355,737
Total unrestricted funds	808,182	1,363,424	(1,305,287)	102,518	968,837
Total funds	1,804,106	2,966,590	(2,825,046)	–	1,945,650

Purposes of endowment funds:

Permanent: The Sunley–Percy Rugg and the Sunley–Sebag Shaw Endowment Funds

The Bernard Sunley Charitable Foundation established two Endowment Funds in 1982, namely:

- The Sunley–Percy Rugg Endowment Fund; and
- The Sunley–Sebag Shaw Endowment Fund

The funds were established to recognise the contributions of Sir Percy Rugg and the Rt. Hon. Sir Sebag Shaw and were received by the Institute over the period from 1982 to 1991.

Purposes of endowment funds/continued:

Each fund is owned and administered by the Institute and consists of £199,807 (2019: £187,338) held in perpetuity for the permanent endowment of the Institute. Income arising from the funds is applied for the general purposes of the Institute.

The assets of each fund are held in listed investments. At the end of the year the fair value of these investments had increased by £12,469 (2019: increased £28,367) for each fund. Therefore each fund increased in value by £12,469 in respect of unrealised gains (2019: £28,367 unrealised gains).

Expendable: The Barnett Shine Charitable Foundation

This fund was originally established as the Shine Denning Endowment Fund of the British Institute of International and Comparative Law in 1982. A total of £300,000 was donated over the period from 1982 to 2000, to provide income to the Institute for its general purposes, including “the provision of financial or material assistance to the Institute”, but with the power to “apply the whole or any part of the Trust Fund whether capital or income in or towards the implementation of any one or more of the objects of the Trust”. Income arising from the funds is applied for the general purposes of the Institute. A transfer from expendable endowments of £178,468 was made in 2000 to settle a deficit on unrestricted funds. This left a balance of £121,532 which has remained unaltered since then.

Purposes of restricted funds: current year

Phase 2 of the Bingham Centre Appeal was launched in May 2013 to raise further funds to sustain the Centre beyond Phase 1.

The Bingham Centre receives grants from the Jones Day Foundation in respect of specific Global Rule of Law Exchange international conferences.

The Legal Education Foundation funded secretariat support for the All-Party Parliamentary Group on the Rule of Law.

Phase 2 of the Arthur Watts Fellowship Appeal was launched in December 2014 to raise further funds to sustain the Fellowship beyond Phase 1.

The Legal Education Foundation provided funding to devise a strategy for mainstreaming the rule of law in Parliament.

The European Union provided funding for a collaborative research project RECONNECT (H2020) led by the University of Leuven.

The Jones Day Foundation provided funding for the global promotion of the rule of law for the period September 2018 to August 2021.

The Foundation Open Society Institute and the Digital Freedom Fund provided funding for a research project on big data and algorithms.

Hogan Lovells International provided funding for the Failure to Prevent research project.

The Arts and Humanities Research Council provided funding for the Removal of Judges research project.

The Dorset Foundation provided funds for the creation of a new public events space in Charles Clore House to be known as the Harry Weinrebe Room.

The Sybil Shine Memorial Trust provided funds for the establishment of a new resources and meeting room within Charles Clore House.

The Bluston Charitable Foundation provided funds for the creation of a new meeting room in Charles Clore House to be known as the Bluston Hub.

The Clore Duffield Foundation provided funds of £500,000 to the University of London in respect of the refurbishment of Charles Clore House. In line with the agreed apportionment to the Institute of 9.5% of the cost of works to common parts of the building, the University has allocated £47,500, being 9.5% of the value of the donation, to the Institute.

Purposes of restricted funds: current year/continued

The United States of America Department of State provided funding for a Trafficking in Persons research project.

The Arts and Humanities Research Council provided funding for the establishment of a Modern Slavery Policy and Evidence Centre.

The Foreign and Commonwealth Office provided funding for a project to strengthen the rule of law through the Gambia's constitutional reform process.

The Independent Commission on UK Counterterrorism Legislation, Policy and Practice is funded by Barrow Cadbury Trust, the Open Society Initiative for Europe, the Joseph Rowntree Charitable Trust and Unbound Philanthropy.

The Rule of Law Monitoring Project is funded by the David and Elaine Potter Foundation, the Joseph Rowntree Charitable Trust, the Joseph Rowntree Reform Trust and AB Charitable Trust

The Sybil Shine Memorial Trust provided funding for a Youth and Public Engagement Programme.

Purposes of restricted funds: prior year

The Foreign and Commonwealth Office provided funding for a London conference to be held in October 2019 on international law.

Hogan Lovells International provided funding for the Failure to Prevent research project.

Unrestricted funds: current year

A designated fund established in respect of funds raised from the 60th Anniversary Appeal was used to provide funds towards the refurbishment of the Institute's office space, the creation of a new conference and events suite, and the development of new programmes of research, training and events.

Unrestricted funds: prior year

A designated fund was established in respect of funds raised from the 60th Anniversary Appeal, which was used to provide funds towards the refurbishment of the Institute's office space, the creation of a new conference and events suite, and the development of new programmes of research, training and events.

A designated fund for refurbishment of £500,000, established in 2018 in respect of the cost of the planned refurbishment of the Institute's offices and events space, was fully expended during the year by an interim payment of £500,000 to the University of London.

Capital Fund

The capital fund represents the net book value of fixed assets less the value of the University of London creditor £1,017,667 (2019: £775,000) associated with the cost of leasehold improvements.

Transfers between funds: current year

Restricted funds given by the Dorset Foundation, the Sybil Shine Memorial Trust, the Bluston Charitable Foundation and the Clore Duffield Foundation specifically to fund aspects of the refurbishment of Charles Clore House have been transferred from restricted funds to unrestricted funds in recognition that the purpose for which the funds were given, namely the completion of the refurbishment, has been satisfied.

Funds received from the 60th Anniversary Appeal have been transferred from designated funds to general unrestricted funds, as these funds are to be applied for the general purposes of the Institute.

Transfers between funds: prior year

Restricted funds given by the Dorset Foundation specifically to fund aspects of the refurbishment of Charles Clore House have been transferred from restricted funds to unrestricted funds in recognition that the purpose for which the funds were given, namely the completion of the refurbishment, has been satisfied.

Funds received from the 60th Anniversary Appeal have been transferred from designated funds to general unrestricted funds, as these funds are to be applied for the general purposes of the Institute.

The designated office refurbishment fund was transferred to capital funds, as the funds were used to make an initial payment in respect of the capital works carried out to Charles Clore House.

Notes to the financial statements

For the year ended 31 December 2020

21 Operating lease commitments

The charity's total future minimum lease payments under non-cancellable operating leases are as follows:

	Property		Equipment	
	2020	2019	2020	2019
	£	£	£	£
		960		
Less than one year	1	1	640	75
One to five years	4	4	960	-
Over five years	49	50	-	-
	54	55	1,600	75

22 Legal status of the charity

The charity is a company limited by guarantee and has no share capital. The liability of each member in the event of winding up is limited to £1.