



The Odysseus Trust
Report on Activities
2011

Introduction

The Odysseus Trust is a non-profit company limited by guarantee, promoting good governance and the effective protection of human rights.

The Trust is directed by Lord Lester of Herne Hill QC. The Parliamentary Legal Officers are Joanna Dawson and Sophia Harris. Evie Jamieson, Lord Lester's Personal Assistant and the Office Manager at the Odysseus Trust, retired in September 2011. Caroline Baker was Parliamentary Researcher and Administrative Assistant from March 2004 -September 2011. Following the retirement of Evie Jamieson, she took over her responsibilities alongside her research role. Her new job title since September 2011 is Senior Researcher and Administrator.

Our major legislative project during the year was legislative reform of defamation law. Lord Lester published his Private Member's Bill in 2010 and gave evidence to the Joint Parliamentary Committee on the Government's Draft Defamation Bill. The Committee reported favourably about his proposals in 2011. He is working with the Ministry of Justice team in preparing a Government Bill to be introduced next year.

Our website (www.odysseustrust.org) continues to attract much interest from the public, who are able to access our Bills, recent debates, consultation responses and lectures given by Lord Lester.

Progress

Defamation Bill

The Odysseus Trust has supported Lord Lester in developing his Private Member's Bill. The Bill was introduced in the House of Lords on 26 May 2010. Its central aim is to reform English defamation law so that it strikes a fair balance between the fundamental right to freedom of expression and public information and the protection of a good reputation. It seeks to give better protection to free expression, while ensuring fairness

and responsibility in journalism, and necessary protection of the right to a good reputation.

The Bill can be found here:

<http://www.publications.parliament.uk/pa/ld201011/ldbills/003/11003.i-ii.html>

and the Explanatory Notes here:

http://www.odysseustrust.org/defamation/Exp_Notes2010.pdf

The Bill had its Second Reading on 9 July 2010, which can be read here:

<http://www.publications.parliament.uk/pa/ld201011/ldhansrd/text/100709-0001.htm>

Draft Defamation Bill

The Government's Draft Defamation Bill was published in March 2011. Lord Lester gave evidence to the Joint Select Committee on the Draft Defamation Bill on Wednesday 27 April 2011. A transcript of his oral evidence can be found here:

<http://www.parliament.uk/documents/joint-committees/Draft%20Defamation%20Bill/110427%20Defamation%20Transcript-%20Lord%20Lester.pdf>

And his Written Evidence to the Committee is here:

http://www.odysseustrust.org/privacy/Written_Evidence_31102011.pdf

Written Evidence to the Privacy and Injunctions Committee

The Odysseus Trust assisted Lord Lester in preparing his Written Evidence to the Joint Committee on Privacy and Injunctions which can be found here:

http://www.odysseustrust.org/privacy/Written_Evidence_31102011.pdf

The Trust is monitoring the work of the Committee.

Consultation Responses

Direct Access to the Parliamentary Ombudsman

The Odysseus Trust submitted a response to the Parliamentary and Health Service Ombudsman's consultation on direct access to the Parliamentary Ombudsman. The Odysseus Trust supports direct public access. Our consultation response can be found at <http://www.odysseustrust.org/projects/ombudsman/Sub5Sept2011.pdf>

UN Universal Periodic Review Consultation

The Trust is responding to the United Nations Universal Periodic Review Thirteenth Session of the UPR Working Group of the Human Rights Council recommending that the Government should:

- continue and accelerate its efforts to extend the Freedom of Information Act 2000;
- continue with its programme of defamation reform, presenting legislation to Parliament by May 2012, following the recommendations of the Joint Committee;
- remove “insulting” from section 5(1) Public Order Act 1986;
- await the outcome of the Joint Committee on Privacy and Injunctions’ enquiries and the results of the implementation of the Master of the Rolls’ practice direction and pilot study on data collection, before drawing any conclusions as to legislative reform of the law of privacy

Red Tape Challenge - caste discrimination provision in the Equality Act 2010

The Odysseus Trust responded to the Government’s Red Tape Challenge during its spotlight on equalities recommending that the power conferred by section 9(5)(a) of the Equality Act 2010 be exercised to amend the Equality Act so as to include caste discrimination as an aspect of race discrimination. Research commissioned during the passage of the Equality Bill in 2010 found evidence of caste discrimination and harassment in Britain in relation work, education and the provision of goods and services. Our response submitted that the time is overripe to exercise the power

conferred by section 9(5)(a) Equality Act 2010 to combat a serious social evil and to provide effective legal redress.

We also submitted this response to the UN Committee for the Elimination of Racial Discrimination to take into account in its review of the UK.

A link to our response can be found here:

<http://www2.ohchr.org/english/bodies/cerd/cerds79.htm>