

Amicus

Assisting Lawyers for
Justice on Death Row

MICHAELMAS 2014



Concert Programme

International music and cultural celebration

Thursday 13th November, 6:30 pm
Temple Church, London

CONTENTS

- 01 A welcome from Amicus
- 03 The Michaelmas Season
- 04 The Musicians
- 06 Music of the Evening
- 08 Amicus
- 12 Supporters

PROGRAMME

- 6:30 pm Doors Open
- 7:00 pm Music Commences
- 7:45 pm Intermission
- 8:00 pm Music Recommences
- 8:45 pm Festive Reception
- 9:30 pm Close

A welcome from Amicus

Amicus, in celebration of the festive period, are delighted to welcome you to this evening's Michaelmas Concert. We are honored to introduce performances by renowned soprano Olimpia Lucente, as well as world class musicians, violinist Pavel Kudelásek, and pianist Daniel Wiesner.

In the spirit of the forthcoming festive season, we are proud to present a unique celebration of world class musical talents in aid of one of the most fundamental human rights: *the concept of equal justice before the law.*

The evening promises to be an enjoyable one; full of outstanding musical talents alongside pre-Christmas fancies, all within the backdrop of the stunning 12th Century Temple Church.



The Michaelmas Season

Michaelmas, or the Feast of Michael and All Angels, is celebrated on or near the autumnal equinox and is a day associated with the beginning of autumn and the shortening of days.

There are four quarter days throughout the year: Lady Day, Midsummer, Michaelmas, and Christmas. They are spaced three months apart, on religious festivals, usually close to the solstices or equinoxes. It was said that harvest had to be completed by Michaelmas, almost like the marking of the end of the productive season and the beginning of the new cycle of farming. It was the time at which new servants were hired or land was exchanged and debts were paid. This is how it came to be for Michaelmas to be the time for electing magistrates and also the beginning of legal and university terms.

St Michael is one of the principal angelic warriors, protector against the dark of the night and the Archangel who fought against Satan and his evil angels. The celebration of Michaelmas is associated with encouraging protection during the darker, winter months. St Michael is also the patron saint of horses and horsemen, explaining the ancient Scottish tradition of Michaelmas horse racing - the only time a neighbour's horse could be taken lawfully the night before and ridden for the entirety of the day, as long as the animal was returned safely.

Sometimes the day was also known as "Goose Day" and goose fairs were held. It is said that when Queen Elizabeth I heard of the defeat of the Armada, she was dining on goose and resolved to eat it on Michaelmas Day. It may also have developed through the role of Michaelmas as the day debts were due; tenants unable to pay may have tried to persuade their landlords with gifts of geese!

The Michaelmas Daisy, which flowers late in the growing season between late August and early October, provides colour and warmth to gardens at a time when the majority of flowers are coming to an end. The act of giving a Michaelmas Daisy symbolises saying farewell, perhaps in the same way as Michaelmas Day is seen to say farewell to the productive year and welcome in the new cycle.

The Musicians



OLIMPIA LUCENTE

Soprano Olympia Lucente was born in Stuttgart, grew up in Canada and currently lives in the United States where she studied voice with John Winfield Kohler in Los Angeles, California. Mr. Kohler was one of the last students of the New York Metropolitan Opera's greatest baritones, Giuseppe De Luca. In Los Angeles, she had the privilege of singing with Maestro Paul Salamunovich of the Los Angeles Master Chorale and the renowned St. Charles Borromeo Choir. Concert highlights include performances of the *Faure' Requiem* at **Carnegie Hall**, New York; American Guild of Organists Concert Series, Honolulu, Hawaii; combined concert series with the L.A. Master Chorale at the Los Angeles Music Center. In Canada, Olympia performed with the Calgary Opera in productions of *Madama Butterfly*, *Manon Lescaut*, *The Marriage of Figaro*, *Romeo et Juliette*, *The Flying Dutchman* and in Folksopera's performances of *La Boheme*, *Die Fledermaus*, *Così Fan Tutti*, and *The Merry Wives of Windsor*.

Olimpia recorded the *Grande Messa in Fa Minore*, composed by Marco Piacente and produced by Tito Schipa, Jr. and was featured on the film soundtrack of the motion picture *BADLAND*. She will be featured on the film soundtrack of the upcoming motion picture release *STARBRIGHT*. Olympia has a great love of traditional Neapolitan music and has recorded the CD of Neapolitan Classics, *DESIDERATA*, in honor of her family's Neapolitan roots.

In 2013 Olympia performed in concert as part of the *Malá Strana Chamber Festivities* concert series at the Wallenstein Palace in Prague, and the *Trutnovsky Prodzim* at the UFFO Centre, Trutnov, in the Czech Republic.

PAVEL KUDELÁSEK



Violinist Pavel Kudelásek graduated from the *Prague Conservatory* under the mentorship of Professor Jaroslav Foltyn and from the *Academy of Performing Arts, Prague*, in the class of Professor Antonin Moravec. In 1990 he founded the Violin Department at *The Conservatoire in České Budějovice* and in 1993 himself became a Professor of Violin at the *Prague Conservatoire*.

When not teaching he devotes his time to solo performances and to chamber music recitals. He has been a member of many successful ensembles, including **PRO ARTE ANTIQUA**, the **CZECH CHAMBER ORCHESTRA**, the **DVORÁK QUARTET** as well as **CZECH NONET**. Since 1999 he has played first violin with the **APOLLON QUARTET** and appeared on recordings for Czech Radio, television events and has produced numerous CD's. An accomplished composer, he is known for his violin compositions **ARCHAIC SUITE** and **ALEIDOSCOPE**. His compositions encompass the sphere of sacred violin music for which he composed "Missa Sine Nomine" (Psalms and Requiem) and chamber music ("Miniquartet").

In 2006 the *Masaryk Academy of Arts* awarded him the **Prince Rudolf II Cultural Career** award for the Advancement of Czech music. His performance schedule includes regular appearances in major European cities.

DANIEL WIESNER.



Pianist Daniel Wiesner is the winner of the *Glasgow International Piano Competition* (1990) and was also awarded a prize at the *Vienna Da Motta* competition in Lisbon, Portugal the following year. Mr. Wiesner graduated from the *Prague Conservatory* under the mentorship of Valentina Kameniková and from the *Academy of Music, Prague* under Peter Toperczer. He also attended Master Classes conducted by Rudolf Kehrer in Weimar, Germany.

A much sought after soloist, Mr. Wiesner has performed as a chamber musician, giving concerts in major European countries as well as performing in Jordan, Tunisia and the USA. Since 1994 he has been a member of the Chamber Ensemble **IN MODO CAMERATA** that was awarded the 1996 prize for the *Czech Association for Chamber Music*. That same year he participated in the final round of chamber music competitions in Osaka, Japan.

Mr. Wiesner has interpreted debut performances of new works and his broad repertoire includes comprehensive discographies of his solo piano recordings of compositions by *B. Smetana*, *S. Prokofjev*, *L. Janáček*, *K.B. Jiráček* and *M. Kabeláč*. He is a regular recording artist for the *České Radio*.

Music of the Evening

A TASTE OF NAPLES...

TORNA A SURRIENTO (Ernesto & Edoardo De Curtis)

RONDINE AL NIDO (Luciano De Crescenzo)

DICITENCELLO VUJE (Fusco/Salvo)

...A TASTE OF OPERA

PIANO & VIOLIN - *CANTABILE* (Paganini)

RUSALKA'S SONG TO THE MOON (Antonín Dvořák)

LA MAMMA MORTA (Umberto Giordano)

IO SON L'UMILE ANCELLA (Francesco Cilea)

- *Intermission* -

THE AMERICAN HEARTLAND...
...FOLK SONGS & SPIRITUALS

SUMMERTIME & MY MAN'S GONE NOW (G. Gershwin, "*Porgy & Bess*")

WAYFARING STRANGER (Traditional; Arranged By T. Bone Burnett & Anthony Minghella; Violin Arrangement by Ludek Drizhal)

AMAZING GRACE (John Newton, English Origin; Adopted as an American Spiritual)

MOTHERLESS CHILD (Traditional; Arranged by Moses Hogan)

SHENANDOAH (Traditional; Arranged by Ludek Drizhal)

'TIS THE SEASON...

PIANO & VIOLIN - *SCHERZO* from Antonín Dvořák's "*Sonatina*")

AVE MARIA (Pietro Mascagni, *Intermezzo* from "*Cavalleria Rusticana*")

SILENT NIGHT (Franz Gruber/Joseph Mohr)

CHILD OF THE POOR/WHAT CHILD IS THIS? (Scott Soper/William C. Dix, "*Greensleeves*")

GOIN' HOME (Antonín Dvořák, Op. 95; Largo from the Symphony "*From the New World*")

Amicus

Assisting Lawyers for
Justice on Death Row

Amicus was founded in 1992 - then known as The Andrew Lee Jones Fund - in memory of Andrew Lee Jones, who was executed in Louisiana in 1991.

The charity's objectives are to assist in the provision of legal representation for those awaiting capital trial and punishment in the US, or any other country, and to raise awareness of potential abuses of defendant's rights.

Amicus' main activities are:

01. Internships

The charity arranges volunteer placements with US capital defense attorneys' offices. Since 1992, Amicus has placed interns in every US death penalty state, and has especially close relationships with over 20 offices in 15 key states. Amicus places over 35 volunteers a year for internships of between three and 18 months. As many US capital defense attorneys' offices operate within severe funding constraints, Amicus interns provide an essential contribution to the preservation of defendants' rights to a fair trial and to their rights of appeal.

02. Training

Amicus runs a comprehensive training programme in US criminal law and procedure, legal research, evidence and professional conduct, attended by over 300 participants a year. The training is available for any intern intending to go to the US (including those not being placed by Amicus), equipping them to be of maximum use to an office immediately on arrival, and for UK-based volunteer case workers. The charity is registered as a CPD (continuing professional development) training provider by the Bar Council and by the Law Society. Amicus also runs regional introductory training days to complement its London and Birmingham based training course. Amicus collaborate with the Middle Temple Library to ensure that all the key US capital punishment criminal and constitutional texts are available in the UK, as part of the Middle Temple's American Collection (the largest collection of US law in London) and Capital Punishment Collection (which includes key texts and materials for jurisdictions around the world including the US).

03. Casework

Amicus curiae briefs: literally meaning "a friend of the court", *amicus curiae* briefs are a way in which professional groups, organizations and charities are able to assist a court in coming to a decision by describing comparative standards, international law and practices of other nations. At the request of capital defense attorneys, amicus has presented briefs on a number of topics (such as the execution of juveniles and the mentally retarded, the treatment of juries and rules of evidence) at various stages of cases proceedings, including to the US supreme court.

Drafting motions: UK-based case workers have prepared motions for use by capital defense attorneys across the us both before and during trials and appeals, such as motions against the use of gruesome photographs and on the use of the lethal injection as a means of execution. Amicus has also provided assistance with the drafting of clemency statements and petitions in a number of states. This voluntary practical assistance from UK-based lawyers is often vital to capital defense attorneys who are facing very tight timescale, with limited resources, prior to and during trial and appeal.

International applications: UK lawyers are very experienced in arguing before international tribunals on points of international law. The jurisdiction of the privy council in London, which is still the final court of appeal for many Caribbean countries, means that they have argued many of the issues which pertain to the death penalty in the us before an extremely sophisticated tribunal. In addition, UK based lawyers have argued Caribbean cases before the united nations human rights commission.

Amicus lawyers have drafted applications to the Inter-American Commission of Human Rights, in Washington, on behalf of capital defense attorneys in capital cases. Applications have covered such issues as the Vienna Convention on Consular Relations (where appellants were given proper access to consular officials), the admission of unadjudicated previous not convictions in the sentencing phase and the appropriateness of executing juveniles and the mentally ill.

04. Events

Amicus holds events to raise awareness of the issues surrounding the application of the death penalty in the us. Building on its long-standing events programme in London and Birmingham, the charity has extended its reach nation-wide, holding a variety of regional events and activities (for example, in Manchester, Oxford, Newcastle and Leeds).

Events include talks by leading us capital defense attorneys and former death row inmates, including by Juan Mendelez (who was exonerated, and released From death row, after almost 18 years behind bars), and Sonia 'Sunny' Jacobs. Sunny and her partner, Jessie Tafero, were wrongly convicted of murder and sentenced to death in 1976. Sunny was finally exonerated and released from prison after 17 years, but, in spite of the evidence of his innocence, Jessie was executed in 1990.

05. Legal Education

Three recipients of some Amicus funding have completed US legal education and are practicing full-time as capital defense attorneys. Amicus' long-term objective is to reinstate us legal education grants to individuals who commit to practicing as capital defense attorneys post-qualification.

06 Academic Research

In addition to providing practical assistance, amicus seeks to promote rigorous reporting, research and analysis of the issues surrounding the death penalty.

Amicus Journal: this internationally-recognized publication is a leading reporter on the significant issues effecting capital punishment worldwide, providing a forum for dialogue on issues concerning the death penalty and related topics. The Journal includes articles by academics and practitioners on current legal issues and on the death penalty from the perspectives of disciplines other than law. It also features news from around the world, case reports, book reviews and front-line reportage from interns working in capital defense offices.

Projects: Amicus undertakes specific research projects for us by practitioners, legislators and academics to assist in the development of a better understanding of the issues surrounding capital punishment and the application of the death penalty. In 2005, Amicus concluded a three year project, funded by the Foreign & Commonwealth Office, based on detailed research conducted by over 60 Amicus interns placed in offices in every US capital punishment state, with the publication of two highly-regarded reports: *Vienna Convention Compliance in Capital Cases in the United States;* and *Executions of Juveniles and Mentally Retarded Defendants in the United States*

ANDREW LEE JONES



Andrew was born in rural Louisiana, the fifth son of a black share-cropping family. His life changed on the death of his father, when the family was evicted from their home and Andrew, devastated by the death of a much loved father, took off to Baton Rouge. He fell into a life of petty crime.

In 1984, Andrew was charged with the murder of the daughter of his estranged girlfriend. The only evidence offered at his trial - which lasted less than a day - was that he knew the victim. No scientific evidence was produced by the prosecution. There was no evidence of a break-in at the girl's house in spite of the prosecution's allegations of the use of force. Andrew himself had no recollection of that fateful night, except that he had been drunk. Prior to the trial, a defense witness was beaten by the police and withdrew his alibi statement

Andrew was found guilty and sentenced to death by an all-white jury in a courtroom where the only black faces were those of the family members, in spite of 30% of the local population being black. Black jury members are traditionally excluded from serving in East Baton Rouge parish.

On 19th July 1991, the Board of Pardons met to hear the final pleas for clemency from witnesses and appeals from the defense lawyers. Discussion of guilt or innocent is not part of this procedure. Andrew's mother, brothers and sister begged for his life, and a psychiatrist and a psychologist gave information relating to the family situation and Andrew's state of mind.

Finally, the defense lawyer at the trial gave evidence. He offered his apologies for not giving Andrew a fair defense. As a court appointed lawyer he had received the papers only a short time prior to the trial. He was not qualified to conduct capital trials, being less than five years out of law school. He saw his client only occasionally prior to the trial, and he had only recently been made aware that his client was medicated with Thorazine, a psychotropic drug, before and during the trial. The amount of medication given during the trial exceeding the amount needed for tranquilising purposes.

However, Andrew was refused clemency and he was duly executed by the State of Louisiana.

The girl's mother - who had continually visited Andrew on death row, until she became a heroin addict - phoned him less than 10 hours before he was electrocuted, to say that she was really sorry, she had never meant for this to happen...

In his memory, and in recognition of the need for people like Andrew to receive proper legal representation when facing the ultimate penalty, Amicus was formed in 1992.

Supporters...

Amicus wishes to thank the following organisations for their generous support for this event.

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pleased to
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The Chambers of David Fisher QC and David Perry QC is one of formidable strength and ability. Our barristers combine outstanding academic ability with persuasive courtroom advocacy and regularly appear in the most high-profile cases, both in this jurisdiction and overseas. 6KBW College Hill is recognised nationally and internationally for providing advocacy and advice at the highest level.

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The following cases provide some indication as to the nature of the work undertaken by our barristers in the course of the last twelve months:

- *R v Rolf Harris*: trial of the Australian entertainer accused of 12 counts of indecent assault in the 1960s, 1970s and 1980s.
- *Phone Hacking* trial concerning several former employees at the News of the World who were charged with phone hacking, misconduct in a public office and conspiracy to pervert the course of justice
- Challenge to the legality of life sentences in the Court of Appeal.
- *Marines A, B, C, D and E*: trial of five Marines for the murder of an Afghan prisoner.
- *R v Hussain, James, Warren & Baptiste*: trial of three men accused of murdering Sabrina Moss, an innocent bystander, outside a fast food restaurant in Kilburn.
- *R v El-Wahabi & Mazaad*: trial of two women accused of funding terrorism in Syria.
- *Dr Celestin Mutabaruka*: extradition trial for allegedly taking part in the Rwandan genocide of 1994.
- *Kwok Brothers*: one of the most high profile bribery cases that Hong Kong has seen, involving the former chief secretary, Rafael Hui Si-yan and the Kwok brothers.
- *William McKeever Bush*: instructed in the fraud trial of the former premier of Grand Cayman.
- *Marrache* trial: a multi-million pound fraud case in the Supreme Court of Gibraltar.
- *Innospec* trial concerning conspiracy to commit corruption in relation to Indonesia and Iraq.
- *Stephen Lawrence Inquiry*: reviewed allegations of corruption in the original investigation and the role of the undercover police following Mr Lawrence's murder in 1993.
- *Litvinenko* Inquest into the death of the former Russian intelligence operative from radiation poisoning.
- *David Miranda*: Judicial review of the decision to detain Mr Miranda, the spouse of journalist Glenn Greenwald, at Heathrow Airport.

Chambers is delighted to sponsor the 2014 Michaelmas Concert. We wish everybody attending this occasion a thoroughly enjoyable evening.

BAKER & MCKENZIE

Baker & McKenzie
wish you an enjoyable evening.

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- Create opportunities for and facilitate world class research on the legal profession, law in practice and legal education;
 - Support and facilitate the impact of the Law School's research across all fields of law, and encourage public engagement;
 - Enhance the legal practice skills, commercial awareness and employability of Law School students;
 - Have instilled in Birmingham Law School graduates a sense of civic duty and citizenship, and;
 - Increase awareness of legal rights and responsibilities amongst the wider community.
- Each of these is in collaboration with the legal profession, our students, the wider university, academics, policy makers, regulators and others.

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PIANOS



"May we thank you all for attending, and send you warm regards for the festive season."

Amicus

Assisting Lawyers for
Justice on Death Row



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Amicus is the trading name of the Andrew Lee Jones Fund Ltd.

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