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News Release

Summer exhibition to map legal ‘crossroads of Empire’

Visitors to the Supreme Court this summer will be introduced to the story of its international sister court, which at one stage could hear appeals from around a quarter of the world’s population.

The Judicial Committee of the Privy Council (JCPC) was formerly the highest court of appeal for most colonies of the British Empire, and today still serves around 30 Commonwealth countries and British Overseas Territories.

A specially-commissioned exhibition, to be opened at the end of July at the Supreme Court on Parliament Square in London, will offer snapshots from the caseload of the JCPC from its modern formation in 1833 to the emergence of the Commonwealth in the 1950s.

The exhibition has been prepared by a team of academics led by Dr Charlotte L. Smith from the University of Reading’s School of Law and Dr Nandini Chatterjee and Dr Stacey Hynd from the University of Exeter’s Department of History. Their research explores how the JCPC served as an evolving hub of the British Empire and how its judges applied the common law to both translate and mediate at the crossroads of Britain’s colonial interests, from Australia to Zimbabwe.

An interactive ‘globe’ will sit at the heart of the exhibition, underlining the geographic breadth of the court’s impact and enabling visitors to find out more about the JCPC’s links with a range of countries.

By looking at a range of the JCPC’s most intriguing past cases drawn from across the former British Empire, the exhibition will also explore questions about the relationship between governments, national courts and the international legal order. Visitors will be prompted to consider the nature of dialogue between local and international courts, and tensions between principles of legal equality and the practice of politicised justice.

Dramatic case studies will draw out the personal impact of the JCPC’s colonial era decisions, in addition to their wider political and legal significance. Stories highlighted include those of:

- Dr Benjamin Knowles, a British doctor working in Ghana in the 1920s, who was charged with the murder of his wife and tried under Ashanti regulations without defence counsel or

jury, and without right of appeal. His subsequent conviction and death sentence sparked an outcry in Britain. While Knowles' appeal to the JCPC was allowed on different grounds and his death sentence commuted, his case drew attention to the harsh nature of criminal procedures for African defendants, and helped encourage the Ashanti government to change due process in British West Africa.

- The 'famous five' Canadian women who, in 1929, successfully challenged their Supreme Court's decision that women were ineligible to hold seats in the Canadian Senate under British North America Act 1867.
- Daniel Madzimbamuto, an African protestor in what was then known as Southern Rhodesia imprisoned under emergency regulations passed by the colony's legislative council after its unilateral declaration of independence from Britain. Madzimbamuto should have been freed after the JCPC's assertion of the sovereignty of the British parliament and declaration that the emergency regulations were invalid, but he remained a political prisoner for another nine years.

Lady Hale, Deputy President of the Supreme Court, will open the exhibition at the end of the legal year. She comments: "The influence of the Judicial Committee of the Privy Council on the development of many areas of common law is well known, but its historic role in defining the limits of colonial power and recognising the importance of the local laws, culture and practices in the countries it served is less well known.

"The exhibition reminds us that the Judicial Committee was at one and the same time an agent of the imperial power and the protector of the rights of all the inhabitants of the British Empire. Behind many of the most interesting legal cases lie stories of great personal distress and courage. We need to remember and pay tribute to those who have taken a stand, sometimes at great personal risk, and helped the Committee and through them the local courts to improve the law, not only for their own sake but also for the benefit of their societies."

Two public lectures and a series of educational days for school students will accompany the exhibition, which has been supported financially by the Supreme Court, the University of Exeter, the University of Reading, the Journal of Legal History and Hart Publishing.

The exhibition will be open to the public on weekdays between 9.30am and 4.30pm, from Friday 1 August 2014 until Thursday 25 September 2014.

Ends

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