



PROJECT 39A
EQUAL JUSTICE
EQUAL OPPORTUNITY

**NATIONAL LAW UNIVERSITY, DELHI
PROJECT - 39A**

May 22, 2019

CALL FOR APPLICATIONS – ASSOCIATE (MITIGATION)

The National Law University, Delhi ('University') is seeking to engage **one** Associate (Mitigation) to work with and further the aims of the Project 39A. The contract will be for a period of one year.

About Project 39A: Project 39A (hereinafter 'P39A') draws inspiration from Article 39-A in the Indian Constitution on equal justice and signals the broadening of our work on the criminal justice system in India. We undertake litigation, research and outreach relating to forensics, torture, legal aid, forensic psychiatry and death penalty (for more information on P39A, visit www.project39a.com).

About the litigation initiative: P39A provides pro bono legal assistance to several prisoners sentenced to death across the country. The Project also represents prisoners who are challenging the rejection of their mercy petitions by the Governor or the President. Additionally, the Project is involved in strategic litigation aimed at challenging procedural and substantive aspects of the criminal justice system for the realization of constitutional rights of prisoners sentenced to death. Currently, the Project has a team of seven litigation consultants and one mitigation investigator. Litigation associates of the Project brief eminent senior advocates or experienced criminal defense advocates in the Supreme Court and High Courts. Since 2015, the Project has been involved in several Criminal Appeals, Review Petitions and Writ Petitions before various judicial fora.

Role of a Mitigation Investigator: The law as settled by the Supreme Court of India in death penalty cases states that guilt determination and sentencing are two distinct phases in a criminal proceeding. After a person is pronounced guilty, a separate and detailed hearing on sentence requires to be conducted in which the defence can lead evidence and present additional materials which are different from what was considered for determination of guilt. Circumstances related to the 'crime' as well as the "criminal" are relevant before a sentence of death can be pronounced. A mitigation investigator works closely with lawyers to develop a life story of the accused by meaningfully engaging with the accused, his family and acquaintances as well as finding documents relating to the childhood, social context, physical and mental health histories etc.

This aids the Court in developing a better understanding of the circumstances related to the "criminal" and pass an appropriate sentence in law. Doing this requires that constant contact be maintained with the prisoner's family and acquaintances in order to build a working relationship of trust. The Associate (Mitigation) is thus required to undertake the following:

Responsibilities:

- A. Devise effective strategies and communication tools for 1) establishing contact, 2) engaging in rapport building interactions with and 3) obtaining relevant information (data based, anecdotal, biographic documentary) from prisoners, their families and other persons and authorities who may have information, relevant for mitigation, keeping in mind the specificities of each case, with an emphasis on understanding the mental health and psycho-social history of the prisoners.
- B. Travel extensively throughout India, meet and communicate with prisoners, their family members, and other persons who may have oral and documentary information relevant for mitigation of the prisoners, using the tools and techniques for communication and obtaining information devised.
- C. Devise effective tools for collecting, storing and presenting all the information gathered, whether oral and documentary, in a coherent and organized manner.
- D. Devise strategies for engaging with mental health professionals and other allied experts in order to obtain their professional opinion about individual cases.
- E. Strategize and work with other associates at the Centre on how to effectively incorporate such information about the prisoner into the legal case of the prisoner before the judicial forum.
- F. Organize training workshops and conferences for prison officials, judges, lawyers and others within the criminal justice system.
- G. Present the work of the Centre at various fora.
- H. Any other work that may be necessary to further the aims of the Centre.

Qualifications:

- A. Graduate with a degree in social work, psychology, journalism, development studies, economics, sociology, law or any allied discipline. A degree in law is not mandatory but will be an advantage.
- B. At least 2 years of work experience in the respective field would be preferred.
- C. Any previous field work involving an emphasis on communication skills, investigative capacities and/or mental health will be considered an advantage.
- D. Substantial proficiency in reading/ speaking Hindi will be necessary and additional proficiency in any other Indian language would be an advantage.

Compensation: Salary will be commensurate with qualifications and experience and will be within the range of Rs. 50,000 – 55,000 per month.

Application Process: Interested persons may send their resumé and a statement of purpose, explaining their interest in working on the issue of death penalty and the contribution that they see themselves making through this position. The statement of purpose must not exceed 750 words. Please send your resumé and statement of purpose to p39arecruitment@nludelhi.ac.in . The subject of the e-mail should be “Application for Associate (Mitigation)”.



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Deadline: Applications must reach us no later than 30 June, 2019 after which the applications will not be accepted. Only shortlisted candidates will be informed via email.

Note:

1. National Law University, Delhi is an equal opportunity employer.
2. P39A ensures access to legal representation for prisoners regardless of the offence.
3. National Law University, Delhi reserves the right to conduct interviews and not fill the position.
4. National Law University, Delhi is unable to cover the costs of attending interviews.
5. The position shall be paid under the grants received by P39A, National Law University, Delhi.