

## **Prisoners Maintaining Innocence?**

In response to the interest generated by the workshops by Anita Bromley and myself on 'Prisoners Maintaining Innocence' at the IMB's Annual Conference held at Keele University on the 18<sup>th</sup> September 2009, this article provides more information to IMB members about the work of the Innocence Network UK (INUK), its satellite innocence projects and the practical assistance that it provides to eligible prisoners maintaining innocence.

The INUK was established in September 2004 because of the existing limitations of the criminal justice system to prevent and overturn the wrongful convictions of innocent people. It seeks to contribute to remedying and preventing wrongful convictions through its three core functions:

- Facilitating the establishment of a network of innocence projects and support their investigations cases of alleged wrongful convictions;
- Conducting research into the causes and consequences of the wrongful conviction of the innocent and the barriers that obstruct the release of innocent prisoners and prevent wrongful convictions from being overturned;
- Communicating and educating the public and policy makers about the problems associated with the wrongful conviction of the innocent to improve the criminal justice system and prevent future wrongful convictions.

Since the founding of the first innocence project in the UK at the University of Bristol in 2005, the INUK is currently facilitating over 25 satellite innocence projects which are all based in universities. To date, the INUK is overseeing the pro bono casework undertaken by over 400 students, supervising academic staff and pro bono solicitors and barristers throughout England, Wales and Scotland, working collectively on approximately 70 cases of convicted persons maintaining factual/actual innocence who have exhausted the normal appeals process and are consequently ineligible for legal aid.

The INUK has received close to 650 requests for assistance to date. It assesses and allocates eligible cases to satellite innocence projects and assist their investigations through providing advice on possible lines of investigation, training for student caseworkers, and linking them up with relevant experts.

Satellite innocence projects investigate cases by going through all the used and unused evidence, critically interrogating the evidence against them, and/or try to find new ways such as DNA testing to ascertain whether or not their claim of innocence could be true.

If fresh evidence is found from the investigation which meets the CCRC's criteria, an application will be made to the CCRC for the case to be referred to the Court of Appeal. However, if during the innocence project's inquiry, compelling evidence is found which does not meet the CCRC's referral criteria, the innocence project would attempt to call for a petition for a Free Pardon under the Royal Prerogative of Mercy exercised by the Secretary of State.

If any IMB members come across any prisoners who meet the INUK's criteria i.e. they are maintaining factual innocence and have exhausted the normal appeals process, or,

they could not find assistance as solicitors have advised that no grounds of appeal can be found, you may want to refer them to the INUK by asking them to send a brief outline of their claim of innocence to the following address:

Innocence Network UK  
Wills Memorial Building  
Queens Road  
Bristol BS8 1RJ

We will then send them a Preliminary Questionnaire which asks for more details about their case to assess their eligibility and inform them whether or not our satellite innocence projects are able to assist.