

EMPOWERING THE INNOCENT (ETI)

PRELIMINARY QUESTIONNAIRE¹

***** Please note:**

1) This information will be used to help assess whether we include your case in the ETI campaign for the reform or replacement of the CCRC.

2) We may wish to use this information (which we will treat as confidential) for further research into wrongful convictions. If you do not agree to this, tell us on this form.

3) We ask you not to send us supporting documentation at this stage except for COPIES of the following if available:

- **Trial judge's summing up of verdict**
- **Advice on Appeal**
- **Court of Appeal judgment**
- **CCRC Statement of Reasons not to refer if you have already made an application to the CCRC**

4) Please attach additional sheets if necessary.

SECTION A: PERSONAL DETAILS

Name:

Prisoner Number:

Address:

Home area (Town/City/County) before conviction:

Do you have links with any other areas of the country e.g. if you were born in a different area to the place you lived before your conviction? Please give details.

¹ Adapted from the preliminary questionnaire of Innocence Network UK (INUK).

SECTION B: DETAILS OF CONVICTION

Crime of which convicted:

Location of incident:

Date of incident:

Date of conviction:

Court (e.g. Swansea Crown Court):

SECTION C: SENTENCE DETAILS

As a result of you conviction, were you sentenced to:

Prison Yes / No

Psychiatric Facility Yes / No

Other (please state)

If given a custodial sentence:

a) Are you still serving out your sentence? Yes / No

If 'no', what was your date of release? (dd/mm/yyyy) I

b) Length of Sentence:

Tariff (if given a life/indeterminate sentence)

c) Time already served:

d) Date of Parole Eligibility:

e) Category Status:

f) Do you have a scheduled parole or release date? (dd/mm/yyyy)

g) Are you maintaining innocence? (Yes/No)

h) Have you undertaken any offending behaviour courses? If so, please give details.

i) Have you undertaken any offence-related courses? If so, please give details.

SECTION D: OTHER DETAILS

***** The following information will assist us in writing to the relevant bodies, where necessary, to request that all exhibits, retained materials, samples, police records and prosecution papers pertaining to your case are not destroyed.***

Police Reference Number (*this can normally be found in any correspondence from the police force*):

CPS (Crown Prosecution Service) Reference No. (*this can normally be found in any correspondence from the CPS*):

FSS (Forensic Science Service) Lab. Reference Number. (*this can normally be found on the top right hand corner of any forensic reports by the FSS, e.g. D/99/1234*):

SECTION E: TRIAL DETAILS

Part I: Prosecution's Case

Briefly describe the argument put forward by the prosecution at your trial:

Please give details of evidence that was submitted by the prosecution at trial:

a) Physical evidence (such as DNA, fingerprints etc):

b) Expert evidence:

c) Eyewitness Testimonies:

d) Testimonies by other prosecution witnesses:

e) Confession(s):

f) Others:

Part II: Defence's Case

Did you plead guilty or not guilty at trial?

Briefly describe the argument put forward by the defence at your trial:

What evidence was submitted by the defence at your trial?

a) Physical evidence (such as DNA, fingerprints etc):

b) Expert evidence:

c) Eyewitness Testimonies:

d) Testimonies by other prosecution witnesses:

e) Confession(s):

f) Others:

SECTION F: DETAILS OF LEGAL REPRESENTATION

Please list below, details of all solicitors who have worked for you at some point in your case:

Pre-Trial Solicitor

Name

Address

Trial Solicitor

Name

Address

Appeal Solicitor

Name

Address

Name and address of any solicitor acting for you now, and, what are they doing on your behalf?

SECTION G: APPEAL HISTORY

Have you had a first appeal or made an application for leave to appeal?

Yes () No ()

If 'yes', was the appeal or application for leave to appeal against your:

a) Sentence () b) Conviction () c) Both ()

If you have not applied for leave to appeal against your conviction, please state the reasons why not:

If you have had an appeal or if you have made an application for leave to appeal, please give the following details:

a) Date of Appeal Hearing:

b) Outcome:

c) Reasons for Failed Appeal or Refusal for Leave to Appeal:

Referrals to Criminal Cases Review Commission (SCCRC):

a) Have you applied to the CCRC? Yes [on (date)] No

b) If 'yes', what was their decision, and, did anyone help you to prepare this application?

c) If 'no', is anyone helping you now to prepare an application to the CCRC? (Please give their details).

If your case was referred by the CCRC to the Court of Appeal (Criminal Division), what was the outcome?

Do you have any ongoing or pending litigation or court hearings (e.g. judicial reviews etc.) at the moment? If so, please give details.

SECTION H: DETAILS OF CLAIM OF INNOCENCE

*****Please attach additional sheets if necessary.***

Why do you think you were wrongly convicted of the crime (e.g. due to flawed expert/ forensic evidence; false allegations and/or poor defence etc.)?

Do you have an alibi or other evidence (whether used or unused at trial) that proves that you could not have committed the crime that you have been convicted of? If so, please provide details.

Is there any fresh evidence not adduced at your trial to indicate that you are innocent that was not put before the jury at your trial? If so, please provide details.

Is your case currently being looked at by a solicitor or innocence projects/ universities/ other organisations? If so, please give details.

Please tell us as much as you can about your claim of innocence (continue on a separate sheet of paper if you need more space).

SECTION I: PREVIOUS CONVICTIONS

Please list all other offences that you have previously been convicted of:

SECTION J: BACKGROUND INFORMATION

It would help our records to collect the following background information. If you do not want to answer any of the questions, it will **not** exclude your case from consideration.

Gender:

Ethnicity:

Nationality:

Date of Birth:

Relationship Status:

Children:

Previous Employment:

Have you suffered from any health complaints subsequent to the conviction? If so, please provide details.

SECTION K: DECLARATION OF INNOCENCE

**Please read this carefully and sign it if you are happy with its content.*

I, (NAME IN BLOCKS)....., declare that I am **FACTUALLY INNOCENT** of the crime(s) for which I was convicted of (i.e. **I DID NOT DO IT AND HAD NO INVOLVEMENT AT ALL**).

I understand that the Empowering the Innocent (ETI) will decline to be involved or withdraw involvement from my case if any of the information I have so far given or will provide in the future is found to be untrue without any reasonable explanation.

I understand that ETI will withdraw involvement with my case if new inculpatory evidence or evidence of guilt previously undisclosed by me emerges that discredits my claim of innocence.

I understand that the ETI reserves the right to withdraw involvement from my case.

I confirm that all the information provided in the Preliminary Questionnaire is true to the best of my knowledge.

Full name.....

Signed.....

Dated.....

SECTION L: LETTER OF AUTHORITY

****Please read this carefully and sign it if you are happy with its content.***

I, (NAME IN BLOCKS)....., give permission for any information and/or case papers pertaining to my case to be released to the Empowering the Innocent (ETI) at the following address:

*Empowering the Innocent (ETI)
C/O University of Bristol Law School
Wills Memorial Building
Queens Road
Bristol
BS8 1RJ*

I am happy for ETI to retain my information **INDEFINITELY** in its national database to be used for research purposes.

I am happy for you to discuss my case with my supporters/family/friends, namely (please list contact details):

.....
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.....
.....
.....
.....

Full name.....

Signed.....

Dated.....

SECTION M: AUTHORITY TO PUBLICISE CASE

ETI may want to publicise details about your conviction to raise public awareness of your claim of innocence and/or to strengthen its campaign for the reform or replacement of the CCRC as part of its wider lobbying activities.

This includes (but is not limited to) publicising your case on ETI’s website, in its magazine, speaking about your case and/or passing on information about your case to the media.

I, (NAME IN BLOCKS)....., **agree or do not agree** for ETI to publicise details of my case.

Full name.....

Signed.....

Dated.....