



Innocence Project Protocols

<http://www.innocencenetwork.org.uk>

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Preamble

What is an Innocence Project?

An Innocence Project is a group of students investigating the case of a convicted person maintaining innocence who has exhausted the initial appeals process. Innocence projects work under academic supervision and with pro bono legal assistance from a practising lawyer where appropriate. Caseworkers aim to conduct thorough, independent investigations of claims of innocence by alleged victims of wrongful conviction.

If evidence of innocence is found, innocence projects will assist in making an application to the CCRC or the SCCRC for that person's case to be reviewed for referral back to the appeal courts.

It is also possible that innocence projects may make applications for a Free Pardon under the exercise of the Royal Prerogative of Mercy in applications to the Secretary of State if strong evidence of innocence exist that does not provide legal grounds for appeal in the eyes of the CCRC and/or the SCCRC.

There are no definitive criteria for innocence projects, other than that they are concerned with allegations of factual/actual innocence as opposed to allegations of technical miscarriages of justice. Innocence projects do not consider claims that murder convictions should have been convictions for manslaughter, for instance.

Why do we need the Innocence Projects?

The structures of the existing criminal appeal system cannot guarantee that all innocent victims of wrongful conviction will overturn their convictions. Instead, the appeal courts attempt to determine whether criminal convictions are 'unsafe' in terms of whether the trial was 'fair', understood as compliance with the prevailing rules, as opposed to fair in terms of a just outcome from a lay social justice perspective where a factually guilty person is convicted in a criminal trial and a factually innocent person acquitted.

In addition, legal aid is not always available to persons maintaining their innocence wishing to appeal, so finances are often a huge problem.

What do Innocence Projects do?

There is no single model for creating and running an innocence project, so projects will run in different ways. One size does not fit all!

INUK provides a casework referral service. It helps to link eligible applicants with member innocence projects to undertake independent investigations into claims of innocence by alleged victims of wrongful convictions.

Innocence project investigations include obtaining, as far as possible, a full set of case documents including evidence both used and unused at trial, prison visits to alleged innocent victims of wrongful conviction, interviewing or contacting witnesses, writing reports for solicitors and barristers, writing submissions to the appropriate public/ legal bodies and meetings with forensic science experts.

Innocence projects are independent from the structures of the adversarial system and are neither defence nor prosecutorial oriented. Rather, innocence project investigations are geared towards truth seeking or testing the credibility of the claim of innocence, critically interrogating existing evidence or utilising new methods or techniques to prove or disprove the claim of innocence of an alleged victim of a wrongful conviction.

These protocols have been adapted from the Model Standards for Live-Client Clinics finalised by the Clinical Legal Education Organisation (CLEO) in 2007. They were put to member innocence projects and to key CLEO contacts for consultation and are intended to be good practice for innocence project work. INUK annually revises these Protocols as necessary as the innocence movement further develops within the UK.

The INUK welcomes the diversity of ways in which innocence project work might be undertaken and does not wish to try to impose set ways or procedures on member projects. On the contrary, INUK's member innocence projects operate independently within these basic protocols and share ideas and best practice as they investigate claims of innocence by alleged victims of wrongful convictions.

Postscript to Preamble:

The International Innocence Network (innocencenetwork.org), of which the INUK is a member, has drafted a Statement to set out some principles and best practices that it should be aware of in its work with victims. This Statement is currently in draft format, but the INUK will adopt the Statement in its final format and post this on the INUK website.

INUK Innocence Project Protocols

1. INUK's overarching case eligibility criteria

1.1 INUK's underpinning concern is with the wrongful conviction of innocent individuals. In this light, only cases where clients are maintaining factual/actual innocence will meet INUK's eligibility criteria and be referred to member innocence projects. Whilst we recognise the difficulties in ascertaining a client's innocence, innocence projects will generally only work on cases where clients are claiming that:

1.1.1 no crime has occurred e.g. possible 'cot-death' cases where there are convictions for murder (Sally Clarke, Angela Cannings, Donna Anthony), where an alleged murder victim is claimed to be still alive, where deaths are accidental rather than as a result of a crime (Sheila Bowler, Pat Nichols), where there is a claim of a false allegation, and so on; or,

1.1.2 s/he is entirely not involved in the commission of the criminal offence that s/he has been convicted of, however, cases where people are convicted of joint enterprise crimes who claim that they have no legal culpability at all will also be eligible for member innocence projects;

1.2 Initial eligibility in principle will be ascertained from the applicant's responses to the INUK Preliminary Questionnaire which asks for details of the case and, in particular, crucial questions about the basis of the applicant's claim of innocence;

1.3 INUK sees cases as eligible in principle where a prisoner is maintaining innocence, where an alleged innocent victim of a wrongful conviction who is no longer in prison is maintaining innocence, or, where an alleged innocent victim of wrongful conviction did not receive a custodial sentence. Cases where there are claims that convictions should have been for manslaughter instead of murder are not eligible cases for the INUK.

2. Referral of cases

2.1 Member innocence projects work only on cases referred to them by INUK.

2.2 All applications to INUK for assistance from alleged innocent victims of wrongful conviction are entered onto the INUK central bank of cases, whether they are eligible or ineligible. However, only eligible cases will be referred for member projects to choose from.

2.3 INUK undertakes the administration and assesses the eligibility of all applications for innocence projects assistance to member innocence projects for the following reasons:

2.3.1 to reduce the administrative burden for member innocence projects so that they can direct their efforts and resources to case investigations

2.3.2 to avoid a situation where more than one institution is working on a single case

2.4 Member innocence projects must agree not to advertise for or solicit cases independently and pass any new enquiries from potential ‘clients’ on to INUK for eligibility assessment.

2.5 INUK will not refer cases to a member innocence project unless it is satisfied that the necessary infrastructures for innocence project work including data protection provisions are in place for casework to be undertaken in accordance with the INUK casework protocols.

2.6 Requests for new cases can only be made by the staff director of the member innocence project.

2.7 INUK notes that whilst cases are taken for educational purposes by universities, evidential practicalities will play an important part in case selection/referral, for example, convictions for sex offences based on the word of the alleged victim alone may, for practical reasons, have a lower priority for member innocence projects than convictions that might be overturned by DNA testing, for instance.

3. Withdrawal from cases

3.1 Innocence projects have the right to withdraw from cases where the investigation finds that the ‘client’ is not innocent (see, for instance, Appendix A).

3.2 Innocence projects may also withdraw from a case for practical reasons, for instance, non-communication by the ‘client’ or withholding of information by the ‘client’ which impedes the ability to conduct a investigation of the claim of innocence.

3.3 If a member innocence project intends to withdraw from a case, it must inform the INUK of its reasons for withdrawal PRIOR to formally communicating its decision to the ‘client’.

3.4 INUK reserves the right not to renew the membership of an innocence project if it deems the reasons for the withdrawal from a case to be unsatisfactory, e.g. the claim of innocence has not been sufficiently investigated without good reason.

4. Basic client care

4.1 When a case is taken on by a member innocence project a standard client care letter should be sent to every ‘client’ stating in clear and unambiguous language where relevant:

4.1.1 that the case has been referred by the INUK

4.1.2 that innocence projects do not give legal advice and any legal advice is

ultimately given by solicitors or barristers working on a pro bono basis with the member innocence project

4.1.3 informing the ‘client’ at the outset (and reminding as necessary) that there may be several changes of caseworkers throughout the duration of their case (especially if predicted that the case will run for several years) but that continuity will be provided by the staff director, and that systems are in place internally for introducing and familiarising new student caseworkers with existing cases

4.1.4 other general introductory elements including matters relating to confidentiality, confirmation that students provide the assistance under supervision, information as to who is handling and supervising the investigation, complaints procedure, and so on

4.2 INUK recognises that keeping the ‘client’ fully and regularly informed is best practice in all cases

4.3 Each project will have its own guidelines for frequency of contact with the ‘client’ but the minimum requirement for good practice will be to write to the ‘client’ whenever there is a new development in a case, and normally following every student meeting with assisting solicitors/barristers by way of update, ideally at least once a month during term/semester time, and in any event at the start and end of each term/semester

4.4 The INUK Innocence Projects Starter Pack for member innocence projects provides a bank of suggested letters/approaches covering commonly-encountered situations faced early in the life of a potential case

5. Confidentiality

5.1 Staff and students must be aware of the need for ‘client’ confidentiality. To this end:

5.1.1 the room(s) and facilities used by the member innocence project must ensure that the ‘clients’ case details remain confidential to the innocence project

5.1.2 interviews with a ‘client’ or a ‘client’s’ representative must be conducted in a room to which only supervising solicitor/barrister, student caseworkers and staff members of the project have access during interview sessions

5.1.3 all case records, both current and completed, must comply with data protection laws, for example, be securely stored and accessible only by directors and student caseworkers

5.1.4 as regards induction training, all directors and students must be trained on the issue of confidentiality and its practice. Each institution should have its own requirements clearly set out for (at least) safe-keeping and removal of confidential information and files, locking of rooms containing case files,

contact between student caseworkers and supervising lawyers and 'clients', prison visits and witness interviews, viewing of incoming and outgoing mail, preventing student contact with any victim's family/contacts, conflict of interest, and dealing with the media

- 5.1.5 other facilities for contacting 'clients' (such as telephone, fax, DX, computer discs, e-mail) must operate to conform to the required level of confidentiality, including the use of voicemail
- 5.1.6 personal telephones, including mobiles, should not be used for contacting 'clients' or 'client's' representatives
- 5.1.7 INUK recommends that student caseworkers should not disclose personal details in correspondence with 'clients' or a 'client's' representatives.
- 5.1.8 as regards correspondence with prisoners, INUK recommends that if letters contain confidential information they should be sent via an assisting solicitor/barrister to maintain for the client the benefits of confidentiality under Rule 39a
- 5.1.9 all publicity, discussion, assessment and supervision of innocence project work must ensure compliance with the overriding principle of confidentiality
- 5.1.10 facilities for the proper destruction and disposal of confidential waste must be set up
- 5.1.11 best practice dictates that students or innocence project staff should not keep emails, documents or details on 'client' matters on personal computers. Where possible, confidential drives should be used within the innocence project room where it is secure unless the same level of security can be demonstrated elsewhere

6. Premises and equipment

6.1 While INUK acknowledges that premises and equipment available for the facilitation of innocence project activities will vary with each institution and resources available, there are a number of minimum recommendations necessary to ensure the smooth facilitation of casework:

- 6.1.1 the premises must provide students with sufficient space and furniture to conduct necessary research and to manage cases whilst preserving the principle of confidentiality
- 6.1.2 the premises should ideally be signed and identified as innocence project premises

6.2 An innocence project should have:

- 6.2.1 facilities for the secure storage of files and records

- 6.2.2 facilities for secure destruction of files and records
- 6.2.3 computer(s) and networking
- 6.2.4 email access
- 6.2.5 sufficient funds for the payment of expenses, for example, travelling expenses, court documents and postage
- 6.2.6 an innocence project handbook or manual (provided in the INUK Innocence Projects Starter Pack to new member innocence projects) which clearly sets out the objectives, the operational rules and the protocols and duties. This should be given or readily available to all project staff and students and updated/reviewed annually

7. Safekeeping and maintenance of files and records

7.1 To ensure that case documents are kept in a secure and confidential environment, INUK recommends that:

- 7.1.1 records of all stages of a case including records of interview(s), telephone/fax/e-mail communications, research, court/tribunal attendance and preparation, and documents given to or by the innocence project should be kept on each specific 'client's'.
- 7.1.2 a pro forma receipt should be used to record the receipt of all documents from the 'client' or on the 'client's' behalf.
- 7.1.3 where possible, all original documents should be copied and the originals returned to the 'client' as soon as possible
- 7.1.4 all correspondence sent and received by the member innocence project should be kept in chronological order on the appropriate file
- 7.1.5 no file or documents should be removed without express permission from the innocence project staff director and should be recorded if removed
- 7.1.6 copies of all documents, experts' reports, and other relevant materials should be kept, labelled and filed appropriately

8. Staff supervision

8.1 Innocence projects should be directed by a university member of staff, although the director need not be competent and experienced in either the substantive law and practice of criminal appeals.

8.2 The staff director must ensure that the necessary infrastructures for innocence

project work including data protection provisions are in place before requesting cases from INUK.

8.3 The staff director must commit to supervising the casework of students to ensure that casework is undertaken in accordance with the INUK protocols and to ensure that satisfactory progress is made on cases referred to the member innocence project.

8.4 The onus is on the staff director to put in place any insurance/professional indemnity requirements that your own University requires for it to operate an innocence project (INUK does not provide any insurance relating to the operation of individual innocence projects).

8.5 Supervision includes not only monitoring the investigations undertaken by student caseworkers but also includes client records, case reports, correspondence (in and out) and the general conduct of the office and ethical behaviour of its student members.

8.6 It is accepted that some innocence projects will operate only during term-time. However, where cases are running during university vacation periods, a professional standard of management and supervision is still required.

8.7 No contact is to be made with 'clients' or their representatives or lawyers or witnesses except with the permission of the staff director.

8.8 Students are only permitted to conduct prison visits accompanied either by a supervising staff member or a solicitor or barrister.

8.9 Students should be informed in advance what to expect and the supervising staff member should ensure that students are aware of, and able to comply with, prison security and prison rules.

8.10 INUK recognises that serious problems of varying sorts can ensue if students are allowed to interview witnesses without appropriate supervision and guidance. As such, INUK recommends that no student may be permitted to contact previous or potential witnesses without the express prior permission of the staff director

9. Student caseworkers

9.1 INUK recommends that each institution should conduct an induction programme compulsory for all students, which covers the operational practice of the project

9.2 All students should agree in writing to the terms of the INUK Innocence Project Protocols as they relate to them.

9.3 INUK recommends that there should be routine weekly meetings of director and students to review case progress

9.4 It is the responsibility of each individual institution and staff director to ensure the safety and wellbeing of student caseworkers and to consider implementing risk assessment strategies where relevant.

9.5 INUK acknowledges that ‘clients’ of innocence projects may be especially vulnerable compared to more traditional clients of student legal advice centres, and, given the emotive nature of typical cases and their evidence, students may be sensitive to particular subject matter and may become emotionally involved in a case.

9.6 Staff directors need to be aware of the possibility of these particular sensitivities and the ethical issues that accompany innocence project work and have systems in place to deal with any such issues arising.

9.7 INUK recommends the following guidance for managing and balancing student workloads:

9.7.1 an official (but flexible) number of hours that students should be allocated to innocence project related activities (e.g. 4-6 hours a week)

9.7.2 a time log where students record the number of hours they have dedicated to innocence project work, which should be regularly reviewed by the staff director

9.8 It is the responsibility of the staff directors to ensure the safety of student caseworkers. INUK recommends that:

9.8.1 staff directors should be fully informed and give consent or approval prior to any casework activities particularly when they are not held at the university premises (such as prison or crime scene visits, interviews with clients, representatives or other related personnel)

9.9 It is the responsibility of each institution to establish its own feedback system where students can communicate any feedback or concerns they have in participating in innocence project activity and address them accordingly.

10. INUK conferences

10.1 INUK offers two conferences each year in spring and autumn. The aim of these conferences is to assist member innocence projects make progress with their cases.

10.2 INUK strongly recommends that all staff directors and innocence project students attend the INUK conferences

10.3 In addition, each member innocence project will assess its own additional training needs and provide for them to support its investigations.

11. The role of education

11.1 INUK recognizes that member innocence projects have pedagogic aims that can enhance and supplement the education of student caseworkers.

11.2 INUK also acknowledges that some individual innocence projects may wish to run their innocence project as an assessed unit and welcome general discussion among and between members on this topic.

11.3 INUK stresses, however, that whilst student education is important and is the underpinning ethos of INUK, it must not compromise the welfare of the 'client' and the progress of the investigation into her/his claim of innocence.

12. Conflict of interest

12.1 Staff directors and students must be aware of any potential 'conflicts of interest' and act accordingly.

13. A professional standard of assistance

13.1 INUK expects its member innocence projects to deliver a professional standard of assistance and to share best practice ideas with INUK and other members (via the INUK Forum), and to make INUK aware of any issues encountered that may affect the development and/or credibility of innocence projects with 'clients', the practising legal profession and/or the public generally

14. Insurance

14.1 Each member innocence project should be insured. INUK does not anticipate that there will be any onerous requirements on existing institutional liability cover. Simple notification and a brief description of activity to insurers may suffice because innocence projects will not be offering or giving legal advice.

15. Stationery

15.1 Each institution will have its own requirements for stationery, and are expected to use the INUK logo if they are members of INUK alongside the logo of their own university.

15.2 Whilst member innocence projects must use the INUK logo on its website, letterheads and other publicity materials alongside its own logo or name, member innocence projects must not adapt or misuse the INUK logo, such as using the INUK logo for non-INUK or member innocence projects related activities or altering the INUK logo in any way to promote their own innocence project.

16. Relationship with the legal profession

16.1 The underlying premise of innocence project work is that such projects are not intended to replace the role of practising legal profession in appeal work where clients are maintaining innocence. INUK will not endorse a 'client' terminating the services

of solicitors/barrister with the sole intention of replacing the services of the practising lawyer with the work of an innocence project.

16.2 INUK will routinely review its protocols to reflect its current working arrangements with the legal profession.

17. Applications or submissions to the Criminal Cases Review Commission (CCRC) and the Scottish Criminal Cases Review Commission (SCCRC)

17.1 INUK does not make applications or submissions to the CCRC or the SCCRC on behalf of individual innocence project 'clients'. These are made (when appropriate) by individual member innocence projects and, where appropriate, with the assistance of the pro bono lawyer.

17.2 Member innocence projects are expected to undertake thorough investigations of claims of innocence independently of the CCRC/SCCRC by interrogating the evidence that led to conviction to test its reliability AND conduct comprehensive searches of the available unused evidence for evidence of factual innocence BEFORE applications and/or any submissions are made to the CCRC or the SCCRC.

17.3 When member innocence projects make an application or a submission to the CCRC or SCCRC they must first ensure that the application or submission has been viewed by the 'client' and that they have the 'client's' full approval.

17.4 Member innocence projects must notify INUK when submissions or applications to the CCRC or SCCRC are made with the name of the 'client'.

17.5 INUK recommends that member innocence projects produce a 'public statement' of the grounds contained in the submission or application to the CCRC or SCCRC and any work that the member innocence project requires the CCRC/SCCRC to undertake if it is work that the member innocence project does not have the authority to undertake, e.g. the work would require access to police logs or the HOLMES Database.

18. Progress report on cases

18.1 Each member innocence project shall complete the INUK pro-forma annual report summarising activity and progress to date on each case.

18.2 Failure to produce the annual report may result in the suspension or non-renewal of a university's membership with the INUK.

18.3 If a member innocence project requests additional cases, the INUK may ask for a brief progress report on its existing case(s) to ensure that it has the capacity to work on additional cases. The INUK may decline to refer new cases to the member innocence project if it fails to provide the requested progress report and/or to satisfy that it has the capacity for additional casework.

19. Media policy and publicity

19.1 INUK recognises that member innocence projects may wish to become involved in media interviews about individual cases, for example in the interests of seeking new evidence, but this must always be done with the express permission of the 'client'.

19.2 Staff directors and students of member innocence projects when talking about their innocence project in any media interviews and press releases **MUST** state that its innocence project is a member of INUK.

19.3 However, staff directors and students of member innocence projects when talking about their innocence project in any media interviews and press releases are not authorised to speak on behalf of, or about the work of the INUK, except for basic information about the INUK that is already available in the public domain or on the website.

20. Research policy

20.1 Individuals should not use INUK's name in applications for research funding unless authorised to do so by INUK.

20.2 Individuals who wish to utilise INUK's database of cases for research purposes must first seek permission from INUK.

20.3 Individuals researching any cases being investigated by the member innocence project to which they belong must acknowledge in any publications that the innocence project is a member of INUK and the case(s) being researched was referred by INUK.

20.4 Publications by individuals in member innocence projects must emphasise, where appropriate, that the work represents the views of the author(s) and is not representative of INUK's views.

21. Guidelines for funding application

21.1 Members should not use INUK's name in applications for funding their innocence projects, save to say that they are members of the INUK, unless specifically authorised to do so by INUK.

22. 'Client' complaints procedure

22.1 These Protocols are supplied to all 'clients' when their case is referred.

22.2 'Clients' who have complaints that member innocence projects working on their cases are not in compliance with these Protocols should make direct complaints in the first instance to the staff director of the innocence project working on their case to try

to find a solution and, if this fails, then to the head of the department at the university where the innocence project is based.

22.3 All correspondence regarding complaints about member innocence projects is to be copied to the INUK so that we are aware of what is happening and are well placed to take action if it is deemed appropriate.

23. Compliance with INUK Innocence Project Protocols

23.1 INUK provides a referral service to member innocence projects of claims of innocence by alleged victims of wrongful conviction for investigation.

23.2 INUK's member innocence projects operate independently and are solely responsible for all aspects of the investigations that they undertake and 'client' relations.

23.3 Whilst member innocence projects are free to put in place their own operational plans for administrative and supervisory guidance and support that reflect their own institutional needs and practices, they must ensure that the minimum standards set out in these Protocols are met.

23.4 INUK reserves the right not to renew membership if member innocence projects are found not to be working in accordance with these Protocols to the detriment of the 'client'.

APPENDIX A

TYOLOGY OF PRISONERS MAINTAINING INNOCENCE

The INUK employs a ‘typology of prisoners maintaining innocence’ as an objective screening process that separates prisoners (or alleged innocent victims of wrongful conviction who are no longer in prison or did not receive a custodial sentence) who are clearly *not* innocent from those that *may be* innocent.

This typology was devised by the INUK in an attempt to provide reliable referrals to member innocence projects for further investigation. It is a practical demonstration that we (the INUK) do not just believe that all who claim innocence are innocent. At the same time, however, the INUK accepts that the shortcomings of criminal trials, coupled with the limits of the criminal appeals system to guarantee that all innocent victims of wrongful conviction and imprisonment will be able to overturn their convictions (discussed below), mean that it is *possible* that alleged innocent victims in prison may be innocent.

In essence, applicants to the INUK are sent a detailed questionnaire that asks for a full account of the basis of their claim of innocence and any part that the applicant may have played in the crime that they have been convicted of, among many other things such as the prosecution’s case against them, their defence case, appeal history, parole status, and so on. From an analysis of the INUK questionnaires, a range of reasons and motivations for why convicted people say that they are innocent when they are **not** have thus far emerged:

- Applicants may maintain innocence in the hope that they will overturn their cases on an *abuse of process* (to acknowledge guilt effectively prevents such a possibility) such as applicants who claim that they are innocent because of certain procedural irregularities alleged to have occurred during one or more stages of the criminal justice process, for instance, the arrest and/or interrogation, the police investigation, and/or during the trial that led to the conviction itself.
- Applicants may maintain innocence as they are *ignorant of criminal law* and do not know that their behaviour is criminal, such as the applicant convicted of a joint enterprise crime who believed that because she/he did not actually hit the person who died in a fight between two rival gangs that she/he was innocent of the murder for which he was jointly convicted.
- Applicants may know that their actions constitute a criminal offence but maintain their innocence as they *disagree* that their actions should be considered a criminal offence, such as the applicant who believed that because he had video evidence that his former girlfriend had once consented to have sex with him he could never be guilty of rape; and,
- Applicants may maintain innocence in order *to protect loved ones* from the knowledge that they were lied to by the perpetrators of crime, such as the man who promised his mother that he would never commit another burglary and claimed that he had been ‘fitted-up’ by the police when he was reconvicted for a subsequent burglary. It was only when his mother had died that he admitted his

guilt for his crimes.¹

In addition to the foregoing categories of prisoners maintaining innocence who are not innocent, another category relates to prisoners **who may, in fact, be innocent**.

Criminal trials are not concerned with whether defendants are innocent or guilty in any straight-forward sense; they are highly technical affairs which attempt to determine if they are ‘guilty’ or ‘not guilty’ of criminal offences on the basis of the reliability of the evidence before the court. The many and varied flaws of the evidential processes in criminal trials are revealed in successful appeals against criminal conviction: police officers transgress procedures (e.g. Birmingham Six, Guildford Four, Cardiff Newsagent Three) and have even been shown to make deals with suspects for incriminating evidence to obtain criminal convictions (e.g. Bob Dudley and Reg Maynard); prosecutors can fail to disclose vital evidence (e.g. John Kamara, Judith Ward, M25 Three, Cardiff Three); forensic science expert witnesses exaggerate their findings or make mistakes (e.g. Sally Clark, Angela Cannings, Donna Anthony, Kevin Callan); people make false accusations (e.g. Mike Lawson, Basil Williams-Rigby, Anver Sheikh, Warren Blackwell); and defence lawyers can fail to adequately represent their clients (e.g. Andrew Adams).

By adopting the typology, INUK aims to distinguish cases that fall within this category for student-investigation by a member innocence project, i.e. prisoners maintaining innocence who may be innocent.

Adapted from Naughton, M. (2008) “Factual Innocence versus Legal Guilt: The Need for a New Pair of Spectacles to view the Problem of Life-Sentenced Prisoners Maintaining Innocence” The Prison Service Journal, May 2008

¹ This example was also provided in a ‘Chatham House Rules’ discussion with senior representatives from the post-conviction system, e.g. Prison Service, Parole Board, CCRC, Probation, Prison Psychology, and so on.