



INUK Spring Conference, 12 March 2010
CLEARY GOTTLIEB STEEN & HAMILTON LLP, LONDON

STUDENT EXPERIENCES OF THE INNOCENCE APPROACH

Agenda

	1.00 - 1.15 pm	Registration
	1.15 - 1.30 pm	Welcome & Introduction by the Chair of the event – Dr Eamonn O’ Neill – Strathclyde, who will give an introductory presentation – The missing link: Does investigative journalism still have a role in exposing miscarriages of justice?
1	1.30 – 2.00 pm	Presentation by Dr Michael Naughton – The need for an ‘innocence approach’ to alleged wrongful convictions at the post-appeal stage
2	2.00 – 3.00 pm	Innocence Project Presentations of Case Investigations
	Sheffield Dr Claire McGourlay	Investigating Alleged Police Misconduct/Corruption
	Portsmouth Dr Damian Carney	Investigating CCTV Evidence
	Bristol Gabe Tan	Investigating Fibres Evidence
	3.00 – 3.15 p.m.	Tea Break
3	3.15 – 4.00 p.m.	Focus Group Discussions on Key Aspects of Innocence Project Work
	Group 1	<i>Obtaining, organising and managing case documents (paper, and electronically) - Led by James Lloyd - UWE</i>
	Group 2	<i>Building a workable relationship with the client; the client’s family/supporters; and the legal profession – Led by Julie Price – Cardiff Law School</i>
	Group 3	<i>Early stages of innocence project development/putting into place foundations/structures/managing student caseworkers - Led by Colleen Smith – Sheffield Hallam</i>
4	4.00 - 4.45 p.m.	Presentation of Outcomes from Focus Group Discussions
5	4.45 - 5.00 p.m.	Final Questions/Close of Conference
	5.00 – 6.00p.m.	Keynote Speaker: Mark Newby, Director, Historical Abuse Appeal Panel based at Jordans Solicitors LLP; drinks and light refreshments



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Welcome and Introduction

1.15 – 1.30 p.m. (including warm thanks to our hosts, Cleary Gottlieb Steen & Hamilton LLP).

Chair of the event – Dr Eamonn O’ Neill – Strathclyde. Eamonn will commence the proceedings with a presentation entitled: The missing link: Does investigative journalism still have a role in exposing miscarriages of justice?

Programme Details

1.30 - 2.00 p.m.

Session 1: Presentation by Dr Michael Naughton – The need for an ‘innocence approach’ to alleged wrongful convictions at the post-appeal stage

Discusses the reason d’être of the emergence of the INUK and how the ‘safety in law’ test applied by the Criminal Cases Review Commission (CCRC) is insufficient at the post-appeal stage as it puts the law before people who may be innocent.

2.00 - 3.00 pm:

Session 2: Innocence Project Presentations of Case Investigations

Sheffield – Investigating alleged police corruption

Portsmouth – Investigating CCTV evidence

Bristol – Investigating Fibres Evidence

3.15 – 4.00 p.m:

Session 3: Focus Group Discussions on Key Aspects of Innocence Project Work

This session will consist of three simultaneously-run focus group discussions on key aspects of innocence projects work. Chaired by an innocence project Director, each group will consist of student and/or staff representatives from different innocence projects. The aim of this session is to encourage and facilitate the sharing and exchange of best practices between member innocence projects. Issues to be discussed by the respective focus groups are as follows:

Group 1: Obtaining, organising, managing and analysing case documents (paper, and electronically)

- *What are the key documents essential to a case investigation, and, how do you obtain them?*
- *What are the practical and financial obstacles faced in obtaining case documents, and, how do you overcome them?*
- *How do you organise and make sense of case documents?*
- *How do you analyse, and, fully utilise the case documents and evidence in your*



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possession, such as, pathologists' reports; witness statements; schedule of unused evidence; and trial judges' summing ups?

- *Why is confidentiality important; and, what are the best practices to ensure compliance with data protection/confidentiality requirements?*

Group 2: Building a workable relationship with the client and his/her family; confidentiality; working with supervising lawyers; prison visits

- *Importance of fostering a relationship of trust with the client.*
- *What can family members and/or supporters of the client bring, what are the potential difficulties of soliciting information or help from them, and, how do you overcome or manage them?*
- *How do you manage the expectations of the client, families and supporters?*
- *How do you arrange a prison visit? What is the purpose and how do you prepare for a prison visit?*
- *What difficulties may potentially arise when working with the client's lawyer, and how can you overcome them?*

Group 3: Early stages of innocence project development/putting into place foundations/structures/managing student caseworkers (This Group is aimed at those very new to innocence project work; for more established innocence project staff and students to exchange practical ideas on day-to-day aspects)

- *Selection, retention and turnover of student caseworkers*
- *Funds needed/costs involved/fundraising*
- *Physical requirements to comply with client confidentiality and supervisory aspects of casework*
- *What is the role of solicitors/barristers, and, how should you utilise them?*
- *Distinctions between the legal strategies/practices and the innocence project approach.*

3.15 - 4.00 pm:

Session 4: Presentation of Outcomes from Focus Group Discussions

Following the various focus group discussions in the previous session, the respective chair and rapporteur from each focus group will present and share the key outcomes and findings from their group discussions and gain feedback from other student and staff participants of the meeting.

4.45pm- 5.00pm

Session 5: Final Questions & Close of Conference

The aim of this session is to provide an opportunity for participating staff and students to clarify any questions or issues that may be raised from the presentations.



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5.00pm – 6.00pm

Keynote Speaker: drinks and light refreshments

Profile of Keynote speaker, Mark Newby, Director, Historical Abuse Appeal Panel based at Jordans Solicitors LLP

Mark Newby is a solicitor and the director of the Historical Abuse Appeal Panel (HAAP). Launched in September 2003, the HAAP is a national group consisting of solicitors and barristers who specialise in appealing wrongful abuse convictions and defending people falsely accused of abuse.

Recent significant cases include:

R v Ian Lawless [2009] EWCA Crim 1308

Convicted of the Murder of Alfie Wilkins in February 2002, the national media described it as a ‘vigilante murder’ of a suspected paedophile. Mr Wilkins who was not under suspicion died by smoke inhalation following a fire. Conviction was quashed in June 2009 based upon the testimony of Professor of Forensic Psychology Gisli Gudjonsson that Lawless suffered from a personality disorder that rendered his ‘confessions’ unreliable.

Anver Daud Sheikh v The Crown [2006] EWCA Crim 2625

Convicted in 2002 for alleged offences against two boys in his care at a North Yorkshire children's home where he worked as a housemaster. He was jailed for eight years, but his conviction was overturned on appeal and a retrial ordered. He was reconvicted in January 2005, but this too was quashed in October 2006.