



**SPRING MEETING  
and SIGNING OF ATTORNEY  
GENERAL'S PRO BONO  
PROTOCOLS: 15<sup>th</sup> April 2008**

**Arundel House, 13-15 Arundel Street,  
Temple Place  
London WC2R 3DX**

Venue and reception  
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**'Educating to overturn and  
prevent the wrongful conviction  
of innocent people.'**



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INUK Protocols: Model standards for Innocence Project Work

An Innocence Network UK (INUK) document to reflect the Model Standards for Live-Client clinics produced by the Clinical Legal Education Organisation (CLEO)

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Risk Assessment *pro forma* – supplied by Bournemouth University

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INUK End of Year Feedback Form

## Agenda

**(Please see below for details of Agenda items)**

11.00 – 11.30am	<b>Registration</b>
11.30 – 12.45pm	<b>Welcome and round-table report from each of our members.</b>
12.45 – 1.30 pm	<b>Lunch</b>
1.30 – 1.45pm:	<b>“Looking for the Needle in the Haystack”.</b> Update from the International Innocence Network
1.45 – 2.30pm:	<b>Exchange of Ideas for Best Practice.</b>
2.30 – 2.50pm	<b>Time commitment of students and staff; turnaround of students: continuity and mixing year groups</b>
2.50 – 3.10pm:	<b>Relationships with local practitioners</b>
3.10 - 3.30pm	<b>Tea break</b>
3.30 - 3.50pm:	<b>Working with campaign groups and victim support groups.</b>
3.50- 4.15pm	<b>Risk assessment</b>
4.15 – 4.30pm	<b>Casemap and LexisNexis software update.</b>
4.30 - 5.00pm:	<b>Case management update; INUK website and discussion forum; Questions and answers</b>
5 - 6.00pm	<i>Free time</i>
6.00 - 7.00pm	<b>Arrival of the Attorney General, Baroness Scotland, Reception and Signing of Attorney General’s Pro Bono Protocols</b>

## Welcome and Introduction

To: INUK colleagues

From: Michael Naughton and Julie Price

Welcome to the first full Spring meeting of the Innocence Network UK.

We'd like to thank QEB Hollis Whiteman Chambers for sponsoring today's venue, lunch and Reception, and for agreeing to be the INUK's Bar advisors nationally.

We are delighted to be today also celebrating the signing by our organisation of the Attorney General's Pro Bono Protocols, and we consider it significant that Baroness Scotland has kindly agreed to come along to mark this event.

The spirit of today's meeting and Reception is going to be in line with the general ethos of the INUK, i.e. one of informal collaboration, democracy, mutual support and a celebration of all of our achievements to date, both as individual members and as a network.

We hope that everyone will contribute to the meeting, even though a round-table format is impossible, given our size. We have specific aspects of the agenda (please see below) that we are asking different people to address. We have asked some people to lead the discussion on particular items. We hope that those individuals are willing to do that, but understand if they would prefer not to, and of course everyone is welcome to chip in where they wish!

Following suggested agenda items, the plan for the day will be as follows:

11.00 – 11.30am

### **Registration**

11.30 am – 12.45pm: **Welcome and round-table report from each of our members.** Please nominate a student/s to give an outline of where you are now, including (but not limited to): Number and make-up of student caseworkers, number of cases (now, or intended), supervising lawyers, frequency of case meetings, type of investigation, any funding secured or fundraising plans, anything in particular to report on e.g. planned prison visit, witness interviews etc.

Could each project please select one item (however small or undeveloped) that they would like to share with others. This would preferably be something that might be unique to their experience so far, an ethical, practical or media situation that they have learned from, or would do differently if the same situation arose again, or perhaps something they might like to “specialise” in, or how they think they might illustrate

something of local interest to their project that others might not have thought of. This “list” can then form the basis of a discussion for the “**Exchange of Ideas for Best Practice**” session in the afternoon.

12.45 – 1.30 pm

**Lunch**

1.30 – 1.45pm: “**Looking for the Needle in the Haystack**”. Update from the International Innocence Network

1.45 – 2.30: **Exchange of Ideas for Best Practice**. Hopefully, each project can pick up a small tip from colleagues to enhance their own work from this frank and open sharing of ideas. In this session, Colleen Smith from Sheffield Hallam will share her experience of assessing clinical work, and her plans to start an innocence project as an assessed module.

2.30 – 2.50pm: **Time commitment of students and staff; turnaround of students: continuity and mixing year groups** (is there a general consensus of an “optimum” time to be spent weekly on innocence project work; any particular issues with too much/too little time spent by individual students; do students have experience of having to deal with any team members not pulling their weight – what have they learned from any such conflict resolutions?) Leicester University will lead on this. One of the key Leicester students has recently been shortlisted for an Attorney General’s Pro Bono award for leading a student initiative to introduce a general pro bono scheme and an innocence project.

2.50 – 3.10pm: **Relationships with local practitioners** (any examples of optimum timing of meetings, barristers compared to solicitors; legal executives). Bristol will lead on this as having negotiated supervision with a local set of Chambers.

3.10-3.30pm – **Tea break**

3.30- 3.50pm: **Working with campaign groups and victim support groups**. Claire McGourlay from Sheffield will lead on this, as someone who supervises a new innocence project and general pro bono scheme (as well as juggling a heavy teaching load!), both of which are in their very early stages, and who is working with Yorkshire and Humberside Against Injustice, a member of the national group of victim support groups under the banner of United Against Injustice. Cardiff students can contribute their experience of working with South Wales Against Wrongful Convictions.

3.50- 4.15pm: **Risk assessment**. It is hoped that Bournemouth University, as an institution that has recently drafted a risk assessment strategy, will lead on this.



## INUK Spring Meeting 2008

Anyone else willing to speak briefly on the issue of Ethics and Innocence Projects would be most welcome. For example, has anyone direct experience of any ethical issues in relation to casework?

4.15 – 4.30: **Casemap and LexisNexis software update.** Matthew Grant from Lexis Nexis will outline the benefits of the various case management packages available free to INUK members.

4.30 - 5.00pm: **Case management update; INUK website and discussion forum; Questions and answers; a possible INUK student committee?; the INUK End of Year Feedback Form; Training 2008/9 and subsequent years – hosted in member institutions?; The way forward?**

*5-6.00 –Free time*

6.00-7.00pm : **Arrival of Baroness Scotland, Reception and Signing of Attorney General's Pro Bono Protocols**

## **List of INUK Member Innocence Projects 2007-08**

Aberystwyth University Innocence Project

Anglia Ruskin University Innocence Project

Bournemouth University Innocence Project

BPP Law School Innocence Project

Cardiff Law School Innocence Project

Cardiff Nexus Innocence Project

European Law Students Association (ELSA) Innocence Project

Lancaster University Innocence Project

Sheffield Hallam Innocence Project

University of Bristol Innocence Project

University of Cambridge Innocence Project

University of Leicester Innocence Project

University of Sheffield Innocence Project

University of Wales, Bangor Innocence Project

## INUK Spring Meeting Delegate List

*Aberystwyth University Innocence Project*

*Anglia Ruskin University Innocence Project*

*Bournemouth University Innocence Project*

Gbonju Akinyosade

Layla D'Monte

Dani Charnock

Luke Toomey

Sue Warnock

*Bradford University*

Debbie Fitzpatrick

*BPP Law School Innocence Project*

Gianni Vuolo

Simi Patti

Diana Kirsch

*Cardiff Law School Innocence Project*

Julia-Anne Dix

Mario Marini

Sarah Mutter

Julie Price

*Cardiff Nexus Innocence Project*

Darren Kelsey

Paul Mason

Max Pettigrew

European Law Students Association (ELSA) Innocence Project

*Lancaster University Innocence Project*

Richard Mason

Peter Slaney

Kimberley Walley

*Sheffield Hallam Innocence Project*

Colleen Smith

*University of Bristol Innocence Project*



Gabe Tan  
Lindsey Bell  
Michael Naughton  
Amelia Kirby  
Rupert Wheeler

*University of Cambridge Innocence Project*  
YC Mitzi Huang  
Michelle Nadika de Saram

*University of Leicester Innocence Project*  
Christy Burzio  
Aleem Ryan-Roberts  
Stephen Camiss

*University of Sheffield Innocence Project*  
Matthew Hall  
Claire McGoulay  
Paul Macarthy

*University of Wales, Bangor Innocence Project*  
Caroline Roberts  
Sian Taylor

*Portsmouth University*  
Damian Carney



## Attorney-General's Reception and Signing of the Attorney-General's Pro Bono Protocols Attendance List

John Long Assistant Chief  
Constable, Avon and Somerset  
Police  
Robin Knowles QC

Bar Pro Bono Unit

Sir Geoffrey Bindman  
Caroline Roberts  
Sian Taylor  
Gbonju Akinyosade  
Layla D'Monte  
Dani Charnock  
Luke Toomey  
Sue Warnock  
Gianni Vuolo  
Simi Patti  
Diana Kirsch  
Debbie Fitzpatrick  
Michael Naughton  
Gabe Tan  
Lindsey Bell  
Amelia Kirby  
Rupert Wheeler  
Shabaz Paymani  
YC Mitzi Huang  
Michelle Nadika de Saram  
Julie Price  
Julia-Anne Dix  
Mario Marini  
Sarah Mutter  
Darren Kelsey  
Paul Mason  
Max Pettigrew  
Mark Emerton  
Michael Zander QC  
Margaret Gardener  
Allan Bayle  
Ray Tully  
Satish Sekar  
Michael Napier  
Angela Lunn  
*Names to follow*  
*Names to follow*  
*Names to follow*  
Richard Mason  
Peter Slaney

Bindman & Partners  
Bangor University  
Bangor University  
Bournemouth University  
Bournemouth University  
Bournemouth University  
Bournemouth University  
Bournemouth University  
BPP School of Law  
BPP School of Law  
BPP School of Law  
Bradford University  
Bristol University  
Bristol University  
Bristol University  
Bristol University  
Bristol University  
Bristol University  
Cambridge University  
Cambridge University  
Cardiff University Law School  
Cardiff University Law School  
Cardiff University Law School  
Cardiff University Law School  
Cardiff Nexus, Cardiff University  
Cardiff Nexus, Cardiff University  
Cardiff Nexus, Cardiff University  
Commissioner, Criminal Cases Review Commission  
Emeritus Professor, London School of Economics  
False Allegations Support Organisation  
Independent Fingerprint Expert  
Guildhall Chambers, Bristol  
Investigative journalist  
IrwinMitchell.com  
IrwinMitchell.com  
King's College London  
King's College London  
King's College London  
Lancaster University  
Lancaster University



## INUK Spring Meeting 2008

Kimberley Walley	Lancaster University
Martin Curtis	LawWorks
Robert Gill	LawWorks
Stephen Camiss	Leicester University
Christy Burzio	Leicester University
Aleem Ryan-Roberts	Leicester University
Matthew Grant	LexisNexis
Tim Wakefield	
Hazel Keirle	Miscarriages of Justice Organisation (MOJO)
Hannah Wharmby	
Elizabeth Yell	Oxford Institute of Legal Practice
Justin Leslie	Oxford Institute of Legal Practice
Christine Glenn	Chief Executive, Parole Board for England and Wales
Sinead O'Neill	Progressing Prisoners Maintaining Innocence
Rebecca Poulet QC	QEB Hollis Whiteman Chambers
William Boyce QC	QEB Hollis Whiteman Chambers
Mark Ellison	QEB Hollis Whiteman Chambers
Edward Henry	QEB Hollis Whiteman Chambers
Phil Evans	QEB Hollis Whiteman Chambers
Paul Raudnitz	QEB Hollis Whiteman Chambers
Bridget Petherbridge	QEB Hollis Whiteman Chambers
Joanna Warwick	QEB Hollis Whiteman Chambers
Tom Baker	QEB Hollis Whiteman Chambers
Phil Stott	QEB Hollis Whiteman Chambers
Vicky Thompson	QEB Hollis Whiteman Chambers
Martin Secrett	QEB Hollis Whiteman Chambers
Colleen Smith	Sheffield Hallam
Claire McGoulay	Sheffield University
Matthew Hall	Sheffield University
Abigail Pearce Dyke	Sheffield University
Campbell Malone	Stephensons Solicitors
Michael O'Brien	Miscarriage of Justice Survivor
Damian Carney	Portsmouth University

## ***Appendix 1: Attorney-General's Pro Bono Protocols***

### **JOINT PROTOCOL FOR PRO BONO LEGAL WORK**

At all stages throughout their career many lawyers regard Pro Bono Legal Work as an integral part of being a member of the legal profession, in providing access to justice and meeting unmet legal need. This Protocol has been agreed to set out the core values of such work and to assist both those who undertake it and their clients. Many lawyers undertake charitable work of many different kinds. However, the purpose of this protocol is to concentrate specifically on the provision by lawyers of their legal skills in the form of Pro Bono Legal Work.

#### ***1 What is Pro Bono Legal Work?***

1.1 When we refer to Pro Bono Legal Work we mean legal advice or representation provided by lawyers to individuals and community groups who cannot afford to pay for that advice or representation and where public funding is not available.

1.2 Legal work is Pro Bono Legal Work only if it is free to the client, without payment to the lawyer or law firm (regardless of the outcome) and provided voluntarily either by the lawyer or his or her firm.

1.3 Pro Bono Legal Work is always only an adjunct to, and not a substitute for, a proper system of publicly funded legal services.

#### ***2 How should Pro Bono Legal Work be done?***

2.1 Pro Bono Legal Work should always be done to a high standard. That means in particular that:

2.2 The availability of appropriate publicly funded legal advice or representation should always be considered before a lawyer undertakes Pro Bono Legal Work.

2.3 When a lawyer is requested to agree to undertake a piece of Pro Bono Legal Work the lawyer should give his/her decision within a reasonable time.

2.4 The terms on which the Pro Bono Legal Work is undertaken including the circumstances in which the relationship may be terminated should be made clear at the outset.

2.5 The Pro Bono Legal Work should only be undertaken by a lawyer who is adequately trained, has appropriate skills and experience and, where necessary, is adequately supervised for the work in question.

2.6 The lawyer undertaking a piece of Pro Bono Legal Work (and where appropriate his or her supervisor) should have no less than the minimum level of legal expertise and experience as would be required if the particular work in question was paid work.

2.7 In no case should the client be misled as to the lawyer's skill or ability to undertake the Pro Bono Legal Work.

2.8 Once a lawyer has agreed to undertake a piece of Pro Bono Legal Work the lawyer (and if appropriate his or her firm) must give that work the same priority, attention and care as would apply to paid work.

2.9 Pro Bono Legal Work must not be undertaken without appropriate insurance.

2.10 A lawyer in doubt or difficulty in relation to a piece of Pro Bono Legal Work should seek advice from a Pro Bono organisation or from the Bar Council, the Law Society or the Institute of Legal Executives.

### **Ancillary Provisions**

#### **1 RELATIONSHIPS BETWEEN PRO BONO ORGANISATIONS AND LAWYERS**

1.1 Where practical, lawyers able to undertake pro bono work are encouraged to do so through a pro bono organisation, through the not-for-profit sector, or through both.

1.2 Pro Bono Legal Work will be more effectively delivered through co-ordinating the relationships between lawyers, pro bono organisations, and not-for-profit agencies such as Law Centres and CABx.

1.3 When a lawyer is asked by a pro bono organisation or not-for-profit agency to undertake a particular piece of Pro Bono Legal Work, the lawyer is expected to have proper regard to any prior confirmation given to the pro bono organisation or not-for-profit agency that the lawyer was prepared to undertake Pro Bono Legal Work.

1.4 Sets of chambers, law firms and legal departments should, wherever possible, seek to encourage and support the undertaking of appropriate Pro Bono Legal Work by their lawyers, including the undertaking of that work "in-house".

#### **2 THE CONTRIBUTION OF PERSONS WHO ARE NOT FULLY QUALIFIED, OR WHO ARE OTHERWISE UNABLE, TO DO PRO BONO LEGAL WORK**

2.1 Non-lawyer staff within a set of chambers or a firm should be enabled to make the same contribution to the undertaking of a piece of Pro Bono Legal Work as they would for a piece of paid work.

2.2 Law students, pupil barristers and trainee solicitors have an important contribution to make to Pro Bono Legal Work. However that contribution must be properly supervised and must be preceded by proper training.

2.3 Where suitably qualified and experienced, academic lawyers and employed lawyers are particularly encouraged to consider providing training to others to enable them to undertake Pro Bono Legal Work if they are not able themselves to provide legal advice or representation. The provision of pro bono legal training without charge is an important contribution to Pro Bono Legal Work.

**3. PARTICIPATION IN PRO BONO LEGAL WORK AS A CHARACTERISTIC OF BEING A MEMBER OF THE LEGAL PROFESSION**

3.1 A commitment to the delivery of Pro Bono Legal Work is encouraged throughout a lawyer's professional life, as a student and in practice, through to and including retirement.

## *Appendix 2: INUK Protocols*



### **Model Standards for Innocence Project work**

**An Innocence Network UK (INUK) document to  
reflect the Model Standards for Live-Client clinics  
produced by the Clinical Legal Education  
Organisation (CLEO)**

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## Preamble

*The emerging “innocence movement” within UK universities is still at an early stage, although the concept as a valid clinical legal education method is well established in the USA, Canada and Australia.*

Recent media coverage (for example BBC Rough Justice and a BBC drama, The Innocence Project) has ensured that the concept is likely to remain in the public domain and to flourish.

The Innocence Network UK (INUK) – <http://www.innocencenetwork.org.uk> - is the co-ordinating organisation for member Innocence Projects based in UK universities. Launched in September 2004, the INUK is a university-based initiative, which draws collaborative support from all parts of the miscarriages of justice jigsaw - academics, criminal appeal lawyers, victim support groups and campaigning organisations, forensic scientists and investigative journalists.

The INUK works towards ‘Educating to overturn and prevent the wrongful conviction of innocent people’, with its core being EDUCATION as a means of endeavouring to influence practical changes to the criminal justice system in this pressing area of public concern. The INUK is NOT a campaign organisation or victim support group.

The INUK has three core aims

1. **Educate:** to encourage and support the creation and subsequent running of member innocence projects in UK universities.
2. **Research:** to conduct and facilitate research into, among other related things, the causes of the wrongful conviction of the innocent; the barriers to attempts to overturn these convictions in the Court of Appeal or by application to the CCRC; and the associated harmful consequences of wrongful conviction on victims, their families, friends and society as a whole.
3. **Communicate:** to inform public debates about the wrongful conviction and imprisonment of innocent people, the INUK will communicate findings from the activities of member innocence projects and research, with the objective of improving the criminal justice system and preventing future wrongful convictions.

The INUK is committed to the retention of criminal legal aid and considers its activities to be a supplement to, and not a substitute for, the work of the practising legal profession.

The INUK is committed to its objectives being primarily educational. It acknowledges that there may be a tension between educational objectives and crude measures and raw statistics on cases eventually overturned. It is committed to managing the expectations of students, clients and the general public in this respect. The INUK

seeks its ultimate measure of success to be the education and increased awareness of future lawyers, policy-makers and reporters in this difficult area of balancing social concerns.

These protocols have been drafted to reflect and expand upon the Model Standards for Live-Client Clinics finalised by the Clinical Legal Education Organisation (CLEO) in 2007. They have been put to member innocence projects and to key CLEO contacts for consultation and are intended to be good practice for innocence project work. The INUK will encourage these protocols to be periodically revisited and revised as necessary as the innocence movement further develops within the UK.

The INUK recognises that innocence project work might not be considered as pure “clinical legal education”, and that it might be more appropriately considered under the banner of pro bono and/or Personal Development Planning (PDP) activity. However, the INUK views live-client work in its myriad forms as desirable, provided minimum standards are maintained for the protection of all involved.

The INUK welcomes the diversity of ways in which innocence project work might be undertaken and would not wish to try to impose set ways or procedures on member projects, instead preferring to share ideas of best practice with and between its members, for the greater benefit of student education and public interest.

In conclusion, these innocence project protocols mirror those of CLEO where appropriate, and expand upon them in situations unique to innocence project work.

Postscript to Preamble:

The International Innocence Network ([innocencenetwork.org](http://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. Educational objectives

This section is based on the premise that the educational value of any unit (clinic or otherwise) needs to be clearly identified. This is necessary so that clients, staff and students understand what the unit is attempting to achieve and what is required of participants in the conduct of that unit.

The broad aims of innocence projects are to develop and enhance the students' learning experience and understanding of:

- 1.1 the criminal justice and appeals process
- 1.2 the issues relating to miscarriages of justice and the wrongful conviction of the innocent
- 1.3 professional responsibility and ethics
- 1.4 legal and transferable skills
- 1.5 the social and legal causes and consequences of miscarriages of justice and wrongful convictions

## 2. INUK's overarching case eligibility criteria

INUK and its member innocence projects share an underpinning concern with the wrongful conviction of innocent individuals. In this light, only cases where clients are maintaining 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:

- 2.1 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

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 (e.g. Mark Day, convicted with a co-accused he did not even know);

- 2.2 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

2.3 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.

### **3. Allocation of cases**

All applications are entered onto the INUK central bank of cases, whether they are eligible or ineligible. However, only eligible cases will be allocated for member projects to choose from (see also, section 7.2).

INUK considers that, ideally, although not always possible, individual member innocence projects take on cases where the crime was committed in their geographical area (town, city, county, region). This facilitates case investigation, minimising the need for student caseworkers to travel long distances when investigating cases. Alternatively, innocence projects may wish to work with prisoners maintaining innocence in their local prison to allow easy access to the prisoner.

INUK also notes that whilst cases are taken for educational purposes, 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 were obtained only on the evidence of low-copy number DNA which was said to undermine other forms of defence evidence.

### **4. Withdrawal from cases**

Innocence projects have the right to withdraw from cases where (upon further investigation) it is found that the client falls into one of the categories of non-innocence in the typology of prisoners maintaining innocence (see Appendix A).

In such circumstances, clients will be appropriately informed of their legal culpability with reference to relevant statutes and case law to help them understand their legal guilt in relation to the crime they were convicted of.

Any intention to withdraw from cases must be communicated to the INUK, outlining the reasons.

Where a member project withdraws from a case, the INUK and/or its relevant member project will endeavour to arrange continued legal representation for the client where appropriate and practicable.

## 5. Supervision

Staff contacts at member projects should ensure that there is appropriate staffing to meet the minimum standards as set out below:

- 5.1 all innocence projects should be supervised by a university member of staff. The supervisor need not be competent and experienced in both the substantive law and practice of the subject matters, because ultimately a practising solicitor or barrister under a pro bono scheme will normally have responsibility for the case
- 5.2 a person or persons should be named as supervisor(s)/director(s) of the innocence project and that person should be the nominated INUK contact
- 5.3 it is not anticipated that innocence projects will hold themselves out as solicitors' practices unless that particular project has adequate legal qualifications, experience and competence to provide legal services or representation. Instead, supervision and guidance of innocence projects will normally be provided by local practising solicitors or barristers working pro bono.
- 5.4 supervision includes not only monitoring the activities of innocence project students but also includes client records, case reports, correspondence (in and out), students' critical reflective diaries (where appropriate) and the general conduct of the office and its student members.
- 5.5 due to the nature of such work, innocence projects will not have drop-in sessions
- 5.6 most innocence projects operate only during term-time. Where cases are running during university vacation periods, a professional standard of management and supervision is still required.

## 6. Stationery and publicity

Innocence projects that have formally signed up as members of INUK will be listed on the INUK website.

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

## 7. Basic client care

- 7.1 Obtaining cases

The INUK recognises that potential clients will contact innocence projects seeking assistance. Given the huge demand for assistance and the early stages of the innocence projects movement, INUK acknowledges that there are potentially several problems arising from the early stages of innocence projects obtaining cases. If there is no basic central record or means of different projects checking whether other projects have been involved with a potential client, there might be:

- 7.1.1 an inefficient use of resources of each institution by repeating work done by other projects which might ultimately be on cases which prove to be unworkable for a variety of reasons
  - 7.1.2 more than one institution working on a single case, leading to confusion for the client, a conflict of interest between pro bono solicitors, and a potentially negative impact on the credibility of the innocence projects venture
  - 7.1.3 different messages being sent to the same client to the potential detriment of one of the individual innocence projects, the client, or to the innocence projects movement generally
  - 7.1.4 additionally, if each innocence project advertised for clients, experience has shown that the responses will be proportionately far greater than any one innocence project could possibly accommodate. This would lead to expectations of potential clients being unfairly raised and would generate the need for that institution to respond to a large number of requests, which in itself might be a resource better used elsewhere
- 7.2 INUK central bank of cases
- 7.2.1 innocence projects are encouraged to obtain cases from a central bank of cases administered by the INUK. The INUK will establish and maintain in accordance with data protection requirements a computer management system to record basic details of potential clients contacting the INUK
  - 7.2.2 INUK will also encourage its projects to refer new direct enquiries to the central INUK database so that a comprehensive efficient system can be established for the benefit of member projects and potential clients

### 7.3 Initial instructions and basic client care

Innocence projects must act in the best interests of the client within the scope of the service that is provided by the project. On the basis that initial clients will be obtained from the INUK central bank of cases, the following protocols will apply:

- 7.3.1 as soon as possible after receipt of initial paperwork from the INUK central

bank of cases, a standard client care letter should be sent to every client stating in

clear and unambiguous language where relevant:

- 7.3.1.2 that the client has been referred by the INUK
- 7.3.1.3 that there may be insufficient information at present to be able to confirm whether the innocence project can be of assistance and requesting further information and a declaration of factual innocence (if not already on the file)
- 7.3.1.4 requesting clarification of the position regarding any current legal representation and the stage which any application to the Criminal Cases Review Commission (CCRC) has reached
- 7.3.1.5 explaining that innocence projects might be viewed as offering extra pairs of hands where there is no legal representation or where legal aid or existing pro bono arrangements do not cover additional investigative, preparatory or research work required, and where all parties agree to the involvement of an innocence project
- 7.3.1.6 that innocence projects do not give legal advice and any legal advice is ultimately given by the supervising solicitor or barrister working pro bono
- 7.3.1.7 informing the client at the outset (and reminding as necessary) that there may be several changes of caseworkers throughout the duration of their cases (especially if predicted that the case will run for several years) but that continuity will be provided by the staff and supervisor and other legal professionals involved, and that systems are in place internally for introducing and familiarising new student caseworkers with existing cases
- 7.3.1.8 any other general introductory elements required by each institution including matters relating to confidentiality, limitations or conditions on service, confirmation that students provide the service under supervision, information as to who is handling and supervising the matter, complaints procedure
- 7.3.2 INUK recognises that there may be initial investigative and research work needed before an innocence project can ascertain whether a case is capable of becoming a viable one. In those circumstances, general client care elements may follow only after the project is sure that it can accept instructions to consider a case in a more detailed and constructive way
- 7.3.3 INUK recognises that keeping the client fully and regularly informed is best practice in all cases
- 7.3.4 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 the supervising solicitor/barrister by way of update, ideally at least once a month during semester time, and in any event shortly before, and soon after, any vacation period



- 7.3.5 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

## **8. Insurance**

Each institution should be insured in respect of innocence project activity. 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 unless they operate as solicitors' practices.

## **9. Confidentiality**

Staff and students must be aware of the need for adviser/client confidentiality. To this end:

- 9.1 the room(s) and facilities used by the innocence project must ensure that the clients' case details remain confidential to the innocence project
- 9.2 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
- 9.3 all case records, both current and completed, must comply with data protection laws, for example, be securely stored and accessible only by supervisors and student caseworkers
- 9.4 as regards induction training, all supervisors 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 solicitors and prisoners, 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
- 9.5 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
- 9.6 personal telephones, including mobiles, should not be used for contacting clients or clients' representatives

- 9.6 INUK recommends that student caseworkers should not disclose personal details including contacts in correspondence with clients or clients' representatives. Instead identification by first name only is recommended.
- 9.7 as regards correspondence with prisoners, INUK is in the process of endeavouring to negotiate an extension of Rule 39a (legal correspondence) so that it should apply to correspondence between innocence projects and prisoners. Until this extension is achieved, INUK recommends that if letters contain confidential information they should be sent via the supervising solicitor to maintain for the client the benefits of confidentiality under Rule 39a
- 9.8 all publicity, discussion, assessment and supervision of innocence project work must ensure compliance with the overriding principle of confidentiality
- 9.9 facilities for the proper destruction and disposal of confidential waste must be set up
- 9.10 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
- 9.11 INUK's position on media enquiries is to decline to discuss details of particular cases unless/until a case is overturned as a result of innocence project involvement, or to simply confirm if/when asked that a case is under investigation if that is the case, but this must be done in liaison with the supervising solicitor and with the clients' permission
- 9.12 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 and supervising lawyer

### **10. Ethics**

Supervisors and students must be aware of the profession's expectations and requirements so far as the ethical issues are concerned. This should be addressed by each institution's own requirements which clearly set out ethical issues and guidelines for best practice

Ethical issues should include consideration of attitudes, behaviour, character and values and supervisors and students should be able to:

- 10.1 behave appropriately and with integrity in a range of situations
- 10.2 deal sensitively and effectively with clients, colleagues and others from a range of social, economic and ethnic backgrounds, identify positively and

appropriately the issues of culture and disability which may affect communication techniques and influence a client's objectives

- 10.3 communicate effectively with clients, colleagues and members of the professions
- 10.4 recognise and address ethical dilemmas, particularly in circumstances where the innocence project has to withdraw from cases that are deemed inappropriate for further involvement of the project

Any or all of these could be conceived as 'learning outcomes' (see, section 15)

## **11. Student welfare and risk assessment**

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

### 11.1 Vulnerability of clients and student sensitivity

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.

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

### 11.2 Managing students' workload

If an innocence project is an extra-curricular venture aimed at supplementing and enriching students' learning experience at a university level (delivered as pro bono or Personal Development Planning as opposed to assessed clinic), INUK recommends the following guidance for managing and balancing student workloads:

- 11.2.1 an official (but flexible) number of hours that students should allocate to innocence project related activities (e.g. 4-6 hours a week)
- 11.2.2 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 supervisor

### 11.3 Safety of student caseworkers

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

- 11.3.1 staff 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)

- 11.3.2 student caseworkers should not disclose personal details including contacts in correspondence with clients or clients' representatives

## **12. Student feedback**

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.

It is the responsibility of each institution to allocate appropriate personnel (e.g. a Project Manager) to receive such feedback from students and address them accordingly.

## **13. A professional standard of service**

The INUK expects its member innocence projects to deliver a professional standard of service and to share best practice ideas with INUK and its members, and to raise with the INUK management any issues encountered that may affect the development and/or credibility of innocence projects with clients, the practising legal profession and the public generally

## **14. Conflict of interest**

Supervisors and students must be aware of the professional rules relating to conflict of interest and must be able to recognise both actual and potential conflicts and act accordingly. This issue should be addressed by the supervising solicitor and each institution's own requirements.

## **15. Learning outcomes**

Learning outcomes may be specified in addition to more generic aims and/or objectives. These can be identified through an assessment of competences that students are expected to demonstrate by the completion of the unit. Learning outcomes, by definition, involve no explicit requirements as regards the process by which they are to be achieved.

## **16. Assessment**

Assessment is not expected to be relevant for the immediate future for most innocence projects. However, the INUK will support initiatives within its member innocence projects exploring the viability of innocence project work as formal assessed modules or other less formal methods of assessment.

INUK makes no specific recommendations as to form or content of assessment in innocence projects but suggests that those institutions concerned may want to utilise Critical Reflective Diaries to assess student performance in accordance with the Personal Development Planning ethos within higher education establishments.

## **17. Integration**

Whilst innocence projects have pedagogic aims that can enhance and supplement the education of student caseworkers, INUK does not envisage that innocence projects can easily become integrated within a course of study in the immediate future.

However, INUK acknowledges that some individual innocence projects may wish to pursue this option and will welcome and facilitate general discussion on this topic as the innocence movement expands.

While INUK recognises that it is important that clinical programmes complement, and are complemented by, the rest of the course of study taken, it is of the view that this should not be an impediment to an institution wishing to start an innocence project.

## **18. Operational practice**

INUK recognises that, given pressure of resources, each institution will need to put in place its own operational plans for administrative and supervisory support that reflect their own operational practices.

A number of INUK's essential (or minimum) standards are suggested in earlier and following sections.

## **19. Supervision of student casework**

- 19.1 all incoming and outgoing mail must be seen by the innocence project (staff) supervisor, particularly to ensure that any client queries are not overlooked, that legal advice is not inadvertently given and/or that inappropriate representations are not made
- 19.2 no contact is to be made with clients/representatives/lawyers/witnesses except with the permission of the staff supervisor or supervising practising lawyer
- 19.3 adequate provision is to be made for dealing with client contact during vacation and examination times
- 19.4 adequate provision is to be made for student personal safety at all times
- 19.5 adequate provision is to be made to ensure that students comply with client confidentiality and data protection requirements

## **20. Safekeeping and maintenance of files and records**

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

- 20.1 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 client's file (or a general file if a client's file has not yet been opened) in chronological order and tagged. A pro forma receipt should be used to record the receipt of original documents from the client. Where possible, all original documents should be copied and the originals returned to the client as soon as possible
- 20.2 all correspondence sent and received by the project should be kept in chronological order and tagged on the appropriate file
- 20.3 no client's file or documents should be removed without express permission from the innocence project supervisor, and should be logged or recorded if removed
- 20.4 copies of all court documents, clients' documents, experts' reports, legal aid papers and other relevant materials excluding correspondence, should be kept on the appropriate file in document wallets and labelled with details of contents

## **21. Premises and equipment**

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:

### **21.1 Premises**

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

### **21.2 Equipment**

An innocence project should have:

- 21.2.1 facilities for the secure storage of files and records
- 21.2.2 facilities for secure destruction of files and records

- 21.2.3 desk and chairs
- 21.2.4 computer(s) and networking
- 21.2.5 email access
- 21.2.6 workable and efficient arrangements for the payment of expenses, for example, travelling expenses, court documents and postage
- 21.2.7 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 professional standards, the protocols and duties. This should be given or readily available to all project staff and students and updated/reviewed annually

### **22. Funding**

INUK acknowledges that if member innocence projects are newly set up (less than a year or so), a stable source of funding may not be immediately available.

INUK recommends that all innocence projects should seek at the minimum:

- 22.1 dedicated funding underwritten by the institution (hard money) sufficient for the completion of the period over which the innocence project is to operate
- 22.2 a contingency fund be earmarked to enable unforeseen expenditure to be met

### **23. Student activity**

- 23.1 each institution should conduct an induction programme compulsory for all students, which covers the operational practice of the project
- 23.2 all students should agree in writing to the terms of the innocence project's practice. To this end, a contract setting out the expectations of the innocence project and its students should be used
- 23.3 whilst INUK acknowledges that weekly meetings of supervisor and students will not always be possible or necessary, INUK recommends that there should be routine meetings or communication between the supervisor and students to review case progress
- 23.4 INUK recommends that there will always be a minimum of four student caseworkers on each case (including a case manager/leader), and that often there will be six, eight or more, depending on the complexity of the case and volume of paperwork

## **24. Training**

- 24.1 INUK offers the annual INUK National Training Programme for Innocence Projects at the start of each academic year, hosted, ideally, by a different member institution, to be reviewed year on year resulting from feedback from member projects
- 24.2 it is recommended that all innocence project students should attend the INUK training programme, which is compulsory for all those taking on the role as case manager/leader
- 24.3 aside from that, each institution will assess its own additional training needs and should build into their programmes mechanisms to support and build on the experiential learning of the live client work

## **25. Referrals**

INUK requires that approaches to individual institutions from potential clients/contacts are passed on to INUK for the purpose of endeavouring to maintain a comprehensive national database. INUK will make appropriate suggestions for referral to support agencies, or arrange for a standard questionnaire to be sent to enquirers for completion and initial assessment of eligibility for a member innocence project. If relevant, the individual member project should indicate that it wishes to take the case for initial review if it meets initial INUK case eligibility criteria.

## **26. Management**

Each institution will need to devise its own management strategies/plans that reflect their own operational practices.

INUK recommends that at the minimum:

- 26.1 overall management of the project will be maintained by the innocence project supervisor
- 26.2 management will ensure that student involvement in the innocence project meets any stated learning outcomes and complies with university/departmental regulations concerning teaching, learning and assessment and compliance with professional requirements of regulatory bodies
- 26.3 ahead of the annual INUK meeting, the supervisors will complete the pro forma annual report summarising activity and progress to date on each case

## **27. Relationship with the legal profession**



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.

The role of innocence projects is to supplement and complement the work done by the practising legal profession, often pro bono, and to offer practical assistance where all parties agree to the involvement of an innocence project in a case.

INUK acknowledges that the working relationship with the legal profession may change over time with new developments. INUK is committed to discussion with the Bar Council, the Bar Pro Bono Unit, the Law Society, LawWorks and the Institute of Legal Executives about formal working partnerships at national level between all branches of the legal profession and member innocence projects. INUK will routinely review its protocols to reflect its current working arrangements with the legal profession.

## **28. Relationship with the Criminal Cases Review Commission (CCRC)**

INUK does not make CCRC applications on behalf of individual innocence project clients. These should be made (when appropriate) by individual projects and their respective supervising lawyer.

INUK, however, will seek to provide suggestions and advice on how to make a good CCRC application based on the past experiences of member innocence projects and knowledge drawn from communications with the CCRC.

## **29. Other more specific casework protocols**

### **29.1 Prison visits**

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

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.

### **29.2 Interviewing potential and previous witnesses**

INUK recognises that serious problems of varying sorts can ensue if students are exposed to interviewing witnesses without full and appropriate supervision and guidance from the supervising solicitor or barrister. No student may be permitted to contact previous or potential witnesses without the express prior written permission of the supervising solicitor or barrister, which permission should include clear guidance on the objectives and limitations of such interviews.

### **30. Review of clinical procedures**

#### 30.1 Annual report

Each project shall prepare for the INUK a pro-forma annual report, suitably anonymised if relevant, summarising activity and progress to date on each case.

#### 30.2 Annual INUK meeting for members

INUK shall arrange annually (normally in the Spring) a business meeting for project staff supervisors and key students, at which issues arising from annual reports, general innocence project activity, and current and future INUK plans will be discussed.

## 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.<sup>1</sup>

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, with the hope that they can eventually be overturned by the Court of Appeal.

*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*

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<sup>1</sup> 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.

## ***Appendix 3: Risk Assessment pro forma – Bournemouth University***

### **General Risk Assessment Form**

Before completing this form, please read the associated guidance on '1: Health & Safety/Public/Risk Assessment/[Guidance](#).

Use this form for all risks except from hazardous substances, manual handling & Display Screen Equipment (specific forms are available for these).

If the risk is deemed to be 'trivial' there is no need to formally risk assess.

All completed forms must give details of the person completing the assessment.

Risk assess the activity with its present controls (if any) -then re-assess if action is to be taken and after further controls are put in place.

The completed form should be kept within the School/Service/Department.

<p>1. Describe the Activity being Risk Assessed: Innocence Project</p>
<p>2. Location(s): On and off campus</p> <ul style="list-style-type: none"> <li>• Solicitors Office</li> <li>• BU Campus Office</li> <li>• Meeting Rooms at Bournemouth University (BU)</li> </ul>
<p>3. Persons at potential Risk (e.g. Specific Staff only, General Staff, Students, Public etc):</p> <ul style="list-style-type: none"> <li>• Students Consider Relative ability &amp; Maturity</li> <li>• Staff nominated contact</li> <li>• Lawyer</li> <li>• BuSu Reps</li> </ul>
<p>4. Potential Hazards i.e. <u>What Could Happen?</u> (NB: List hazards without considering any existing controls):</p> <ul style="list-style-type: none"> <li>• The convicted person ('client') could pose a threat to student and/or staff safety / security / wellbeing</li> <li>• The activity could be stressful or traumatic (crime scene photos, etc)</li> <li>• Interviews</li> <li>• Working individually</li> </ul>
<p>5. Control Measures Already In Place:</p> <ul style="list-style-type: none"> <li>• Regular meetings with Academic Staff Representative</li> <li>• Always identify what the client was convicted of</li> <li>• All interviews/meetings with client to take place at solicitor's office during normal office hours</li> <li>• No disclosure of home addresses, personal telephone numbers or email addresses by students or BU staff</li> <li>• Emotional support through teamwork and departmental supervision</li> <li>• Room Controls by BU</li> <li>• Stress Management &amp; training</li> <li>• Students work in small groups 2/3 with client</li> <li>• Debriefing</li> <li>• Counselling support</li> </ul>

6. Standards to be Achieved: (ACOPs, Qualifications, Regulations, Industry Guides, Suppliers instructions etc) N/A				
7. Are the risks adequately controlled (bearing in mind 4. & 5.)? <b>Write 'Yes' or 'No':</b>  If <b>Yes</b> , Step 8: <b>Ensure that those affected are informed of the Risks and Controls:</b> Confirm how you have done this (e.g. written instructions to all involved. Via Committee and general meetings and copies available in I P Office).  Then, complete boxes below and the assessment is finished until the review date(s):				
9. Person(s) Who did Assessment:	Sue Warnock	10. Date:	11. Review Date:	3 mths
12. Checked By:	H S coordinator	13. Date:	14. Review Date:	
If <b>No</b> (to Q7) go to next section and estimate 'Residual Risk'.				
Estimating the Residual Risk: 15. Choose a category that best describes the degree of harm which could result from the hazard, then choose a category indicating what the likelihood is that a person(s) could be harmed. Check only <b>ONE</b> box within the table which matches both of your choices.				
Degree of harm likelihood	<b>Slightly Harmful</b> (e.g. minor injuries such as minor cuts/bruises not always requiring first aid)	<b>Harmful</b> (e.g. serious but short-term injuries such as broken bones or curable disease)	<b>Extremely Harmful</b> (e.g. would cause fatality, major long-term injuries or incurable disease)	
<b>Highly Unlikely</b>	Trivial Risk <input type="checkbox"/>	Tolerable Risk <input type="checkbox"/>	Moderate Risk <input type="checkbox"/>	
<b>Unlikely</b>	Tolerable Risk <input type="checkbox"/>	Moderate Risk <input type="checkbox"/>	Substantial Risk <input type="checkbox"/>	
<b>Likely</b>	Moderate Risk <input type="checkbox"/>	Substantial Risk <input type="checkbox"/>	Intolerable Risk <input type="checkbox"/>	
16. Then note the advice below on suggested action and timescale				
<b>Residual Risk Level</b>	<b>Action and Timescale</b>			
Trivial Risk <input type="checkbox"/>	No action is required and no documentary records need to be kept.			
Tolerable Risk <input type="checkbox"/>	No additional controls are required. Consideration may be given to a more cost-effective solution or improvement that imposes no additional cost burden. Monitoring is required to ensure that the controls are maintained			
Moderate Risk <input type="checkbox"/>	Efforts should be made to reduce the risk, but the costs of prevention should be carefully measured and limited. Risks reduction measures should be implemented within a defined period. Where the moderate risk is associated with extremely harmful consequences, further assessment may be necessary to establish more precisely the likelihood of harm as a basis for determining the need for improved control measures.			
Substantial Risk <input type="checkbox"/>	Work should not be started until the risk has been reduced. Considerable resources may have to be allocated to reduce the risk. Where the risk involves work in progress, urgent action should be taken.			
Intolerable Risk <input type="checkbox"/>	Work should not be started or continued until the risk has been reduced. If it is not possible to reduce the risk even with unlimited			

	resources, work has to remain prohibited.
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17. If 'Moderate' 'Substantial' or 'Intolerable': What New Control Measures are to be Considered to reduce risk?	18. Referred to:	19. On Date:
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20. Ensure those affected are informed of the Risks & Controls  
 Confirm how you have done this e.g. written instructions:

21. Person(s) Who did Assessment:		22. Date:		23. Review Date:	
24. Checked By:		25. Date:		26. Review Date:	

*Appendix 4: INUK End of Year Feedback Form*



**End of Year Feedback Form**

ABOUT YOUR INNOCENCE PROJECT			
<b>Date:</b>	<b>Name of your Innocence Project:</b>		
<b>Number of Members:</b>		<b>Number of cases you are working on:</b>	
<b>Contact email address:</b>			

ABOUT YOUR CASES	
<b>Name of case:</b>	
<b>Date started:</b>	
<b>Brief outline of the case:</b> (e.g. what offence was the client convicted for, length of sentence remaining)	
<b>What work have you done on this case?</b>	
<b>What do you intend to do next?</b>	

<b>Name of case:</b>	
<b>Date started:</b>	



<p><b>Brief outline of the case:</b> (e.g. what offence was the client convicted for, length of sentence remaining)</p>	
<p><b>What work have you done on this case?</b></p>	
<p><b>What do you intend to do next?</b></p>	

<p><b>Name of case:</b></p>	
<p><b>Date started:</b></p>	
<p><b>Brief outline of the case:</b> (e.g. what offence was the client convicted for, length of sentence remaining)</p>	
<p><b>What work have you done on this case?</b></p>	
<p><b>What do you intend to do next?</b></p>	

(TO ADD INFORMATION ABOUT OTHER CASES, PLEASE ATTACH INFORMATION ON A SEPARATE SHEET)



**Have you encountered any problems during your Innocence Project work?**

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**Is there anything you think could be improved upon or that INUK should know?**

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**Any other comments or suggestions?**

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