

Guidance for new applicants seeking casework assistance by the Innocence Project London

About us

The Innocence Project London, at the School of Law University of Greenwich is a pro bono clinic with the purpose of conducting thorough investigations into alleged wrongful convictions. A small team of students, supervised by an academic Director, work on cases involving people who have maintained their factual innocence.

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 undertake desktop investigations, going through witness statements, forensic reports and legal research. They learn to draft submissions to legal bodies as well as application to the Criminal Cases Review Commission (CCRC), the statutory body that reviews alleged miscarriages of justice. When necessary they can experience fieldwork investigations including prison visits, interviewing witnesses and working with lawyers, forensic scientists and other experts. They also learn the importance of establishing and maintaining good client relationships. The Innocence Project London aspires to promote awareness and a greater understanding of miscarriages of justice amongst students at the University, as well as within the wider community.

It is crucial to point out that innocence projects do not act as solicitors' firms and do not give legal advice. In addition, innocence projects do not have the powers of investigation that statutory bodies such as the CCRC possess. As a result, innocence projects are often unable to access and/or obtain confidential or sensitive information such as medical records, police log books and diaries and information contained in the police's HOLMES database.

Eligibility Criteria

For your case to be eligible for further investigation by an innocence project, you must fulfil **all** of the following criteria:

- i) **You must be claiming to be factually innocent of the crime you have been convicted of. We will only assist in cases where an individual is claiming to have absolutely no involvement in the crime at all, including claims that no crime has occurred at all (e.g. where deaths are accidental or resultant of natural causes as opposed to criminal homicides).**

We **do not** assist in the following types of cases:

- Sentencing issues
- Claims of partial defence such as diminished responsibility
- Claims of partial innocence i.e. where an individual is maintaining innocence of the offence he/she is convicted of but admits legal culpability for one or more lesser offences (e.g. claim that murder conviction should have been conviction for manslaughter or GBH).

- Claims of self-defence
- ii) **You have exhausted the normal appeals process (i.e. you have had a first appeal or applied for leave to appeal against your conviction which was unsuccessful); or, your solicitors had advised that no grounds of appeal can be found.**
- iii) **Your case is not currently under review by the Criminal Cases Review Commission**

Please note fulfilling the above eligibility criteria does not guarantee that your case will be accepted by the Innocence Project London. We will also consider the merits of the case, overall strength of the evidence that led to the conviction, and whether there are viable lines of enquiry we can investigate during the eligibility assessment process.

For practical reasons, we also tend to prioritise cases involving prisoners convicted of serious criminal offences and with long-term prison sentences remaining.

How long will the preliminary case assessment process take?

We will seek to undertake preliminary assessment on your case between 6-8 weeks from the date of receipt of your Preliminary Questionnaire. A letter will be sent to you stating our decision and preliminary views on your case. Alternatively, we might request for further documentation and/or ask that you clarify certain questions before we confirm whether or not we are able to assist.

If my case is accepted how long do I have to wait before students start working on it?

Once accepted a group of law students will be allocated to work on your case during term time (September to December and January – April). We will communicate with you when we start the process and also throughout our investigations so you know what work is being undertaken.

Do I need a solicitor?

It has to be stressed that whilst all investigative work done by the Innocence Project London is done on a pro bono (free of charge) basis, we are not a replacement for legal aid.

If an applicant does not have legal representation, the Innocence Project London is under no obligation to find a supervising lawyer to provide legal advice and make representations on behalf of the 'client' where necessary.

Where an applicant already has legal representation, the Innocence Project London will work with the applicants solicitor, so they can assist with the case investigation.

Privileged correspondence

Please note that the Innocence Project London **DOES NOT** currently formally have the cover of Rule 39 or Rule 58 confidential correspondence. This is simply because innocence projects did not exist in this country when the list of authorised persons/organisations under Rule 39 or Rule 58 was compiled. In the meantime, whilst most prisons do accept our correspondence as confidential, this is something we are unable to guarantee for all prisons at this stage.

Instructions for Applicants

If you feel that your case meets the casework criteria and would like it to be considered by the Innocence

Project London for further investigation, please complete the enclosed Preliminary Questionnaire as fully as you can and return it to the following address:

Innocence Project London

School of Law
University of Greenwich
Old Royal Naval College
Greenwich
London SE10 9LS

We will then assess your case based on information provided in your Preliminary Questionnaire and contact you to let you know whether we might be able to assist you.

We may wish to use the information (which we will treat as confidential) for further research into wrongful convictions. We will only do so where we have your consent. If you agree to our use of your information for such research purposes, please let us know in Section N of the preliminary questionnaire.

Please be assured that all information provided in your questionnaire will be treated as confidential.

