INSIDEJUSTICE
INVESTIGATING MISCARRIAGES OF JUSTICE

**Inside Justice**
**One Business Village**
**Emily St**
**Kingston upon Hull**
**HU9 1ND**

***Prison regulations do NOT permit you to use Rule 39 on correspondence with Inside Justice.***

*Inside Justice* is a small not-for-profit charity which aims to assist prisoners who claim they are innocent.

We have very limited funding and cannot help everyone, but our aim is to try to find experts who can help with a case and gain wider publicity for deserving cases.

We are **ONLY** interested in helping people who are entirely innocent of the crime for which they are currently serving a sentence. Please do not take our resources away from those who are genuinely innocent if this is not you.

Also, to avoid anyone wasting their time and effort, and to ensure we help those who need us most, we need to know who has helped you in the past, and how.

We are happy to work with your existing solicitor or barrister, but we need to agree that with them from the start.

You'll see on our form that we cannot work on your case unless you agree that *Inside Justice* decides which barrister(s) will represent you.

In addition, we must be in control of publicity for your case. Publicity could adversely impact your chance to appeal.

This means if you are approached by a journalist you must inform us before you provide them with any information about your case.

If you are not happy for *Inside Justice* to be in the driving seat of your case, retaining control, **you should not apply to us.**

**Application Acceptance Criteria Test**

1. You may apply to ***Inside Justice*** to consider your case if you were convicted in a Crown Court in England and Wales and you know absolutely you are innocent.

2. It is vital that you tell the truth.

3. Are you prepared to fully co-operate and be entirely open with ***Inside Justice*** at every stage?

4. Tell us as clearly as possible the reasons for your belief that you were wrongly convicted.

5. Do you think that there was something major that should have been brought up at trial but was not?

6. Can you show or tell us that there was anything wrong with the procedure of your original trial, which severely affected the fairness of your trial?

7. Has, since the trial, any new evidence come to light that your solicitor hasn't dealt with or acted upon?

8. Can you or your solicitor provide us with a case summary or the police MG5 document? This is the document that contains everything that the police know about the case including things that they might have decided not to use at trial but which we may find useful.

9. Do you believe you were properly represented by your lawyer – now, before and during your trial?

10. Have you started an appeal at any stage since your conviction?

11. Are you willing to sign a form giving consent to ***Inside Justice*** to contact and work with anyone who might be able to help with your case, including for example lawyers, family, friends etc.?

12. Please try accurately to remember all events surrounding what connected you to the offence. Tiny details are important, particularly since forensic science may have advanced beyond what was available at the time of your trial.

13. Your case and its unique circumstances will be considered on its own merits.

If you believe you meet our above criteria, you should complete the enclosed application form. We will not be able to fully assess your case until we have received specific pieces of paperwork from your trial or appeal.

Regrettably, we cannot search for the paperwork for you due to our limited resources, but we hope that the information sheet attached will assist you.

Please note that, whilst every care is taken, Inside *Justice* cannot accept responsibility for paperwork that is missing/damaged in transit, either posted to us or posted from us.

If you would like to read further details on our casework criteria, guiding policy and principles as well as exceptional circumstances policy please see the points at the end of the INFORMATION SHEET at the bottom of this letter.

Yours sincerely,

The Inside Justice Team
**inside**justice
Miscarriage of Justice Unit
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*This information is not to be construed as legal advice. Please do not rely on the information provided as an alternative option to seeking professional legal advice from your appointed solicitor, lawyer or legal defence team. Inside Justice recommends that any specific questions about your ongoing legal matter should be raised via a consultation with, or the appointment of, a professional criminal defence provider. Inside Justice is not responsible for any errors or omissions, or for the results obtained from the use of this information.*

## You can keep the following pages from this INFORMATION SHEET for your own records

**How to find your paperwork**

There are various people to ask for your paperwork if you do not already have it:

i. your trial and/or appeal solicitor

ii. the court where your trial was heard and ask them for the name and address of the "Transcription Service" which keeps records. You will then need to write to them separately to ask for the papers you require.

iii. the Criminal Cases Review Commission

Contacting your solicitor is always the first action to take. They, or your barrister, might already have a copy of the documents you need and should provide it to you free of charge, or for a minimum photocopy charge.

Transcription Services are contracted by each court to record and retain transcripts of proceedings from the trial. They are only legally required to keep transcripts from trials for 5 or 7 years depending on the crime type. Some transcription services do keep records beyond these minimum time periods though, so it is always worth checking with them. Transcription services are commercial companies and make a charge for transcripts they supply. *Inside Justice* does not have a budget to routinely pay these costs. Legal Aid may be obtained by your solicitor to cover the cost or, if that is denied, some applicants ask their friends and family, who may need to do some fundraising on your behalf.

If your case was heard at the Court of Appeal or Supreme Court, you may find a copy of the Judgment online. You could ask a family member, friend or somebody from within the prison library or education department to look for you.

If your case has been reviewed by the CCRC, they will have produced a Statement of Reasons. You will have been supplied with a copy of this when their decision was made. If you have lost it, contact them to ask for another copy. You could also ask them if they can let you have copies of any of the other documents you need.

**Sending the application**

Once we have received the paperwork, we will then undertake an assessment to identify whether there is enough scope within your case for a Caseworker to be assigned. You will receive a letter from us at this point which will outline the next steps.

**The kinds of cases we take on**

At *Inside Justice*, our greatest asset is our Advisory Panel of experts. We have brought together a world-class collection of scientists, lawyers, investigators, journalists and experts who review cases. We are looking for cases where scientific evidence could be tested using the latest techniques or where investigation methods, techniques and results are reviewed in order to identify whether information has not, for instance, been disclosed properly. We are always asking: what could we actually *do* and *if we did it, does it have the potential, legally, to make a difference.*

We do NOT deal with:

1. Complaints primarily about your sentence. We do not help with sentencing issues or legal questions about the charge. If you want help in this regard you could consider writing separately to the prisoners' newspaper *Inside Time*.
2. Complaints primarily about the service you received from your legal team. Complaints of this nature should be addressed to the Solicitors' Regulation Authority (The Cube, 199 Wharfside Street, Birmingham, B1 1RN) or the Legal Ombudsman (Edward House, King Edward's Square, Birmingham B1 2RA).
3. Scottish cases which are out of our legal jurisdiction. You may want to apply to the Scottish Criminal Cases Review Commission (17 Renfield St, Glasgow G2 5AH)

**FURTHER READING: CASEWORK CRITERIA FOR *INSIDE JUSTICE***

1. Your conviction is by a Crown Court and relates to an honestly held belief that you have been the subject of a Miscarriage of Justice, and that you can provide relevant material, information or evidence which was not available at the time of your trial and conviction which would support your belief. This may be a. new evidence, or b. evidence that there was a major procedural defect at trial. ***Inside Justice*** **does not investigate sentencing issues.**

2. That you are able and willing to:

    - outline or provide your:
      **Proof of Evidence*,**
      **MG5 document***,
      **Defence Case Statement*,**
      **Agreed Facts***
      *[*see explanations below]*
      and clearly explain the grounds upon which you believe your conviction to be unsafe,
    - inform *Inside Justice* whether you have embarked on any appeal process, are legally represented and are willing to provide *Inside Justice* with associated material.

3. Sign a consent form for *Inside Justice* which allows us to contact, engage with and seek support from your legal representatives and which allows *Inside Justice* to share information with other agencies or interested parties who may be able to assist with your case.

**GUIDING PRINCIPLES**

1. *Inside Justice's* integrity of process and any potential success will always be dependent on your full co-operation and openness irrespective of circumstances.

**GUIDING POLICY**

1. A full acceptance and understanding that *Inside Justice* has the final and unilateral decision to accept or reject an application in the best interests of the charity, budget and resources.

**EXCEPTIONAL CIRCUMSTANCES POLICY**

It is an accepted fact of life that there will on occasions be Grave and or Exceptional cases that merit the consideration of *Inside Justice* and which fall outside our normal criteria. Each case and its unique circumstances will be considered on their own merits, e.g. where advances in forensic science not available at the time of your trial now have the potential to undermine your conviction and require fresh consideration. Where there is doubt on the Gravity and/ or Exceptional circumstances, such cases will be elevated to the Chief Executive Officer and Trustees for a final decision.

*Explanation of documents

- **Proof of Evidence** – a written document summarising what the applicant/defendant said/will say in evidence
- **MG5 document** – the police report which contains everything that the police know about the case including things that they might have decided not to use at trial but which we may find useful.
- **Defence Case Statement** - **the** document from the Defence lawyer stating the defence's case which is presented to the prosecution lawyer for the trial

- **Agreed Facts** – the facts agreed by ‘all parties’ e.g. agreed by the defence and prosecution.

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September 2022