

**THE PLYMOUTH INNOCENCE PROJECT:
ANNUAL REPORT SEPTEMBER 2010-SEPTEMBER 2011**



**Law Students: *Tara-Michelle Charrin, Rebecca Forsythe,
Giuseppe Frija, Emma Pierce, Nicholas Schwaderer***

The Innocence Project at Plymouth belongs to the umbrella organisation, Innocence Network (INUK). The organisation provides those who maintain their innocence and have already exhausted the appeals process, another chance at establishing grounds for an appeal. Prisoners rely on the work carried out by students who aim to find new evidence not used during the trial and the appeal process. The Innocence Project not only aims to aid potential victims of miscarriages of justice, but also works to provide university students with the opportunity of gaining practical legal experience by working on real cases. The project is particularly lucky to have supportive professional pro-bono supervision to assist us with both cases we have on the project.

Casework

During the academic year commencing September 2010, the project had a total of 10 students working on 2 murder cases. The students involved being a mixture of 2nd and 3rd year law undergraduates.

The first of the two cases has so far been worked on by our students for 2 years. The case is primarily concerned with drugs and murder. Our client has been given a life sentence with regard to these. Fortunately, we have been given access to a significant amount of the legal documents and evidence concerned with the case thanks to the assistance of our client's family members. In the past year we have made good progress. We have worked as a small group, with each of us pursuing different avenues of investigation and convening at least twice a week to discuss and evaluate progress. The main aim is the hope of discovering new evidence which could be presented to the Criminal Cases Review Commission and ultimately result in a successful appeal.

During our examination of the case, a line of investigation which had not originally been pursued at trial or at the appeal stage became evident. It is our intention to explore this further with the assistance of the client's previous trial lawyer, in the hope of discovering the crucial 'new evidence' necessary to found a further Appeal; it would be essentially achieving the very aim of the Innocence Project itself.

The other case the Project is working on is also a murder case. It has several unique aspects that have allowed the students to develop their knowledge in new areas of law. The case featured comprehensive, in-depth expert medical evidence from both sides and a conviction which ultimately may turn on changes in medical sciences or policy towards expert evidence. After the year's work the biggest question on the students' minds was: 'Are juries effective in cases that hang on intricate, confusing expert evidence?' The students progressed through the year developing skills in corresponding with the client and several legal professionals formerly involved with the case to gain assistance.

Innocence Debate

As well as casework on the two murder cases, the Innocence Project at Plymouth also organises an annual Innocence 'event'. This year we decided to hold a 'question time style' debate discussing the fallibility of juries and the potential for miscarriages of justice, as this is very relevant to our casework. We were very grateful to Judge Taylor who chaired the debate and very fortunate to have our invitations to be panel members accepted by Kathy Taylor, Divisional Crown Prosecutor and the head of the CPS Plymouth office, Philip Sincock, ex head of Dorset CID and a former Senior Investigating Officer, Jason Beale of Devon Chambers, a very experienced criminal barrister and Nigel Lyons who is a partner at Foot Anstey solicitors. Both Jason and Nigel also very kindly oversee both of the cases we are currently working on.

We prepared a number of questions and invited questions from law and criminology undergraduates and staff. We put as many of these as we could to the panel for their views. The answers were varied and informative and prompted lively agreement and disagreement among the panellists. The debate was well attended and much enjoyed by those who came. It also provided us with further insight into the fallibility of juries and new concepts to our casework.

Current Projects

We are continuing our casework and making good progress with our investigations. We are currently working on an Innocence Day this year which will combine the elements of visiting speakers and the debate as run last year. We feel that the experience of hearing the speakers was of such value that those who missed out last year should be given the chance to partake if possible along with the stage 1 students for this year. We have also attended 2 conferences this autumn; a training day with the CCRC which provided a useful insight into their organisation and working processes and the INUK Autumn Conference in London (kindly funded by the Law School) in order that we may gain new skills in order to pursue our lines of enquiry as effectively as possible.