

Chapter 5

Early Experiences of Participants as they Campaign against Miscarriages of Justice

This chapter will focus on the early experiences of participants campaigning against miscarriage of justice including an examination of the motivation and resilience of participants who continue to campaign despite setbacks. The chapter will explore a range of issues including their reasons for joining a campaign and what they hoped to achieve. For some participants their relationships with other family members and friends have become strained since campaigning. The chapter will examine these tensions in order to understand the personal, interpersonal and social situations of participants. During the process of data collection the participants referred to their involvement with the miscarriage of justice community. Many participants suggested that their value system, attitudes and beliefs had changed since becoming a campaigner. The chapter will examine this issue and consider what participants understand by notions of a miscarriage of justice community and whether such a community has particular features that help define it.

Most campaigners had clear ideas about what they wanted to achieve when they set up a campaign group. In virtually all cases the campaigner was a friend or family member of someone they believed had been wrongfully convicted. This supports Savage *et al*, (2007: 32) who suggest that ‘...families are most typically the driving force of justice campaigns’. The convicted person was similarly ‘protesting their innocence’, not simply on the basis that their conviction was ‘unsafe’ but that they were factually innocent. In some cases these individual campaigns grew in scope and influence and became pressure groups in their own right. In other cases, the campaign remained a relatively inauspicious affair and so campaigners joined other justice campaigns to assist their own campaign and to engage in other ventures

challenging procedural and legislative aspects of the criminal justice system. Other participants joined pressure groups campaigning against other forms of injustice and oppression. For those campaigners associated with the Anarchist Black Cross (ABC) or the Socialist Workers' Party (SWP); or other left-wing support organisations, the community extends to all citizens engaged in 'class struggle' and who come into conflict with the criminal justice system. Regardless of which group or environment participants operated in, emotional and psychological support for campaigners was integral to the strategic, practical and legal aspects of their campaign.

The first section will examine the reasons why participants set up a campaign group and why they joined other groups challenging miscarriage of justice in order to examine one of the project's key objectives, namely examination of the early campaign experiences of participants. The section will similarly explore the relationship between participants leading a personal campaign group and those involved in other pressure groups challenging miscarriage of justice.

Setting up a Campaign Group

The reasons for setting up a campaign group varied but were rooted in wanting to take an active role in challenging a conviction. Most participants relied heavily on their first legal team and the expectation was that the courts would free the defendant when the jury heard the evidence. Several suggested they were 'in shock' when they heard the jury's verdict. As one interviewee stated:

When I heard the verdict I was in shock for weeks and didn't know what to do...
After a few days we got ourselves together and went to see him on a prison visit...it was then we decided...we're going to fight this (SV: participant 25).

Another factor for some campaigners was the realisation they had to do more than rely on their legal team. Many suggested that they had 'left everything' to their legal team during preparations for the first trial but that the defendant was still convicted. This supports Green (2010) who examines the failure of some legal

teams when preparing for the first tribunal. In some cases evidence neglected by trial lawyers can have serious repercussions on future applications to the CCRC. The notion of 'taking control' and contributing to the fight against injustice was a theme taken up by many campaigners. The participants were no longer prepared to take passive roles but wanted to work with their legal team. An interviewee and victim of miscarriage of justice indicated:

We let things just happen for the trial but I was out of it and couldn't think straight. Afterwards when I was sent to Durham I spoke with my family and we brought everyone together...we knew we were in for a fight (PV: participant 18).

Some participants who had previous convictions similarly felt the need to engage with a campaign. Despite having previously experienced the criminal justice system as defendants, five participants felt unprepared following arrest and during preparations for their trial. After conviction they were disappointed with the performance of their legal teams and initiated personal campaigns to counter the cases against them. One interviewee commented:

It was different this time because I hadn't done anything so it was a massive shock when they convicted me. My head was all over the place and it felt I'd never get out unless I did something to fight them (PV: participant 10).

Although it might be anticipated that someone with previous convictions and history with criminal justice agencies might be better prepared for the process of wrongful arrest and charge, this in some instances was not the case. An experienced campaigner and interviewee commented:

He'd been a criminal but because he was innocent this time it shocked him and he said stupid things because he was innocent...that's why it's hard for the innocent when they're arrested...they're not thinking straight (SV: participant 22).

Many campaigns were started by friends and family members of someone wrongfully convicted. The restrictions of prison life made it difficult for the appellants to set up their own campaigns. As one interviewee stated:

My family started the campaign because I couldn't do it myself... It was enough to get through prison each day (PV: participant 11).

The participants recognised the moment they decided to campaign and contribute to 'the fight', with their legal team, against wrongful conviction. Whilst the participants expressed a range of views regarding the first stages of becoming a campaigner particular elements were to feature more commonly. These included the actual decision to 'do it', the gathering of friends and family to initiate the process and the first meeting, usually a small affair of dedicated supporters. These fledging moments were important to the campaigners and represented their first acts of challenging the criminal justice system following conviction. The next section will examine the first decisions of participants having made the decision to set up and manage a campaign.

First Decisions

For the over-riding majority of participants their first decision was to meet with their legal team to discuss and agree upon the role of the campaign group. The legal teams were not usually members of the campaign group but were nevertheless involved with campaign strategy and the dissemination of information. Some legal teams were anxious that the work of the campaign did not undermine the work of the legal team. One interviewee commenting on the attitude of the solicitor noted:

He wasn't pleased at first because he wanted nothing being done without him knowing about it. I think he was worried that we'd say something and that the press would get the wrong end of the stick (SV: participant 3).

The campaigner had expressed similar sentiments a year earlier when she discussed campaign strategy with members of her campaign team. During the discussions a female campaigner shared that the campaign group had been contacted by a local radio station who wanted to interview someone from the group. After general discussion the participant indicated that involvement with the radio programme by anyone from the campaign would have to go through the appellant's solicitor:

I wouldn't mind doing it but I'd have to talk with his solicitor first because I wouldn't want to say something wrong or that he didn't want me to say (SV: participant 3: The Junction Arms pub, March 2009).

For most participants, however, once the campaign had been set up the solicitors were supportive providing that information to journalists, on web pages or to others about the defence case did not endanger the integrity of the case. Occasionally solicitors wanted to see copies of letters or web pages before they went out.

An area of particular concern for some solicitors was contact between the campaigner and the media. On the one hand the legal teams were supportive of media involvement but were sometimes anxious regarding the nature of media interest and the timing of an article or television production. This was particularly the case when the appellant was awaiting an appeal or a decision to refer the case by CCRC. An interviewee stated:

One of our first decisions was if we should let 'Trial and Error' do a programme about him... we wanted it but the solicitor didn't want it going out before the appeal. We did and we argued about it (SV: participant 31).

Some solicitors similarly involved themselves in decisions relating to contact with investigative journalists. Certainly campaigns against miscarriage of justice are sometimes able to 'exploit social networks' and this can extend to solicitors and lawyers who specialise in miscarriage of justice (Savage, *et al*, 2007: 18). Most participants stated that their solicitor had been supportive of such contact and that in some cases it was the solicitor who had initiated the contact. As one interviewee indicated:

The solicitor knew the journalist and I know he gave information to him before he wrote it... so it wasn't like the campaign working with the media without my solicitor knowing... he was involved in everything (SV: participant 29).

Despite a wide range of campaign priorities the first decisions of most participants involved welcoming their solicitor 'indirectly' into the campaign and involving them in key decisions particularly if contact was made with the media. There was a

realisation on the part of most campaigners that whilst their involvement with the case pre-trial might have been too passive, their desire to fight a conviction more actively, had to be with the support of the solicitor and wider legal team. Most participants saw the campaign as involving key groups: friends, family and supporters, the legal team and supportive journalists. Whilst other influential parties might join the campaign, the key groups remained intact and in a close symbiotic relationship. One campaigner and interviewee said:

The main group is family which includes me and his parents and three of his closest friends... there was the solicitor and a journalist who helps...others have since joined the campaign but that's the inner circle (SV: participant 30).

Another key issue raised by several participants at the beginning of their campaign concerned the issue of contact with other pressure groups. This was usually for the purposes of support and to acquire knowledge of the criminal justice system. Many participants were inexperienced in terms of managing a campaign or in dealing with criminal justice agencies. Some therefore sought support from other campaigning groups. It is to this subject we now turn.

Joining Additional Pressure Groups

The issue of whether to join a 'pressure', 'justice' or 'support' group against miscarriage of justice in addition to managing a campaign for an appellant or appellants was a subject raised by most participants (See Chapter 7). For some campaigners the conviction of someone they knew very well or intimately placed them under considerable strain. At the same time they often had little or no previous involvement with the criminal justice system and secondly, little experience of setting up or managing a campaign against miscarriage of justice. In some cases a campaigner's first decision was to join a pressure group and after this to set up their own campaign whilst remaining a member of the alternative group. Savage *et al*, (2007: 19-20) likewise identify the role of campaigning organisations in supporting victims of miscarriage of justice and suggest they can 'add legitimacy'

and 'open doors to media attention' as well as providing 'access' to other organisations and individuals.

Four significant areas of pressure group activity include the work of the federated miscarriage of justice pressure group, United Against Injustice; the Miscarriage of Justice Organisation which has a particular interest in supporting victims of miscarriage of justice post-release; groups who specialise in campaigning for those falsely accused of sexual abuse; and, those groups who are associated with left wing revolutionary groups and whose campaigning activities are overtly political. The activities of these groups will be examined in the next section beginning with United Against Injustice.

United Against Injustice

United Against Injustice (UAI) was formed in November 2001 at a meeting called by Merseyside Against Injustice (UAI, 2009). The purpose of the meeting was to establish a Miscarriage of Justice Day and to use the public meeting as an opportunity to raise the public's awareness of miscarriage of justice issues. An additional aim of the federation is to support member groups through the provision of information and advice. The member groups affiliated to UAI include Yorkshire and Humberside against Injustice (YHAI); Kent Against Injustice (KAI); Falsely Accused Youth Leaders (FAYL); Merseyside Against Injustice (MAI); the Manchester based INNOCENT group and London Against Injustice (LAI). Two new groups welcomed into UAI include Joint Enterprise – Not Guilty by Association and West Midlands against Injustice. South Wales Liberty has likewise supported a number of successful cases against wrongful conviction and provided support and advice to campaigners and appellants. The member groups of United Against Injustice were set up because of the experiences of men and women who had witnessed or experienced wrongful conviction either as primary or secondary victims of miscarriage of justice. The initial aims of the pressure groups were to support campaigners challenging the wrongful conviction of someone who had been

convicted for an offence of which they were factually innocent. UAI (2009) states that its aims and objectives include:

- To federate Miscarriage of Justice Campaigns, Support Groups and Organisations.
- To highlight the incidence of Miscarriage of Justice and expand the public's awareness of Miscarriage of Justice issues.
- To establish and organise an annual National Miscarriage of Justice Day.
- To provide advice, support and an information network to member groups.
- To provide mutual understanding, communication and good relations between our member groups.
- To actively encourage, support, advise and facilitate the formation of like-minded groups.

The organisation, importantly states that it '...does not promote individual cases; this is the responsibility of member groups'. The member groups share a common aim which is to support alleged victims of miscarriage of justice who have been convicted of crimes they have not committed (INNOCENT, 2010; LAI, 2010).

Despite the efforts and commitment of group members many groups suffer through a lack of resources (Naughton, 2007). Most groups are run on a voluntary basis, often by campaigners who are themselves struggling with the trauma of having lost close relatives or partners to wrongful imprisonment (Grounds, 2008). As a consequence of this most groups have neither the legal or investigative expertise to engage in casework; or the financial muscle to assist members who have been refused legal aid. This issue is examined by Bird (2010) who suggests that the current procedures for claiming legal aid frustrate many applications to the CCRC and hinder their quest for justice.

The issue of whether a group receives funding is sometimes determined by whether it has acquired insider or outsider status. Most pressure groups supporting alleged victims of miscarriage of justice and their families receive no government or other funding. This contrasts with victim support groups like Support After Murder and Manslaughter (SAMM) which received an Office of Criminal Justice Reform Grant enabling the self-help group to fulfil its aims which include supporting survivors

'bereaved through homicide' (SAMM, 2010). The group's funding has since been withdrawn.

Another limitation suggested by Naughton (2006: 7) regarding campaign groups against miscarriage of justice is that some appear to focus on miscarriages of justice as defined by breaches in due process and not specifically on the factual innocence of the wrongly convicted. This, however, is contradicted by the websites of member groups who regularly cite 'innocence' as a criterion for supporting victims of injustice (INNOCENT, 2010; LAI, 2010). An exception to this rule is the Miscarriages of Justice UK Group which produces bulletins and newsletters which it then circulates to the miscarriage of justice community. In their mission statement they state that:

MOJUK is not concerned with the 'innocence or guilt' of those in jail. We are concerned only that they have been brought to trial and convicted through 'due process of law' (MOJUK, 2009).

The group comment that any breach in due process undermines the integrity of the criminal justice system and that in such circumstances a conviction should be quashed (MOJUK, 2009). The organisation often highlights the role of the State in perpetuating wrongful conviction. When listing a number of cases the website of MOJUK refers to the wrongfully convicted as 'Hostages (Prisoners of the State)'.

The Miscarriages of Justice Organisation

The Miscarriages of Justice Organisation (MOJO) was set up by Paddy Hill (Birmingham 6) and John McManus (See Chapter 1) and is 'dedicated to assisting innocent people both in prison and after their release' (MOJO, 2009). Some participants considered themselves members of MOJO despite not corresponding with them or having no practical involvement with the organisation. As such the organisation appeared to represent a symbolic act of resistance against miscarriage of justice (See Chapter 3). Many cases highlighted by MOJO appear to be 'high profile' cases suggesting that the organisation seeks to align itself with well-

publicised cases to promote its general aims. The subject of 'extraordinary', 'mundane' and 'routine' cases of miscarriage of justice is examined by Naughton (2007: 39-41) (See Chapter 1).

Pressure Groups Against False Allegations of Abuse

Another miscarriage of justice 'collective' that focuses on a specific area of justice in error are those concerned with false allegations of physical and/or sexual abuse. The Campaign on Behalf of Falsely Accused Carers and Teachers (FACT) offers support to carers and teachers who have been falsely accused or wrongly convicted of abuse. The group similarly campaigns for changes in investigative procedures and for reform of the criminal justice system (FACT, 2009). One aspect of the group's campaign is the dissemination of 'FACTION' an informative magazine produced every six to eight weeks which publishes related articles by academics, victims of miscarriage of justice and those campaigning for them (FACTION, 2008). The group define miscarriage of justice in terms of 'innocence' and have stated publically that:

We must make it clear that there is no place in FACT for people who are factually guilty of neglecting, harming or abusing children, young people or adults. Please do not waste our time by approaching us if you are guilty (FACT, 2008)

Despite making a clear statement in relation to innocence, the pressure group does not appear to have procedures in place to vet applicants. Other related groups include People Against False Accusations of Abuse/Support Organisation for Falsely Accused people (PAFAA/SOFAP); Supporting All Falsely Accused with Reference Information (SAFARI), and the False Allegations Support Organisation (FASO). The groups argue their dual roles include support for individuals and campaigning for change within the criminal justice system including how criminal justice agencies conduct their investigations. The British False Memory Society (BFMS) supports individuals and families affected by false memory syndrome. The phenomenon concerns situations where a person has a memory of an event, often alleged sexual abuse, and believes it to be true when it is not.

Revolutionary Groups and Miscarriages of Justice

For many campaigners against miscarriage of justice, their determination to challenge wrongful conviction and resist the State led them to join other organisations committed to anti-establishment and anti-capitalist ideologies including the Anarchist Black Cross (ABC). The group supports member organisations located in cities around the world and the UK. There were up to 14 ABC groups operating in the UK during the 1990's but this number has declined over the past five years. Three active groups include the Leeds, Bristol and Brighton branches of ABC (Bristol ABC, 2010). An important function of ABC is to support prisoners and to encourage anarchists to write and visit prisoners engaged in struggle against the State. Accordingly ABC notes that:

We support anarchist and other class struggle prisoners, fund-raise on behalf of prisoners in need of funds for legal cases or otherwise, and organise demonstrations of solidarity with imprisoned anarchists and other prisoners (ABC, 2010).

A focus of their activism is to support prisoners during their own struggle with the criminal justice system. ABC argues that the State, in these cases, uses criminal justice agencies including the police, the courts and the prison service to control and intimidate citizens who challenge the hegemony of the State (See Chapter 3). In relation to the criminal status of citizens in prison, ABC point out that 94 per cent of recorded crimes are against property and approximately one third is for the non-payment of taxes or fines. The organisation draws attention to the fact that most convictions are against marginalised and vulnerable groups or against the working class and that the procedures and rules of the system are often there for the protection of the powerful (ABC, 2010a) (See Chapter 3). The organisation advises its members how they can better support prisoners, both political and social, stating that any working class person could find themselves in prison for no other reason than because they are engaged in 'class struggle'. The relationship of ABC towards prisoners is supportive with some participants in this study turning to this political group rather than other more general pressure groups against miscarriage

of justice. The philosophical root of ABC's desire to support prisoners' is that it sees prison as one of the principal means of State control and intimidation. ABC (2010a) states that:

Prison is the bottom line in control – their ultimate weapon. Prison means isolation, bloody punishments, divided families. It drives people to despair and suicide. The whole system is to split us up and isolate people who could set an example to the rest of our class.

Campaigners association with left-wing revolutionary groups appeared to strengthen their identification with a wider community of activists and to provide additional support and resources to fight their own campaign (See Chapter 7). Other left-wing political groups support pressure groups against miscarriage of justice. The United Campaign Against Police Violence (UCAPV) campaigns against deaths in custody and police violence. The organisation is a coalition of trade unionists, anti-war activists and other campaigners who seek to defend civil liberties. On its launch the Socialist Worker (2009), a revolutionary anti-capitalist paper, promoted the aims of the group and encouraged citizens to contribute to opposing State brutality and oppression. Details of UCAPV were sent to member organisations of UAI. In terms of supporting grassroots activists, the Activist' Legal Project (ALP) provides information and advice to campaigners thinking about using direct action strategies (ALP, 2009). The collective offers workshops run by activists 'with first-hand experience of the criminal and civil justice systems'. The group similarly focuses on issues of oppression and the role of the State in subjugating its citizens arguing that:

The power that corporations and governments have over our society is maintained through oppression and through the continuing co-operation of groups and individuals. The withdrawal of that cooperation restricts or dissolves their control. Put another way, their power depends on our continuing obedience; when we refuse to obey, their power begins to crumble.

The collective has close associations with campaigns against miscarriage of justice orchestrated by activists campaigning against wrongful conviction. The Legal

Defence and Monitoring Group (LDMG) also provide advice to activists who want to employ direct action strategies particularly when organising a demonstration. For activists campaigning against wrongful conviction there are similarly pressure groups that support victims of miscarriage of justice and their families from the perspective of wrongful imprisonment and the prison regime. For some alleged victims of miscarriage of justice still imprisoned their campaign incorporates their refusal to cooperate with the prison service. The Campaign Against Prison Slavery (CAPS) was formed in 2002 to campaign against compulsory labour in UK prisons and for the abolition of the Incentives and Earned Privileges Scheme (IEP). Although the pressure group campaigns on behalf of all prisoners whether convicted or guilty, the particular needs of some victims of miscarriage of justice mean that the wrongfully convicted will sometimes align themselves to this group for the purposes of support and advice. Some participants in this study refused to cooperate with the prison service during their incarceration including active participation in prison work. The participants argued that they were wrongfully imprisoned and were not prepared to engage in prison labour. This often led to the prison reducing the appellant's privileges and placing the appellant on 'basic' regime (See Chapter 6). The decision to reduce the privileges of participants was also taken by some prisons when the appellant refused to cooperate with their sentence plan and participate in offending behaviour courses.

'Individualised' and 'Generalised' Justice

The notion of 'individualised justice' (Walker, 1999) where groups focus on the plight of an individual and 'generalised justice' where the priority is legislative reform is examined by Savage, Poyser and Grieve (2007: 12-13). The majority of pressure groups prioritise both categories of justice although the emphasis might change depending on the specific priorities of a group at any one time. As a general rule the federated pressure groups of UAI prioritise individual cases and monthly meetings often focus on the progress of individual cases (See Chapter 7). At other times, however, the priorities often turn to policy reform and legislation (UAI, 2010;

LAI, 2010). Even here, though, individual cases are often used to explore failings in criminal justice policy as when Patricia Davies representing London Against Injustice spoke about the conviction of her teenage son under joint enterprise in a Committee Room at the House of Commons (Institute of Race Relations, 2010). Similarly, during a recent demonstration in London on 9 October 2010 campaigners from UAI demanded changes to criminal justice laws like joint enterprise but did so by highlighting the wrongful conviction of family members.

Most participants in this study chose to join other pressure groups fighting miscarriage of justice in addition to forming and managing their own campaign against wrongful conviction. One participant who felt marginalised by neighbours following her son's conviction joined a pressure group with UAI for support and to seek advice on how to campaign more effectively. The interviewee commented:

I was lost in the beginning and went to a support group just to meet with others who'd understand...I couldn't do anything when my son first went inside but after about a year I felt strong enough to start talking about campaigning for him (SV: participant 2).

Many participants stated that the two primary reasons for joining an alternative pressure group following conviction were for the purposes of support and information. In terms of support they were often quite bewildered by what had happened and did not anticipate the conviction. Their feelings of despair often led them to seek emotional support from others who had suffered similar experiences. Other campaigners whilst acknowledging their need for support also wanted to understand why the criminal justice system had failed them. As many campaigners had no previous experience of the criminal justice system some attended alternative pressure group meetings to seek ideas and information. As one interviewee added:

Our solicitor was good but I needed ideas about how to campaign and what I should do...In hindsight it was one of the best decisions I made because I found friends who were ready to help me (SV: participant 27).

The participants expressed the view that the decision to join an alternative pressure group was one of the most important they had made following wrongful conviction. Some campaigns were relatively small and included less than 10 members so other pressure groups provided welcome support and alternative views and advice. An interviewee indicated:

The group were interested in what was happening in (*name of appellant omitted*) case but they weren't part of our campaign so it meant I could talk freely and hear what others thought about what we were doing (SV: participant 20).

For other campaigners and alleged victims of miscarriage of justice the desire to attend other pressure groups in addition to managing their own campaign was to join the wider miscarriage of justice community to fight injustice (Savage *et al*, 2007; Naughton, 2007). Several campaigners were members of MOJO and pressure groups operating under the aegis of United Against Injustice (UAI) and had received correspondence from these organisations and, in some cases, the wrongfully imprisoned had received prison visits. Some campaigners stated that MOJO had become an emotional focal point and that whilst having little practical contact with the organisation they openly supported its aims. Other participants were associated with, or attended meetings of other pressure groups including UCAPV; LDMG; CAPS; Action for Prisoners Families; Association of Prisoners (AOP); British False Memory Society; FACT; PAFAA/SOFAP; False Rape Society and Justice for Women. Other campaigners and activists joined other political or anarchist groups to support their campaigns. During the Anarchist Bookfair 2010 several activists, some associated with the Anarchist Black Cross, suggested that their involvement with campaigns against miscarriage of justice began through contact with political and social prisoners. As one activist reflected:

I wrote to someone who got convicted of vandalism and it started from there...some anarchists can't see the importance of this kind of work...maybe it isn't romantic enough...if the State sends people to prison unjustly then we owe it to the struggle to support them (SV: Activist 10: fringe meeting: Anarchist Bookfair, 23 October 2010).

During the early days of campaigning most participants experienced a range of problems and during these times their relationship with other campaign and pressure group members was an important means of helping them maintain their own equilibrium. The next section will explore this subject.

Problems and Difficulties

Most participants stated that during the early days of campaigning they had experienced a range of problems and that their relationship with supporters from their own campaign and with campaigners from other pressure groups had been invaluable. A number of common difficulties were identified by participants. These included the trauma of adapting to a life without a husband, son, brother, family relative or close friend. Other complications experienced during the campaign process included managing the appellant and relationships with the legal team.

Many participants stated that the reason why setting up a campaign group and managing it in the early days was difficult was because of the trauma they often experienced following the conviction. Simple tasks like making contact with others who might be prepared to help suddenly became harder because the participants were themselves in shock and suffering from post traumatic stress disorder (Grounds, 2005). The campaigners suggested that nothing was 'easy' during their first months and that adapting to a new way of life placed a strain on their key relationships.

New Way of Life: Challenges for the Campaigner

For most participants their early experiences of campaigning were remembered through the lens of having to cope with a 'sense of loss' following conviction. Many stated that the job of setting up a campaign might have been relatively straightforward were it not for the emotional trauma they suffered when someone close to them was wrongfully convicted (Grounds, 2008). The participants talked of

feeling 'closed down' and retreating from friends and neighbours following conviction. This made it harder for some campaigners to initiate plans to set up a campaign. One interviewee stated:

It was terrible for us when he was taken off...my mum was devastated, I was and we closed down with everyone, neighbours and people who knew us in the area... mum didn't go out for weeks; it was hard (SV: participant 4).

Some participants talked of the strain they were under whilst preparing for the trial. After conviction the family often sought a return to some semblance of normality and this impacted on their ability to campaign effectively. An interviewee commented:

He was on remand for 15 months before he was convicted so during this time...everything was on hold and life seemed to stop. I knew if we were going to get through it I had to get myself sorted out. It was about 3 months before I was ready to campaign (SV: participant 25).

Many participants stated that following conviction their effectiveness as campaigners was undermined through having to negotiate and adapt to a new way of life. For the alleged victim of miscarriage of justice this often involved adapting to prison culture and the realisation they had been convicted. One interviewee commented:

I started to campaign from day one but I hadn't been in prison before so coping with it was really hard...campaigning when you feel battered by the system makes you question everything and that's why I needed my family to stand by me (PV: participant 11).

For several campaigners their lives changed through being separated from someone they knew intimately. This meant that for some participants they were visiting prison for the first time and often having to travel considerable distances. Scheduling prison visits whilst coping with the day to day routines of family life occasionally frustrated the abilities of some participants to campaign. One participant was able to visit her brother regularly whilst he was incarcerated in a London prison but when he was moved to Yorkshire the strain of travelling to visit

him placed additional demands on her as his primary campaigner. The participant shared anecdotal stories with friends at a Christmas dinner organised by a group of campaigners from the south-east of England:

I could get there in less than an hour but when he was sent to Full Sutton it changed what I could do...I couldn't give up a full day visiting him...he didn't understand what it was like for me travelling up (SV: participant 1: Christmas meal in London restaurant, December 2009).

This was a theme articulated by several female campaigners. The appellant was often sent to prison establishment's significant distances from their family and this resulted in the family having to travel long distances to visit the appellant (Murray, 2005).

Managing and Supporting the Appellant

Many participants indicated that a key challenge in the early days of their campaign was in managing their relationship with the appellant. The appellant was the focal point of the campaign but this often created tensions between appellants and those campaigning for them. Whilst a degree of tension remained throughout the campaign most suggested that the challenges were more prevalent in the first months when setting up their pressure group. An interviewee stated:

It was after starting a campaign the year he was convicted the problems started because he often wanted one thing but I felt we should do it another way...It was at least a couple of years before we settled down (SV: participant 32).

The problems for some participants were exacerbated by the appellant requiring additional emotional support during the first months of imprisonment. One participant indicated that her son needed to talk and share his experiences on prison visits but that the work of the campaign against his conviction sometimes had to take precedence. Occasionally her son was unable to focus on the campaign and this created tensions within their relationship. On the one hand he wanted to be involved in all decisions relating to the campaign but that at other times he was

unable to focus on anything other than what was happening to him in prison. The appellant's mother and primary campaigner commented:

The first year of the campaign was the hardest...some meetings he'd say he couldn't talk about the case...the next moment he wanted to talk about it...he was confused but that's what prison can do to you (SV: participant 29: Social drink after Justice Campaign meeting, London, June, 2009)

The participants often indicated that the challenges of managing a campaign against miscarriage of justice were compounded by the fact that the appellant was incarcerated. Tensions sometimes spilled over when the appellant felt side-lined by their own campaign. An interviewee still campaigning against their conviction suggested:

We've had our moments because she had to do it all because I was inside but we only really argued if I felt things were happening in the campaign I hadn't been told about (PV: participant 13).

This contrasts with the views of participant 24 campaigning for her husband (participant 13) who stated:

The arguments about the campaign were in the beginning when we were finding our feet but you know I had to get on and get things done and sometimes it wasn't possible to tell him everything (SV: participant 24).

Most participants during the process of data collection indicated that problems with the previous or new legal team presented major challenges for the pressure group particularly in the early days of the campaign. It is to the subject of relationships with legal teams that we now turn.

Relationships with Legal Practitioners and the Campaign

Most participants indicated that central to challenging the wrongful conviction was their relationship with their legal team and particularly the solicitor. Many participants felt they had been 'let down' by their legal team following the first trial

or failed first appeal and in some cases during the process of submitting a CCRC application. Evidence not fully investigated or tested by the trial lawyers could similarly undermine a CCRC application (Green, 2010). For some campaigners the first major challenge having made the decision to actively campaign was to choose another solicitor and to negotiate their respective roles. The decision to appoint a new solicitor was problematic for many campaigners. One difficulty was that they had not campaigned against miscarriage of justice before and were not familiar with solicitors skilled in miscarriage of justice as defined by wrongful conviction. A contribution made by some campaigning organisations is that they provide campaigners with access to campaigning lawyers who specialise in miscarriage of justice (Savage *et al*, 2007: 29).

A major problem for some participants was how to research and find a capable solicitor who was both willing and able to manage the case. This aspect of the campaign often placed campaigners in an invidious position in terms of the responsibility they felt when contributing to the final decision as to who should take the case. As one interviewee commented:

I went to see a couple of solicitors firms who'd been recommended to me and picked one because he seemed to understand the case ...it was one of the biggest decisions of my life because it was me doing the choosing because (*son's name omitted*) didn't have any confidence left (SV: participant 28).

One participant indicated that the challenge of finding a capable legal practitioner also extended to finding an experienced barrister. The participant had met with her partner's solicitor and a potential barrister with a view to deciding if the barrister should take the case. The participant commented that the meeting felt as if she was interviewing the barrister yet she knew nothing of his expertise as an appellate barrister other than what was said on his chamber's website. Secondly, she was unsure of what she should ask him in order to determine his suitability. The participant felt that she was 'working in the dark' and that her lack of experience within the criminal justice system and the lack of reliable information on the barrister meant that any decision was likely to be based on issues of personality

rather than on the quality of his advocacy. The participant commented during a campaign meeting coffee break:

It felt like an interview with me working in the dark...if you want a QC and that's what you need, you've got nothing to help you decide...it was a massive decision...It was him that would have to win the appeal for us...he was a nice bloke but I wanted someone who could get him out (SV: participant 23: Coffee break at Pressure Group Meeting: January 2010).

Many participants indicated that finding a solicitor who had previous experience in the specific areas relating to their case and who was willing to represent the appellant through legal funding took considerable time and energy. An interviewee indicated:

Although I did lots of ordinary things the most time I spent was finding another solicitor and when we'd found him going up to see him so he knew what needed doing (SV: participant 26).

An obvious difficulty for the appellant whilst imprisoned is that the only contact with their solicitor or barrister is through the legal visits system of the prison. These visits are often less than one hour in duration and are sometimes cancelled through changes to the prison regime on the day. This means that for many participants contact with their solicitor was often through their lead campaigner. This sometimes placed significant strain on the campaigner. One interviewee stated:

I usually go up every two weeks to see his solicitor and then afterwards go up on a prison visit to let him know what happened. I want to do my best for him...but it's all a strain sometimes (SV: participant 25).

The appellants likewise found a lack of contact with their solicitor a strain not only in terms of their relationship with the solicitor but similarly with their lead campaigner. Whilst accepting that meetings with their legal team had to be supplemented with meetings between the lead campaigner and the solicitor, some appellants indicated that this created relational problems in the early days of the campaign. An interviewee commented:

It was a problem because I needed to see my solicitor but I was the other side of the country so (*wife's name omitted*) and my dad had to see him for me...I know it was hard for her because she could see me getting frustrated but I wasn't seeing anyone (PV: participant 7).

The participants indicated that their role as a campaigner had been stressful and that it had placed enormous pressures both on them as individuals and on their relationship with others involved in the campaign. At particular times the campaign had faced major setbacks and disappointments including dismissed first appeals, failed applications to the CCRC, harmful media reporting, poor legal representation and obfuscation by criminal justice agencies. For some appellants their role as campaigner was compounded by their incarceration. Many suffered from post traumatic stress disorder following their conviction and this impacted on their ability to campaign (Grounds, 2008). The participants campaigning for an appellant, often with someone who they were intimately involved with, also had serious issues to contend with during the campaign. Many campaigners were suddenly without their husband or long term partner or their son. Some of the difficulties experienced by these participants included financial hardship either in terms of missing an additional salary or through having to find additional funds for the campaign, including monies for expert advice (Bird, 2010). Several participants felt marginalised following the conviction and retreated from community life. Whilst believing their appellant to be 'innocent' they sometimes felt intimidated by neighbours and by their 'curiosity' in the case. The change in circumstances suffered by many campaigners was significant following the trial and conviction yet despite numerous setbacks, the campaigner's motivation and resilience to continue appeared to remain unabated. The next section will examine the campaigners' motivation to continue and what they believe provides them with the resilience to confront major setbacks.

Motivation and Resilience

Although participants identified a number of factors they believed contributed to their high motivation and resilience levels, three common themes emerged. These included relational bonds; a belief in the innocence of the defendant or appellant; and, support from the miscarriage of justice community.

Relational Bonds

Many participants suggested it was their relationship with the appellant that was the primary motivation behind their desire to campaign. Most campaigners were in a close or intimate relationship with the appellant and this provided them with the strength and resilience to continue despite the setbacks and hardships of being a campaigner. Savage *et al* (2007: 33) similarly suggest that 'without the determination and commitment offered by families many successful justice campaigns would have achieved little'. The views of many campaigners were typified by one interviewee who has been campaigning for her imprisoned son for three years:

My motivation is because he's my son so whatever happens or whatever they do to keep him locked up I'll never give up. When they sent him to prison it felt like they'd put me inside as well (SV: participant 2).

One participant campaigns for her brother and suggested that when he was convicted she took the lead role in the family:

Although I'm interested in justice I suppose my motivation is because he's my brother and I love him but I think it's about duty as well because he's my family (SV: participant 1).

The issue of resilience similarly emerged with some campaigners indicating that their relationship with the appellant helped sustain them when the future appeared 'bleak'. One campaigner commented:

When he got refused by the CCRC things were bleak, we didn't know where to turn but nothing will stop us from going on with it...he's my dad and that's it so you don't give up do you? (SV: participant 4).

From the perspective of appellants the issue of relationships was similarly an important factor in sustaining their motivation to continue. Whilst it could be argued that the appellants were facing long prison sentences and that this was sufficient motivation to campaign, many participants indicated they were fighting for others and not just for themselves. As one interviewee commented:

I ended up doing just over eight years but it was my daughter who gave me the strength to keep going (PV: participant 10).

Many appellants, however, have become estranged from their partners and from family members. Despite this some indicated that their motivation and resilience to continue was sustained by earlier relationships, in some cases with a family member who had died. An interviewee commented:

It was my mum who kept me going. She died when I was inside, it cut me up but afterwards I thought about her when it went badly and I kept it together (PV: participant 15).

Many participants indicated that their motivation to campaign was because they believed the defendant or appellant to be innocent of the charge against them. This factor was important to campaigners in a close or intimate relationship with the alleged victim of miscarriage of justice and with those who were acquaintances with the appellant but who were moved to campaign because of the perceived injustice of the conviction. It is to this subject we now turn.

'Innocence' and the Motivation to Campaign

The participants indicated that innocence was an important contributory factor concerning their motivation to campaign and that belief in the innocence of the appellant sustained them through disappointments and adverse situations. For

some campaigns innocence discourse is pivotal to the campaign (Quirk, 2007). Most participants in this study were not prepared to consider the appellant as guilty as charged and could not understand why, having reviewed the evidence, a jury had convicted. As one interviewee indicated:

I know my son is innocent and that's what fuels the campaign...what I'm trying to do is help others see that (SV: participant 28).

Innocence was similarly a criterion for participants who were actively involved in the leadership of pressure groups against miscarriage of justice. Most participants regarded innocence as axiomatic to notions of miscarriage of justice and they were supported by pressure groups who similarly stressed that their purpose was to support people campaigning for wrongfully convicted 'innocent' appellants (Naughton, 2007). This appeared to motivate and consolidate the collective ideals and philosophy of particular groups and through this to motivate campaigners who were challenging the conviction of an appellant who they believed to be innocent. An experienced campaigner discussing pressure group focus with a new member commented:

We're all fighting for innocent people in prison...we can support you and give you advice about things you could be doing to help him (SV: participant: 32, Pressure group meeting with two new campaigners: November 2008).

The following year at a justice meeting the participant spoke with a small group of campaigners during a break in proceedings and argued that innocence was the motivation for many campaigners she worked with. The participant suggested:

I think nearly all the families I know keep on going because they know that whoever they're fighting for is innocent (SV: participant 32: lunch during conference, October 2009).

Other participants were anxious to state they would not be campaigning if they believed the appellant was guilty. One interviewee commented:

If he was guilty and he isn't, I wouldn't be doing this campaign. I'd support him because he's my son but it's because he's innocent that I'm angry at what they've done to him (SV: participant 25).

Several campaigners discussed factual innocence as if the concept was synonymous with being a miscarriage of justice. Although some accepted that due process was an essential safeguard protecting citizens against wrongful conviction, many suggested they would not personally campaign for someone who they believed might be responsible for the crime. As such innocence was a key benchmark that motivated many to campaign tirelessly despite setbacks.

For the released victims of wrongful imprisonment the issue of innocence was of paramount importance and reflected not only on their campaign but how they conceptualised notions of 'Self'. The participants often remarked that their prison years were spent 'protesting my innocence'. At no time did any victims of miscarriage of justice argue that their conviction should have been quashed for breaches in due process. Their argument was that they were factually innocent and should never have been convicted (See Chapter 1).

For some participants their understanding of who was part of the miscarriage of justice community extended to those who were factually innocent. For those who were appealing against their sentence or who were appealing against their conviction on the grounds that there had been breaches in due process, this category of appellant was usually not considered part of the community. One interviewee suggested:

You know the numbers who say they're innocent but they're appealing on nothing or because the sentence is wrong...Well good luck to them but that's not what I call a miscarriage of justice. It's about people who are really innocent, not trying it on because they can't do their bird (PV: participant 9).

Despite the importance of 'innocence' to many campaigns against wrongful conviction, some anarchists argue that innocence is not the central issue. ABC suggests that some government statistics on crime exaggerate the incidence of violent crime to justify draconian criminal justice legislation. As such some working

class vulnerable groups are targeted by criminal justice agencies and unjustly imprisoned. The responsibility of some campaigners is therefore to view any conviction and imprisonment more in terms of State oppression and control (See Chapter 3). Support for prisoners serving prison sentences handed down by the courts, regardless of whether they are political or social prisoners, is therefore an important aspect of 'class struggle' and miscarriage of justice. An anarchist speaking at the Anarchist Bookfair commented:

What's innocence got to do with it? Sometimes laws are broken because it's the only way of fighting the State...they write the laws and own the police to control us...so we fight and resist...that's why some of us get sent to prison...innocence is a crap argument...it's meaningless (SV: activist 11: Anarchist Bookfair, 23 October 2010).

The third factor suggested by participants as motivating them to continue campaigning was their relationship with the miscarriage of justice community. Many indicated that following setbacks it was 'the community' which encouraged and supported them to continue and which provided them with the additional resilience necessary to face serious setbacks to the case. This is the focus of the next section.

Support from the Miscarriages of Justice Community

The participants indicated that their relationship with the miscarriage of justice community was an important factor in helping to understand their motivation and resilience as campaigners against wrongful conviction. As will be discussed shortly, there are contested issues in relation to the notion of community, and specifically whether a miscarriage of justice community exists. The participants indicated that feeling part of a wider group of people was an important factor particularly when the campaign suffered setbacks. As one interviewee stated:

Since I've been campaigning for (*name of appellant omitted*) I've needed the support of others because I don't know if I could have coped on my own...They

didn't motivate me to start the campaign but they do help me... keep going (SV: participant 32).

Whilst many campaigners were in contact with other pressure groups against miscarriage of justice, some campaigners were involved with other groups whose focus was overtly political and antithetical towards government policy (See Chapter 7). In these cases campaigners would discuss their case with members of another group as a means of sustaining their resilience to continue with their own campaign against wrongful conviction. An interviewee and member of the SWP indicated:

I go to Socialist Workers Party meetings most months, because they understand that it's also about what the political system including the judiciary is doing to ordinary working people... they're not campaigning with me for (*name of appellant omitted*) but whenever I go it helps me to focus on what I'm up against (SV: participant 5).

Since campaigning against wrongful conviction one participant has become involved in animal rights activism. Whilst the group she meets with is interested in her campaign they play no active role in campaigning with her against the wrongful conviction of her partner. The group, however, is engaged in campaigning against the prison sentences of some of its members and this appears to be an important connection between two pressure groups campaigning against wrongful imprisonment albeit from different perspectives. The participant is associated with MOJO and UCAPV but is also a member of the Animal Liberation Front:

I joined them after he was convicted although I've always been interested in animal rights... they're anti-establishment which suits me (SV: participant 32).

For other campaigners their motivation to continue came from other pressure groups where the membership was primarily concerned with perceived failures within the criminal justice system. In some cases the participants expressed the view that contact with other pressure groups provided additional support and that this contributed to their motivation to continue with their own campaign.

A participant attending a justice conference in Glasgow argued that providing campaigners with opportunities to meet together was important for morale and support:

You can campaign and never see or hear what others are doing...if we want to keep campaigners strong for the fight then meetings like this are essential...it brings us together and that's uplifting if you're on your own or your campaign is small (SV: participant 31: Justice conference in Glasgow, April 2008).

The participants highlighted the role of the miscarriage of justice community in supporting them to continue campaigning when the obstacles against the campaign appeared insurmountable. Sometimes it was involvement with a miscarriage of justice conference that provided the necessary support. A campaigner who attended the National Miscarriages of Justice Day in Leeds 2008 stated:

When I went up to the conference it was a time when things weren't good but being with other victims gave me the confidence I could go on (SV: participant 14).

The participants suggested that their relationships with other campaigners played an important role in sustaining their motivation levels and particularly when the group was confronted with setbacks to the campaign. There appeared to be a network of support which crossed boundaries both within pressure groups campaigning against miscarriage of justice as defined by wrongful conviction and with other groups campaigning for more general justice issues (Savage *et al*, 2007; Savage, 2007a). Some participants were involved with anarchist groups and worked with other activists supporting prisoners. In some cases, participants saw their involvement with overtly political and anarchist groups as being an important aspect of their fight against miscarriage of justice and the State which they believed unjustly convicted and imprisoned citizens. As such some saw activism through groups like ABC and other political groups as supporting the wider ideals and values of the miscarriage of justice community. A participant reflected:

I am part of the miscarriage of justice community but I feel part of it whether I'm with anarchists or MOJO supporters ...I don't campaign and fight the system with one group and play dead with another...it's all about fighting injustice but the

emphasis might change, but that's it (PV: participant 15: Anarchist Bookfair, 23 October 2010).

Whilst most participants suggested that contact with the miscarriage of justice community and/or with other pressure groups was not the primary source of their resilience, it was a factor that impacted on their ability to sustain the campaign. Despite most participants referring to 'their community', the concept is not without controversy (Kymlicka, 1989). The next section will examine what constitutes a miscarriage of justice community and those features that help define it.

The Miscarriages of Justice Community

Most participants stated they were part of an identifiable community which they referred to as the miscarriage of justice community. Despite most participants making regular use of the concept, notions of community are sometimes disputed (Kymlicka, 1989; Gilbert, 1995). The Concise Oxford Dictionary (2004) states a community to be '...the condition of having certain attitudes and interests in common'. Gilbert (1995: 144) develops this theme and suggests a community is a '...group of people living a common life through reciprocal relationships'. This definition accords with participants understanding of 'community' who regularly cite the importance of reciprocal relationships to sustaining the equilibrium of victims of miscarriage of justice and those who campaign for them (London Against Injustice, 2010).

The miscarriage of justice community appears to be strengthened by a range of factors including meetings and activities that encourage campaigners to talk and listen to others traumatised by wrongful conviction; companionship; campaign group meetings, conferences and other activities designed to encourage active participation against miscarriage of justice; support and advice for alleged victims of miscarriage of justice and their families; and, consolation. Many participants in this study remained traumatized following the conviction of 'a loved one'. Some were still coping many years after the original conviction and therefore sought a support

network. The negative effects of wrongful conviction similarly extend to the children of the wrongfully imprisoned (Murray, 2005; Grounds, 2008). The miscarriage of justice community provides such a network and assists appellants and their families challenging wrongful conviction. Communities in this light differ from associations who are brought together for specific purposes and who regulate their activities through enforceable rules (Baumgold, 1988; Gilbert, 1995). Although many suggested they were, or had been, part of other 'communities' their primary identification was now with other campaigners fighting against miscarriage of justice. This supports Buchanan (2005: 132) who identifies individuals as belonging to a community when they '...have ends that are in a robust sense common, not merely congruent private ends, and that are conceived of and valued as common ends by the members of the group'. The participants referred to seeing the criminal justice system differently since their own personal involvement in miscarriage of justice and that their attitudes and belief system had changed since becoming a campaigner. Whilst attending a Miscarriage of Justice Organisation conference, 'Limits to Reparation' in 2008 one interviewee stated:

Since campaigning I think most of the views I've had about the criminal justice system have been turned on their head...The more I got involved fighting for miscarriages of justice...it was like a veil being lifted from my eyes (SV: participant 31: Miscarriage of Justice conference, April 2008).

The strain of dealing with the loss caused by wrongful conviction and imprisonment meant that participants often sought solace and companionship from others in similar circumstances. For campaigners who had experienced high levels of media intrusion following the conviction the sense of feeling 'different' from other members of society persuaded some campaigners to seek the company of those who had similarly experienced wrongful conviction. As one interviewee commented:

When it all kicked off I found it hard to keep my head up, just going shopping was hard because it felt like everyone was looking at me...It was being with others...who knew what I was going through that made it bearable (SV: participant 2).

During the process of data collection core elements were identified that help explain why the participants refer to notions of 'community'. These include 'shared experiences' and feelings of 'marginalisation' and 'alienation'.

Shared Experience

The participants stated they felt part of a miscarriage of justice community because of their shared experiences with others within the community. Many suggested it was their own personal involvement with the criminal justice system and, in particular, the wrongful conviction of either themselves or someone they knew that inclined them to join with others who shared similar experiences. As one interviewee stated:

I do feel part of a community because the others who I meet understand what it's like... they've been there and I'm comfortable with that (SV: participant 6).

For several campaigners the notion of being able to empathise with the plight of the wrongfully convicted and their families was synonymous with having 'been through it'. One participant indicated that the primary reason for her attendance at a Justice conference was to meet with other campaigners who had similarly experienced the strain of campaigning against wrongful conviction:

I'm here to feel part of it...Who do you talk to about this kind of thing other than people who have been through it themselves? (SV: participant 22: Meal at Thai restaurant, April 2008).

For many participants it was the common objective they shared, in unison with their shared experiences that created a sense of community. Most participants identified the quest to either 'prove their innocence' or to get back to the Court of Appeal as the single most important objective of their campaign (See Chapter 1). Whilst the participants could empathise with many aspects of the lives of people adversely caught up in the criminal justice system, it was those who also protested their innocence and the campaigners fighting for them that were rightly counted as part of the community. As one interviewee stated:

It's all about getting the conviction quashed and someone vindicated. That's why we're all campaigning...It's not to improve the living conditions of prisoners or to get the tariff lowered but to fight the conviction and get them out (SV: participant 5).

Many participants discussed the innocence of an appellant as a backcloth to other conversations regarding their campaign against wrongful conviction. Belief in the appellant's innocence was the pivotal issue as it appeared to define the campaign and what the campaigners shared together. It was not that they were simply campaigning against injustice, but that they were campaigning for an innocent appellant. The issue of innocence in addition to motivating participants to campaign appeared to inform notions of identity and their membership of the miscarriage of justice community.

Marginalisation and Alienation

Most participants whilst discussing their own experiences often identified feeling marginalised and alienated by society following wrongful conviction. As a result of this some had joined the miscarriage of justice community because they felt 'included' and 'appreciated'. A campaigner during a social gathering stated:

When I turned up to a group meeting I became quite emotional because I felt I was with people who didn't judge me or my family (SV: participant 28: Green Man Pub, November 2009).

Other campaigners similarly felt marginalised by mainstream society and indicated that these feelings contributed to them seeking others who were in similar positions of vulnerability. Another issue raised by some participants as contributing to their perceived alienation was the role of the mass media. As one interviewee commented:

It was the press that made me feel like switching off from everyone...they said evil things and we didn't know how to fight back... It's not just about being in another

community, it's about being in a family of people who are prepared to stand with you (SV: participant 29).

Another campaigner involved in a case which generated significant media attention indicated that following the appellant's conviction she was unprepared for the level of media intrusion she and her family experienced. This supports Rock (1998: 84) who suggests '...survivors found that their sense of besetting chaos had been compounded by the unruliness of reporters and photographers'. Buchanan (2005: 132) discussing notions of community suggests that '...for the individuals involved, their awareness of themselves as belonging to the group is a significant constituent of their identity, their sense of who they are'. The feeling of alienation experienced by a participant because of the response of neighbours and work colleagues inclined her to increasingly spend more time with other campaigners and families who had experienced similar feelings of detachment. During a Christmas meal with other campaigners the participant commented:

When you've met someone through something like this (*campaigning against wrongful conviction – my italics*) you get closer to them than others...I felt like a fish out of water after his conviction...this world then became my life (SV: participant 1: meal at local restaurant, December 2009).

Many participants appeared to seek other victims of wrongful conviction as a means of supporting or redefining their own sense of identity. For some participants their sense of identity appeared to have been undermined through the actions, behaviour and sentiments of those around them following the charge and conviction. The need to feel supported by those who were in similar positions of 'spoiled identity' (Goffman, 1963) appeared to be a significant factor in participants identifying with the miscarriage of justice community. Other features identified by the participants as defining a miscarriage of justice community included the community's belief system and attitudes towards the criminal justice system and an invigorated loyalty towards others, in this case, towards other campaigners. In terms of participants attitudes towards the criminal justice system one interviewee indicated:

Many of us have been hurt so we see lots of things the same way...I don't need to explain the police and courts are often bent because the group have been there and know (SV: participant 21).

For many participants their pressure group represented a group of individuals who had identified a common adversary, namely the agencies of the criminal justice system. A number of campaigners suggested that their collective hostility to these agencies created a strong bond between the members. An interviewee stated:

People are suspicious of the police for what they've done...that keeps us together because if we're divided the police would like nothing better (PV: participant 13).

Many participants described their general antipathy towards criminal justice agencies and in some situations their deep seated hostility towards the police and the courts. A victim of miscarriage of justice and interviewee commented:

The system is rigged for one...It's not that this part of the system is OK and that bit isn't so bad but that the whole thing is rotten. (PV: participant 10).

Whilst a range of factors were identified as to what constituted a recognisable belief system within pressure groups against miscarriage of justice some views appeared to prioritise the role and behaviour of the State. This harmonises with theories promulgated within radical victimology which focus less on individual and environmental factors and more on the power relations within society (Pearce, 1990; Muncie, 2003). Individual campaigners had negative associations with different groups within the criminal justice system but some chose to identify the 'establishment', or the 'State'. As one interviewee put it:

What we can usually agree on is that ordinary men and women get falsely accused by the State and what you thought worked turns out to be corrupt (SV: participant 31).

Another participant during a campaign meeting to discuss proposals for a planned committee meeting at the House of Commons suggested:

It seems strange talking about going there when it represents the State...that's what we're fighting against (SV: participant 32: Justice Campaign meeting, November 2009).

The campaigners similarly talked about notions of 'loyalty' and 'trust' when discussing their identification with the community. Some participants felt they had been 'let down' by friends and colleagues during the police investigation and subsequent conviction. This led some participants to become suspicious of 'outsiders', who were often identified as people who were 'not in the community' and therefore did not fully understand what was happening within the criminal justice system. The trauma of facing the consequences of wrongful conviction and the anxiety of contending with criminal justice agencies meant that for some participants their social interaction involved participating with groups of individuals experienced in resisting criminal justice agencies. An interviewee indicated:

I think I got a bit paranoid because I didn't feel I could trust anyone and that's why I ended up spending more time with others in the same situation (SV: participant 23).

For victims of miscarriage of justice notions of trust were of paramount importance. There was a belief among many participants they could only trust those who were part of the miscarriage community. One interviewee stated:

Since I was in gaol and even afterwards the people I trust are nearly all victims of miscarriage of justice because I know I can rely on them if things get difficult again (PV: participant 9).

A related characteristic raised by some participants suggests that in addition to a recognisable community, there is similarly an insider community within the miscarriage of justice community with membership accredited to those who are themselves factually innocent and wrongfully imprisoned. Some appellants commented that during their imprisonment, they socialised primarily with other appellants; contact then continued after release. An interviewee and victim of miscarriage of justice commented:

I speak to others who've been inside for something they haven't done and there's something between us...we're fighting for the same things...and that brings you closer with them than others (PV: participant 7).

Some participants similarly spoke of associating with other prisoners 'protesting their innocence' and that appellants quickly identified with and recognised each other as appellants on the wing or spur during their incarceration. As one interviewee indicated:

That's right...you know who the appellants were and who was a genuine case...it was like being in a community within the gaol (PV: participant 11).

The notion of a community operating within the wider miscarriage of justice community appeared to be accepted by many victims of wrongful conviction and imprisonment. Some participant's spoke of their belief in a miscarriage of justice community within prison and that this sometimes extended to relationships post-release. Some participants who had personal experience of wrongful imprisonment appeared to understand notions of personal identity in terms of their status as 'an appellant'. Goffman (1963) discusses identity in relation to the stigmatized self. For those participants whose personal identity has been undermined through being charged and convicted, their status as an appellant and their identification with other appellants appeared to strengthen their identification of Self and provide a means of rebuilding their 'spoiled identity'.

Conclusion

This chapter has attempted to explore the first or early experiences of participants as campaigners and to consider their first priorities and how they managed problems and difficulties during the first year. A key difficulty for many participants was coping with the loss of someone with whom they had an intimate or close relationship. Mother's coping with the wrongful imprisonment of their son's and wives the loss of their husbands was a common feature throughout the process of data collection (Savage *et al*, 2007; Charman and Savage, 2009). A notable aspect of

many campaigning lives was the enthusiasm and motivation of most participants. Secondly, that despite major setbacks they remained steadfast and resilient. The chapter has explored this aspect of the campaigner's journey and concluded that three features help explain high motivation and resilience levels including their relational bond with the appellant; belief in the appellant's innocence; and, their relationship with other campaigners. The chapter has similarly examined whether participants considered themselves to be part of a wider miscarriage of justice community and whether such a community exists. The chapter concluded that a number of features appear to characterise the miscarriage of justice community including shared experiences within the criminal justice system and issues of marginalisation and alienation following wrongful conviction.

The central message of the chapter is that there is a complex interplay of factors that impact on the early campaigning experiences of participants. The relational bond between the lead campaigner and appellant is paramount and appears to be the 'glue' that holds many campaigns together providing campaigners with the motivation and resilience to campaign despite obstacles (Charman and Savage, 2009: 3). During the process of managing a personal campaign most participants chose to join an additional pressure group for support and companionship. Although some of these groups were specifically concerned with miscarriage of justice others were committed to challenging other areas of perceived injustice and oppression. Most participants discussed being part of a miscarriage of justice community. Despite the community having a wide and diverse membership, the notion of a miscarriage of justice community appears to have legitimacy because the term is used regularly and in everyday conversation between those affected by wrongful conviction.

When the participants made the decision to form a campaign group against wrongful conviction formulating strategy and the tactics to be used became an immediate priority. Despite common features the participants discussed a range of options and identified key strategy decisions and tactics aimed at securing justice for the appellant. The next chapter will examine the strategies of resistance and tactics used by participants including how these were prioritised and the benefits of

working with other pressure groups. The chapter will explore the campaigner's relationships whilst campaigning and particularly between the appellant and their lead campaigner.