

Chapter 7

Pressure Group Politics

This chapter will examine political dimensions of pressure groups against miscarriage of justice and consider the internal working of such groups, including the extent to which participants believe they can contribute to decision-making. The chapter will similarly consider whether the strategies and tactics employed by groups reflect the interests and wishes of the membership. In short the chapter will examine the views of grass roots activists operating within the miscarriage of justice community and how they manage their own campaigns whilst actively supporting pressure groups whose function is to both support other campaigners and challenge criminal justice legislation. Whilst many campaign and support groups are attended by men, women appear to constitute the significant majority in terms of membership numbers. The chapter will examine this feature of pressure group activity and whether there are specific reasons why such groups are predominantly female. The issue of gender and campaigns against miscarriage of justice is a research objective and includes examination of the roles of female and male participants in their own campaign groups.

Politics of Pressure Groups against Miscarriages of Justice

Whilst most participants did not understand group membership and activity in terms of *party politics*, many did see the miscarriage of justice debate as a political issue and campaigns against wrongful conviction as political engagement. Although notions of 'political obligation' (Simmons, 1981; Pateman, 1985) whereby citizens are bound to obey the laws of a political community remains a feature of most campaigns against miscarriage of justice, other participants question the activities

and legitimacy of the State and raise doubts as to whether victims and secondary victims of wrongful imprisonment are equally obligated, with other citizens, to cooperate with the State. This supports Walz (1995a: 693) who questions whether ‘...disadvantaged or disengaged’ citizens can be expected to acquiesce to the activities of some regimes ‘...even though they are not equally committed to or equally approving of the political regime and its characteristic works’.

The activities of some New Social Movements (See Chapter 3) suggest that involvement in ‘protest’ is similarly understood as political engagement despite there being little involvement with political parties (Wheaton, 2007: 289). Several participants interpreted their current plight and opposition to criminal justice legislation and agencies as a political issue and therefore sought support both from their own campaign group fighting miscarriage of justice and other ‘protest’ groups challenging government legislation. This supports Hetherington (1988: 4) who suggests ‘...issues of politics cannot be separated from those of identity and lifestyle’. For some participants their ‘political’ activism is rooted in notions of challenging government, State agencies and seeking justice. Their activism is less concerned with political parties and more with power relations, issues of justice and human rights (Berlin, 1938).

The issue of being politically engaged appeared to grow in importance the longer the participants were involved in campaigning against wrongful conviction. For participants ‘new’ to campaigning, the first priority was coming to terms with the wrongful conviction and learning to manage their new life. The process of recovery after the initial trauma, however, appeared to be helped through wider engagement with political issues, particularly when there were others to support and educate new campaigners into an unfamiliar culture. An interviewee commented:

I felt finished after losing the first appeal but it was when I began to see it as political and not something personal that it helped me campaign differently and how I felt about the campaign (SV: participant 1).

For some campaigners it was the realisation that government legislation had contributed to a wrongful conviction that persuaded them to extend their protest. One interviewee stated:

It was the use of hear-say and bad character evidence that got him convicted so I'm part of a group...as well as other things that campaigns against the legislation...I feel I'm doing something fighting against bad laws, well basically against the people who I blame for putting my dad away (SV: participant 4).

Another area of law that has encouraged a group of campaigners to extend the remit of their campaign concerns cases where the conviction was achieved through the interpretation of joint enterprise. Whilst campaigning for an appellant, a group of campaigners against miscarriage of justice based in London have coordinated some of their resources to campaign against joint enterprise. The campaigners believe the law to be unjust and a contributory factor leading to wrongful convictions. An interviewee who manages her own campaign and who has attended a group meeting of LAI commented:

I haven't been in other groups but I went to a meeting in London after reading their website... I want to start going regularly...it's not only about our case but sticking together with other families fighting this kind of...law (SV: participant 33).

For some participants, involvement in political issues meant working with anyone or any political party or politician who might be willing to support their cause. In terms of wrongful conviction this meant contacting local politicians and Members of Parliament (MP's) or anyone in positions of power or influence and working with them to raise the profile of their case. Savage *et al* (2007: 24) identify the ability to 'influence' individuals in positions of authority, including politicians, as a critical success factor and determinant of effective campaigns against miscarriage of justice.

For many participants their level of political engagement changed when they began to see themselves as 'activists' who engaged in protest against the procedures and processes of the criminal justice system. Other participants, however, saw their activism taking them beyond the criminal justice system and to protest groups,

women's justice groups and anti-capitalist political groups whose aim is to undermine and radically change the current political landscape. One interviewee commented:

I'm part of the campaign group but it's also about changing what's happening elsewhere. The police, the prisons and courts won't change unless things change politically (SV: participant 5).

Three participants were members of environmental pressure groups and two campaigners were Animal Rights activists. Other participants were associated with the women's movement and with women's justice groups including protest groups campaigning against drugs in local communities. Other participants joined political parties such as the Socialist Workers' Party or other extreme left-wing groups such as ABC. They described themselves as activists against miscarriage of justice but whose political activism had stimulated their interest in other forms of protest. Some participants were members of, or had been associated with, pressure groups operating under the aegis of United Against Injustice (UAI) and extended their 'protest' against miscarriage of justice to campaigning against criminal justice laws and legislation. Other participants were members of groups campaigning against false allegations of physical and/or sexual abuse and likewise sought to extend their campaign to include perceived failures in criminal justice investigation and legislation (See Chapter 5).

Other participants did not readily identify themselves with being activists but rather as individuals fighting a specific conviction. For some campaigners still learning to cope with wrongful conviction it was hard enough coping with one campaign so that wider engagement was not an option they pursued. An interviewee observed:

This week I've been up to his solicitor twice; written to the Appeal Court...it's hard enough fighting one conviction without taking on other people's problems (SV: participant 28).

Many pressure groups against wrongful conviction support both activists engaged in wider political issues and other campaigners who focus exclusively on their own campaign against wrongful conviction. This supports Savage *et al* (2007: 13) who

examine notions of 'individualised' justice (the campaign achieves an individualised response) and 'generalised justice' whereby the campaign focuses on wider outcomes. Whether the campaigners were indeed activists or members who focused exclusively on one case of wrongful conviction, most participants identified emotional support as the responsibility of all campaigners engaged in fighting wrongful conviction (See Chapter 6). Despite differences in levels of involvement some experienced campaigners (those who had campaigned against wrongful conviction for more than 10 years) indicated they believed involvement in wider protest was something that each campaigner negotiated in accordance with their own circumstances and 'lifestyle' (Hetherington, 1998). Recent appellants and campaigners were most obviously focussed on being referred back to the CACD and, if the first appeal was dismissed, working with the CCRC to secure the case being referred back to the CACD a second time. This sometimes meant that campaigners were less inclined to contribute to wider miscarriage of justice discourse. Inherent in the decisions made by campaigners was the notion of 'risk'. Some participants made rational choices and calculated the risk to their campaign should they engage in other forms of activism. Some participants were involved in sensitive negotiations with the CCRC and did not want to complicate their relationship with their caseworker. For participants whose cases had been rejected by the CCRC and who felt 'locked out of justice', the notion of protesting against the criminal justice system was seen as an attractive option. A seasoned campaigner and interviewee commented:

For someone who feels locked out of justice their only response is to fight the system which put them there...the longer people are in prison and campaigning, it applies to their families, the more inclined they'll be to extend the fight...if you believe the system is corrupt and it's stopping you progressing then you've got nothing to lose (SV: participant 31).

Another participant commented on the issue of wider political protest by suggesting that his own position changed the minute he read a CCRC document whilst still in prison. When he read the Commission's refusal to refer his case he believed the Commission had not investigated his case properly and that in one

instance they had been influenced by an earlier appeal court judgement. The appellant's response was to take legal action against the Commission. Whilst his claim against the Commission was not successful it did encourage him to take a more confrontational line against the Commission and to challenge other areas of criminal justice policy. The interviewee commented:

I had nothing to lose. I'd spent years trying to work with them but when I saw the response I went mad because I knew I'd been stitched up...I campaign now against the whole cesspit not just my case (PV: participant 15).

The participants involved with pressure groups against miscarriage of justice were usually located at different emotional and psychological spaces with some campaigners coming to terms with a recent conviction whilst others were still campaigning many years after a conviction or appeal. What sometimes reflected their own experiential journey were the terms they chose to describe their relationship with miscarriage of justice and whether they were a 'victim' or 'survivor'. This is the subject of the next section.

'Victims' and 'Survivors' of Miscarriages of Justice

The use of the terms 'victim' and 'survivor' is one that resonates in victims' groups supporting individuals who have experienced trauma and suffering. This supports Rock (1998: x) who suggests that support groups readily use the term 'survivor' particularly '...with its connotations of resilience' (See Chapter 2). Most participants, however, in this study designated themselves 'victims' of miscarriage of justice. This applied to 'new' campaigners and to those who have been campaigning for many years. This appeared to be the preferred term used by the miscarriage of justice community although individuals within the community chose to use the 'survivor' motif for specific purposes sometimes when needing to make a political point to the media (See Chapter 2). As one interviewee commented:

I use victim of miscarriage most of the time when I'm with the group but I use survivor sometimes when I want people to know that we're still fighting and won't be giving up (SV: participant 1).

For most participants, however, the use of the term 'victim' or 'survivor' was not the important issue but rather the extent to which the campaigner was able to effectively campaign against wrongful conviction and recover from their experiences. Figley (1995) equates the use of the survivor motif with those who have been able to find resolution (See Chapter 2). Most participants confirmed they continued to seek resolution to the events that had disrupted their lives. This is one of the primary reasons why many continue to campaign for their case to be re-opened. Most victims of miscarriage of justice argued it was the victim motif they generally used in conversation although some were quick to argue they were similarly survivors of miscarriage because they had survived their imprisonment and continued to campaign against the criminal justice system. As one interviewee commented:

I see myself as a victim of the State but I'm a survivor because I haven't been trodden down (PV: participant 9).

The use of the term survivor to describe the experiences of campaigners was alluded to by some participants who had learnt to identify with the concept whilst attending other justice pressure groups. As such some participants identified with a particular term for its political nuance and not to describe their personal campaign for justice. Although the miscarriage community generally used victim to designate their experiences, other communities talked of 'survivors' and 'coming through' a particular experience or trauma. One interviewee stated:

I started to think of being a survivor after going to a...women's group in south London...from there I stayed with it...it reminds me I'm also a survivor trying to get him out of prison (SV: participant 29).

In these circumstances it appears that some campaigners who attend other protest groups have incorporated the nomenclature and political ideology of that

community into their campaigning role within the miscarriage of justice community.

Another interviewee commented:

I was in the women's justice movement for years before I was convicted and since release I think of myself as a survivor because I'm still campaigning to prove my innocence (PV: participant 18).

Although campaigners spoke of their preference for either the victim or survivor motif, most did not adhere rigidly to one term but used, switched and modified words and expressions to convey their feelings and experience at particular moments in their campaign and lives. This supports Walklate (2004) who argues that victims walk different paths to recovery. The participants did not understand their campaigning identity only in terms of being a victim anymore than being a survivor. It appeared to be the psychological and emotional spaces the participant frequented at that specific moment in their journey that persuaded them to employ a particular term. As one interviewee indicated:

I've heard both expressions used...I know many see themselves as victims of miscarriage of justice but that doesn't mean we're not survivors... we are because we've survived fighting the system (SV: participant 22).

An area that engendered sensitivity amongst participants and which persuaded some participants to decline any comment concerned their feelings towards the 'original' victims of the offence. It is to this issue we now turn.

'Victims of Miscarriage' and 'Survivors of Crime'

For those 'victims' of miscarriage of justice who had successfully witnessed the quashing of their conviction, other victims were then left seeking justice. In the case of participants who had been convicted of murder, the family of the murdered victim achieved legal justice through the conviction of the defendant. Following the quashed conviction the other 'victims' were sometimes in the position of having to seek legal justice once more through the courts. The trauma experienced by secondary victims of homicide during the police investigation and criminal trial is

examined by Rock (1998: 78-83) who discusses the treatment of 'survivors' including the protracted wait for the trial and that the families often have 'no legal or moral standing in court' unless they are called to give evidence either by the defence (in rare circumstances) or by the prosecution. Other difficulties included not being provided with information or sometimes being excluded from legal argument pertaining to the case. Some survivors spoke of their '...physical and symbolic marginality' (Rock: 1998: 82). Some of these concerns are experienced by the defendant and their family. In relation to miscarriage of justice, the families on both sides of the adversarial divide are victims of the criminal justice system. For some participants, despite having been incarcerated for a crime they did not commit, there was sympathy for the original survivors of crime. An interviewee commented:

I do think about her...it wasn't her that sent me to prison and she's had to cope with it all, with the trial and everything...we were both victims but at the time I was the monster...it's not like that now (PV: participant 8).

The adversarial system of justice in England and Wales involves the prosecution and defence lining up in opposition to one another (Sanders and Young, 2007). Both legal teams call witnesses and experts to support their position and to secure the conviction or acquittal of the defendant (Sanders and Young, 1994). This will sometimes mean that the original victim and/or their family will sometimes be called upon to give evidence for the prosecution (Ashworth and Redmayne, 2005). This can create antipathy between victims either side of the criminal case which can sometimes continue even after the appellant's conviction has been quashed. An interviewee indicated:

I do have sympathy for them but it's the police who put us in this position, so you should ask them what they feel about creating victims and leaving broken families to pick up the pieces (SV: participant 23).

For those participants prepared to comment, the acrimony between the two families, the victim's family and the victim of miscarriage of justice and their family,

appeared in some cases to persist despite the quashing of the conviction. One interviewee commented:

I'm sorry for them but it wasn't me so it's hard thinking about them now...they've also made my life crap by what they've said about me...my family are victims in this but they didn't think about them so I don't lose sleep over their problems (PV: participant 10).

The participants, who were prepared to discuss their feelings towards the 'other' victims involved in the case, articulated a range of views from mild hostility to those who had moved emotionally to a position where they were able to express sympathy and compassion towards the 'other' family. Some participants focussed on achieving justice through seeking the conviction of the real culprit and that one consequence of this might be that the original victim's family might experience emotional closure. One participant who initially indicated mild hostility towards the original victim's family later commented:

Yeah, I do want to find the person who murdered their brother not only for me but because I want them (*original victim's family – my italics*) to know what happened and who really did it (PV: participant 10; social gathering involving ex-prisoners, July 2010).

The problem for some participants was that they had been forced to engage in a confrontational dual between two opposing sides during the criminal trial (Ashworth and Redmayne, 2005). The nature of the judicial 'contest' set the victims of the case against one another with both families sometimes involved in the trial itself, either giving evidence for the prosecution or defence. When the 'offender' was released by the CACD some participants appeared unable to resolve their feelings of ambivalence towards the other victims because of the roles each had taken during the first tribunal. What is of particular interest is whether the unresolved feelings of antipathy experienced by some participants actually undermine their recovery from the psychological and emotional effects of wrongful conviction? One participant who had considered this point suggested it had taken him over eight years to recover from wrongful conviction and imprisonment. He

had been incarcerated for five years in which time he had become estranged from members of his own family. He had stopped dreaming about his prison experiences and was at last feeling less anxious and fearful as he negotiated his way through life and a new career. What was significant was that he suggested he was now ready, having recovered thus far, to start the process of communicating with the other 'victims' involved in his case. Some of these victims had been instrumental, albeit unknowingly, in his arrest and conviction. The participant believed that speaking with them, with someone to facilitate the meeting, might contribute to his recovery and enable him and others involved in the case to recover emotionally from the hurts they had all experienced. The interviewee commented:

I've started to think about speaking to the other victims...I've written a story about what happened from their perspective, to understand what they went through...now I'd like to meet with them to talk...to talk about what we all went through (PV: participant 43).

The participant appeared to be seeking a formalised encounter involving the original victims in his case, including the participant, similar in approach to restorative justice meetings in which there is mediation between the offender and victim. In this situation, however, the 'offender' has been declared a 'victim' of miscarriage of justice through the quashing of the conviction.

'Victims' of Serious Crime and the Appellant: Challenges for the Nuclear Family and Campaign

A related complication for some victims of miscarriage of justice and appellants concerns those cases where the appellant and victim stem from the same nuclear family. Five participants were convicted of offences against family members close to them including one participant convicted of the murder of his spouse and one participant convicted of sexual abuse against his daughter. Both convictions were quashed by the CACD. One participant when informed of the death of his spouse stated that he went into shock (Wortman *et al*, 1997). The participant commented

that he closed down emotionally and was unable to cope with the police investigation being conducted around his family. The interviewee stated:

I didn't take it in when I was told and after it I don't think I heard what anyone was saying to me. I was just totally finished, everything was gone (PV: participant 40).

During the police investigation the participant indicated that he suffered psychologically and emotionally but that through family support he was able to begin the process of coming to terms with his loss and to grieve for his wife. The participant was later charged and convicted with murder. In terms of campaigns against miscarriage of justice the difficulties experienced by some participants are exacerbated when the charge and conviction is for an offence against a family member. As such they suffer a 'double trauma'. This supports Rock (1998: 64) who examines the additional strain on survivors suffering bereavement after homicide when they are identified by the police as suspects. At a time when the survivor is attempting to face rationally what has happened, the police might engage in 'repeated, intense, and often aggressive interrogation'. The difficulties for defendants appear twofold. Firstly, the defendant is suffering a traumatic bereavement and yet at a time when they are at their most vulnerable, they have to negotiate their way through the criminal justice system. Secondly, the death of a close family member can split a family and create major obstacles for the appellant when trying to initiate a campaign against conviction. One interviewee commented:

I didn't have many people campaigning for me ...my wife's side of the family didn't want anything to do with me...some of my lot didn't disown me but I didn't see them much...she (*participant's wife: my italics*) was the person I relied on and she'd been killed (PV: participant 40).

Most campaigns against miscarriage of justice are led by family members close to the appellant. When the defendant is convicted of a serious offence against someone within the family this appears to create additional problems for the appellant. Another participant was convicted of sexual abuse against his daughter. Although the participant's family rallied around him and supported his campaign against the conviction, his problems stemmed from the sense of loss, anger and

confusion he felt when first arrested and charged with her abuse. The participant and interviewee commented:

When I was arrested I felt very confused and didn't know how to react...I couldn't understand what was happening...I wasn't functioning properly and...simple decisions were hard to make (PV: participant 43).

For any appellant campaigning against wrongful conviction the task can be daunting but where the allegations concern a family member the problems might be exacerbated. The interviewee stated:

I couldn't understand what was happening to me or why (*name of daughter omitted*) had said the things she did...I needed to think about it and reflect on where it had come from...My mental state was very confused...I think I retreated because it was too painful (PV: participant 43).

The sadness and despair felt by the participant meant that his ability to campaign against his conviction was seriously hampered. The participant needed his family to initiate and manage the campaign because he was unable to make decisions because of the loss of his own emotional equilibrium. The interviewee commented:

I needed my family to organise the campaign because I wasn't in any fit state to do anything...it was because of who had made the allegations that destroyed me...that's why I needed others to help me (PV: participant 43).

The participant's conviction was quashed by the CACD. The participant is still estranged from his adult daughter but they have begun the process of communicating with each other through other family members.

The views of these participants have highlighted the additional challenges faced by some appellants and their families when campaigning against wrongful conviction. The psychological and emotional demands on appellants and campaigners are immense when the conviction relates to an offence against an individual not known by the appellant. When the conviction is against an individual within the family then the challenges of campaigning appear to be increased. Most campaigns are managed by family members and the resilience and motivation to campaign is often

assisted by the relational bond between the campaigner and appellant (Savage *et al*, 2007). This relationship can be undermined when the family experience split loyalties towards the appellant and the victim.

Most participants are members of their own campaign group and seek to challenge the wrongful conviction of someone they know very well. Many of these groups have been formed by close family members, often the wife, partner or sister of the appellant. The next section will examine the extent to which these groups are 'democratic' units enabling their membership to participate in decision-making. The section will explore how issues or proposals become agenda items and whether participants believe they are able to contribute to the group's strategy and tactics. With some participants identifying themselves as activists engaged in more militant activities, the section will similarly examine how disagreements between members are managed, particularly between militant and less militant members.

Personal Campaigns: Decision-making and Agendas

Most campaign groups were started by a family member or friend of the alleged victim of miscarriage of justice which then grew in size as other citizens were encouraged to join. These groups are usually considered single issue groups focusing on a specific objective (Alderman, 1984; Ridley and Jordan, 1998). As the membership of some groups grew so issues of democratic functioning became more important. As one interviewee indicated:

When we started out there were a handful of us so we just got on with it but by the end we had lots of people wanting to do something so we had to change how we ran the campaign (SV: participant 22).

Several participants managing groups argued that whilst their group had a large number of supporters, often in excess of 300, the core group actually managed the campaign and made all the key decisions with the appellant. This core group of activists was often relatively small so that meetings were usually informal with most campaigners able to contribute. One interviewee commented:

There's usually about seven of us...although we're always phoning each other and talking about what needs to be done...it's not formal or anything like that although I suppose I start the meeting off...the others talk and put their point when they've got something to say (SV: participant 1).

Whilst most groups had other supporters, often involving large numbers of people, this group was often not involved in decision-making. Although some supporters were able to make suggestions through the campaign group's website, there appeared to be an 'understanding' that it was the core group who made the decisions. As one interviewee commented:

We told people things we didn't mind getting out to the media or the police... we were fighting the police so involving everyone wouldn't have been right...We tried to keep our supporters happy with what was happening...but it was understood we couldn't share everything with everyone (SV: participant 23).

In fact many lead campaigners indicated that the wider support group was part of their central campaign but that it had a different role within the operation. The core group took responsibility for the campaign, particularly those areas that concerned the legal team and the media. Some participants suggested that having an executive group managing the campaign improved the quality of decision-making particularly when the campaign had to respond quickly to legal or media news. This resonates in the work on Gamson (1975) who argues that some groups are more 'effective' because they are able to respond to problems without first having to consult their membership. An interviewee commented:

It's a small group but it allows us to make quick decisions when we have to which is quite often. If we had to consult lots of people I think it would get in the way of the campaign (SV: participant 34).

During a meeting involving nine members of a campaign group a participant explained that he had received notification from the appellant's solicitor that a forensic report had been commissioned and that the conclusions of the report were favourable to the defence. The participant commented:

It's very good and shows the fibres...I'm going up tomorrow to see him and plan the next move...if it's as good as it sounds then we'll need to act on it...A second opinion could be the thing to do (SV: participant 6: campaign meeting, October 2009).

The participant and the other campaigners believed they needed to respond immediately to the report which was highly confidential. In this situation the family did not want to discuss the implications of the report with their wider support group because they wanted to act on the report the next day. Secondly, the family did not want the police or the media to know of the existence of the report or have information on any aspect of the defence case. Issues of confidentiality, decision-making and immediacy meant that many decisions were not shared with the campaign's wider support group but remained within the core group at the centre of the campaign.

The role of the wider support group was to provide the campaign with the option of mobilizing a larger number of people for the purposes of 'pressure' (letter writing) and assistance with funding to finance the campaign. The wider support group also served to remind the appellant they were supported and that the campaign had momentum. One interviewee stated:

The support we've got is important for lots of reasons...amongst other things when we ask people to write letters to politicians or their own MP then the more who do it the more the State will listen (SV: participant 26).

I asked several campaigners how they then mobilized their support group for the fight. Most participants stated that communication between the core group and those who were members of the wider campaign was integral. The use of websites and newsletters in which details of the appellant's case were described in straightforward language was important if others were going to support the cause. One participant indicated:

You have to persuade people, some who might not be familiar with the case that what's going on is wrong and...It's a miscarriage of justice...what you say and how you say it is very important (SV: participant 30).

Reviewing some of the web pages of participants involved in this project suggests that the language used is often emotive and personal. The campaigns use terms like 'innocence' and 'justice' and then place them against a backcloth of personal details involving the victim of miscarriage of justice which describes their 'suffering' and 'loss'. This suggests that participants use communications with their wider support group to mobilize the membership (Degregorio, 2009). One interviewee who manages the website of a justice campaign indicated:

I think it's important the facts of any case are clearly set out in an informed way but I don't think that's enough. What we've tried to do is give people a taste of what it's like to be innocent and in prison so the words you use have to convey that (SV: participant 31).

Although most participants believed it was important to generate more support for their cause many indicated they were not inclined to place demands on supporters other than asking for donations or requesting that the supporter write a letter of support. Grant (2005) suggests that some campaigners choose limited involvement because others have more time. The participants acknowledged that making onerous demands might be counter-productive and lead to a loss of support. One interviewee stated:

A lot of people don't have the time or motivation to campaign for someone they don't know so asking people to do more than write a letter could mean you end up frightening them off (SV: participant 21).

Asked how they mobilize the core membership of their own campaign group it was suggested by most participants that no persuasion was required. The participants were fighting the conviction of someone they were close to, often a husband, partner, son or brother. Several campaigners said their lives had been 'put on hold' and that until the appellant was vindicated and free there would be no rest from the toil of campaigning.

As most campaign meetings are conducted informally so agendas evolve from decisions made at the previous meeting or are generated by immediate events, often a legal meeting or in some cases media interest. One interviewee stated:

What we talk about at meetings is usually decided by what's happening with his solicitor...at the last one it was about finding a forensic scientist because the solicitor needed a report (SV: participant 30).

Disagreements within campaign groups were usually between the lead campaigners and the appellant. Whilst some participants indicated there were occasional differences in opinion between members of the core group, these were rarely destructive. The participants spoke of 'lively discussion' and 'heated debate' but these comments were made in the context of the campaign group functioning as a harmonious unit focussed on achieving the release of an appellant. An interviewee indicated:

We have lively discussion but it doesn't get argumentative...what we're doing has major consequences for all of us, not least for my son (SV: participant 28).

The situation was more uncertain regarding the relationship of the appellant and the core activists. Most participants expressed the view that at various times during their campaign there had been disagreements between members of the campaign group and appellant usually involving the wife, partner or sister of the alleged victim of miscarriage (See Chapter 6). Although disputes were often managed through conversation at campaign group meetings between the core activists, the situation was more problematic for those who dealt directly with the appellant. As one interviewee commented:

It's hard to tell him everything. We don't like talking over the prison phone and his mail is censored...his solicitor's mail had legal privilege but they open that sometimes (SV: participant 26).

For other participants, finding strategies to heal major disagreements with the appellant was essential to the well-being of the campaign. Prison visits, letters and phone calls were often used less to provide campaign information and more to offer the appellant reassurance that everything was being done to help them.

Many pressure groups campaigning against miscarriage of justice have diverse memberships albeit with individuals united by the bond of fighting wrongful conviction. Several participants expressed the view they were under considerable

emotional pressure. Several participants therefore sought support from other pressure groups in addition to managing their own campaign. Many participants are consequently both core activists within their own campaign groups and group members of other pressure groups whose membership is principally concerned with issues of injustice, including wrongful conviction. The next section will examine the extent to which pressure and support groups enable participants to participate in decision-making and the extent to which participants operate through complimentary and diverse campaigns.

Justice Campaigns and Support Groups

Many characteristics of campaign groups are replicated in groups which act as support groups for campaigners against miscarriage of justice. Some of these groups (See Chapter 5) are small in number and often have significantly less numerical support than individual campaign groups. Most pressure groups supporting campaigns against miscarriage of justice are committed to democratic procedures and function in ways that encourage all members to express their views and engage with the group's aims and tactics. Agenda items are agreed and discussed by the group with individual members encouraged to raise matters for discussion. The next section will describe a campaign meeting convened by a group of activists attended by the researcher. The group was chosen because it is representative of other groups supporting campaigns against miscarriage of justice. The name of the group is fictitious in order to safeguard participant anonymity.

Campaign for Justice

The campaign group is a support group for those who are fighting wrongful conviction. The pressure group states that its primary focus is to support those who maintain they are factually innocent and their supporters. The group meets one evening every month in a conference room hired for the purpose. The meetings adopt the same format most months although the membership occasionally

suspends the usual proceedings should the meeting demand it. For example if an outside speaker has been invited to give a talk (journalist on the role of the media in campaigns against miscarriage of justice; staff member from the CCRC to discuss CCRC applications; or, solicitors invited to discuss criminal law).

The meetings begin promptly and have a rotating chairperson. This is usually decided at the beginning of the meeting. Minutes are taken at all meetings. The meetings usually begin with the Chair reading through the previous minutes which are then discussed by the membership. All members can submit items for the next agenda. Although the group has a membership in excess of 70 members the average size of a meeting ranges from 10 to 25 individuals. The significant majority of those who regularly attend group meetings are women supporting male alleged victims of miscarriage of justice. The group does not have a formal membership. Individuals are considered members of the group when they regularly attend and when their circumstances are known and when they are confirmed as primary or secondary victims of miscarriage of justice. An important element of each meeting is when those present provide the group with an outline of progress in their own case. Most members manage their own campaign against wrongful conviction and therefore provide updates of progress to other campaigners. During these discussions other campaigners are free to offer advice, support and consolation depending on what is said. Meetings usually last approximately three hours. At the half-way point the group usually breaks for refreshment. During the social break, individual's network and share sensitive information. Although all meetings have a clear structure the members speak together informally. The content of what is said is often poignant (refused appeals; unsuccessful applications to the CCRC and negative media reports) and so the membership, most of whom are women, support one another through what is said and through their body language. The women often embrace one another, grieve openly and share their distress and feelings of vulnerability. Many of the women cry and ask for support. Contact with group members is made through email although many from the group have become close friends and speak with one another on a regular basis. The group has its own elected committee which usually meets before the main meeting. This

group is responsible for administrative matters and for the general running of the group. The committee makes no important decisions in isolation to the core membership.

Most participants in this study suggested they were members of other pressure groups campaigning against miscarriage of justice and that they wanted to be involved in decision-making and agreeing agendas for discussion. An interviewee associated with UAI commented:

We're all part of everything that happens in meetings even if some don't go to some events...if anyone wants their voice to be heard they can...people get things discussed when they want it (SV: participant 39).

What is noteworthy is the informality of many justice groups. Some groups appear to act as a free flow of expression with the membership talking about issues and problems without any apparent structure. Other pressure groups against miscarriage of justice, whilst chaired, employed a rotation policy where campaigners take it in turns to chair a meeting. An interviewee who campaigns with a pressure group concerned with false allegations of abuse commented:

It isn't very formal but that's how we prefer it...sometimes we're talking about one thing and then something else comes up but it works...we take it in turns to chair the meeting (SV: participant 30).

The notion of groups being a vehicle of support was discussed by several participants in relation to disagreements concerning pressure group tactics. Whilst attending group meetings some campaigners did not view themselves as militant activists but as women needing the support of other women because of their circumstances. One interviewee commented:

I know some of the other women are very active but I don't feel that's me... I find it hard enough to keep going without taking on more things (SV: participant 33).

What was also significant was the degree of well-being felt by many participants regarding their attendance and involvement with pressure groups concerned with justice and oppression. Although some campaigners acknowledged they were

activists and more militant than other members, they saw the over-riding concern of the group as supporting all its members. Where a member did not want to involve themselves in a particular activity they simply avoided it. An interviewee associated with MOJO and UCAPV stated:

We demonstrated outside a prison a few years ago but some of the women weren't ready for that kind of protest...they didn't go which was fine... you can't expect some campaigners to give more (SV: participant 32).

When issues were raised for discussion some groups voted on proposals. This, however, was more to acknowledge the collective responsibility of the group when taking strategic decisions rather than attempting to declare a winning position. An interviewee stated:

Although we vote at the end of a proposal I can't remember it ever being a matter of great importance where people got angry because they didn't get what they wanted (SV: participant 39).

One practical advantage of groups encouraging campaigners to contribute to their group's strategic plans was that the participants could influence campaign decisions relating to technical knowledge and expertise. Most participants suggested that at various times their pressure group had invited speakers to their group to share their expertise. Legal practitioners were regularly invited to pressure groups, as were representatives of the CCRC, the media, investigative journalists and forensic experts. The campaigners indicated that knowledge in these areas was important when seeking to improve the effectiveness of their campaign against wrongful conviction. The ability of campaigners to contribute to the focus of their group meant that participants could recommend invited speakers and work with other group members to schedule a speaker. An interviewee indicated:

I needed to learn about how to get the press involved so I asked if we could get a journalist to the meeting which we did and it went from there. Others in the group do the same (SV: participant 4).

The participants suggested that the pressure groups they attended were consultative and sought harmonious group relationships. Whilst some 'protest'

activities did not interest sections of the pressure group, it did interest others who were more inclined to engage in confrontational protest. Several participants indicated they had a responsibility to other members who attended the pressure groups particularly because many were still learning to cope with feelings of loss and trauma. This meant that a priority for many groups was to support campaigners so that 'they can be themselves' rather than feeling they have to adopt a particular role in order to 'fit in'. A campaigner who started to attend a pressure group against miscarriage of justice after a long break from campaigning commented:

If the group provides anything it's so they can be themselves and get through it without feeling they have to fit in with others...everyone is campaigning in their own way (SV: participant 22).

Although emotional and practical support was a priority for most participants this did not stop some campaigners from employing more militant campaigning strategies. During campaign meetings a variety of tactics were discussed and participants aligned themselves to particular activities depending on the needs of their personal campaign. For other campaigners, particularly seasoned activists, it was important to employ direct action strategies when challenging individual cases of wrongful conviction and particularly when challenging broader criminal justice issues. The subject of direct action is examined in the next section.

'Direct Action'

Direct action strategies are an important dimension of 'protest' for many activists campaigning against miscarriage of justice. Although some forms of protest are designed to raise public awareness, other forms of direct action have '...more ambitious aims, such as to render a law unworkable or to cause some form of disruption' (Baggott, 1995: 177). Two popular forms of action were demonstrations and networking supporters to attend re-trials and appeals. Demonstrations sometimes took place outside the CCRC's headquarters' in Birmingham or selected prison establishments. The use of demonstrations against wrongful conviction was

a tactic that some personal campaigns wanted to employ but their lack of experience in organising such an event meant that some sought advice and support from other campaigners (See Appendix 5). Baggott (1995: 177) comments, however, that although demonstrations can be effective in terms of making decision-makers and the public aware of the strength of feeling and concern of campaigners, yet in most successful cases ‘...marches or demonstrations have been used in conjunction with other tactics’.

The Ninth National Miscarriage of Justice Day was organised by United Against Injustice and the member organisations on 9 October 2010 at the Dragon Hall in Covent Garden. The day’s proceedings involved talks by campaigners, academics and a forensic expert in fingerprint evidence. Other talks included a presentation by Steve Gray on ‘Setting up a Group’ and a talk by Ange Drozdowski on ‘Banner Making’. Steve Gray set up Yorkshire and Humberside against Injustice following his own wrongful conviction and imprisonment for stealing £30. After the main conference, delegates, campaigners against miscarriage of justice and members of United Against Injustice joined with others to demonstrate with banners against wrongful conviction in central London.

Demonstration 9 October 2010 following National Miscarriage of Justice Day

The demonstrators marched from Covent Garden through to Trafalgar Square, along the Mall, finishing at Parliament Square. During the march activists and campaigners stopped at the entrance of Downing Street and chanted they wanted justice.

The demonstrators whilst in Parliament Square faced the House of Commons and a number of activists gave impassioned speeches against the criminal justice system. Approximately 200 activists joined the demonstration, many of whom were part of UAI and had attended the conference during the day at Dragon Hall in Covent Garden. Some activists, however, had come from other locations in London for the sole purpose of joining the demonstration. Many of the activists were mothers,

sisters and other family members, including children, of appellants wrongfully convicted. Campaigners wore T-shirts promoting their campaign and provided members of the general public with leaflets. Some of the banners promoted the general aims of UAI or member groups. Other banners focussed on individual campaigns and sought to highlight the wrongful conviction of an appellant. Groups represented at the demonstration included London Against Injustice; Yorkshire and Humberside Against Injustice; Joint Enterprise – Not Guilty by Association; FASO; and, INNOCENT.

The following photograph was taken by the researcher. The faces of children and other campaigners have been pixelated to protect their identities. Campaigners in the forefront of the photo are campaigning for Wesley Porter a 23 year old man convicted of murder under joint enterprise and sentenced to a 27 year tariff (Justice4Wesley, 2010). The family campaign for his release with the help of INNOCENT and JENGBA (a campaigning organisation which highlights cases where Joint Enterprise Law has been applied and those convicted are stating they are not guilty of the index offence).



At various points during the demonstration the police appeared to become anxious particularly when the activists stopped at the entrance of Downing Street. The groups had not sought permission to demonstrate and the police appeared surprised and anxious by the actions of the activists. The activists were angry and determined to present their case. Most were leading their own campaigns for

justice but additionally wanted to join with other activists to protest against injustices within the criminal justice system, including the interpretation of laws that might lead to wrongful conviction. As one activist commented:

I'm campaigning for my son but he's in prison because of joint enterprise...It's an evil law because it takes innocent kids and bangs them up when they've done nothing wrong (SV: activist 3: demonstration 9 October 2010).

For other activists it was important to demonstrate because it represented a symbolic act of defiance against the State. Some participants became emotional during the demonstration and vented their frustration against police officers and MP's. A victim of miscarriage of justice commented:

It's the first time I've been able to shout it since I got out from prison...that these people took my life from me...I feel stronger being here...seeing other families fills me with pride at what we're trying to do (PV: activist 4: demonstration 9 October 2010).

During the demonstration some activists networked and exchanged phone numbers. Some discussed their own campaigns and appeared to become more focused and antithetical towards the police and politicians as the march progressed. The demonstration generated a significant feeling of solidarity amongst the activists with many women appearing to become more emboldened by their act of protest. A campaigning mother indicated:

I never thought I'd be doing this...it's my first demo but it's made me think...when we're together we can fight for our sons and they can't ignore us (SV: activist 5: demonstration 9 October 2010).

Although some activists welcomed direct confrontation to achieve their aims others were less inclined to embrace such tactics. A participant in this study who attended the demonstration was concerned that the police might photograph the demonstrators and that any subsequent images could be used against her father. The participant commented:

I'm a little nervous about them getting footage of us...it's a dangerous business to be shouting at them when you haven't applied to be here...I couldn't care less but my dad's in prison (SV: participant 4: demonstration 9 October 2010).

When the demonstration stopped at Parliament Square many activists fighting wrongful conviction mingled freely with anti-war campaigners also campaigning against the State in Parliament Square.

The following photograph was also taken by the researcher. The faces of prominent individuals attending the demonstration have been pixelated to protect their identities. Campaigners held banners and chanted expressions of frustration at the Houses of Parliament and at police officers who stood opposite the campaigners on the other side of the road in Parliament Square. Some of the campaigners were not associated with other pressure groups supporting campaigns against miscarriage of justice. They managed their own campaigns against wrongful conviction but wanted to identify with other campaigners anger and frustration that a family member had been wrongfully convicted. Other activists were campaigning against wrongful conviction but were also associated with alternative pressure groups including member organisations of United Against injustice, FASO, JENGBA, INNOCENT and Anarchist Black Cross.



Although many activists demonstrating in Parliament Square were campaigning against different issues (anti-war, peace issues and miscarriage of justice) they

shared a common adversary. An activist campaigning against miscarriage of justice stated:

If you listen to what they're saying there's not much difference in what we're both trying to do...they think the State is corrupt...join the club (SV: activist 6).



I asked an anti-war campaigner what her thoughts were on the demonstration against miscarriage of justice. Her first concern was that the banners of UAI did not conceal her banners but following this remark she noted:

I think any protest that brings campaigners together is good...it's doing this that's going to bring change (activist 7).

Another campaign tactic used by some participants involves contacting other campaigners to attend a criminal trial or appeal. The purpose here is to demonstrate support for the family and appellant/defendant but similarly to show solidarity against the police and the prosecution. One interviewee commented:

At his trial we had no-one but when he went for re-trial we contacted people on the website and we got people going ...some of the days...supporters took it in turns (SV: participant 29).

When a mother campaigning for her son heard that his appeal was going to be upheld the news quickly spread to other campaigners within the miscarriage of justice community. An email sent from London Against Injustice called other supporters to action:

Karen Horlock's son has won his appeal!!! It was a joint enterprise case, so it is possible.

We have been informed that the acquittal/judgement is going to happen at the court of appeal tomorrow morning at 9.45.

Any LAI members who can make it, please try to attend. This judgement may have major ramifications for joint enterprise convictions (email sent 14 July 2010 at 18.31).

Some participants employed more militant forms of activism for different reasons. For some it was the knowledge that all available avenues of protest had been used and that there appeared little prospect of the CCRC referring their case back to the CACD. For other participants it was their membership of other pressure groups that regularly used direct action techniques that stimulated their interest in other forms of protest. Some participants who campaigned with environmental, animal rights and women's groups were persuaded to consider other forms of protest because of the success such tactics brought to achieving their group's objectives. This supports Grant (2005) who suggests that if direct action techniques are seen to be effective they could be copied by other groups. The success of such tactics sometimes stimulated participants to incorporate more direct forms of protest into their campaigns against wrongful conviction. An interviewee who campaigns against miscarriage of justice and is an active environmentalist commented:

I got involved in campaigning against miscarriage first and then I started going to an anti road building group...it made me start to think I could be doing more with the campaign (SV: participant 30).

Other participants were similarly involved in other pressure groups which regularly used direct action. An activist who attended a fringe meeting of ABC at the Anarchist Bookfair spoke to other activists sympathetic to the ideals of ABC and suggested that direct action tactics were a useful adjunct to campaigns against miscarriage of justice. The activist met with other campaigners to demonstrate against the wrongful conviction of an appellant. The demonstration took place

outside Belmarsh prison in south London. After the demonstration the activist reflected:

The first benefit of the demo was that his treatment improved...I spoke to him afterwards...the screws gave him problems but after the demonstration it was much better for him on the wing...It was all to do with the campaign...but you have to realise that supporting someone so they know they're not forgotten is vital too (SV: activist 12: Anarchist Bookfair, 23 October 2010).

Despite the importance of direct action for some campaigners, others chose not to engage in any form of direct action. Some participants suggested it was their current application with the CCRC that prevented them from employing more confrontational forms of protest. The campaigners indicated they did not want to do anything that might alienate the CCRC particularly as the Commission were their only means of being referred back to the CACD. As one interviewee commented:

Of course I'd like to do more but if I go upsetting the CCRC how am I ever going to get back (*to the Court of Appeal – my italics*). It's like walking on egg shells (PV: participant 13).

Although several campaigners suggested they were anxious not to openly confront or offend the police or CCRC, it was often reservations over the media and how they might report campaign tactics that persuaded some campaigners not to employ direct action techniques as a campaign strategy. Many participants had poor relationships with the media particularly following the conviction and dismissed first appeal. Whilst the participants were willing to work with investigative journalists or others who wanted to write a 'favourable story', they were less inclined to employ confrontational tactics that might back-fire and disrupt the campaign. A second concern was that any 'bad reports' might increase the pressure already experienced by the appellant whilst imprisoned. As one interviewee stated:

None of us can fight the press and I suppose we're just worried we don't do something that might make it harder for him in prison (SV: participant 25).

What was significant in terms of direct action tactics against wrongful conviction was that some participants appeared anxious and fearful of upsetting powerful groups within the criminal justice system. Whilst they might be prepared to suffer for a specific cause, they were not prepared to undermine the campaign of an appellant they were emotionally close to and who was enduring wrongful imprisonment.

Anarchist Bookfair 2010

Three alleged victims of miscarriage of justice attended the Anarchist Bookfair 2010 and were committed to direct action resistance. The 'Bookfair' is an anarchist event in which activists network, listen to talks, attend conferences and attend groups discussing specific areas of protest, including direct action. During the event the participants discussed their wider struggle against criminal justice agencies with other anarchists. During the convention the participants bought anarchist literature, campaigning materials and networked with others whose particular interest was supporting prisoners whilst incarcerated. The participants talked about their own personal campaigns and laced their views with personal biography. Whilst walking around the stalls set up and run by other anarchists, the participants looked at and discussed banners protesting against the police and State control. A participant speaking with a group of activists reflected:

I feel good about being here...it's not only the event, but listening to other people's ideas makes you think about struggle...it helps me understand how the system uses the police and the prisons (PV: participant 14: Anarchist Bookfair, 23 October 2010).

The desire of participants to support other campaigners and achieve campaign aims and objectives has implications on the leadership of justice groups and their resource requirements and constraints. These issues will be examined in the next section.

Leadership and Resources

Most 'personal' campaigns led by family members of the appellant employed a team approach to the campaign's leadership and decision-making. This team usually constituted the 'core' group and took responsibility for all decisions in unison with the victim of miscarriage. As one interviewee commented:

I do the campaign with my mum and two of my uncles. One of my dad's best friends is also with us...it's us who lead the campaign although there are a few others like a solicitor friend who helps us when we need him (SV: participant 4).

Many justice groups likewise chose not to elect or appoint a recognised leader but appointed a committee or core group to facilitate decision-making, administrative procedures and tasks. Several participants, however, were at pains to emphasise that such committees had 'no authority' over other members and that any authority invested in elected members was tied to the fulfilment of specific administrative and bureaucratic tasks. An interviewee exemplified the views of many participants:

We don't have someone who leads the group because everyone shares in what we're doing...there's a committee of sorts but their job is to make sure people are kept informed, letters sent out, money signed in, but not to lead the group (SV: participant 32).

Many participants recognised, however, that although a leader or leadership team might not have been appointed, there were campaigners who exercised considerable influence because of their experience and length of time campaigning. Some participants had experienced all the key stages of the appeal process and used their knowledge to advise and support other campaigners. These participants were respected and their advice sought by other campaigners 'new' to campaigning against wrongful conviction. An interviewee and seasoned campaigner commented:

It's true that some of the group take more leading roles because of what they've been through but that's because they've been doing it for a long time so new people look to them for help (SV: participant 39).

Some participants considered the advantages of having an appointed 'leader' and suggested that when meeting politicians at committee meetings in the House of Commons or when discussing criminal justice issues with the media, having a figure head might be advantageous in some situations. The general view, however, was that appointing a leader or leadership team might undermine group solidarity. As one interviewee indicated:

I can see it could work but what's more important is we all take our part in leading rather than looking to one person...it's that we're together in this that's important, not looking for someone to lead (SV: participant 29).

A characteristic shared by individual campaigns and other justice groups was that they suffered from having serious resource limitations. Most 'personal' campaigns relied on voluntary workers who were the families and close friends of the alleged victim of miscarriage of justice. Even larger pressure groups like MOJO and INNOCENT have limited staff numbers and this influences their ability to support campaigners and those affected by wrongful imprisonment. Another difficulty experienced by many individual campaigns is their need for additional funds to supplement the work of legal teams. The Legal Services Commission (LSC) in some circumstances would not support the payment of some defence work and at other times funds were required to support aspects of the campaign (Bird, 2010). As one interviewee commented:

Money is a big issue because we've had to pay out thousands on legal advice and other things...last year we paid for a forensic expert to prepare an independent report to challenge the prosecution (SV: participant 28).

Although restricted funds similarly affected the ability of participants to function in other justice groups, some participants indicated this was more an issue for individual campaigns. Most justice pressure groups did not require major funds as they did not contribute financially to the individual campaigns of their members. Whilst additional funds were useful particularly when organising for an outside speaker or conference, it was the individual campaigner who often required

significant funds to supplement the fees of solicitors and barristers. One interviewee commented:

It's our own campaigns that need money not the support groups. It's when members have to pay for work to be done that problems come but the support group will always go on because its role is listening to people, not actually fighting someone's conviction (SV: participant 20).

The pressure groups against miscarriage of justice appeared to prioritise emotional support for their supporters and to acknowledge that many campaigners were women involved in major struggles against a patriarchal system. Whilst most victims of miscarriage of justice in this study are male, most of the campaigners are women campaigning for husbands, sons, partners or brothers. The next section will examine the gender differential of groups campaigning against miscarriage of justice.

Women for Justice: Gender Differential of Campaign and Pressure Groups

Although men are involved in campaign groups against miscarriage of justice it appears that it is women as campaigners who take the leading roles and who often represent the core membership of many campaign groups. This supports Charman and Savage (2009) who examined the 'special' place of women, and particularly mothers in campaigns against miscarriage of justice. One argument considered by Charman and Savage (2009: 6) but not fully accepted, is that more males are imprisoned and accordingly it is the women of the family who are 'left behind' and who then have to manage the campaign. In relation to the justice campaigns examined in this study, women, particularly the wives, partners, sisters and mother's of appellants did hold influential roles within their campaign. Most campaigns, however, were rarely the preserve of any one gender and both women and men from the family usually contributed to the campaign and to supporting the alleged victim of miscarriage of justice. As one female interviewee commented:

Some of the campaigns are led by women but I'm helping three campaigns and there you've got men and women campaigning together...from my experience that's often what it's like...it's not just one of the sexes doing most of the campaigning (SV: participant 22).

Many campaigns which focussed on the wrongful conviction of an appellant were usually coordinated by female and male family members and friends. These campaigners became the core group and were responsible for making key campaign decisions with the appellant. What was significant was that whilst women and men were both at the forefront of their respective campaigns, the contrasting roles self-adopted by the campaigners suggest that some roles appeared to be favoured by a particular group. A male campaigner associated with UCAPV and the SWP commented:

Over the years I've helped with campaigns it's been men and women of the family...saying that women often take responsibility for certain parts of the campaign (SV: participant 31).

Whilst many justice campaigns are led and coordinated by women and men of the appellant's family, certain roles within the campaign, particularly emotional support, appear to be more gender specific. An interviewee indicated:

For many appellants if their girlfriend or wife is campaigning they're going to want to see them on visits...they end up representing the appellant because they're the ones usually seeing him (SV: participant 31).

The notion of campaigning women taking the major responsibility for emotionally supporting the appellant through prison visits and personal letters was an issue alluded to by many alleged victims of miscarriage of justice. These roles, whilst taken by male campaigners, including those linked by family ties to the appellant, were sometimes not seen as integral to their role as campaigner. Female campaigners, however, often saw personal contact as fundamental to their multi-faceted roles as campaigning wife, girlfriend, mother or sister. A representative comment made by one interviewee included:

My visits were from my ex and my mother. My mum and dad are separated so I didn't see him but he was still part of the campaign but he doesn't like writing so my main support came from my wife and mum (PV: participant 14).

The responsibilities taken by many women to visit the appellant in prison and to write regularly meant they were often provided with privileged access to the appellant. The role of providing the appellant with emotional support similarly meant that women sometimes became the primary channel through which the appellant expressed their frustrations regarding the direction of the campaign. As one interviewee and mother commented:

I've brought him up since his father left so it's down to me to support him. His father has visited him and helps with money but the weekly stuff I do...when he gets angry with prison or the campaign it's me who's there for him (SV: participant 29).

It appears that both women and men are at the forefront of campaigns against miscarriage of justice but that particular roles, often associated with emotional support, are sometimes 'self-adopted' by female members of the campaign team. Why men appear to favour particular roles whilst distancing themselves from others resonates in literature concerning the 'social construction of masculinities' and whether a contributory factor in relation to women's resilience and pivotal role in justice campaigns might actually be '...the relationship between fathers and other family members' (Charman and Savage, 2009: 13-14). The gender differential in terms of the roles favoured by female and male campaigners will be considered later in the section when examining how coping with loss and the process of grieving might impact on the campaigning roles favoured by male and female campaigners.

Another significant area of difference between female and male campaigners appears to be the willingness of many female campaigners to join other justice pressure groups and to work with and share their experiences with other female campaigners. Although many groups have male members these campaigners are often in the minority. The next section will examine why participants believe many

justice groups are predominantly female and why the women find such environments supportive. During the period of data collection a number of common elements were identified by the participants as to why women feature so strongly in justice pressure groups and why some women engage in other forms of protest, through pressure groups, that also have a predominantly female membership. These include a secure environment and coping with loss. Although the participants differed in the degree to which they experienced these elements, both factors could be identified in the interviews and through participant observation.

Secure Environment

The participants experienced a range of feelings following the conviction that included anger, vulnerability and powerlessness (Grounds, 2004). Many participants talked of their lives being 'turned upside down' and that following the charge and preparation for the criminal trial their family life and personal equilibrium had been unsettled. The conviction in most cases was not expected with many participants believing that because the defendant was 'innocent' the jury would acquit. The participants following the criminal trial went through periods of feeling 'immobilised' where ordinary family routines were significantly disrupted or where they were unable to motivate themselves to engage in social activities. As one interviewee reflected:

I was distraught for the first few weeks and didn't know how I was going to get through everything. The hard part was having no-one to talk to. My sister helped...none of us had ever been in something like this before (SV: participant 2).

Two years earlier the participant had commented during a group meeting on the subject of group effectiveness. The group were discussing how they could best achieve the group's objectives and that group members sharing information about their respective cases might be taking up too much time. The participant disagreed and stated:

Hearing what others are doing is important...when my (name of son omitted) was convicted I needed to share about it...I don't want us to make people feel they can't say about their family (SV: participant 2: group meeting against miscarriage of justice, May 2008).

The desire of campaigners to seek support and practical knowledge of how best to campaign for an appellant encouraged many to join a pressure group and in most cases to set up their own campaign. An important factor identified by several female campaigners for attending another pressure group was because at a time when they felt insecure and vulnerable, the pressure group offered them an opportunity to be with people and in an environment where they felt secure. The group environment similarly enabled them to express how they felt about their own situation without feeling judged by others around them. Whilst not initially attracted to the pressure group because of its gender composition many women believed it was companionship and the female relationships they had developed within the group that were responsible for maintaining their equilibrium and ability to campaign and support the appellant. One interviewee indicated:

I haven't been in a group with mostly women before but it's been great to feel part of something where I can be me...some of the group are really close friends and have helped in lots of ways with our campaign (SV: participant 33).

Although the female campaigners talked with and campaigned with male group members it was with other women they often developed close social bonds that appeared to transcend being members of a specific pressure group. The women met with other women outside of formal pressure group meetings to talk, socialise and support each other. The male participants attended meetings and occasionally met other group members to participate in organised protest activities, but their social relationships rarely went beyond the functional exercise of group meetings. A male campaigner commented:

I know the women meet each other regularly outside the group meetings...it's good they can give that kind of support, but it's not for me (SV: participant 5).

The pressure group and social interactions experienced by many female participants provided those women suffering from trauma and loss with the kind of supportive environment helpful to the process of rebuilding confidence and self-esteem (Charman and Savage, 2009). Many campaigners still remembered their feelings of loss when informed the appellant had been arrested, charged and later convicted. Part of the process of rehabilitation for many women was being able to talk about their sense of loss in a secure environment in which their fears and doubts could be shared with others who understood their situation.

Coping with Loss

The trauma of wrongful conviction affected the lives of both male and female campaigners. The criminal process of arrest, charge and conviction, usually involving a period on remand which might last anything between one and two years for serious offences, meant that many participants struggled during these months to cope with life and feelings of loss. In addition to their own feelings of trauma, the campaigners continued to visit and support the appellant who was similarly suffering from symptoms associated with post-traumatic stress disorder (See Chapter 2). The response of the male and female campaigners was different with the women indicating they needed to work through their feelings of loss by talking with others. The male campaigners, including the victims of miscarriage of justice, suggested they found talking about their situation difficult and that they were more comfortable when engaged in specific tasks to help the campaign.

Coping with loss and the need to campaign for an appellant often meant participants had to develop sophisticated coping strategies. The male campaigners often talked of needing to 'stay busy' and 'remain on top of things'. This supports Charman and Savage (2009) who comment that men facing loss sometimes seek consolation through a '...return to work'. There were particular tasks favoured by the male campaigners. Organising and attending meetings with the legal team and meeting potential expert witnesses were considered high priority activities. Other

roles included fund raising and providing monies for additional legal representation and defence work. An interviewee commented:

My dad met with the legal team and sorted out the money and things like that and my wife and mother... they'd write to me and to people at the Royal Courts or to anyone who could help. My wife attended the support group meetings and she did most of the prison visits...she also met with the solicitor (PV: participant 7).

A representative comment made by a victim of miscarriage of justice focussed on the female role of providing emotional support particularly when the male felt vulnerable whilst incarcerated:

It is different when you're banged up getting visits from women because you front it more with blokes but with women you can be more yourself (PV: participant 16).

The relationship between the appellant and the female members of the campaign appeared to impact on the respective roles of the female and male campaigners. Although many campaigns were led equally by male and female family members it was often the close emotional ties between the men and their female campaigners that provided the women with more intimate perspectives of what the appellant wanted from the campaign.

A related issue regarding emotional support concerns the degree to which the participants sought support for themselves as campaigners and as family members grieving the loss of a family member to wrongful conviction. The male participants often preferred to stay within their own campaign groups and chose not to seek support from other pressure groups. A male interviewee commented:

My sister went to another group for support but I didn't want to talk about the case with people I didn't know from Adam...if I needed to talk then I'd talk with my family (SV: participant 35).

What was apparent was that some male campaigners whilst accepting they had suffered significant loss did not accept they required emotional and psychological support. For many of these participants engaging with practical tasks not only served to strengthen the campaign but provided them with the support they

needed to confront their losses. This supports Charman and Savage (2009: 13) who consider the 'social construction of masculinity' in relation to the roles taken by males in justice campaigns. As one interviewee indicated:

Staying on top of the campaign is how I deal with the trauma...I talked to (*name of wife omitted*) about attending her group but navel gazing isn't me. I've got to fight my way. It's what I've done for the last thirteen years (SV: participant 13).

For most female participants, including a female alleged victim of miscarriage of justice, their lives as campaigners were intricately woven with the practice of cooperating with other women. Coping with loss often became a shared communal activity with women taking strength from their relationships with other women who were also experiencing similar losses. This was an important reason why several women attended justice groups and why some then went on to join other pressure groups with predominantly female memberships. Many women could not separate their feelings of loss and grieving with the practical tasks of managing a campaign. This resonates in the work of Charman and Savage (2009: 8-9) who identify gendered 'differential grieving' as a possible contributory factor to understanding gendered roles in justice campaigns. Some male participants, however, viewed their campaign and their own feelings of trauma as separate entities. A male interviewee commented:

I attended groups to get advice and help with running a campaign... but not for counselling support or anything like that...the groups give ideas for the campaign but I can see for some campaigners it's about support (SV: participant 31).

The situation for many female campaigners was markedly different. The women took active roles within their own campaign groups and contributed to making key strategic decisions in consultation with others involved in the campaign (Charman and Savage, 2009: 1-2). Those female participants who joined other groups for support and to influence legislation were likewise activists engaged in operative protest. Where the female campaigners appeared to differ from some male counterparts was that they saw the process of grieving and loss as integral to their roles as campaigners. The pain felt by the loss of their son, brother or husband

appeared to be an important factor in their own motivation and resilience to continue with the campaign. This supports Rock (1998: 134) who comments on 'survivors' being '...so consumed by a restless, turbulent energy, compounded out of anger and sorrow...they had to secure a release through vigorous action'.

Many women engaged in strategic and tactical decision-making during campaign meetings and laced their contributions with metaphors of pain, loss and suffering. A female interviewee commented:

We share what we need to...even when we're talking about something, someone in the group...interrupts and shares about their family...it's not like a different thing... it's how we share and get things done (SV: participant 34).

The female participants were often at the forefront of their campaign and many received support from other family members who were likewise involved in all aspects of campaign decision-making. What was of particular note was that a collective decision was occasionally taken that the lead woman, often the mother, wife or sister, would talk to and liaise with the media. Whilst some male participants expressed the view they did not want to talk with the media and that others were more able to do it, another reason concerned the campaign group's desire to maximise its media contact. A male interviewee who campaigns with his wife for their convicted son commented:

When we write letters to the media it's (*name of wife omitted*) who does it because she can say how she feels being his mother...I know I'm his father but I think it's different for her...the media prefer taking that line as well (SV: participant 38).

In three cases a campaign decision was made that it was more beneficial if a female representative took the role as the group's spokesperson. It was believed the campaign might be more sympathetically received if it was fronted by the mother, wife or sister. This has ramifications on how society and the general public perceive the role of female and male campaigners. It is sometimes the case that women do have greater resilience as campaigners and that they end up leading campaigns alone. However, in other campaigns, men and women are equal players

but the campaign sometimes takes the strategic decision that the woman should front the group. A male interviewee stated:

We decided it would be better if (*name of sister omitted*) gave any interviews and was photographed... If I'm honest it was because the original crime involved a woman and rather than me speaking up for another man we thought it was better that a woman spoke out, even though she is his sister (SV: participant 21).

This particular campaign was managed by a core group of seven campaigners, including both parents and the appellant's brother and sister. Yet for some in the local town whose only knowledge of the case came from media reports and who had no actual contact with the family, their impression of the campaign might be that it was managed by his sister. This view, if held, would be inaccurate.

Another case involves a mother campaigning for her son currently imprisoned for murder. The situation is similar in that whilst the mother is the public face of the campaign there are others, including male campaigners, who share responsibility for all strategic and tactical decisions. Her husband takes influential roles within the campaign but it is the mother who liaises with the media and who meets with journalists to present her son's case. As the husband and interviewee indicated:

My wife finds it easier to talk in those sorts of situations so she gives all the interviews. I prefer to do other things in the background but trying to get the media is something she does (SV: participant 6).

The issue of who leads a campaign is often complex with an intricate interplay of factors involved in why a campaign is presented and managed on a day to day basis the way it is. Although some campaigns take the decision on the basis of individual expertise or preference that a particular woman should front the campaign, others are more concerned with the symbolism inherent in a woman fronting a campaign particularly when the case might involve crimes against a female. Furthermore, the iconic symbolism of a campaigning 'mother figure' (Charman and Savage, 2009: 12) enables the press to 'mythologise' the actors in the story (Jewkes, 2004). This helps the campaign gather momentum but presents, of course, a specific narrative that is controlled by the media, albeit that it might be advantageous to the campaign. A

male participant who campaigned against his brother's wrongful conviction indicated that during the first year of the campaign which ended successfully, the local journalist who reported on the case suggested that their mother and his daughter be photographed with him as leading the campaign. Whilst the mother and daughter were supportive of the campaign they were not in a position for personal and domestic reasons to lead or take an active role in the day to day management of the campaign. Despite this the journalist and photo journalist expressed the view that the campaign would have more impact if the two women were seen as being at the forefront of the campaign particularly as the appellant was male and convicted of a violent offence. The interviewee commented:

It was a surprise because I hadn't thought before about the impact of a woman campaigning for a man...I quickly learnt though because later in the year the solicitor was talking about appointing a female barrister for the same reasons (SV: participant 31).

The roles and resilience of women in justice campaigns were an important factor in the success and effectiveness of the campaigns examined in this study. Many campaigns were led by the wives and partners of male alleged victims of miscarriage of justice. Other women, as the mother, sister or friend of the appellant similarly took influential roles of leadership. Most campaigns challenging the conviction of an appellant were led by a core group involving close family members and friends. These campaign groups were usually supported equally by male and female members and both genders made important contributions to the campaign. What was apparent, however, was the gendered dimension of who represented the group to the media. In cases where male and female participants campaigned together, a strategic decision was sometimes made by the campaign group for the leading woman to front the campaign. This decision often had the tacit approval of the media and contributed to their narrative account of the case and the campaign. The situation regarding the gendered dimension of additional justice groups was different. In these cases the core membership and leadership was often female. Furthermore, many of these women then sought out other protest groups who were also predominantly female. The chapter has examined possible explanations

for these phenomena including the women's desire for a secure environment and different attitudes to coping with loss.

Conclusion

This chapter concluded that most participants understand campaigns against miscarriage of justice as political engagement. As such, some extended their protest to other campaigns dedicated to challenging criminal justice agencies and other agencies of the State. Most participants appreciated the benefits of campaigns seeking to influence politicians and others in positions of authority. As such many participants viewed themselves as activists whose lives had been inextricably changed since campaigning against miscarriage of justice. Despite taking active roles of resistance against the State the study found that many continued to view themselves as 'victims' of miscarriage of justice rather than as 'survivors' of wrongful conviction. Most were still trying to achieve emotional resolution and escape the trauma they had endured. Other participants described themselves as 'survivors' of miscarriage of justice, particularly when discussing wrongful conviction with the media. Other participants who had been involved with pressure groups where the term 'survivor' was preferred sometimes adopted the term to describe their current predicament. Generally speaking, however, the term 'victim' is the preferred term for most participants operating within the miscarriage of justice community.

Some participants acknowledged that the release of a victim of miscarriage of justice sometimes exacerbated the suffering of the 'original' victims of crime. The first victim (where alive) and family members would sometimes achieve justice and resolution when the defendant was convicted. Following the quashing of the conviction the 'other' victims, who believed they had received justice, were now left seeking justice again. The chapter concluded that whilst many participants expressed sympathy for the original victim, others found it harder to empathise. The cause of this appeared to be the antipathy generated during the first trial.

Another complication raised by some victims of miscarriage of justice was when the appellant had been convicted of a serious offence against a family member. In most cases it was the family of the appellant who organised and managed any campaign. The study concluded that family relationships in these cases were often strained leading some appellants to experience problems when setting up a campaign to fight their conviction. Other obstacles are that appellants often suffer from post-traumatic stress disorder following the crime. Where the victim of crime is the spouse or other close family member of the defendant, this can have major consequences on the ability of the appellant to campaign against their charge and conviction.

Most participants indicated they had joined other pressure groups campaigning against wrongful conviction. The chapter concluded this was for a variety of reasons although most participants stated they had joined other groups for emotional support and to receive wider support for their own campaign, including advice, expertise and information regarding the appeals process. For some participants membership of other pressure groups enables them to employ direct action strategies when campaigning against wrongful conviction or criminal justice legislation. The chapter presented data collected from a demonstration organised by members of United Against Injustice. The demonstration involved campaigners marching from Trafalgar Square to Parliament Square via Downing Street. Most campaigners on the demonstration were women who believed their appellant to be innocent. Some of these women had children in attendance.

The chapter examined the issue of gender and pressure groups and sought to understand why many pressure groups campaigning against wrongful conviction have a predominantly female membership. The study identified two significant factors. Many female participants indicated they wanted to talk about their own situation in a secure environment. Many stated they felt vulnerable following the conviction and therefore needed to be with others who could understand and empathise with their situation. Although most female participants suggested they did not seek membership of such groups because of the gender differential, they nevertheless indicated that their primary support was from other women who

attended such groups and who had become close friends through their shared identification with miscarriage of justice. The chapter concluded that a second factor was the issue of coping with loss. Most female participants indicated that they needed to work through their feelings of loss by talking with others who could empathise with their plight. Many expressed the view that meeting with others to talk about their situation helped them grieve and cope with their loss, usually the wrongful conviction of a husband, brother or son. Alternatively, most male participants indicated they did not want to discuss their personal situation with strangers or with others in a pressure group meeting. Most indicated they preferred to restrict their conversations to other family members or to close friends. Most female participants appeared to take a different approach. The study found that for some women a pressure group which enabled them to talk with other women provided an important adjunct to the support mechanisms they required to campaign and cope with their losses.

The central message of this chapter is that the participants viewed campaigns against miscarriage of justice as political engagement. Most participants were supporters of other justice pressure groups in addition to managing their own campaign against wrongful conviction. Despite justice campaigns having a diverse membership most campaigners were supportive of the needs and personal circumstances of other participants. The factors that impinged on, and influenced the direction of campaigns against miscarriage of justice were complex and resonated in the day-to-day lives of campaigners. As such issues of identity and the relationship between the campaigner and appellant were important factors in understanding the motivations, roles and allegiances of campaigners fighting wrongful conviction.

The next chapter will re-visit and interpret the study's empirical data with current literature from the field of knowledge. The chapter will analyse the early experiences of participants and their understanding of the miscarriage of justice community. This research objective was first examined in Chapter 5. Following this the chapter will analyse and interpret the strategies of resistance and campaign tactics used by participants and those factors that contribute to the participant's

ability to remain resilient and motivated during the campaign. These objectives were first examined in Chapter 6. The chapter concludes by analysing the politics of campaigns against miscarriage of justice including issues of leadership, resources and how participants involve themselves in campaign strategy and decision-making. A significant aspect of some campaign groups is the special place of women in campaigns against miscarriage of justice. The chapter analyses the roles taken by female and male participants and suggests possible reasons why women are at the forefront of many justice campaigns. These objectives were first examined in Chapter 7.