

Supporting Exonerees: Ensuring accessible, consistent and continuing support



London, 17 April 2018 – Wrongful imprisonment can cause severe trauma, making the experience difficult to overcome and everyday life incredibly difficult to readjust to.

On Tuesday 17 April 2018, JUSTICE will launch its *Supporting Exonerees: Ensuring Accessible, Consistent and Continuing Support* report which highlights the inadequacy of the compensation regime. The compensation award is capped and the application process is burdensome and complex. Furthermore, changes to legislation have created a higher threshold test and led to a reduction in successful compensation claims.

It has been 36 years since JUSTICE published its *Compensation for Wrongful Imprisonment* report which raised concerns about the barriers to compensation that faced those who were wrongfully imprisoned. Unfortunately, little has changed since then. Exonerees still not do receive the support they need to return to a normal life and are not properly compensated.

JUSTICE for many years represented people who sought to claim miscarriage of justice. It carried on doing this until the creation of the CCRC. We have retained a strong interest in the welfare of exonerees, which has prompted us to write this report on the support provided to exonerees.

Drawing upon research and the experiences of former JUSTICE clients and other exonerees, this report demonstrates how the criminal justice system fails to understand the issues facing exonerees: including practical assistance needed upon release, the negative impact of incarceration on mental health and the difficulties readjusting to everyday life. Exonerees do not receive the services and support needed to acclimatise and return to normal life upon release from prison. We note that some support services are available, but these are poorly-resourced, often do not address the complex range of problems faced by exonerees, and are largely available on an ad hoc basis. We recommend ambitious development of existing services that would provide accessible, consistent and continuing support for exonerees.

The Report sets out that measures for exonerees should go further than financial and non-financial support and include a public acknowledgement that a wrong has happened. Based on the issues faced by exonerees, and to ensure proper redress for wrongful imprisonment, we make recommendations on:

- Better management of the transition from incarceration to release.
- The need for specialist psychiatric care.
- The setting up of a residential service to provide practical and welfare support to exonerees.
- An independent body to determine whether applicants are eligible for compensation.
- Automatic compensation for wrongful imprisonment, subject to certain exceptions.
- An apology and explanation of the failure that leads to a quashed conviction and, where necessary, a public inquiry.

Legal Director of JUSTICE, Jodie Blackstock, said, “Our recommendations are ambitious but if we are to address the complex needs that exonerees face on release, they are necessary. People who are wrongly imprisoned often experience trauma, which can make returning to everyday life

incredibly challenging. Financial support is hard to obtain, and doesn't solve the problem. Exonerees require accessible, consistent and continuing support to start rebuilding their lives outside prison."

The full *Supporting Exonerees: Ensuring Accessible, Consistent and Continuing Support* report will be available on the JUSTICE website following the launch event on Tuesday 17 April 2018 at White & Case LLP in London.

Notes for editors

1. JUSTICE has a long and rich history of using working parties of effecting systematic and vital changes within the legal system. The Ombudsman system and Criminal Injuries Compensation Board, for example, were set up on the recommendation of previous JUSTICE working party reports. In 2016, the ground-breaking [What is a Court?](#) informed the HMCTS reform programme to maximise access to justice. Upon the request of Lord Justice Ryder and the Lord Chief Justice, HMCTS has set up a working party to follow up on the report's recommendations. The report has also been discussed at a number of other high level meetings and events.
2. JUSTICE is an all-party law reform and human rights organisation working to strengthen the justice system – administrative, civil and criminal – in the United Kingdom. For more information about JUSTICE visit www.justice.org.uk.
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