

Miscarriages of Justice Organisation Victim Support



Annual Report: 2019-2020

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1 EXECUTIVE SUMMARY

The Miscarriages of Justice Organisation is a human rights advocacy service dedicated to assisting innocent people both in prison and after their release. Our main objective is to offer advice and support to innocent people after they are released from prison.

For the last 14 years we have received core funding from the Scottish Government, which has assisted us to continue addressing the problems facing these individuals and their families.

All our service users have been diagnosed as suffering from chronic Post Traumatic Stress Disorder which manifests in mistrust, paranoia, resentment, self-harm, emotional turmoil, alcohol and substances abuse, no interaction, and no self-reliance. It is our belief that to effectively help these individuals, treatment, for their P.T.S.D, should be offered at an early stage on post release.



2 Company Summary

MOJO is a registered company limited by guarantee and a registered Scottish charity. The charity is governed by its Articles of Association in terms of the companies act 2006. The charity has a Board of Trustees, which meets monthly to review and direct the charity's activities.

MOJO employs three full time members of staff, with dedicated and committed volunteer support when available.

Trustees:

Patrick J Hill	Director
Willie Rennie MSP	Director
Tara Hill	Director
Catherine Molloy	Director
Katherine Galea	Director
Kate Laverty	Director

Staff:

Cathy Molloy	Chief Executive Officer
Scott Jenkins	Welfare Rights and Reintegration Officer
Euan McIlvride	Legal Officer

Other Staff During Period:

Paul McLaughlin	Welfare Rights and Aftercare
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The project has had the privilege of working with some wonderful volunteers in 2019-2020:

Liam Baxter	Law - Open University
Katherine Galea	Criminologist
Molly McLean	Law - Glasgow Caledonian University
Ellen Shearer	Law - Glasgow Caledonian University
Kirsty McAuley	Law - University of Strathclyde

Marianne-Fernandez-Fiachney	Law -University of Strathclyde
Olivia Taylor	Law – University of Strathclyde
James Burns	Law – University of Strathclyde
Joanne Harrison	Law – University of Strathclyde
Jade Dickson	Law – Glasgow Caledonian University
Erin Wilson	Law – University of Strathclyde
Styliaana Papachristoforou	Law – University of Strathclyde
Denise Chalmers	Law -University of Strathclyde
Jordan Hamlett	Law – University of Strathclyde
Brian O’Conner	Law – Glasgow Caledonian University
Maeve Mackinnon	Law – University of Strathclyde
Laura Dewar	Law – University of Strathclyde
Lucy Mackay	Law – Glasgow Caledonian University
Suzanna Hamilton	Law – Glasgow Caledonian University

Chloe McPake	Law – Glasgow Caledonian University
Kate Karnaukhova	Law – Glasgow Caledonian University
Page McGee	Law – University of Edinburgh
Nicole Gray	Law (Graduate) – University of Strathclyde
Samantha Carruthers	Law – University of Strathclyde.
Lauryn Dawber	Law – University of Strathclyde
Lauren McGovern	Law – University of Strathclyde
Callum Harris	Law – University of Strathclyde
Michael Horowitz	Law – University of Edinburgh
David Reubens	Law – University Strathclyde
Holley Hughes	Social Work – New College Lanarkshire

All work with our volunteers is overseen and led by Cathy, Scott, and Euan. The volunteers have a wealth of experience in areas of use to the Miscarriages of Justice Organisation. We have worked with some wonderful, dedicated and committed volunteers who have moved to paid employment as the organisation is not in a financial position to offer them employment.



3 History and Background

The Miscarriages of Justice Organisation (MOJO) was founded in 2002 in Scotland by Paddy Hill (a member of the Birmingham Six who had his conviction quashed and was released in March 1991) and John McManus. Paddy Hill moved to Scotland and the Miscarriage of Justice Organisation (Scotland) was constituted as a formal company and given Scottish charitable status.

- 3.1 Research has consistently shown that all our service users have been diagnosed with chronic Post Traumatic Stress Disorder.
- 3.2 Commonly these problems take the form of mood disorders, anxiety-related conditions, alcohol and substance misuse, personality disorders, as well as their chronic P.T.S.D.
- 3.3 All victims, those released suddenly without any slow process, have severe and long-standing mental health problems as well as a deterioration of their physical health.
- 3.4 Most have tried to manage these problems by using support and interventions provided by the NHS and associated services. This often proves problematic due to the perception of these services' limited understanding of the issues surrounding wrongful incarceration. As a result, our service users and their families have become some of the most vulnerable and excluded members of our society.

4 Aims and Objectives

Our aim is to continue to provide practical support and advice to individuals and their families whose convictions have been referred to the High Court and quashed.

We will continue to assist individuals claiming innocence with the SCCRC process and help when required in completing and submitting their application.

We aim to continue to highlight and educate the public regarding the causes of miscarriages of justice with the intention of keeping focus and attention on miscarriages of justice and keeping the issue in the public forum.

Our main aim and objective are supporting our clients in building resilience and relearning the basics of self-reliance.

We will continue supporting the families with practical challenges of life on conviction and incarceration as they try to come to terms with the challenges of separation, blame, loss, financial loss, stigma, and lack of emotional support.

Post release we continue to support and advise our clients with alcohol and substance abuse. We educate our clients on how to interact in society.

This is delivered through a mentoring programme delivered by staff, volunteers, and their peers

We have been providing a one-stop shop since 2004 for our service users, providing practical support and advice on welfare rights, access to accommodation, income, and health, as well as seeking access to counseling, reintegration and financial advice.

It is our aim to continue to expand the existing service provided, through staff and volunteer training and partnership working with other agencies.



5 New Enquiries.

The project has had 243 new enquiries from March 2019– Mar 2020.

100 of our new enquiries were non-remit enquiries made up of cases where the enquirer is:

1. Serving less than a 4-year prison sentence.
2. Were already going through the SCCRC appeals process.
3. Did not live in Scotland.
4. Their enquiry was regarding a civil matter rather than a criminal case.

All non- remit cases were offered advice and a list of UK & Ireland Support links that may be of assistance

143 of the new enquiries met with our remit and preliminary questionnaires have been sent to them all. On return of the questionnaires all cases are looked at and passed to one of our volunteer legal/aftercare team to assess.

The Miscarriages of Justice Organisation (Scotland) currently has 92 active cases which our legal/aftercare team are working on. The Miscarriages of Justice Organisation (Scotland) is currently supporting 30 clients in the community, and their families

This approach has helped raise the profile of the organisation professionally with potential clients and has also helped in forging professional links with other agencies and organisations.

6 Aftercare, Support, Personal Development and Education.

We continue to strengthen our aftercare programme and would like to expand it further. We offer support to our clients (and their families) both inside and outside of prison. For those clients currently in prison we provide an advice and support service whereby we will act as an advocate on their behalf in relation to their legal representatives and in terms of their personal wellbeing. This approach helps to forge a relationship of trust between the client and staff which will be hugely beneficial if the client is successful in having their conviction quashed, as their transition to our Aftercare programme will be smoother.

For the clients who have had their conviction quashed we attempt to ensure as smooth a transition as possible back into their communities through both emotional and financial support. Scott, Cathy, and Paul McLaughlin were dealing with the welfare rights work whereby they acted as representative on behalf of the organisation for clients, ensuring they received their full benefits entitlement and to access adequate housing.

Additionally, we will maintain support for our clients in their endeavors to find employment once they are reintegrated back into the community and where appropriate.

The Miscarriages of Justice Organisation continues to have successful relationships with Court Services and Criminal Justice Social Work who often refer potential clients or telephone the office for advice re a client they need help with.

We also continue to have successful relationships throughout Scotland with Local Councils, Medical Practices, Job Centre Plus, Money Management centres and groups, DWP, Churches, (foodbank referrals and spiritual guidance), Women's Aid, Women's Refuge, Alcoholics Anonymous, Narcotics Anonymous and Al Alon

Scott Jenkins, a former volunteer, was employed by the organisation on 9th September 2019 as a Welfare Rights and Re-Integration Officer.

Scott attended and completed an intensive accredited Welfare Rights Training Course covering the changes within the welfare system including the changes from ESA to Universal Credit. **Training will be ongoing for all staff and volunteers delivered by Scott as he will continue to participate in the Welfare Rights Training Courses. This training will benefit staff and volunteers in having a better understanding of the ever-changing welfare rights system resulting in a more professional delivery of the service for our clients.**

Scott has developed a programme where the organisation works with clients in establishing their goals.

All clients have been asked to complete a questionnaire whereby they set themselves achievable short, mid, and long-term goals. The organisation will then work with the clients, respecting and believing in their capacity for personal responsibility and change.

We are meeting and working with outside agencies who can help us to support our clients towards their goals. We will re-apply to the National Lottery for funding which will enable us to employ an extra aftercare staff member, and will give us the extra funding the organisation needs to enable us to guide our clients through positive and transformational life changes.

The clients will be encouraged to set their own educational goals in the areas they wish to improve, and the pace at which they want to work towards them. Effectively, this will be a client-led service where they will feel comfortable and at ease in their learning process: **This has the potential to both improve clients' confidence and their self-esteem, providing skills and opportunities for employment and their employment prospects. Additionally, the skills gained in these areas will hopefully lead to opportunities for our clients to enter further education in subjects that are of interest to the individual, giving them focus, ambition and a goal to work towards.**

The organisation encourages and supports our clients in dealing with any issues relating to correspondence regarding legal matters or any other issues that they have when their conviction is quashed. We do this by allowing the client to come into the office to use the telephone and computers. Cathy, Scott, Euan, and our dedicated volunteers have worked with several clients showing them how to use a computer and have helped them to set up e-mail accounts to receive and send correspondence. We actively encourage our clients to deal with and answer all correspondence to them personally. **We will give them advice when asked for.**

The organisation has sourced and is hoping to move to bigger premises with a good-sized kitchen. **This will allow us to hold cookery classes where our clients can use the kitchen to meet, cook and chat. This is a service which all of our clients have asked for and it will be client led with each client choosing what to cook, all clients participating in the preparation and cooking, and a chance to chat whilst eating. The organisation sees this as a positive step as our clients often have feelings of loneliness and disassociation from society. We will offer them the opportunity of meeting other miscarriages of justice, giving them a platform to talk and share.** The kitchen in the new premises is situated away from the workspace so it will not interfere or impact on the work that the staff and volunteers are doing.

We continue our peer-mentoring programme whereby a client who has been reintegrated into the community with a high level of success will be paired with a client who is struggling. **This provides the opportunity for the client to be supported by someone who has a shared experience who can offer reassurances and understanding.**



7.0 Raising Public and Professional Awareness:

Cathy, Scott, and Euan have a good working relationship with the SCCRC. The Miscarriages of Justice Organisation is recognised by the SCCRC and the Law Society. Our details and literature are included in their information packs sent to all prisons in Scotland: **Ongoing.**

The organisation has and continues to establish links and affiliations with national and regional unions including, the RMT, Unison, FMU and the TUC: **Ongoing.**

Euan and the organisation have a good working relationship with all Universities in Scotland in particular the University of Strathclyde, the University of Glasgow, Glasgow Caledonian University and Edinburgh Napier University. **The Miscarriages of Justice Organisation (Scotland) is working in partnership with Glasgow Caledonian University and Edinburgh Napier University whereby students are awarded course credit for training inhouse with MOJO. Following on the success of this arrangement Glasgow Caledonian University and the University of Strathclyde are introducing dedicated Miscarriage of Justice modules to their LL. B syllabus commencing next session. The Miscarriages of Justice Organisation has been asked to assist in designing these courses.**

Robert Brown participated in a BBC series titled The Scandals that Shocked Scotland which aired late September 2019.

Paddy Hill participated in a documentary for BBC Birmingham.

2 Rivers Media contacted MOJO to ask if we had any clients who would participate in a documentary they are hoping to do: **Ongoing**

Paul McLaughlin spoke to RMT members at a venue in Edinburgh.

Cathy Molloy and Euan McIlvride attended the 3-day STUC Conference in Dundee in April 2019. The Miscarriages of Justice Organisation had a stall at the conference to raise awareness of miscarriages of justice and to ask for financial support from their members.

Surge Film contacted office to ask if Paddy Hill would take part in a programme they were making: **Declined.**

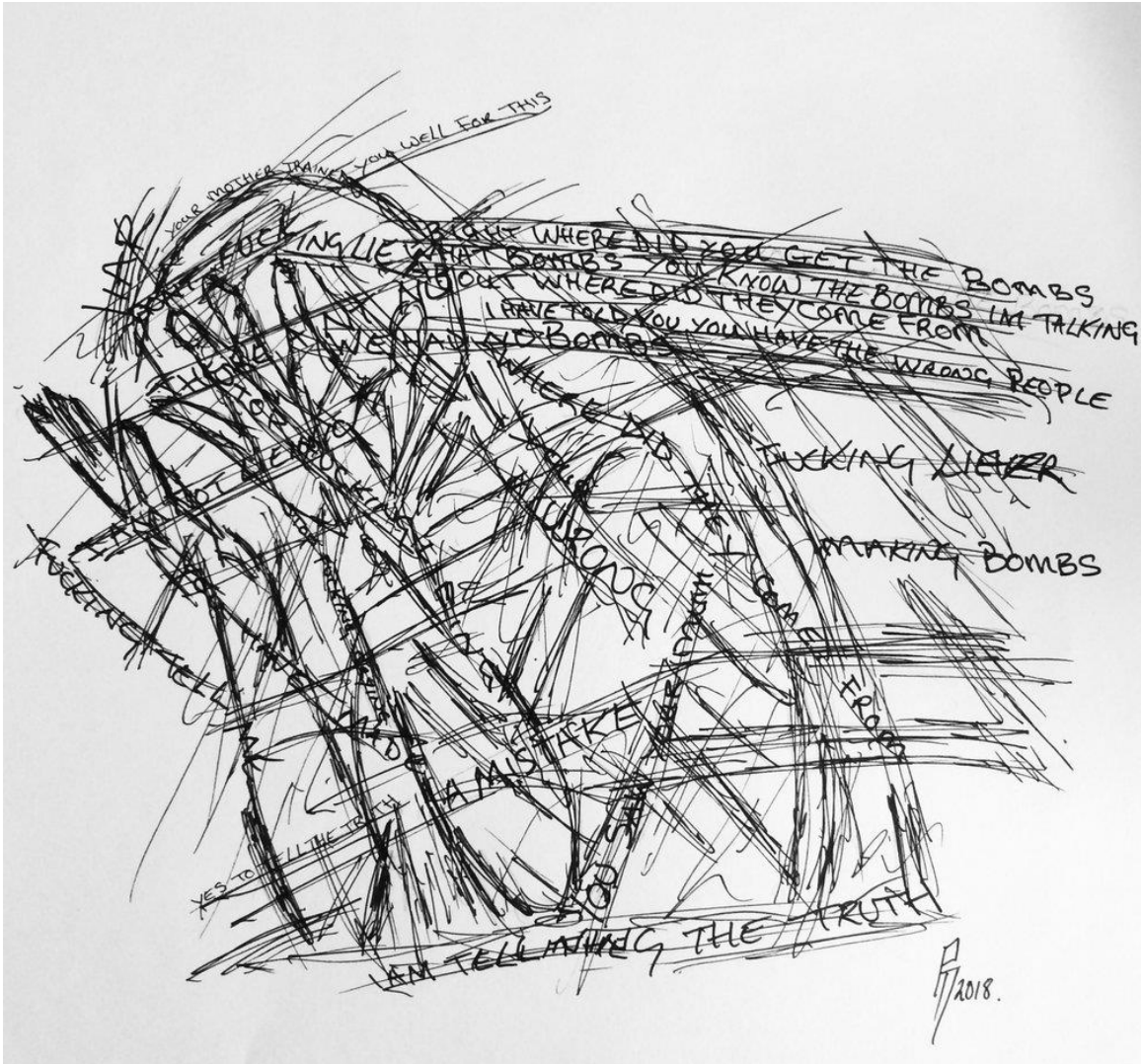
Paddy Hill had a meeting with Laura Nirider, the lawyer who is working for Brendan Dassey from the Netflix series Making a Murderer, at our offices in Glasgow. Laura was accompanied by Hannah Quirk a lecturer from Manchester University.

8 Medical

Miscarriages of Justice Organisation (Scotland) would like to welcome our new Consultant Psychiatrist Dr Jeremy Stirling, MB ChB (Leeds), MRCPsych, who has been a Consultant Psychiatrist since 1998. He is on the GMC specialist register for both general and substance misuse psychiatry. He worked for 30 years within the NHS services particularly providing care for those with mental illness and addiction. He has extensive experience in working with a range of difficulties including PTSD, depression, and anxiety. He trained in EMDR in 2003, sensorimotor psychotherapy in 2009, brainspotting in 2012 and QEEG guided neurofeedback in 2014. Dr Stirling utilises all these approaches in his work with our clients. Dr Stirling was recommended to MOJO by Professor Ian Stephen, who worked with our client's pro bono before he sadly retired due to ill health. **Dr Stirling has offered his services to our clients on a pro-bono basis and has been working intensely with 3 of our clients since July 2019.**

Due to their trauma some of our clients suffer from drug and alcohol addiction, (self-medicating). The project provides access to counselling and support through Alcoholics Anonymous, Narcotics Anonymous and Al Anon to all clients who suffer from addiction. Although the project provides access to this service and encourages clients to take part it is their choice as to whether they participate or not: **Ongoing.**

The project has initiated a cross-party group with MP's and MSP's in both the UK and Scottish Parliaments relating to the medical resources and aftercare provision that is available to our clients: **Ongoing.**





9 Legal:

Euan McIlvride, a former volunteer was employed by the organisation on 1 November 2019 as our Legal Officer. His duties include overseeing our Legal Service Team and delegating new enquiry cases to law student volunteers. Each student is responsible for their delegated case under the supervision of Euan. The Legal Team are currently working with 92 cases which are a mix of cases ready to make an application to the SCCRC and new enquiry cases. The organisation is now requesting and receiving client's files and paperwork which has made a huge difference. This allows the Legal Team to assess whether the enquiry meets the Miscarriages of Justice Organisation (Scotland) remit of factual innocence quicker.

The Miscarriages of Justice Organisation (Scotland) regularly holds training days, delivered by Euan McIlvride for our volunteer law

students. Subjects include assessing a case, making a SCCRC application, the work the SCCRC do and Miscarriages of Justice related law and procedure.

Our function is to assist and support only those who have an objectively stateable claim to factual innocence of the offence of which they have been convicted. Robust assessment of the claim to innocence is at the centre of our assessment of every application for assistance we receive. The numbers of such applications are steadily increasing, year-on-year. It may be no coincidence that this corresponds with increasing disquiet, in the legal profession, at the availability of criminal legal aid. Whatever the underlying reasons, our clear experience is that the proportion of these applications found to meet the factual innocence test remains broadly consistent. As at the end of the year we have five individual clients whose cases are in detailed preparation for submission to the Scottish Criminal Cases review Commission.

Due to provision of this service we have identified the benefits for our clients seeking support as their enquiries are being dealt with in a far superior and professional way. We hope to employ an additional member of staff with legal experience to accommodate this demand:

Ongoing.

10 Keys to Success:

The Miscarriages of Justice Organisation is committed to openness, honesty, and transparency in every aspect of the work we do. We expect the same from our service users, staff, and volunteers.

We have continued to improve our management procedures.

With a continuation of funding from the Scottish Government we will be able to continue to provide this crucial service. We continue to engage with the Ministry of Justice, the Scottish Government, and other agencies in discussions on how service users' psychological needs can be best met.

All individuals who have been offered support from MOJO have welcomed it. We have engaged with service users consisting of primary clients and secondary. We have engaged with remit and non-remit cases.

We continue to support our clients' needs.

We accompany all clients to medical appointments

We accompany all clients to Psychological assessments and appointments.

We continue to support our staff and volunteer needs.

We continue to provide courses and training days for staff and volunteers.

We continue to have a good relationship with DWP and will continue to work with them in supporting our clients.

We continue to provide support to service users with benefit claims, advice, access to medical services, access to accommodation in addition to emotional support when required. All primary service users have been diagnosed with chronic post-traumatic stress disorder. Due to this, MOJO provides a 24-hour support service.

We continue to work with, advise and support other groups and agencies such as JENGBA, The Miscarriages of Justice Service within the Royal Court of Justice CAB office, Women's Aid, SAMH, the Roddick Foundation, the Rowantree Foundation, United Against Injustice and SCVO.

We continue to work with different unions in raising awareness and fundraising. Branches of the RMT continue to support and affiliate to MOJO.

We continue to source funding and fundraising opportunities for MOJO.

There are four key areas which are extremely important in helping our clients' reintegration into their communities, allowing them the best opportunities available to move forward.

These are: our Aftercare and Reintegration service, Education, Medical Services and Legal Services.

We will continue to improve these services through listening to our clients' needs and delivering a professional bespoke service which meets each individual's specific needs.

11 In Conclusion:

Cathy's new role is a full time Managerial Position.

Cathy's duties will include dealing with Administration, Funding Applications, Monitoring and Evaluation of new software systems being introduced. She is also working to improve the Miscarriages of Justice Model which will follow better practice within the organisation, allowing information to be available and easily shared within the organisation. She will also take responsibility for the Aftercare/Advocacy holding weekly staff/volunteer meetings to ensure that everyone knows what they will be working on, and to be updated as to progress. Cathy will also be working alongside and supporting staff/volunteers/clients to ensure that MOJO provides the best service for our clients and their families.

To help Cathy she now has a new workstation adapted for her disabilities. Cathy sourced the equipment from the DWP Access to Work, who organised for an Occupational Health Assessment in the workplace. Through this the organisation was awarded the funding to pay for the equipment recommended for Cathy's disabilities.

During the period March 2019 – August 2019 we conducted an in-depth review of our Constitution and Governance arrangements. These were comprehensively amended to reflect the changes in Companies and Charities Law since the organisation was founded. Our Governance and Compliance arrangements are now entirely in keeping with current best practice.

We have secure onsite server storage.

The website is now up and running. **Ongoing.**

We have updated our IT equipment thanks to donations, which has professionalised how we record the work we are carrying out. We have developed our own, bespoke, case-management and client relationship management systems.

We now record all information regarding our clients electronically and update new information as it comes in.

We have updated our telephone system to accommodate the level of calls the organisation is receiving allowing us to take more than one call at a time.

These changes have made a huge difference in professionalising the services we provide as we are complying with the new data protection regulations

12 Client Update Report

Key

SP – Support Plan – Each client with ongoing support needs has the opportunity to engage with a bespoke support plan designed to identify each client's unique set of needs and difficulties at present and their targets, goals and ambitions for the future. The aim of each programme is to render each client's reintegration back into their own lives, families, communities, and careers where possible, as free from issue as possible by addressing and unpacking difficulties they are facing from the outset. By focusing on meeting small targets shows our clients that their goals are achievable as a means of increasing their independence and the level of ongoing support that they require moving forward. Each support plan is monitored every three months, to monitor changes and receive feedback from the client on how the organisation can improve the support they receive.

WR – Welfare Rights – Our in-house Welfare Rights Officer carries out an entitlement check for each client, oversees each claim by dealing with the Department of Work and Pensions on their behalf and ensures that each client receives meaningful advice and assistance and gets what they are entitled to.

H – Housing Advocacy – This service aims to ensure each of our clients are housed in safe and appropriate premises by dealing directly with

criminal justice social workers, local authorities, and housing associations on behalf of the clients. This also includes dealing with landlords or factors for clients when problems arise within their home that they do not know how to address.

P/S – Psychosocial Support – Our relationships with our clients are built on trust. Each client receives regular contact from their support worker to discuss their lives and their well-being. We aim to use the ability to build a professional relationship and communicate with their support workers at MOJO to learn how to trust others and prevent clients who would otherwise isolate themselves from the rest of the world from doing so.

PC – Psychiatric Care – We are fortunate to have the ability to utilise the time of a consultant psychiatrist who works with our clients on a pro bono basis. Clients who require regular sessions either monthly or fortnightly receive regular access to sessions, and a monthly clinic of three sessions allows each client access to the support available as needed throughout the year. The sessions can take the form of 1:1 counselling, eye-movement desensitisation and reprogramming and developing coping strategies for our clients ongoing, and often severe, mental health problems. This service has meant that previously undiagnosed problems have been addressed and that specialist, appropriate support catered for our client's specific needs are now available and has been universally well received by the clients.

Med/GP – Medical Advocacy – Including the above support the organisation engages with the clients GP's, occupation therapist professionals, reviewing client's medication, trauma centres and local community mental health teams.

F – Families – Where clients have family or an extended support network around them, their families and extended support network will receive secondary support from the organisation

W – Welfare Check – Our most vulnerable clients, or any client when they are at their most vulnerable in times of crisis, health and wellbeing is regularly monitored.

Aftercare and Reintegration Report

ID	SERVICE START	SERVICES RECEIVED IN 2019/20
1	2012	SP, WR, P/S, PC, W, H
3	2017	P/S, F
4	2005	WR, P/S
5	2016	SP, WR, P/S, PC, Med/GP, F
6	2002	WR, H, P/S, PC, Med/GP, W
7	2011	WR, P/S
8	2001	WR, Med/GP, P/S
9	2016	SP, WR, H, P/S, PC, F
10	2016	SP, WR, H, P/S
11	2009	SP, WR, P/S, PC, F
12	2013	WR, P/S
13	2013	WR, P/S, PC, Med/GP, F
14	2002	P/S
16	2002	F
19	2001	WR, P/S, PC, Med/GP, F, W
21	2014	SP, WR, H, P/S, PC, Med/GP, F
22	2010	P/S
24	2016	SP, WR, H, P/S, PC, Med/GP, W
27	2019	SP, P/S, PC, F, W
28	2020	SP, WR, H, P/S, PC, F
29	2020	SP, WR, P/S, PC, H, F
30	2020	SP, WR, P/S, PC, F

We continue to enjoy the confidence of our Service Users, our volunteers, the Scottish Government, The Office of the Scottish Charity Regulator, the many Universities we are so grateful to work with and our many supporters.

Thank you for your continued confidence and support

