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The Lord Chancellor  
Ministry of Justice  
102 Petty France  
LONDON  
SW1H 9AJ

8 August 2023

Dear Lord Chancellor

I was delighted to note your recent announcement, following on the exoneration of Mr Andrew Malkinson, that the deduction of “saved living expenses” from compensation payments, made in respect of identified miscarriages of justice, is to cease.

As a charity with over 20 years’ experience in supporting the victims of miscarriage of justice throughout the UK, we fully endorse your recognition of this significant policy change as a matter of common sense. We agree that fairness should be “a core pillar of our justice system and it is not right that victims of devastating miscarriages of justice can have deductions made for saved living expenses.”

We currently represent a number of exonerees who have been in receipt of compensation, from the Government, for long years spent in prison for offences they did not commit. A large part of our work is in supporting these individuals simply to cope with their lives in society, such has been the trauma suffered by them as a result of their experiences. Each of these individuals was subjected to the deduction from their compensation of “saved living expenses”.

If it is a matter of common sense, as we agree that it is, that it is not right that victims of devastating miscarriages of justice can have deductions made for saved living expenses then, I respectfully suggest, this must equally be the case for those compensated before, as after, your recent announcement.

I assume, therefore, that it will be your intention to reverse, at this time, the decisions previously taken to make such deductions from the compensation rightly and legitimately paid to those exonerated prior to your recent announcement. You have recognised the manifest unfairness in this arrangement, as do we.

A perhaps/



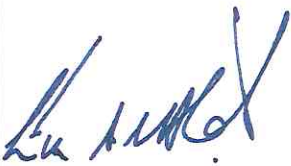
Miscarriages of Justice Organisation (Scotland) - Company No. SC239555 Registered Charity No. SC033820  
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A voluntary sector victim support organisation providing practical assistance to those affected by wrongful criminal conviction  
The work of MOJO is financially supported by the Scottish Government

A perhaps unintended consequence of a failure to treat all compensated miscarriage of justice survivors equally will be the addition of a further level of unfairness to the experience of those on whom this iniquitous deduction was imposed. You will agree, I hope, that this would be incompatible with the fairness that you have placed at the heart of your recent change in policy.

I would be grateful for clarification of your position.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Euan McIlvride', written in a cursive style.

**Euan McIlvride**  
Legal Officer