

JENGBA

Newsletter

You're not Alone

Issue 63

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Greetings Inside Campaigners and JENGBA supporters

What excellent news that Andy Malkinson and the tiny charity Appeal have had a result in getting his conviction overturned despite it being rejected by the CCRC twice! Absolute congratulations to all involved, particularly Andy, in never giving up on proving his innocence. Also he has come out in lots of his interviews declaring his is not the only one and there are lots of innocent people in prison, JENGBA would argue there are thousands. This is our mission to build on that message, there is so much distraction going on in the country right now with all the corruption and cronyism from the those in power, that little is being said about those who have no power; prisoners and their families. The organisation set up to investigate wrongful convictions, the CCRC, is simply not doing their job.

Organisations trying to expose the prison and appeal system, and Innocent projects have been calling this out for years but been ignored. The CCRC simply say they are under-resourced which they probably are, but they do not do the types of investigations necessary to prove innocence, especially with joint enterprise. The last APPG on miscarriages of Justice confirmed this. A report from Louise Hewitt, who runs the Innocent Project at Greenwich University, studied over 200 decisions by the CCRC rejecting joint enterprise cases showed that not only were the CCRC applying their own test, which is known as the 'real possibility' test, but also the 'substantial injustice' test established in the first case that went to the Court of Appeal after the Supreme Court ruling in R v Jogee.

The real possibility test looks at whether they think the Court of Appeal will overturn the conviction. The substantial injustice test was put in place to stop any joint enterprise case

getting acquitted and therefore setting a precedent (legal route) for others. It is important you understand this because it means our appeals system, in fact our entire criminal justice system, is not fit for purpose. It is not there to expose injustice it, like the rest of the corruption in plain sight from our institutions, is there to cover it up. JENGBA are going to launch that report in the House of Commons hopefully in September but please let us know if you want a copy to read, especially if you do or did have an application with the CCRC.

The Law Commission are also looking at whether the Appeal system is fit for purpose and invited JENGBA to come and give oral evidence to them recently. Jan and I went with Felicity Gerry KC who was instructed in R v Jogee, who now shares our disappointment that it did not more to secure acquittals. She is applying to the Supreme Court again with another joint enterprise case to try and force a legal challenge for appeals for wrongful JE convictions. The Law Commission were very aware of our cases that have tried to appeal and Felicity was excellent at defining the legal blockages the Court put in place to deny strong appeals. If you have had an appeal or been rejected by the CCRC do write to us and we will submit in written evidence to them.

That meeting was followed by the first scrutiny panel with JENGBA and the CPS. Also at the meeting were academics Becky Clarke author of 'Stories of Injustice' about joint enterprise and women's cases,

our lawyer Simon Natas who intervened for JENGBA at the Supreme Court case, and Stafford Scott, activist who runs Tottenham Rights, who was recently instrumental in getting young men removed from the 'gangs'



Glo was invited to take part in MP Kate Osamar's Summer School in July to talk about Joint Enterprise and the founding of JENGBA

Police Matrix. There is a follow up meeting in September where we are going to be able to look at a couple of joint enterprise cases and then they will release a report to the public late September. This could hopefully be another milestone in proving joint enterprise targets minoritized and working class communities. The pilot is only in 6 cities and is going to be rolled out nationally from February next year.

There was an appeal for the Newcastle children on July 6th. Unsurprisingly judgement has been reserved and at present the boys and families still do not know the outcome of the appeal. Those lads were amazing, but some of their KCs were shocking, the boys were on video link so would have struggled to hear, but even those of us in court couldn't understand a few of the bumbling KCs supposedly defending them. The main argument was around the bias of the trial judge and not the innocence of the children. One boy stabbed another lad and he owned up to it. So what is the sense of locking up 9 more children. Cases like this should be fuel to all of us about how unjust joint enterprise is.

The strategic litigation, helped with some funding from Barings Bank 'Strengthening Civil Society' with the CPS has given us a taste to see where else we can tackle these institutions through legal challenges. The charity Liberty are fully on board now with helping JENGBA and, after the report in September from CPS, JENGBA will see what other litigation we can bring on everyone's behalf. Suggestions are welcome.

The Howard League and Amnesty International have both pledged in their latest directives to support our campaign and to make joint enterprise and issue they will fight and raise with government. As ever, keep on keeping on, the chipping away will pay off. We are just sorry you are have to suffer the time in prison when you should be with loved ones outside. Stay strong, spread the word and please do write to us with your stories and suggestions.

We are producing two booklets for newly convicted children, men and women. If anyone is feeling artistic please send us drawings or paintings that we can put on the covers and on our walls in the London and Manchester offices. We will be having an event in Manchester for Black History Month so please send art work if you would like it displayed.

We are also holding an event in the House of Commons on the 11th September with ex joint enterprise prisoners and families are welcome. We will produce a booklet of your stories to hand out to the MPs so please get writing!

In solidarity

Gloria Morrison

Campaign Coordinator JENGBA

Gloria kindly asked if I would like to write something for this newsletter and I said I would love to!

I have named this letter to whoever reads it...

A Letter of Hope

Basically, two and a half-ish years ago I was sat just where you are now, well maybe not the exact cell or even the exact prison but I was in the same predicament. I was in HMP Styal where I served four years in total. I got locked up 4th January 2017 and got released 4th January 2021. All the time I was in there I never could imagine being back out here on the streets, but it comes to us all eventually. If you're on remand or have been sentenced now, just keep your chin up and believe that one day you will also be walking out them gates, Prison time can be done quite easily, you just have to focus on looking after yourself and your own mental health. Now is the time to be a little selfish and work on fixing you! Read that book you have always wanted to read, draw them pictures you always wanted to draw or even write your own story! Snatch all the support offered to you with both hands, turn negative thoughts into positive ones and try to keep communication open to all on the outside. If you haven't got immediate family and friends to support you, then reach out to all the fantastic support services out there instead. Keep smiling, this is a new chapter to your own individual story, if anyone remembers me? I was a true bookworm inside! All my love, see you on the other side of the gates, BEV xxx

Almost 4 years ago, I was faced with a life sentence as I was seen as a guilty party under joint enterprise. Fast forward to now, I am using my experience and legal knowledge to push for the much-needed change in the law and policies surrounding the criminal justice system.

Last week, I attended a meeting with The Law Commission, representing **JENGbA** – in this consultation we were advised that The Law Commission are seeking views on the law about appeals in criminal cases, including the tests applied by the Court of Appeal and the Criminal Cases Review Commission; and laws governing post-trial retention and disclosure of evidence.

With this, I was able to advise that in the criminal justice system as it stands – there is no Court of Appeal. I state this because it is extremely difficult to receive permission to have your case heard; it seems that the petitioner must be able to explain to the court that something within their trial went wrong, or that there is a new piece of evidence that was not put before the original trial jury and so this would mean the conviction is unsafe. This, in my opinion, is extremely difficult to provide to the court, thus resulting in a lot of cases not being granted to move into the Court of Appeal.

I think it is important to add, that as of 2022, the success rate of being referred to the Court of Appeal was approximately 3%, and out of that 3% roughly two thirds will be successful. – Even then, how is success measured?

Fortunately, I have not faced this brutal process, but feel that I should use my experience to voice the issues faced by those accused of crimes that they have not committed. So I ask to all involved with the Court of Appeal; How can I provide new evidence to a Court to prove I didn't commit a crime?

Kiri Jolliffe



Kiri with Felicity Gerry KC, Glo and Jan outside the Law Commission Offices

I went to London in July to see the IPP Exhibition at the House of Commons and could not believe how simple yet effective it was. It was held in the walkway to the committee rooms, so in effect in a space that every MP in the House would walk past. While standing there looking at the photographs I was approached by so many different people wanting to speak about it and learn more. And that has got us all thinking about replicating this exhibition with a **JENGbA** version. **Jan**



**Tell your supporters to get along to
WIGAN DIGGERS
Festival on
Saturday
9th September 2023
Believe Square
WIGAN**

Visit the **JENGbA** stall and support this fantastic festival!

NEWS FROM THE NORTH

GMP and Joint Enterprise

Back In April 2020 Manchester was awarded funding from Greater Manchester's Violence Reduction Unit (VRU) to establish a community-led programme, as part of a £1.6 million investment in communities, outlined in Greater Manchester's Serious Violence Action Plan.

On the 10th of July 2023 I was invited by Andy Burnham Manchester Mayor and community leader Julie Wharton director of the Hide away youth project in Moss Side to attend and hear how community-led programmes enable the VRU to work closely with communities to understand the strengths, challenges, and needs of the community and determine how local investments will be made.

During this discussion I was able to raise my concerns as a campaigner and parent of a child serving a life sentence around the issue of over criminalisation of local communities and tactics used by GMP to hit their targets.

In recent years there has been a dramatic increase in the use of JE in Manchester which has drawn attention to the stereotypes and false narratives being used which has led to a culture of guilt by association. Fortunately, we have a Mayor who isn't afraid to address these issues and has written to the Chief Constable of GMP with his concerns!

JENGbA have the original letter and are awaiting the final response from GMP.

Let's watch this space in the coming weeks for an update from the Mayor's office and the final response from the chief constable of GMP regarding joint enterprise and the policing of working-class communities.

I also had the pleasure of speaking with Kate Green (Deputy Mayor) who also was very interested in the work we do within **JENGbA** and the ideas I proposed to safeguard against the over criminalisation of young men, women and the tactical use of joint enterprise. Overall, it was enlightening to listen about key projects and case studies, meet the people delivering and being impacted by the work, and to be part of the discussion.

continued

We (**JENGbA**) now have a fantastic opportunity to work alongside community leaders in Manchester to raise awareness regarding joint enterprise and challenge the false narratives associated to these wrongful convictions.

To all our inside campaigners stay positive.

Louise Campbell



Manchester community leaders with Mayor Andy Burnham

We would like to signpost you all to a Channel4 Documentary that will be aired later this month. Possibly 22nd August around 9pm, so keep your eyes peeled.

The film follows events after the London Bridge terror attack of 2019, with powerful insights from attendees Darryn Frost, Steve Gallant and John Crilly. It also examines the British justice system and how people who have been convicted of a crime are treated within it. It asks whether prisons work and if people can ever truly be reformed and find redemption.

It goes without saying that those working on the film who met with **JENGbA** campaigners and some of the families we support, were so drawn into our stories of injustice that they were compelled to make a space within the film to mention **JENGbA**.

Jan

In July I was invited to represent JENGBA at Manchester University by the research group Sites of Resistance who have been challenging injustice and delivering justice for girls and women.

The event was a call to action and a celebration of solidarity between local justice groups. You as inside campaigners were always at the forefront of our thoughts and many of the performers and guests at the event were ex-prisoners themselves, many of whom were joint enterprise prisoners proving there is life after prison.

Pavia's song Living Free brought everyone to tears! Pavia is an ex-prisoner and her work can be found on YouTube if outside campaigners want to listen to her touching song.

Brenda Birungi AKA Lady Unchained is a published poet (Behind Bars) performer, broadcaster, mentor and also the host for national prison radio. Brenda is an advocate for life after prison and is an inspiration to others navigating their way through the injustice system. If you want to call into the prison radio station and ask her to shout out support for joint enterprise prisoners, she would be more than happy to do that.

One of my favourite performers was Funke Adeleke a spoken word artist and her poem (Ain't I a Woman) which outside campaigners can view on youtube. Also, in the pipeline this Autumn will be film screenings around the issues of justice, immigration and hope!

We will keep you posted of any developments. If you have any poems you would like us to print in our next newsletter regarding your journey as a JE prisoner please send to our Manchester based office.

I will leave you with a quote from the event:

Through action and empathy,
we fight for justice to gain our freedom

Louise



Sites of Resistance event, Manchester University where **JENGBA** Inside Campaigners were “always at the forefront of our thoughts “

Donations

Big shout out to the families, friends and supporters of **JENGBA** who send donations to help get this newsletter produced and posted in to our Inside Campaigners.

Whether you make monthly payments, send a one off donation when you can afford it, or send a book of stamps every now and again thank you from the bottom of our hearts.



Your generosity does not go unnoticed.

INSERT IN THIS ISSUE: A letter for you to complete and send to your MP asking them to support the 2nd reading of our Private Members Bill.

Also, please let us know if you move, we are getting a lot of newsletters returned and we are losing touch with some of you. We want to keep you updated with news so don't forget to drop us a line if you have moved or about to move. Thanks.

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