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THE CONVERSATION

Serial shines spotlight on Innocence Projects – it would be a crime not to

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Students working behind the scenes. Legal via FikMik/Shutterstock

It isn't until Episode 7 of the certified podcast sensation *Serial*, that listeners learn about the show's silent partner. Quietly, and with little fuss, the University of Virginia Innocence Project has been looking again at the case of Adnan Syed since March 2014.

Serial's presenter Sarah Koenig has taken listeners on a journey as she explores whether Adnan could have been wrongly convicted of the murder of his ex-girlfriend Hae Min Lee. Adnan and Hae were both 17-year-old high school students in Baltimore County when she was strangled on January, 13, 1999. Adnan was sentenced to 30 years in prison, largely due to the evidence of his friend Jay. Adnan has always denied his involvement in Hae's murder.

Led by Professor Deirdre Enright, the UVA Innocence Project is a pro bono clinic where second year law students investigate wrongful convictions. Koenig had initially called Enright to ask her about a similar case. During their conversation Enright mentioned that her student had asked: "are you going to find us another good case?". The good case was, of course, staring right at her.

The UVA Innocence Project is now asking a court to test a physical evidence recovery kit that was used at the time of the murder, but never tested for DNA.

Innocence Projects in the US began in the 1980s. But they really took off in the 1990s, due to the advent of new DNA testing methods. The Innocence Network, an affiliation of pro bono organisations and law school clinics, has 56 US members. They have helped to exonerate more than 300 people through DNA evidence. Of these, 33 were under 18 when they were convicted, 28 pleaded guilty to crimes they did not commit and 18 were on death row.



Serial's presenter Sarah Koenig. Meredith Heuer

Innocence Projects in the UK

In 2005, Michael Naughton founded the first UK university-based Innocence Project at the University of Bristol. There are now 27 Innocence Projects in existence in the country. Some – like the University of Leeds Justice Project – use a different moniker. Many were originally linked to the Innocence Network UK, which appeared to have a somewhat fraught relationship with its former partners.

It is estimated that there are more than 600 students working on at least 70 cases in the UK thought to involve wrongful conviction. In December 2014, we finally saw the first ever successful appeal – courtesy of staff and students at Cardiff Law School Innocence Project.

Brian Leveson and two other judges quashed Dwaine George's conviction for murder, saying it was no longer safe. In 2011, George was sentenced to life in prison for the shooting of 18-year-old Daniel Dale. Gunshot residue found on George's coat formed the basis of the prosecution's case against him. His appeal was based on new scientific evidence relating to that residue. Leveson paid tribute to the work of the team at Cardiff Law School, who had worked on the case for nine years.

Publicity boost

Episode 7 of Serial allowed listeners to enter the world of Innocence Projects. You can hear the sound of a law clinic getting ready to consider a new case, says Koenig at one point, as we listen to the drone of a scanner and muffled, excited chatter.

It's rare for anyone to be interested in the day-to-day running of these projects, despite the hard labour that they put in. Enright herself has said that the attention they have received has been unexpected, overwhelming and startling.

Professor Julie Price, head of the Pro Bono Unit at Cardiff Law School, has written candidly about the pressures, crossroads and brick walls that projects such as these face. The Criminal Cases Review Commission receives more than 1,500 applications each year. Even if an application gets through the first sift, it can take up to 41 weeks for a case to be allocated to a Case Review Manager. Only 4% are ever referred to the appeals court.

Imagine you're trying to deal with that – while maintaining the goodwill of lawyers whose free support can be crucial, and providing close and supportive supervision to law students.

The danger is that once Serial has ended and the newspapers have moved on to another story, we will forget about the law students and supervisors who toil away behind the scenes for little recognition and no financial reward. To do so would be a crime.

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