



You're Not Alone

ISSUE 31: Christmas 2014

Dear Friends and Fellow Campaigners

JENGbA campaigners recently attended the 2nd follow up session held by the Justice Select Committee. The DPP Alison Saunders and Minister for Justice Mike Penning were there to give oral evidence. As you know this Inquiry was to examine whether JE is discriminatory (racist) and should the Law Commission report 'Participating in Crime' and Homicide laws be reformed and enshrined in statute.

Alison Saunders gave evidence and pointed out to the committee that the aim of the Guidance was to "help prosecutors in their role" and "improve the way they behave". Who exactly is she talking about here? Highly educated lawyers who hardly need any "help" in our adversarial court system determined to get a result. She claimed that there are robust procedures in place to ensure that the 'test' to go ahead with a prosecution is based on 'evidence'. We know that the majority of inside campaigners would argue that it is not necessary to provide any evidence let alone 'beyond reasonable doubt'.

The DPP also suggested that they do not prosecute people on the periphery of a crime, that there has to be evidence that one participated or encouraged in the offence. What if you are not even there as in lots of the cases JENGbA supports? This idea that innocent bystanders will not be prosecuted is again a nonsense when the Police's film that they take round to schools to educate children about JE states, that "if you are there and you do nothing to stop a crime occurring you too can be charged." Dangerous and unhelpful advice when in the instance of a spontaneous outburst all present can be charged because they should have known better than to be in the wrong place at the wrong time. That is the reality of joint enterprise charging.

The DPP cited the Stephen Lawrence case as a good example of how joint enterprise can work – since they did not know who wielded the knife, two of the five men originally charged are now serving Life for his murder. Joint Enterprise charging was in place 21 years ago when Stephen was murdered. It took 20 years and massive campaign by the Lawrence family, a private prosecution exposing the endemic racism and corruption in the Met and new developments in forensic testing to secure those convictions. Police corruption was the main battle the Lawrence campaign were fighting against. And no-one should be surprised that police corruption, withholding of evidence, using testimony of actual criminals, changing witness statements, paying huge amounts of money to witnesses to corroborate their narrative of events, are all constant common denominators in current JE convictions.

The DPP also stated that the CPS "do not look to charge the most serious offence – we look to charge the most appropriate offence". Since JENGbA know of cases where it is simply easier to charge large groups without any real evidence against individuals but the 'group' is deemed 'criminal' by its numbers, this too is simply not true.

The most galling aspect of the oral evidence from the DPP and Mike Penning is that they think the general public (and JENGbA families) are stupid and that we cannot possibly understand the complexities of law so we should accept what they say as fact. Mike Penning kept talking about joint enterprise as 'legislation'. He used that term throughout his evidence until the Chair Sir Alan Beith corrected him that joint enterprise was not legislation but a legal doctrine, Mr Penning responded, "he was not very legalistic". Like Chris Grayling, the government is not worried that the most senior positions of the Ministry of Justice have no legal expertise. Dr Matt Dyson in his evidence was the most concise he said JE is simply a 'shortcut'.



JENGbA Campaigners at the Royal Courts of Justice

Alison Saunders and Mike Penning both suggested the 'right' decision is being made to charge in the first place, because they secure convictions and were satisfied when the appeal court agreed with that judicial process. This is the establishment not allowing any precedent through with joint enterprise because as soon as someone proves that it is not possible to have 'possible' foresight the doors will open for other appeals. The legal arguments in JE appeals are based on the fact that no evidence existed in the first place and it is hardly surprising that 22% of appeals in 2013 were joint enterprise but since 2004 only 1 conviction has been quashed after a referral from the CCRC.

The public are still not aware of the fact that judges have to impose mandatory sentencing but they are

learning because JENGBA exists and we are relentless in our pursuit for justice for our loved ones.

I left the JSC meeting before the end to get the RCJ to support Joanne Barr whose 2 daughters Holly and Ashleigh were convicted of the murder of their father. Holly was 16 at the time and though her defence team argued robustly that she had not committed the murder and her age at the time would mean she could not have understood JE, the judges unsurprisingly knocked her back. All the campaigners who attended the Select Committee came to the Royal Courts of Injustice as soon as the evidence hearing was over to support Joanne and though there were some tears, there is a sense that if they keep knocking us down we will get up stronger, and the government will have to do something to restore the public faith in the Police and the CPS. Janet, Joanne and myself went that afternoon to the House of Lords to meet with Dame Joan Bakewell who kindly treated us to tea and listened to our tales of woe. What a formidable woman and an excellent ally for JENGBA. She has promised to try and get further support from the Lords.

Earlier this month the brilliant Communications Workers Union donated JENGBA their conference lodge near Oxford for a 'think tank' couple of days. We invited academics, lawyers, campaigners, barristers and journalists. The 4 sessions were: 1. Problems and possibilities with JE appeals. 2. Race and discrimination in JE. 3. Dangers of Homicide reform. 4. How do we get those convicted outta jail?!

It was an incredibly useful conference. We are currently compiling a report to help us go forward into 2015 with a clear strategy as how to implement number 4 on our list. The Justice Select Committee report is due Dec/Jan so more about that in our next newsletter plus the strategies we are working on from the think tank.

Wishing you all peace and love this Christmas and please know you are loved and missed by many, many, people who intend to make 2015 our most important year of campaigning yet.

Gloria Morrison

Royal Television Society NW Awards
On Saturday 15th November 2015 the RTS NW held an awards ceremony at the Manchester Hilton. There were dozens of categories and a couple of hundred actors, producers, directors and guests donned their finery and hoped that they would be going home with one of the coveted glass awards.

It was no surprise to us that Jimmy McGovern won Best Scriptwriter award for Common, it was watched by around 5 million people and threw joint enterprise into the public arena. We loved it. To top it all on the night, the production company, LA Productions, put the icing on the cake by winning the Best Drama award.

But the highlight of the evening was when Jimmy went up to collect his award amidst cheering, clapping and even tears from some of us. When he announced that his drama was inspired by Jordan Cunliffe, a wholly innocent boy and that he was giving his award to Jord's Mum, Janet, the room erupted. What a gesture!



Jimmy hands his Scriptwriter Award to Janet

Jan says that we must not underestimate "Common", and how true that is. People will look back at the drama just as they now look back at Hillsborough. "Common" is a piece of history which has recorded how cruel, unjust and heartbreaking joint enterprise really is and how it not only imprisons innocent people but destroys families. It is a reminder of how we must carry on and fight to the bitter end for justice.

Cath

The GMB Conference in Liverpool again was attended by JENGBA families and supporters. In part because we wanted to hear Margaret Aspinall speak about Hillsborough and to learn how this wonderful mother had continued to remain strong and focused with all the odds stacked against her for over 20 years. She gave an amazing speech that left everyone in the room in tears. It's impossible to describe her message and I wouldn't even try to, but those in attendance will carry her words with them forever. For me she was an inspiration and gave me the courage to stand up and make our presence known. It was great to learn that many people already knew about us and offered masses of support, signed the petition and took our bangles. Brian Reade the Daily Mirror journalist took flyers and promised to write about any political progress that arises in his column, I've since had an email from him saying the same. Maybe some of you could send him a letter urging him to follow the campaign closely and give him an insight into your own injustice. We also spoke to MP Andy Burnham and asked if he would meet some of our campaigners in the near future. He agreed and that meeting will take place soon. Hopefully we will be able to tell you more about it in our next newsletter. In all it was another great event and those of us that attended left feeling we had done another good job spreading the word. It was because of this that we went to a nearby pub for a well deserved drink. Petitions still in hand and wearing our red JENGBA T-shirts we sat and talked more about the campaign. We attracted the attention of other drinkers who took a great interest in what we were talking about, many of whom had seen COMMON and didn't need much convincing when it came to the petition. Some people actually asked if we had one due to the outrage they felt and their deep desire to do something about it.

Tell your families to talk about you, your conviction and the campaign as often as they can. Ask them to get involved with any event we organise, to attend local events no matter what they are in aid of, or to even organise events of their own. People will listen because they are interested and the more people that hear about joint enterprise the better. And the more families that take hold of their own futures and make a stand against this immoral injustice the sooner this nightmare will end.

Jan

Jimmy McGovern's "Common" screened at Edge Hill University

A screening of Common took place at Edge Hill University on 13th November for media students, academics and those interested in JENGBA. It was chaired by Professors Mark McGovern and Roger Shannon. Remarkably the organiser managed to secure the writer (Jimmy), producer (Colin McKeown) and director David Blair on the panel to discuss the making of the film and how it came about. It was a major scoop to bring all three together at the same time for this type of event.

I was honoured to also be invited to sit on the panel so I invited JENGBA families to support me. Those people I knew that lived close enough to Ormskirk, who would attend and if given the opportunity would spread the word in their own way.

I've lost count of how many times I have seen COMMON, but it never ceases to catch me out in some way. Something different fills me with trauma or sorrow each time I watch it. That's the magic of Jimmy McGovern. We



We must never underestimate the power of "Common"



must never underestimate the power of this film. Some of the JENGBA mums I sat with watched it for the very first time. Due to their children's recent convictions and them being very young when convicted to a life sentence for murder, this really was quite traumatic for them.

I remember telling Jimmy my son's story years ago and explaining all aspects of joint enterprise in so much detail. It was very difficult, At the time I didn't know if he believed a word I said or was even listening. At a guess I think it probably took me at least twenty four painful hours of non stop talking, yet he pretty much covered it all in 90 minutes.

The audience had nothing but praise for the film, all were appalled by it. Any difficult questions about joint enterprise I was able to cover. I was able to set them straight about the media coverage of joint enterprise murder trials because as media students they couldn't understand how they'd missed The issue.

I explained to them how I had asked various media outlets to tackle the truth about Jordan's case, or to at least bear joint enterprise in mind when covering a crime story, but sadly none would, could or wanted to. Panorama in 2009 was the first but it only touched on Jordan's plight and that wasn't quite enough for me.

I explained how strange it felt to then have to convince a man to write a fictional drama in order to get the truth out, whilst at the same time the press and so called true life documentary film makers were curve balling the issue every time.

The best part of the evening for me was when one of the Mums, Mandy McCracken stood up to face the audience and told everyone JE wasn't just about gangs, guns or knife but about normal people in the wrong place at the wrong time and through no fault of their own they ended up doing life for a murder they did not commit.

Mandy did such a good job that Sheena Evelyn took the floor next and, through her tears, talked about her boy age 14 and another just 13 doing life for someone else's stupidity. Sheena pointed out how disability, whether physical or a mental disability, is blatantly ignored by the CPS to make a conviction stick.

The tears were flowing by now and anyone who hadn't yet felt utter horror soon did when another Mum, Jo, took the floor to confirm how her two daughters, although in another room away from the crime, were convicted of murdering their own father despite the boy who did it taking full responsibility from the very moment he handed himself over to the police.

I think every person in the room, all 200, signed our petition that night. Afterwards, the audience remained on site to talk and ask questions with us all. We could have stayed all night the interest in JENGBA was so great, but it was late and we all had to leave. So don't under estimate the power of Jimmy's film, it may have been fiction but it told the truth in more ways than anything or anyone else has ever done.

Jan xx

Protest outside Highdown Prison

On Saturday 25th October the Winston family along with JENGBA volunteers held a protest outside Highdown Prison in Sutton, Surrey in honour of Dean Winston who was 21 the day before. On arrival every table in the visitors' centre was covered with JENGBA leaflets but this wasn't enough for Dean's family especially Maria who spoke to everyone coming in and out of the centre! No one left there that day without knowing about JENGBA and the injustice of Joint Enterprise.



Along with our leaflets we were also armed with a microphone so we proceeded to 'sing' (I use the word loosely!), Happy Birthday to Dean and our usual chants of 'Joint Enterprise is a court full of lies'. We clearly caught the prison's attention as the Governor came out to speak to us but we had all the appropriate permission to protest. Although we couldn't be heard in the visitors' room we were reliably informed we could be heard in some of the blocks so Dean knew we were there in support of him and all other innocent prisoners incarcerated under the Joint Enterprise Doctrine. JENGBA intends to do further protests, so we could be coming to a prison near you soon!!!!

FROM OUR INSIDE CAMPAIGNERS

The following are quotes from just a selection of the letters we receive from our JENGBA lads and girls, please be assured that every letter sent to us is read and noted. They mean a lot to us.

How is it that individuals that have directly and physically taken the lives of others, are serving less time in prison than people like myself, who has been caught up in the Joint Enterprise net?"

Samir Yusuf
HMP Swaleside

"I am still protesting my innocence as I did nothing wrong at all."

Stuart Layden
HMP Whitemoor

"Once again, my hat goes off to you all @ JENGBA, the future looks brighter. Keep up the good work! All the best,

Andy Dwyer-Skeats
HMP Lowdham Grange

I am a good person, never in any trouble. I have never wronged nor hurt anyone, a man of good character.

Farhad Mahmud
HMP Gartree

For me, I am ashamed to admit I am English living in such a corrupt society where our courts tell us we are convicted of crimes and no due regard is given to the fact that they know we are not in control of someone else's actions. JENGBA's photos manage to put a smile on my face.

Roger Morgan
HMP The Mount

I really appreciate what you people are doing and I am very grateful, I pray that you will be successful in changing this law or even removing it.

Thank you.
Arber Barbatovci
HMP Belmarsh

Thank you so much for everything you have done for us and our family. You are such great people fighting for all of us prisoners, you are the reason we all have hope and there is light at the end of the tunnel. Never give up the fight. Thank you for keeping my mum and sister strong, we are so grateful.

Pat, Jack and Richard. The Brennan Brothers xxx

Mr McGovern has in Common once again lived up to his reputation as a fine screenplay writer, no argument, and I am extremely thankful for his touch upon this modern legal debacle whose roots are sunk so deeply in the past. Courts aren't applying this law reluctantly, it's being rolled out with real enthusiasm and with the co-operation of judges, barristers and the CPS.

Simon Mullen, HMP Full Sutton

I'd just like to say a massive thank you for your dedication and support, along with helping thousands of miscarriages of justices. And thank you for all the newsletters to keep me updated. All of us here at Whitemoor watched Jimmy McGovern's film "Common", so many banged on doors, all talking out the windows as so many found it unbelievable,

it hit home throughout because it was so true, just what the law really gets away with. A massive thank you to all. Enough love and respect.

Neil Smitheman, HMP Whitemoor

Thank you for your Newsletter Issue 30, it really shows that we as inmates are not alone. To see other people thinking the same way makes me smile because finally someone other than us can see the injustice. Other inmates ask me how I can be so cool doing 30 years. Well I'll tell you how. My mother reminded me when I got found guilty 9 years ago that "They crucified Jesus Christ for being too perfect". Anything to stop what they see as a problem, anything.

Anthony Green, HMP Long Lartin

Everytime I think about my trial it makes me angry and very upset. My heart goes out to all my brothers and sisters who are being wrongly and unfairly convicted for the crime that they didn't commit. Keep on fighting til you get justice and don't lose hope. Impossible can always be broken down in to possibilities.

Thank you JENGBA, we really appreciate all your hard work, thanks is not enough but that's all we have for now. We will never forget your help. God bless you.

S. Thavapalasingham, HMP Oakwood

I just want everyone to know they got me and brother and other people locked up for a murder we didn't do or didn't know was going to go down. I found out about the murder the next day, like every one else no doubt. Freedom is a must. Inshallah.

Narada Williams, HMP Whitemoor

You are only at the tip of the iceberg with JE and I wholeheartedly believe you will smash it! But then you have to continue to fight the other draconian laws and prove they are doing more harm than good in the name of so called justice.

J S Khosa, HMP Full Sutton

It seems very clear to see that the Justice Select committee are taking this unjust doctrine finally serious. And it's all down to you determined campaigners.

Stuart Grainger, HMP Full Sutton

Found guilty under joint enterprise, for not being there, not hurting anyone or hitting anyone either, so what am I guilty of Gloria? Wish you was the judge. My heart goes out to everyone, all the prisoners and their families. I know how they are suffering. I phoned my Connie and made her smile and feel happier, but not the real happy until her Mummy Di is free from these prison walls and on the other side of them. Keep up the great goals you are all aiming for. Take care and thank you.

Di Churchley, HMP Bronzefield

OUR ADDRESS:

**JENGBA, Axis Community Hub,
Office A, Norland House,
Queensdale Crescent
LONDON W11 4TL**

Tel: 07709 115793 or 07725 727520

Email: jointenterpriseinfo@gmail.com

www.jointenterprise.co