

Dear Jack Straw,

It is now almost 22 years since Frank Wilkinson was found guilty by majority verdict of the murder of Alan Raffle. He has always maintained his innocence, despite the fact that to admit guilt would undoubtedly have made life much easier for him and could well have earned him freedom years ago. The evidence presented at his trial was entirely circumstantial. Forensic evidence proved only that he had been in recent physical contact with Raffle - a friend with whom he worked regularly. There was no evidence of blood, no evidence that he had ever been in the car that allegedly took Raffle to his death, no evidence that he had any motive for such a murder. The police investigation was slipshod and made questionable use of Frank's co-accused - a man whose behaviour at trial was damning to Frank. This man was himself acquitted at that trial and yet, in March 1988 - just a month after Frank's first appeal failed - he wrote a full confession, currently in the hands of the Criminal Cases Review Commission.

Our criminal justice system seems unable to cater for prisoners like Frank. Nearly 22 years later, during which time he has gained a BA in Fine Arts and a PhD in English Language and Literature, he is still a Category A prisoner. The Prison Service, the Probation Service, your Justice Ministry - all apparently base their risk management approach on the fact of a prisoner's guilt; prisoners who are "in denial" of that guilt are automatically considered high risk. But what if a prisoner is, in fact, not guilty? It may be commonly accepted that our prisons are full of people who say they didn't do it, but the facts do not seem to bear this out. In her book "Judge For Yourself", L.A. Naylor makes the point that, at the time of writing, the Criminal Cases Review Commission was receiving about 520 eligible applications each year - less than 1 per cent of annual Crown Court convictions. If the courts are getting it right 99 per cent of the time, that is a remarkable success rate. It is unreasonable for a system to behave as if justice does not occasionally miscarry. Bruce Kent has made the point that "Going over tariff while maintaining innocence ought to be a warning signal." Frank is now almost 2 years over an adjusted tariff of 20 years. There are others in similar, or worse, situations.

I urge you to take an interest in Frank's case - to visit the website, to ask questions of those the Minister charges with running the system. It is all too easy for such cases to become forgotten and for important decisions about them to be made unobserved and to go unchallenged. Frank has his third Mandatory Lifer Panel hearing in December; he has a Judicial Review of the Secretary of State's last Category A Review next March - you can read the Director of High Security's report and Frank's observations on it on the web site; he is preparing his second application to the Criminal Cases Review Commission to have his case looked at again. At a time when Professor Graham Zellik, outgoing chairman of the CCRC, has said "The Court of Appeal is even more reluctant in 2008 than in the 1990s to quash convictions because they think they are unsafe", it is important that those we appoint to run our criminal justice system are aware that we are looking over their shoulders and that we are interested in how things are being done in our name. Better decisions are likely as a result.

Frank was once a career criminal. Ironically, his wrongful imprisonment has remade him. He is now almost 62. If a man is still saying he is innocent after almost 22 years in prison, what are we to think? That he is unable to come to terms with his guilt? That he is psychotic? That he has repressed the knowledge of his acts? Or that he may, after all, be innocent? It is time for our criminal justice system to rethink its approach to Frank, and to other prisoners like him.

Yours sincerely