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1 March 2022

To: Criminal Cases Review Commission

I am writing to endorse the Advisory Opinion provided by Dr Rebecca Helm in support of the *Petition for Mercy in Matter of Christine Margaret Sloane (Deceased)*.


I have been involved in research into the criminal justice system over the past fifty years and have published leading works in the area of suspect and defendant decision-making in England and Wales, the United States of America (focused on New York City) and the People's Republic of China. I am the co-author of the pioneering empirical investigation into Guilty Pleas in England (*Negotiated Justice*, 1977), the ground-breaking work on Guilty Pleas in New York (*Jury Trials and Plea Bargaining*, 2005, with the late Professor Chester Mirsky of NYU) and first major empirical study in PR China (*Criminal Justice in China: An Empirical Inquiry*, 2011, with five co-authors from across the globe) together with dozens of articles published in top-rated academic journals. In all of these endeavours I have been directly involved in observational and ethnographic research with suspects, defendants and key process actors, prosecution and defence.

In my academic capacity, I know the work of Dr Helm and can confirm that she is widely regarded as the one of the leading experts on decision-making by suspects in the criminal justice system, a topic on which she has written authoritative guiding opinions.

In my opinion, Dr Helm correctly identifies the key factors that help us understand the decision-making of Ms. Keeler as a young and vulnerable woman who found herself having to confront the very person who had not only threatened her but, on his own admission, physically abused her in the course of a long and violent campaign. Well in advance of any confrontation with the criminal justice process, Ms. Keeler had been victimised by those who knew her personally and vilified through Press coverage by those who knew only negative representations. Without professional support of the kind that might be available today, she was in no fit position to enter an alien, unfamiliar and hostile courtroom environment in any capacity.

We know that she was a past and long-term victim of abuse. We know that she had been physically abused by the very person she had to face at trial in court. We know that she was concurrently abused in the media and that this contributed to hostile and physical attacks on her in public. We also know, today, that she was not given the support or clinical advice that would assist her contact with the criminal justice process. In such circumstances, it can hardly be said that she possessed that free will and autonomy of independent decision-making necessary to give confidence that any plea she entered would be voluntary in the sense required by law.

I have seen over the years -through ethnographic engagement with defendants - vulnerable suspects placed in a position in which their capacity to make informed and free choices has been compromised by contact with a system that has no relationship to the world that they have hitherto experienced in terms of expectations, culture, language and decision-making. In my view, all the evidence, as underscored by Dr Helm, strongly suggests that the compliance of Ms. Keeler in her own conviction can be attributed to the psychological pressures under which she acted derived from long-term abuse that continued up to and, indeed, beyond her contact with the criminal justice system.

A handwritten signature in black ink, appearing to read 'Mike McConville', written in a cursive style.

Professor Mike McConville
Honorary Professor, University of Nottingham
Emeritus Professor and Honorary Fellow, The Chinese University
of Hong Kong