# Brian Buckle denounces draconian compensation rules after wrongful conviction



An innocent man who endured the torment of a wrongful conviction has vocally condemned what he describes as an "unfair and draconian" compensation system that perpetuates the risk of miscarriages of justice affecting anyone. Brian Buckle, who spent five and a half years behind bars after being convicted of rape, found his life irrevocably altered when, in 2017, he was wrongfully found guilty of the heinous crimes against a child, claims he has always denied.

Following a relentless fight for justice, which witnessed Buckle grappling with the trauma of prison, his conviction was eventually deemed unsafe by the Court of Appeal. A retrial featuring new forensic evidence and fresh witnesses led the jury to clear him of all charges in under an hour—yet, despite this exoneration, he has faced rejection from the Ministry of Justice for compensation. Their response acknowledged his innocence but imposed the staggering requirement that he must "prove it beyond reasonable doubt."

This situation is reflective of significant legislative changes introduced in 2014, which altered the compensation landscape for victims of miscarriages of justice in England and Wales. Under the updated law, individuals not only need to be exonerated but must also substantiate their innocence, a high bar that many former inmates find challenging to meet. Buckle expressed his frustration, stating, "It's disgusting... they can take you away from your family for five and a half years, and totally disregard what’s happened."

Buckle's call for reform resonates with the recent case of Peter Sullivan, whose wrongful conviction for murder was overturned after nearly four decades. Sullivan’s situation epitomises what is possibly the longest-running miscarriage of justice within British history, having spent 38 years in detention for the murder of florist Diane Sindall. Crucially, it was new DNA evidence that ultimately exonerated him, providing irrefutable proof that he was not involved in the crime. Buckle remarked on the injustice Sullivan endured, noting the advancements in DNA technology that were not available during Sullivan's trial; “It should never have taken until 2025 to establish it was someone else's DNA,” he said.

The anguish of such injustices extends far beyond the prison walls. Buckle’s experience in the penal system has resulted in severe emotional scars, including PTSD, which haunts his day-to-day life. He articulated the weight of lost milestones, lamenting the birthdays of his daughter that he missed during his incarceration, a loss that remains a heavy burden. The emotional toll inflicted not only on him but on his family cannot be understated; his wife's family spent their life savings, including selling their house, to secure his legal costs.

Compounding Buckle's plight is the debate surrounding legal aid in miscarriages of justice, wherein an estimated 60% of defendants who plead not guilty are convicted. A recent announcement by the UK's Ministry of Justice signalled plans to extend legal aid to everyone regardless of income, though this change will not take effect until 2025—leaving many like Buckle without the necessary support during critical legal battles. There is a growing concern articulated by legal experts that insufficient compensation and legal support can further marginalise those wrongfully convicted, increasing the emotional and financial strain they face in rebuilding their lives.

As Buckle attempts to reintegrate into society, the lingering effects of his wrongful conviction manifest in profound distrust and anxiety. "There’s no way I could go out and work for somebody at the moment because I just want to be home. I don’t like being around people," he admitted, illuminating the harsh realities faced by those trying to reclaim their lives after incarceration.

In light of these stark realities, Buckle fervently advocates for change, not just for himself but for the potential of others facing the same fate. His story serves as a sobering reminder of the fragility of justice and the urgent need for reform within the compensation system to secure fair redress for victims of wrongful convictions. "I don’t want millions," he said. "I want recognition of the injustice I suffered and the chance to rebuild my life."

The Ministry of Justice has acknowledged the significant impact of miscarriages of justice and promises ongoing discussions regarding improvements to the compensation framework. Yet, for individuals like Buckle, the pain of lost years and the struggle for justice loom large, urging society to reconsider its approach to rectifying these past wrongs.

### Reference Map

1. Paragraphs 1-2, 4
2. Paragraphs 3, 5
3. Paragraphs 3, 4
4. Paragraphs 6, 8
5. Paragraph 8
6. Paragraphs 7, 10
7. Paragraph 10

Source: [Noah Wire Services](https://www.noahwire.com)

## Bibliography

1. <https://www.independent.co.uk/news/uk/crime/brian-buckle-conviction-peter-sullivan-compensation-b2751580.html> - Please view link - unable to able to access data
2. <https://www.independent.co.uk/news/uk/crime/brian-buckle-conviction-peter-sullivan-compensation-b2751580.html> - An innocent man who spent five years behind bars after being wrongly convicted of rape has hit out at the 'unfair and draconian' compensation system, warning a miscarriage of justice could happen to anyone. In 2017, Brian Buckle’s life was upended after he was found guilty of raping and sexually assaulting a child, charges which he had denied. After a lengthy legal battle, his conviction was found unsafe by the Court of Appeal, and a retrial with fresh forensic evidence and witnesses saw the jury clear him of all counts within less than an hour. Despite this, he was rejected compensation from the Ministry of Justice, who acknowledged his innocence but said he must 'prove it beyond reasonable doubt'.
3. <https://www.bbc.co.uk/news/uk-66928735> - Brian Buckle, who was wrongfully convicted of sexually abusing a child, spent five and a half years in prison before his acquittal. His family spent over £500,000 on legal fees to prove his innocence, and he has not yet managed to claim back any of his costs. The Law Society questions whether there will be enough legal aid solicitors available due to the low pay this work attracts, leaving people like Brian to shoulder the burden of clearing their own names.
4. <https://www.reuters.com/world/uk/man-jail-nearly-four-decades-murder-acquitted-by-london-court-2025-05-13/> - Peter Sullivan, who served nearly 40 years in prison for the 1986 murder of Diane Sindall, was acquitted by a London court after new DNA evidence cast doubt on his conviction. Sentenced to life in 1987, Sullivan was believed to be the longest-serving victim of a miscarriage of justice in the UK. In 2021, he approached the Criminal Cases Review Commission (CCRC), raising concerns about the original evidence, including police interviews, bite-mark analysis, and the alleged murder weapon. The CCRC used advanced DNA testing methods not previously available, revealing that the crime scene DNA did not match Sullivan’s. The case was referred to the Court of Appeal, which overturned the conviction. Sullivan, through his lawyer, acknowledged the tragic loss of life but emphasized the injustice he suffered. Merseyside Police, which reopened the case in 2023, found no match for the DNA on the national database and are continuing efforts to identify the real perpetrator. Sullivan expressed no anger or bitterness, stating, 'The truth shall set you free.'
5. <https://www.apnews.com/article/9badb50e7bf076c6319a7aab6249a670> - Peter Sullivan, a British man wrongfully imprisoned for 38 years for the 1986 murder of Diane Sindall, was exonerated and released after new DNA evidence proved his innocence. Sullivan, who was convicted in 1987, was the longest-serving victim of wrongful conviction in the UK. Sindall, 21, was sexually assaulted and killed after her van broke down near Liverpool. Recent scientific advancements allowed for the testing of sexual fluid found at the crime scene, conclusively showing it did not belong to Sullivan. Prosecutors did not contest the appeal, acknowledging that Sullivan would not have been charged with the existing DNA evidence. The Criminal Cases Review Commission initially declined to investigate Sullivan's claims in 2008 but later reopened the case in 2021, enabling the discovery of the exonerating evidence. The Court of Appeal overturned the conviction, declaring it unsafe. Merseyside Police have reopened the investigation to find the true perpetrator, as the DNA didn't match known profiles. Outside court, Sullivan expressed no bitterness, and his sister, Kim Smith, highlighted the emotional toll on both their family and Sindall’s. Authorities have ruled out over 260 men and remain committed to finding the real killer.
6. <https://www.businessinsider.com/wrongly-convicted-man-years-in-prison-paid-600k-prove-innocence-2023-10> - Brian Buckle and his family spent the next five and a half years contesting the conviction, using inheritance money, donations from relatives, loans, and crowdsourcing to cover the costs of private investigators and forensic experts. Their efforts finally paid off when a forensic expert retested a diary that was said to be stained with Buckle's semen and found it had traces of lubricant used in condoms. In a Court of Appeal hearing held in 2022, Buckle's attorney argued that the semen originated from a used condom and that the samples may have been planted. Citing the new DNA evidence, the judges overturned all 16 guilty verdicts and immediately released Buckle. But his ordeal didn't end there, as the Crown Prosecution Service sought a retrial in May 2023. The complainant then admitted in court that she had been abused two years before meeting Buckle, and he was acquitted. However, his family ended up spending more than £500,000 in legal fees to prove his innocence and have not been able to reclaim the costs. In English and Welsh courts, about 60% of defendants who plead not guilty are found guilty. And to fight your conviction takes time and money. In May, the UK's Ministry of Justice announced legal aid would become available to everyone — regardless of their annual disposable income. But the changes won't come into force until 2025. Buckle's household earns more than £37,500 and was therefore not eligible for legal aid. The Law Society called this an 'innocence tax'. During his time behind bars, Buckle said he lost his father and missed his daughter's 18th and 21st birthdays.
7. <https://www.ibjonline.com/2024/02/29/his-conviction-was-overturned-after-35-years-wrongfully-served-state-law-caps-his-compensation-at-14-years/> - Illinois leads the U.S. in wrongful convictions, with 531 exonerees on record at the National Registry of Exonerations. Despite this, Illinois is near the bottom of all states in reimbursing exonerees for the time they wrongfully served. The current pay structure allows the court of claims to award exonerees at their discretion up to a certain amount, limiting maximum payouts based on time served. For exonerees who served less than five years in prison, the maximum payout is about $85,000. Those who served up to 14 years can receive around $170,000, and anyone who served more than 14 years is limited to a total of about $200,000. This comes to an average of $15,000 per year imprisoned, the second lowest amount per year of all states that have paid out statutory claims to date. A proposed amendment to House Bill 1015 offers partial-year reimbursement and $25,000 per year awaiting trial, and it indexes pay to increase with inflation each year up to 5 percent. Should it become law, about 40 exonerees would be eligible for an increased payout in addition to the roughly 20 state claims currently pending in the Illinois Court of Claims.