

"The only thing necessary for the triumph of evil is for good men to do nothing." (Edmund Burke)

FIFE POLICE ARE UNDER INVESTIGATION following the successful appeals of Steven Johnston and Billy Allison, who served ten years in jail for murder. Appeal court judges severely criticised the police officers, saying that the police suppressed and altered vital evidence, deliberately misled the Crown Office in a serious way, and their actions amounted to grave misconduct. These matters are now being investigated by another force. At least 11 witnesses said they had spotted the murder victim alive in Dunfermline after he was supposed to have been killed - but the police didn't pass that information on to lawyers.

Richard Munro, the officer who led the inquiry and had reached the rank of detective superintendent before resigning from the police, was said by the judges to have "not been a credible witness." Much of his evidence had been untruthful. The judges also criticised other officers - saying most of them had not told the whole truth. Fife Constabulary have said they could not comment on the case because of the new inquiry.

APPLYING FOR PAROLE? In December 2005, Terry McCarthy of the Parole Board for England & Wales kindly wrote a superb 12-page report for SAFARI entitled: "How do I maintain my innocence and get parole?" If you would like a copy, all you need to do is ask us; please include at least two first (or three second) class stamps to help us cover our costs. Reports are usually sent out with the next newsletter.

RE: DR SHAN BISWAS (currently working in Thailand). We have had a request from Dr Gary Graeme Jones, a prisoner at Bang Kwang Prison, 117 Nonthaburi Road, Suan Yai, Nonthaburi, 11000, Thailand. Gary asks anyone (prisoner or not) who has had contact with Dr Shan Biswas (represented as ex-Home Office Chief Psychiatrist, previously attached to HMP Holloway, and with links to the Parole office at that prison) to contact him at the Thai prison address given above.

ANONYMITY FOR THE ACCUSED - MP BEN CHAPMAN COMMENTS. In February 2006 the trial of Mike McCartney for alleged indecent assault on a 16-year-old waitress at a family party collapsed. He vigorously denied the allegations saying he only placed his hand on her back in a "fatherly gesture" of thanks. Judge Elgan Edwards, the Recorder of Chester, threw the case out ruling that the prosecution had failed to prove the incident was sexual in nature. The McCartneys are now campaigning for accused people to have their anonymity protected, in the same way that the anonymity of complainants in sexual cases is protected. MP Ben Chapman sent this comment to SAFARI: "The judge made it abundantly clear that the case should never have been prosecuted and the waste of public money, not to mention the distress caused to Mike and his family by the near-18 month delay, is scandalous. At the very least the role of the CPS in Mike's case needs to be investigated, the more general issue is that in such circumstances ... it is time to look again at anonymity for the accused. What is clear is that, with the media hysteria surrounding the case and others like it, defendants can remain under a cloud even if they are acquitted of all charges; this cannot be right, whatever view you take." SAFARI's view is that *all* defendants charged with *any* alleged crime should have their anonymity protected until conviction, resulting in a fairer trial and less damage caused to the innocent.

DAVID MURPHY AND PATRICK O'TOOLE have had their convictions for armed robbery quashed following a referral by the CCRC. Lord Justice Laws said the convictions were obtained on evidence which may have been false. Lord Laws said if material now known about officers involved in the investigation had been available in 1978 it might reasonably have had an effect on the jury's decision. The appeal was based on evidence that there was a culture of corrupt conduct by the West Midlands Serious Crime Squad, which was disbanded in 1989.

INTEGRITY OF POLICE. We received a letter from a SAFARI member who was concerned about our comment in issue 28 that "As the Police's response to a complaint [against them] is generally to decline to record it, the fact that no complaint has been recorded is not necessarily indicative of integrity." His concern (which we understand) was that the 'innocent until proved guilty' attitude should apply to the Police as well as to defendants. This is true - but the fact remains that the CCRC *appear* to assume that all complaints are 'recorded'. The police themselves keep records of complaints made against civilians - whether upheld or not, or even sent to trial. We feel that *all* complaints against Police should be *recorded* - and if this isn't happening, the CCRC shouldn't base their actions on an assumption that it is being done.

CHANGED ADDRESS? SAFARI's support for prisoners continues after release in an attempt to ensure they continue to have access to information that might help them in an appeal. So if you are released, (or moved from one prison to another) PLEASE remember to give us your new contact details!

Thanks to Terry McCarthy (Parole Board for England and Wales) for statistics of those who achieved release on Parole whilst maintaining innocence.			
Figures for month of February 2006			
<i>Non-lifers:</i>			
All offences	17	of 41	41.5%
Rape	2	of 10	20.0%
Indecent Assault	4	of 10	40.0%
Other Sex	4	of 4	100.0%
Violence	2	of 4	50.0%
Property	0	of 3	0.0%
Drugs	3	of 3	100.0%
Others	2	of 7	28.6%
Total Sex	10	of 24	41.7%
Total Non Sex	7	of 17	41.2%
<i>Lifers only</i>	1	of 2	50.0%
[No lifers were recommended for open conditions]			

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(We can accept no responsibility for errors in this newsletter as we only share information received)