

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

SAFARI seeks to achieve changes in the law (and in some cases enforcement of current laws which are being flouted), which will assist those who are falsely accused. As the combined campaigns of the various respected support groups continue, Parliament is listening. In a debate in the House of Lords on Monday 12<sup>th</sup> March 2007 Lord Campbell-Savours asked Her Majesty's Government: "Whether they will review the law following the Marchese-Falkowski rape case." Lord Goldsmith (Attorney General, Law Officers' Department) replied, saying: "My Lords, the Government believe that the law already provides robust criminal penalties for those who make false allegations of rape, as this case demonstrates. However, as my noble friend and the House know, we are reviewing certain aspects in relation to the anonymity of complainants and in response to the recent consultation on the law of rape more generally." Lord Campbell-Savours said "My Lords, is there not a huge injustice to the accused in this case? A woman rifles through the dustbin of a reputable consultant, finds a used condom, smears the contents on herself and makes a false allegation of rape. Because the accused has no right to anonymity, he is suspended as a consultant psychiatrist, hauled before the GMC, shunned by his friends, attacked on the internet, loses £100,000 - part of which was income - and is then discredited in his own community. Should we not be looking at the law on anonymity for men, as there are many cases of destroyed reputations?" Lord Goldsmith replied "My Lords, I cannot confirm the details that my noble friend has given about what happened. This was plainly a dreadful case in which a very determined woman went to extraordinary lengths to manufacture an allegation of rape against this man. It was discovered; she was prosecuted; for this and for the harassment of the man and his former girlfriend, she received nine years in prison.

That is a robust response to this exceptional case. As to the general question of anonymity for defendants, we have debated it before and the Government's view is that defendants generally should not have anonymity." Lord Tebbit asked: "My Lords, might not the noble and learned Lord have offered some word of thanks and congratulation to the noble Lord, Lord Campbell-Savours, for the amount that he has done to bring out some of the facts about rape and allegations of rape? Does he not agree that the conviction rate, although it is extraordinarily low, is measured against the allegations of rape, not against the number of cases of rape that are established to have occurred?" Lord Goldsmith replied: "My Lords, I am very happy to commend my noble friend for the diligence and tenacity with which he has pursued this issue. It has had the result that we are considering one aspect of the law. On the latter part of the noble Lord's question, the concern is that a lot of rapes are not reported. Figures suggest that a greater proportion of rapes are not reported than are reported, so one has to be careful with the figures to which he referred." Lord Campbell-Savours: "My Lords, my noble and learned friend referred to the imprisonment of Marchese as if that were the application of justice in this case. What about justice for Falkowski? He has been the subject of a huge injustice, because he lost friends, income and reputation. What are we going to do about people such as that, who believe that they should be entitled to anonymity in exactly the same way as women are? Their anonymity was lost as a result of legislation introduced in the late 1980s." Lord Goldsmith: "My Lords, the thrust of my noble friend's question is exactly the same as the point that he made earlier. I have indicated what the Government's view is and has been for a long time. I do not know what the implications have been for Dr Falkowski; I hear what my noble friend says.

I very much hope that the fact that, in a trial, the jury found that the allegations were wholly false, means that people around him will have accepted his innocence and welcomed him back within their community." Lord Elton asked: "My Lords, does the noble and learned Lord think that the outcome of the case would have been different if anonymity had been granted? If not, what is the argument against the anonymity for which his noble friend is arguing?" Lord Goldsmith replied: "My Lords, this is a well travelled route and different committees have looked at it. We do not generally permit anonymity for defendants, whether it is an allegation of rape, murder, bank robbery or whatever it may be—one sees that all the time in the newspapers. There is a special case in relation to complainants of sexual assault because of the well founded belief that, unless there is anonymity, they will simply not come forward and make their allegations, which is a greater evil." Lord Campbell of Alloway asked: "My Lords, why should not this question be left to the discretion of the judge at the end of the trial after acquittal?" Lord Goldsmith replied: "My Lords, if the noble Lord is referring to anonymity for the complainant, it is one of the questions that the present review needs to look at; namely, whether women—and it normally is women—simply will not be prepared to come forward if they think that there is a chance that the allegation and their identity may be revealed after the trial just because there is an acquittal."

GOVERNMENT PETITION: At least 200 signatures are needed to get a Government response to our on-line petition, which reads: "We the undersigned petition the Prime Minister to rule that the identity of ALL defendants should remain anonymous until the point of conviction". Please direct your friends and family to <http://petitions.pm.gov.uk/AnonymityAtTrial/>

Remember Mahatma Gandhi's quote: "First they ignore you, then they laugh at you, then they fight you, then you win."

Donations very much appreciated at:



Or hit the button on the website!

a/c name: 'SAFARI', Sort Code: 30-92-02, a/c No.: 2702360

Contact us by eMail at [SAFARI\\_Editor@yahoo.co.uk](mailto:SAFARI_Editor@yahoo.co.uk)

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

TEACHER DAVID BEARD has been cleared of sexually assaulting a 15-year-old boy by running his hand up the boy's leg as far as his thigh on many occasions. Mr Beard told the court that the allegations had been made as part of an attempt by the boy to "wrest control back of his life". He said that the boy's claims to have been assaulted while alone in a room with him were false, adding that the assaults could not have taken place because the room's door was in full view of other people.

BORIS JOHNSON, the Conservative MP for Henley and shadow Higher Education Minister, says that a hysterical fear of paedophiles is stopping men from becoming teachers, and that boys were losing out because they needed men as role models who could provide more competitive lessons. Mr Johnson told the Independent Schools Council conference in London that the health and safety culture that bred a fear of sex offenders was out of control. "I'm vehemently anti-paedophile," he said, "but what I worry about is that we get so hysterical about the slightest suggestion of contact between male teachers and their charges, and all the enormous health and safety guidance." It's not long since Mr Johnson himself had problems caused by the hysteria surrounding the subject; on a flight not long ago a stewardess attempted to remove him from his seat, because he was sitting next to children. "A man cannot sit with children," she said. "But he's our FATHER", chimed the children. "Oh," said the stewardess, "these are your children?" "Yes," he replied. "Very sorry," she said, and walked away.

"In that single lunatic exchange," says Boris, "you will see just about everything you need to know about our dementedly phobic and risk-averse society. In the institutionalised prejudice ... you see one of the prime causes of this country's tragic under-achievement in schools. ... To all those who worry about the paedophile plague, I would say that they not only have a very imperfect understanding of probability; but also that they fail to understand the terrible damage that is done by this system of presuming guilt in the entire male population just because of the tendencies of a tiny minority. ... It is insane, and the problem is the general collapse of trust. Almost every human relationship that was sensibly regulated by trust is now governed by law, with crippling expensive consequences."

IAN & ANGELA GAY have been cleared of poisoning a three-year-old boy they had planned to adopt. We reported in May 2006 that their original conviction was overturned but they were forced to endure a retrial which, thankfully, resulted in their innocence being proved. Defending their decision to prosecute, Charles Hardy (the CPS's reviewing lawyer), said: "The role of the CPS is to apply the code for crown prosecutors; that is to examine the evidence and determine whether there is a realistic prospect of conviction and whether it is in the public interest to bring criminal proceedings." It is time the code for crown prosecutors (available on the SAFARI web site) is changed to require a 'realistic prospect of guilt' instead of just a 'realistic prospect of conviction'.

A 13-YEAR-OLD GIRL has been given a police caution after falsely claiming she was raped and kidnapped – to cover up for being home late. The girl claimed she had been abducted outside a supermarket and driven to somewhere in Lewisham where she was raped at knife-point. Within hours detectives proved that she was making false allegations and that the offence had never taken place. The girl was arrested at 7am on Wednesday and interviewed at Bexleyheath police station. She was cautioned for wasting police time after admitting making the whole story up because she was late going home.

CLAIRE EVANS has been cleared of orchestrating an attack by a gang of football hooligans. The false claim was made solely because of CCTV footage of her pointing at a group of men before a fight began. Ms Evans told the court it had nothing to do with football but had erupted because a female friend had been groped outside Leicester Square tube station by some drunken men. She claimed police had edited evidence to make it look as if she had set up the attack, and said, "I have nothing but contempt for the officers of the Metropolitan police and West Midlands police who have lied to try and secure my conviction. They have edited and lost evidence... I intend to take legal action for wrongful arrest, unlawful detention and indecent assault against a female officer."

ACCOUNTS: In 2006, SAFARI spent £1,218.56 on postage, stationery & printing costs; we received £403 in donations leaving a deficit of £815.56 (£67.96 per month). Subscription to the SAFARI newsletter is *free* but we are always grateful for donations.



SAFARI GOLD STAR AWARD: We don't often learn of prison officers being prepared to stand up for the truth in the face of incorrect & conflicting reports. We are happy to award a SAFARI 'gold star' to Officer Ian Laughton of HMP Gartree whose integrity in one particular instance we applaud.

TRIAL TRANSCRIPTS: To obtain a copy of your court transcripts you need to complete form EX107 from the Court Service. Costs vary depending on how much of the trial you want but a *very* rough guide is £1,500 per week of trial. To 'freeze' the trial records from which transcripts are produced (so they are not destroyed after five years), you need only write to the transcribers to request it. Ensure you ask them to confirm receipt of your request in writing. If you require copies of the trial audio tapes themselves, you will need the permission of the Trial Judge.

SOCIAL SERVICES often claim they 'have to go by the court's decision' and put more emphasis on that than their *real* requirement, which is to act *in the best interest of the child*. They appear more interested in doing things that *harm* the child's mental wellbeing solely because they don't want to be seen as going 'against the court decision'. This must change. We *must* start to put children *first*.

CONSIDER THE CONSEQUENCES! Whatever you do in life, whether it be writing a letter, making a phone call, asking a favour, joining an argument or simply just thinking badly of someone, consider the consequences of your actions. Remember that consequences – good and bad - can have a major impact (again, good or bad!) on your life.

Thanks to Terry McCarthy (Parole Board for England and Wales) for statistics of those granted release on Parole despite maintaining innocence.

Figures for month of February 2007

*Non-lifers:*

All offences	4	of	53	7.5%
Rape	0	of	18	0.0%
Indecent Assault	0	of	6	0.0%
Other Sex	1	of	4	25.0%
Violence	1	of	3	33.3%
Property	1	of	7	14.3%
Drugs	1	of	9	11.1%
Others	0	of	6	0.0%

Total Sex	1	of	28	3.6%
Total Non Sex	3	of	25	12.0%

<i>Lifers only</i>	0	of	1	0.0%
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[The one lifer remained in open conditions]