

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

BRITISH POLICE AND CPS – CARELESS OR INCOMPETENT? Lofti Raissi, a young Algerian pilot, was left an emotional and physical wreck, and his marriage almost ruined, following false allegations that he was involved in the 11th September 2001 Twin Towers attacks. The lengths to which the authorities had bent the rules to detain him in the chaotic days after September 11th only became clear six years later. After the Twin Towers attacks, the FBI, the CIA and every law enforcement agency were chasing leads on the background of the 19 terrorists who had hijacked the four airliners. They came across a flight school in Phoenix, Arizona, called Sawyer Aviation, where Hani Hanjour — who crashed an airliner into the Pentagon — had trained. The school was popular with Middle Eastern trainees and one of those at Sawyer at the same time as Hanjour was Mr Raissi, who had later left the USA to live in Britain.

On September 17th, a letter from the legal attaché at the US Embassy in London was delivered to Scotland Yard's anti-terrorist branch, which said: "The FBI request that this matter be handled as expeditiously and discreetly as possible." Ten days later armed officers from Scotland Yard smashed down the door of Mr Raissi's flat in Colnbrook, Berkshire, not far from Heathrow, and arrested him and his wife at gunpoint. The media hailed the arrest - in Britain - of the first suspects in the global hunt for the men who planned the worst terrorist attacks ever seen.

An extradition warrant was issued for Mr Raissi on a "holding charge" that he had failed to disclose a theft conviction on his US immigration application. But in the courts, British lawyers representing the US Government made much more serious allegations, claiming that Mr Raissi was the "lead instructor" for the hijackers. They said there was evidence that he falsified flight logs to hide the fact he trained Hanjour, and that videotape had been found of Hanjour and Mr Raissi together. Mr Raissi's phone number was contained in a notebook which, the authorities claimed, belonged to Abu Doha, a major terrorist suspect.

One by one the allegations and the evidence to support them were proved to be either mistaken or fabricated. The accurate flight log was produced, also the flying instructor who testified that Mr Raissi and Hanjour had indeed hired the same plane, but at different times. The man in the video was shown to be Mr Raissi's cousin and the notebook containing Mr Raissi's number was clearly shown not to have belonged to Abu Doha. In February 2002 Mr Raissi was released from Belmarsh jail, but neither the British nor the American authorities were prepared to say they had been mistaken. He remained a "suspected terrorist", unable to travel outside Britain except to Algeria. The appeal court, under the presidency of the Master of the Rolls, said that responsibility for many of the mistakes in the Raissi case lay in Britain. The Court's judgement was that the "primary responsibility for the falsity" over the notebook lay with the Met and the CPS, and the false claim about the flight logs could be blamed on either "carelessness or incompetence" by Scotland Yard. In a witheringly scornful criticism at the heart of their ruling, the Judges said: "We consider that the way in which extradition proceedings were conducted in this country, with opposition to bail based on allegations which appear unfounded in evidence, amounted to an abuse of process." It took six years for a court to look with forensic detachment at what had been done to Mr Raissi. Appeal Judges found that British police and prosecutors were directly responsible for the events that destroyed the young Algerian's life. Justice, they told ministers, demanded that the Government compensate him as a victim of a miscarriage of justice. Solicitors for Mr Raissi are expected to lodge a claim for compensation which — taking into account his loss of a career as an airline pilot, wrongful imprisonment and damage to his health — is expected to exceed £2 million. Judges ordered the Home Office and the Ministry of Justice to reconsider the repeated refusal to compensate Mr Raissi for locking him in Belmarsh prison for six months and accusing him of the murders of thousands.

SOCIAL WORKERS at Nottingham City Council have been rapped over the knuckles by a High Court judge after they removed a child from its mother - an 18 year old woman with mental problems - hours after he was born, without her consent or first obtaining a court order. Mr Justice Munby said that social workers "should have known better" than to go ahead without following proper procedures. The baby was immediately returned to the mother, as the social workers rushed to remedy the situation by obtaining the court order they needed. Having obtained the order it was decided to remove the child a second time - this time, legally - and for the child to go into foster care. However, District Judge Richard Inglis ruled at Nottingham County Court that the child should remain with foster parents "while further inquiries are made and assessments carried out". He added that there was still a chance that the mother would be able to care for him. Interim care orders normally run for about eight weeks and are then reviewed.

SAFARI believes that in the interest of the child, removing that child from its parent must always be an *absolute last resort* (in this case social services didn't even bother getting the paperwork done first, so one assumes they can't have considered the case fully). It must surely be best to look for ways that the parents can be supported in bringing up the child.

CHARMAINE HONEYWILL, who falsely accused her estranged husband of rape because she was angry and wanted to hurt him, will serve six weeks in jail before being released on licence, after admitting to perverting the course of justice. Her husband was arrested, kept in custody for 12 hours, had to give samples, and had the prospect of a trial (and possible wrongful conviction) for rape hanging over him for several weeks.

Judge Curran told her: "For a woman to make a false allegation of rape against a man is a very serious matter indeed. It also has the unfortunate side effect, because of considerable public disquiet, of casting doubt on genuine complainants."

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STACEY CHALLONER HAS BEEN JAILED for four months after falsely claiming that John Mullholland had attacked her in woodland before forcing her into intercourse. John was then arrested by police and interviewed about the alleged rape. He confirmed that he had had consensual sex with Challoner and that far from being in woodland, it had taken place at her home; he then went on to describe her home accurately to police. As a result, police began a new investigation into Challoner herself. She eventually broke down and admitted perverting the course of justice by making up the rape allegation. Challoner said she had come under pressure from her partner when he challenged her about what she might have been doing while he was in prison. She said her partner had used violence against her and she was in fear of him. She admitted to her partner that she had had a sexual relationship with Mulholland and they had an argument. She was seriously injured as a result of that argument and fled to her mother's but she later went back to him. Later on her partner asked her whether Mulholland forced himself on her and Challoner didn't deny this. Her partner took that as confirming she had been raped and he (not Challoner) called the police despite her asking him not to. John later told police he'd been subjected to a hate campaign, been referred to as a rapist in the area, and locals had spat at him in the street. His marriage is now under threat. In passing sentence, Judge Iain Hamilton told Challoner: "An allegation of rape is one which is very easy to make and can be difficult for anybody who is falsely accused to refute. Rape is a very serious offence and those who are accused of rape are often vilified or shunned by friends or acquaintances within their community. The reason that you made the allegation was to dispel any suspicion your partner had that you had been unfaithful to him. The allegation you made is of such seriousness that any person should be put off making such a false allegation. Mr Mullholland is a married man with two children and the facts of the allegation created significant difficulties in his marriage. According to his statement, he even reached a stage where he had considered suicide. All these consequences came from the lie that you told."

This is one of those very sad stories where a false rape claim is only made after someone else (in this case Challoner's partner) makes a report to the police, and the alleged victim feels obliged to continue the lie for fear of retribution. In this example, Challoner apparently feared her violent partner.

In other examples, teenagers often fear that their parents will punish them for staying out late, and so on. Clearly Challoner was totally wrong to 'confirm' the rape allegation with Police in the first place but in this example she is also a victim herself. Perhaps police could remind alleged rape victims at the time of taking a statement that IF the allegation is false, they can retract it at that point with no fear of retribution, but that if the complaint continued and was later shown to be false then a prosecution would be sought against them. At least that way complainants will think twice about making or backing up a false allegation.

ROBERT MORGAN HAS BEEN CLEARED of manslaughter after 18 years. Five people died and more than 80 were injured when the train he was driving passed a red signal and collided with another train in Surrey in 1989. He was convicted and sentenced to 18 months, of which 12 were suspended, after pleading guilty to two counts of manslaughter. The sentence was later reduced to four months on appeal. At the heart of his fresh appeal was evidence that the signal at the centre of the case had been passed at red on four previous occasions between 1984 and 1987, and had been passed again in 1991.

Lord Justice Latham announced: "Clearly, something about the infrastructure of this particular junction was causing mistakes to be made. Had a jury known that, it is at the very least impossible for us to conclude that the jury would inevitably have nonetheless convicted the appellant of manslaughter. These facts would have all been matters which the jury would have taken into account when assessing the level of fault of Mr Morgan. There is no way that we can say accordingly that these convictions are safe. The position is that we allow the appeal against convictions."

It seems in this instance that, although people certainly were tragically killed and injured as a result of Mr Morgan's train going through the red light, the fault lay more with the signal itself than with the train driver and therefore he was not guilty of manslaughter.

DAMIAN MARSH HAS BEEN EXONERATED following a police investigation after he was falsely accused by his ex-partner, Andrew Collis, of downloading child porn. Detectives confirmed that no indecent images were found on two computers and other equipment scrutinised. Collis has now been charged with doing an act intended to pervert the course of justice.

FALSE ACCUSATION FEAR HAS "POTENTIALLY SERIOUS CONSEQUENCES". A recent study has found that men are deterred from intervening to prevent antisocial activity by young people, because they fear being falsely accused of threatening behaviour or assaulting the youths. A report based on the 2006 Scottish Social Attitudes Survey said the finding had "potentially serious consequences" for the ability of communities to deal with problems without calling the police.

Asked what they would do if they saw a group of 14-year-olds, whom they recognised, damaging a bus shelter in their area, 31 per cent said they would call the police, 25 per cent said they would challenge them directly and 20 per cent said they would speak to their parents, but a majority of those questioned admitted to concerns about intervening. 37 per cent of men said they would be reluctant to intervene if the group consisted of 14-year-old girls as they feared they could be accused of threats or assault. The same fear was cited by 23 per cent of men for not intervening if it was a group of boys.

In another scenario, involving a ten-year-old girl at risk, 64 per cent of men said they would be reluctant to intervene for fear of allegations of threat or assault. The report said the finding was unexpected and called it "hugely significant".

SAFARI E-PETITIONS: Please get everyone you know with Internet access to sign our on-line Government ePetitions. Please visit:

<http://safari-uk.org>

.to view all our ePetitions.

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

We can't help noticing that, unusually, no alleged sex offenders maintaining innocence were awarded parole this month.

Figures for month of January 2008

Non-lifers:

All offences	4	of 24	16.7%
Rape	0	of 7	0.0%
Indecent Assault	0	of 2	0.0%
Other Sex	0	of 4	0.0%
Violence	0	of 2	0.0%
Property	2	of 4	50.0%
Drugs	0	of 1	0.0%
Others	2	of 4	50.0%

Total Sex	0	of 13	0.0%
Total Non Sex	4	of 11	36.4%

Lifers only 0 of 1 0.0%

[The single lifer remained in open conditions]