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

We recently received a letter from a SAFARI reader, which clearly explained the problems with jury systems in false allegation cases. He writes:

I have spent many a long hour contemplating the vagaries of trial by jury and whether or not such a process bears relevance to modern society. My conclusion is that while health, commerce and other institutions have all evolved to account for societal and technological change, the criminal justice system persists in offering mediaeval solutions for 21st century problems.

I note that in responding to your petition [in which SAFARI asked that the Prime Minister require juries in criminal trials who find a defendant guilty, to record their reasoning behind each verdict.] the Government stated: "The institution of the jury is an important way of involving the community in the administration of justice..." My submission is that in an age where people existed in small, largely rural communities, this would be a laudable sentiment, as jurors would likely possess a degree of knowledge as to the backgrounds and reputations of those involved in the relevant dispute. However, in a climate such as that which prevails today whereby the majority of England's population resides in sprawling industrialised cities that propagate social isolation rather than inclusion I fail to see why it is necessary to involve the community in the administration of justice.

If there is a good reason as to why the interests of justice are best served by having trials decided by ignorant amateurs as opposed to qualified professionals then I for one have failed to apprehend it.

To suggest that jurors should not be asked to account for their verdicts because they are not qualified to do so would, by extension, indicate that they are not qualified to deliberate in the first place. The Government's argument must therefore be considered circular, self-defeating and absurd. It also appears to presuppose that educated people do not form part of the community.

The entire response is sadly indicative of a tendency for those who stalk the corridors of power to treat the people they have been appointed to serve with abject contempt. In a political system where the ideologies of the opposing parties have merged to become all but indistinguishable from one another, it seems that politicians have become obsessed with creating fearsome phantoms so they are able to convince voters that their party is the toughest and best equipped to slay them.

The media fans the flames of fear by reporting that sex offences are at an all-time high, yet "the guilty" are still evading justice due to ineffective legislation.

The fact that recent amendments to statute have led to a situation whereby more convicted sex offenders are protesting their innocence than at any other time in history goes entirely unreported.

Consequently the ignorant masses respond by clamouring for ever-more-draconian measures, politicians gladly oblige, and more convictions are obtained at the expense of justice. It is an ever-decreasing-circle that will end God only knows where.

While I unreservedly applaud your lobbying for much-needed judicial reform I am concerned that your efforts will only be rewarded when people awaken to the reality that miscarriages of justice are an evil that politicians are prepared to tolerate in pursuit of their own self-serving political agendas.

Please sign (and get everyone you know who has Internet access to sign) our latest Government ePetition which calls on the Prime Minister to abolish trial by jury in cases of sexual allegations where it is a case of one person's word against another's. It can be found at:

<http://petitions.pm.gov.uk/AbolishJury/>

(A study by Middlesex University's criminologists in 2004 found that fewer than half of jurors understood everything that was going on in court.)

Another reader wrote:

Surely the Government must recognise the vulnerability of many jury members to the 'headline onslaught' by the newspapers, especially where sex crime is involved. I've served on juries, and some of our less-informed members tend to think or openly declare: "Well, the Police didn't arrest him for nothing!", and so the stage is set. How are the common folk who serve on juries supposed to wend their way through the vagaries of the probability of guilt of the accused as presented by the prosecution, when such elements as produced by them need a very expert, fine judgement – usually that is the calibre required of our Magistrates and Judges!

MICHAEL MORTON HAS BEEN CLEARED of child porn charges five years after his arrest. Mr Morton had been charged with two counts of inciting a US internet firm, Landslide Inc, to distribute indecent images of children following the discovery that his credit card number had been used to make payment to the firm. Following his arrest, Mr Morton's computer hard-drives were seized and examined but police found nothing incriminating on the drives and Morton denied ever making payments to Landslide Inc. The judge confirmed that: "The principal thrust of his defence is that payments recorded on his Visa account to Landslide were fraudulently made by a third party." Judge Smyth ruled as inadmissible hearsay evidence from the United States, which the prosecution had intended to use in a bid to establish what was actually depicted on the sites accessed by the person who used Morton's credit card.

BACK ISSUES: If you want a copy of any back issue of the SAFARI newsletter (dating right back to issue one in December 2003), or a copy of the document by Terry McCarthy (Parole Board) on achieving parole whilst maintaining innocence, download (or ask a friend or relative to download and print it for you) from the web site at <http://safari-uk.org>. Copies of our Standing Order form can also be downloaded from the site.

SHADOW HOME SECRETARY, DAVID DAVIS, has resigned as an MP over the Government's decision to extend the number of days someone can be held without charge under the Terrorism Act to 42 days. His resignation will trigger a by-election, which he says he will fight on the grounds that he is against the Government's increasing intrusion into the public's lives. It's about time MPs started to take a stand against the Government's constant assault on people's rights and freedoms. We see far too often cases in which people's rights (to a fair trial, for example) are overruled by those in power 'in the name of justice'.

THOSE FALSELY ACCUSED of committing an offence often live in a state of dazed confusion. They simply can't understand how a country's legal system can get it so wrong. Once you are wrongly convicted, it becomes 'legal' to subject you to a range of measures that would be illegal if you were unconvicted; for example, being locked up, being refused direct access to the people you love, being bullied into attending courses you don't need, to address offending behaviour you don't have, having limits placed on your ability to purchase items, being required to report to the police each year if you are subject to the sex offenders register, ineligible to be awarded compensation from the Criminal Injuries Compensation Authority if you are attacked while in prison, etc. It can make you feel as though you're an outlaw. In the old days, being declared to be an outlaw was one of the harshest penalties in the legal system, since the outlaw could not use the legal system to protect him or her if needed. So if a mob wanted to beat you up they were allowed to do so. Because you were 'outside the law'. It's important to realise, though, that while it *feels* as if you have no control over your life, this is *not* the case. **You still have rights.** You still have access to justice. Sure it's hard but it's possible. So if you're in prison visit your library and ask to see legal books (eg. Archbold: Criminal Pleading, Evidence and Practice 2008, ISBN: 9781847031860). Study the SAFARI newsletters, keep the lines of communication open with the support groups, legal advisors, other innocent people fighting their cases, Prison Advice Service (PO Box 46199, London, EC1M 4XA, tel: 020 7253 3323), etc. We've said it before and we'll say it again: the only way you'll lose is if you quit fighting. Quit and you lose *automatically*. Keep fighting however, and eventually you *will* win.

NEW PAROLE BOARD WEBSITE. Tim Morris, the Parole Board's Head of Communications, has written to SAFARI about their excellent new web site. He says:

"The new Parole Board website is now up and running and available for you to visit at www.paroleboard.gov.uk. The site has been completely re-designed to be more accessible to those with sight or reading difficulties and is now targeted more directly at our main audiences, who include victims of crime, prisoners and criminal justice practitioners. New content has been added to the site specifically for these groups.

For prisoners and their families the new content includes: A quick guide to parole. Parole information for prisoners. A quick guide to life licence. Life licence information for prisoners. A quick guide for juveniles. Parole for children and young people. Recall to prison. Help for prisoners. The site also includes the following multi-media features: A podcast with members of the Parole Board talking about their work. A clip from the BBC2 documentary series about the Parole Board 'Lock them up or let them out'. An interactive case simulator from the Centre for Crime and Justice Studies.

In the four months of its operation the new website has increased the number of hits as compared to the old site by 24% per month and the number of page views by 78%. The website has just been short-listed for an award in the prestigious Chartered Institute of Public Relations Excellence Awards for 2008 in the website or microsite category. The CIPR Excellence Awards recognise and reward best practice in public relations throughout the UK and acknowledge personal and team achievement at the highest professional level.

Considerable thought has been put into the design and content of the new site to make it more accessible to our key audiences and this has resulted in a new section of the site aimed specifically at prisoners and their families. We hope to keep on developing and adding to the site and would welcome any feedback from SAFARI supporters to this end."

We'd like to thank Tim for this information, and to congratulate all those at the Parole Board who contributed to the new web site. We can thoroughly recommend it for its clarity and ease of use. We would also like to extend our thanks to the Parole Board for continuing to include SAFARI in their Stakeholder Group.

SOCIAL WORKERS SLATED. High Court Judge, Mr Justice Holman, has hit out at social workers who took a ten-year-old girl from her parents "for no reason". The girl and her 11-year-old brother were sent to live with their grandparents for nearly a year on suspicion of sexual abuse, raised by doctors. In this case, doctors had made a diagnosis of abuse when the girl was taken by her parents to hospital after they discovered a bloodstain on her underpants.

The girl was subjected to eight intimate examinations and a decision was then made that the girl's condition meant she had been abused. Despite the girl's adamant denials of abuse, social workers took no notice. Mr Justice Holman said there was not "the slightest worry or concern" about the girl's welfare to justify the separation from her family, and said that the case was a warning that the lessons of the Cleveland child abuse controversy of the 1980s have gone unheeded by doctors, social workers and the courts. "All the indications were, and are, that the parents and children were a well-functioning, happy and close-knit family, in which the children thrived." The judge went on to say that the children had been damaged by the intervention of the doctors, the social workers and the state. The judge said social workers should have listened to the children and he also condemned the use of flimsy medical evidence to break up a family.

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.

Figures for month of May 2008

Non-lifers:			
All offences	4	of 35	11.4%
Rape	2	of 16	12.5%
Indecent Assault	0	of 3	0.0%
Other Sex	0	of 2	0.0%
Violence	0	of 5	0.0%
Property	0	of 4	0.0%
Drugs	1	of 1	100.0%
Others	1	of 4	25.0%
Total Sex	2	of 21	9.5%
Total Non Sex	2	of 14	14.3%
Lifers only	0	of 0	n/a

[There were no lifer applications this month]