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

BARRY GEORGE HAS BEEN CLEARED of murdering television presenter Jill Dando in 2001. He had spent eight years in prison and is now expected to receive hundreds of thousands of pounds in compensation for his wrongful conviction.

Barry's first appeal was rejected, but a second appeal, in November last year, resulted in his conviction being quashed, and a retrial was ordered. At the retrial, the judge ruled out the prosecution's 'key' evidence - a single particle of firearms discharge residue that was found in the pocket of Barry's coat, as it could have come from other sources. There is no mistaking that Barry doesn't fit into what most of us would consider 'normal' society. He was a fantasist and took photographs of unsuspecting women. Police also found a gun holster and lists of guns, military magazines, and a picture of Barry wearing a gas mask and holding a starting pistol. This is not 'normal' - but being 'odd' is a far cry from being 'guilty of murder'.

SAFARI now hopes the police are able to re-open the case and find the *real* killer of Jill Dando. Had they spent the past eight years doing so, they might have had a better chance of finding that person. The Crown Prosecution Service's reviewing lawyer, Hilary Bradfield, said: "Our test is always whether there is sufficient evidence for a realistic prospect of conviction - it would be wholly wrong to only bring cases where we were guaranteed a conviction."

After the court appearance, Barry said: "I'm overwhelmed. I want to thank my family, my legal team, my medical team and all the people who have supported me at Belmarsh, Whitemoor and Manchester prisons, and all my supporters." Scotland Yard expressed disappointment at the verdict; after all, one of their 'successful prosecutions' had been overturned.

One can only wonder how long it will take the police to accept that a *correct* verdict is better than a *conviction at all costs*.

From the Code for Crown Prosecutors:

1.1 - The decision to prosecute an individual is a serious step. **Fair** and effective prosecution is *essential to the maintenance of law and order*. Even in a small case a prosecution has serious implications for all involved - victims, witnesses and defendants. The Crown Prosecution Service applies the Code for Crown Prosecutors so that it can make **fair** and consistent decisions about prosecutions.

2.2 - Crown Prosecutors must be **fair**, independent and objective. [...] They must not be affected by improper or undue pressure **from any source**.

2.3 - It is the duty of Crown Prosecutors to make sure that the right person is prosecuted for the right offence. In doing so, Crown Prosecutors must always act **in the interests of justice** and **not** solely for the purpose of **obtaining a conviction**.

Wouldn't it be nice if the CPS actually followed the *spirit* of their own codes ... and worked on the likelihood that the defendant is *actually guilty* ... not just convictable; wouldn't it be nice if the CPS *didn't* submit to undue political or media pressure; and wouldn't it be nice if the Home Office weren't so naive as to assume that the CPS *aren't* out to collect Brownie points for convictions, when it's simply 'easy to get the conviction', whether it's in the interests of justice or not?

BETTY ROBINSON (82) and Brenda Bennett (69) have been banned from taking photos of an *empty* pool in a playground because Southampton City Council felt they 'might be paedophiles'. Betty Robinson was told to put away her camera by a council worker when she began snapping the outdoor pool. Betty was flabbergasted saying, "It's absolutely ridiculous - it's bureaucracy gone mad. We're a couple of old ladies. We're certainly not paedophiles". Southampton City Council apologised but said: "It is appropriate that our staff are aware of who is taking photos." Aware, fine. Paranoid not so good. Council staff have now (thank God!) been advised to use 'more discretion' in future!

TRACEY WINFIELD HAS BEEN JAILED for four months for making a false allegation of rape against her ex-boyfriend which resulted in the collapse of his marriage. The sentencing judge branded her 'wicked'. Winfield claimed she had been held down in a park by her former boyfriend Richard Peacock while his friend Dean Frasier raped her. The two men were arrested and held in police cells for 17½ hours. The two innocent men were forced to undergo medical examinations and give intimate samples before being released on bail. Their nightmare only ended when Winfield walked into a police station and confessed that the alleged incident never took place. Dean was so concerned over his arrest that he paid for a polygraph (lie-detector) test to be undertaken on him to prove he was innocent.

DR MARCUS PHILLIPS HAS BEEN CONVICTED (on a voluntary 'guilty' plea, no doubt on legal advice!) of making indecent images of children following another unfair decision by the CPS. (Little boys urinating into snow in the Saatchi gallery, showing genitals - 'no crime was committed'. Little girls (topless) turned into fairies - 'prosecute!') Marcus had run a part-time business photographing children and then editing the photographs to make them appear as fairies by adding wings using graphics software. He had been commissioned by the parents of two girls aged 10 and 12, who were present at the shoots. However, when Marcus tried to get the photos developed at a Bonusprint photo lab, employees reported him to the police for taking topless images of the girls. The judge said the case was 'wholly exceptional' and that Marcus 'had no base motive, no sexual motive and there was not any question of deriving sexual gratification' from the work, and went on to specify that he should not be required to sign the sex offenders register. Marcus was described as 'naïve' at worst, and he was given 150 hours of community service. The judge also commented that the parents of the children were 'perfectly law-abiding, sensible people who cared for their children'.

COLIN STAGG HAS BEEN AWARDED £706,000 in compensation for wrongful arrest and prosecution. Colin was cleared of the murder of Rachel Nickell on Wimbledon Common 14 years ago. Back in July 1992, Rachel was stabbed 49 times in front of her two-year-old son. Colin became the subject of a police 'honey trap' before he was arrested and charged. A female undercover officer (using a false name "Lizzie James") contacted Colin and sent him letters encouraging him to fantasise about sex and violence. At his trial, the judge accused the police of "deceptive conduct of the grossest kind" and threw the case out, even before a jury was sworn in. Colin had already spent a year in prison on remand. The Home Office has now made a record-breaking compensation payout to Colin of £706,000 for the injustice.

Colin said: "I have endured that stigma for 15 years. It's fair to say it has ruined my life, yet until now I have never received the slightest apology from the authorities for my ordeal. I admit I got a bit emotional. It means so much to me. A lot of wild figures had been bandied about, but what I wanted more than money was for people to realise they got it wrong. I thought the Establishment would just make a token payment, but this is like winning the Lottery. What pleases me even more than the money is that this is effectively a public apology."

A Home Office spokesman said it would not comment on the case other than to say the compensation agreement was "a confidential agreement between the Government and Colin Stagg".

ZOË TURNER HAS BEEN CONVICTED of making a false allegation, and given a four-month sentence, suspended for two years. Turner had met a man in a Bristol club, and ended up sleeping next to him in his hotel bed although nothing sexual took place between the two. After Turner's boyfriend found them there was a row. She later told police she had been raped. Two days later she requested a filmed interview during which she retracted the allegation, and later admitted a charge of attempting to pervert the course of justice. SAFARI generally argues for large sentences for those making false allegations but in this case, the fact that she *voluntarily* retracted the allegation, saving the man from a jail sentence himself, was admirable. She was wrong to make the allegation but we feel the judge was right, in this case, to suspend her sentence. We would, however, argue for some form of compensation to be made to the man she accused.

THE HOME OFFICE PLANS to target people who travel abroad for sex with people under 16 in countries where the age of consent is lower, by changing the law to allow for their prosecution in the UK. While, at first look, this seems to be a laudable idea, SAFARI is concerned that the British Government appears to be effectively saying that countries should be allowed to prosecute people who commit an act outside their own jurisdiction, in another country where that act is actually perfectly legal. This would mean people who were innocent in the country in question could be classed as criminals in another country! Jim Gamble of the Child Exploitation and Online Protection Centre (CEOP) said "This measure sends out a clear and unequivocal message to offenders everywhere - and no matter whether they're in the UK or abroad - we'll track you, we'll bring you to account and you'll face the consequences of your criminal actions". But if their actions were legal in the country in question how can it be said they are an 'offender'? Think about this for a moment. How would you feel if the Egyptian authorities were allowed to prosecute Egyptians living in the UK (possibly with dual nationality), for having sex with people aged 16 or 17, because this would be illegal in Egypt; or for Saudi Arabia to prosecute people living in the UK for drinking alcohol? There are already enough innocent people in the world being convicted - now is not the time for various countries to seek out people in *other* countries to prosecute, or allow *other* countries to prosecute people living here. In addition, the Government should seriously consider the implications in respect of Political Asylum - are all political asylum decisions now totally illogical (according to 'British Government logic'), if the country from which the asylum-seeker has escaped could legally execute that person, no matter where they are, for exercising what the British consider to be their right to 'freedom of speech', for example?

LICENCE CONDITIONS - Community Sex Offender Group (CSOG): One reader has been advised, by Probation, that on release he *will* be expected to attend the CSOG which again requires you to admit your offending behaviour'. The question is whether his innocence will mean he will be breached and returned to prison. The answer is that you are *not required* to practice dishonesty on *any* course and should *not* be breached for telling the truth. Our advice is to ask Probation to confirm in writing that *telling the truth* (that they didn't commit the offence) will *not* result in them being breached.

ROBERT WEIGH HAS BEEN ACQUITTED of assaulting a student on the bus he was driving, after a gang of pupils made the false allegation to police. A 15-year-old had said that Robert had followed him down to the back of the bus, gone nose to nose with him and shouted: "I will punch you, I will throttle you, and I don't care if there's people on the bus." Magistrates discovered, however, that in fact it had been the youth who attacked Robert, who had only asked the youth to sit at the front of the bus, because the previous evening one of the gang, making gestures and swearing, tried to press buttons on the bus's dashboard. Robert said: "It's been dragging on for months and it gets you down, but I am going back to bus driving, it is what I do."

TOM USHER has had his conviction for failing to pay 90p bus fare quashed on appeal. Tom, a Londoner, use his pre-payment OysterCard to pay the 90p fare by scanning it on the bus's card reader; but the card didn't register so the 90p was not taken. Tom had been fined £90 plus £100 court costs, but Kingston Crown Court ruled that he had a "reasonable excuse" as he was unaware his fare had not been deducted. The court noted that passengers were not warned to check for a green light and a beep when touching their cards onto the reader - this appeared to be one of the main reasons why Tom's appeal was successful. Transport for London (TfL) would not reveal how much it had cost to prosecute Tom.

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 July 2008			
<i>Non-lifers:</i>			
All offences	7	of 51	13.7%
Rape	1	of 20	5.0%
Indecent Assault	0	of 9	0.0%
Other Sex	0	of 3	0.0%
Violence	0	of 3	0.0%
Property	0	of 0	n/a
Drugs	0	of 2	0.0%
Others	6	of 14	42.9%
Total Sex	1	of 32	3.1%
Total Non Sex	6	of 19	31.6%
<i>Lifers only</i>	0	of 0	n/a
[There were no lifer applications this month]			