

Issue  
70

# SAFARI

Supporting All Falsely Accused with Reference Information

Web: <http://safari-uk.org>  
eMail: [safari\\_editor@yahoo.co.uk](mailto:safari_editor@yahoo.co.uk)

Letters are forwarded on to us via:  
SAFARI, c/o: 170 Poplar Road South,  
Merton Park, London, SW19 3JY

SAFARI relies on donations for its survival; please donate in one of the following ways:

(a) Ask for a Standing Order form to make automatic monthly donations of £1 or more

(b) Make a one-off payment to our account 'SAFARI' (Sort code: 30-92-02, Account number: 02702360)

(c) Send us a cheque payable to 'SAFARI'

(d) Hit the button  on our website

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

OUR FIRST TWO-MONTHLY NEWSLETTER. We now concentrate less about detailing stories of false accusations, and more about the solutions required to fix the problems.

ENOUGH TALK. NOW IT'S TIME FOR ACTION. And we'll be regularly calling on the SAFARI readership of over 2,500 people to help us by writing letters, speaking to your solicitors and generally supporting the cause in a more direct way.

PROPOSALS BY GOVERNMENT to hold the DNA of those falsely accused of crimes for up to 12 years has been attacked by Britain's Human Rights watchdog, the Equality and Human Rights Commission. The Law Society of England and Wales has also criticised the plan. John Wadham, legal group director at the Commission, said: "Britain is at the cutting edge of how this technology is used in fighting crime, but it must be used lawfully." The commission also calls into question the validity of the research used to support the proposals, noting that the evidence has been criticised by other experts.

BEVERLEY STEPHENSON PLEADS GUILTY to perverting the course of justice after making a false allegation of rape. The court is awaiting a report from the Probation Service before sentence is passed.

STAY ON THE SAFARI LIST! A number of prisoners join the SAFARI mailing list only to ask for removal after they are released, either because they have won an appeal, or because they have completed their sentence. Remember that SAFARI's goal is to help the falsely accused overturn wrongful convictions and, ideally, to avoid the wrongful conviction in the first place.

So whether your conviction has been overturned (in which case the details of your appeal might be able to help others) or not (in which case we might be able to help you overturn it), please stay on the list!

YOUR TASK FOR THIS MONTH: Sex Offender's Register Lifetime Registration. If you received a sentence of 30 months (two and a half years) or more for an alleged sexual offence that you did not commit, and are now out of prison, you will currently be subject to *lifetime* registration on the Sex Offenders' Register. This means, for the rest of your life, you have to keep the police informed of where you live, you must re-sign the register once a year, and you can expect a number of visits from the police each year (generally by appointment - but not always) to discuss your alleged offences and your current situation so they can continually monitor your 'risk'.

Basically this means you cannot properly move on with your life. Despite the Lifetime Registration aspect of the Sex Offender's Register being confirmed by Europe as unlawful, the UK Government continues to apply it in the teeth of the law. It appears to SAFARI that the only way to force the Government to obey the law is for massive action.

So we now call on all those who are subject to lifetime registration to write to their solicitors using wording similar to this: *'Following the Human Rights decision in the Appeal Court on 23<sup>rd</sup> July 2009, in which those subject to the Sex Offenders' Register won the right to have their names removed from the Register if they could demonstrate that they no longer pose a threat. Can you please advise how I can now apply to have my own name removed from the register?'*

SAFARI asks that copies of all replies received from solicitors are forwarded to us via our forwarding service (SAFARI, c/o: 170 Poplar Road South, Merton Park, London, SW19 3JY) so we can compare answers and produce an 'ultimate' guide to everyone on this issue. If we can achieve having enough people applying at the same time, the Government will be put under phenomenal pressure to abide by international law.

EMMERDALE ACTOR LEWIS LINFORD has been found not guilty of sexually assaulting a model at a nightclub. Lewis - tried under his real name (Lewis Smales) - was accused of fondling the teenager's buttocks before asking her for sex. The jury took just seven minutes to clear him. His lawyer, Nick Freeman, called for the law to be changed so men accused of sex assaults remain anonymous unless convicted.

Here at SAFARI we go further - we call for *all* defendants (not just those accused of sexual offences) to remain anonymous unless convicted. This is not only fairer but it is far more likely to be accepted by Parliament, as it can't be said to unfairly favour one person over another.

GEORGE STEWART HAS BEEN CLEARED in a Scottish Court of using lewd, indecent and libidinous practices towards youngsters, aged between 12 and 16. His appeal was lodged on the basis that the convicting sheriff had told the jury to ignore statements Mr Stewart had made to police in which he had claimed the girls had offered him sexual favours and had suggested they could take photos of themselves in compromising positions if he gave them cigarettes. George had also said one of the girls had threatened to "make up a story that he had abused them" at one stage.

WON APPEALS: LEARNING FROM SUCCESS. Have you won your appeal against conviction or do you know of anyone who has? If so, please let SAFARI know. We are now building up a database of successful appeals and analysing how those particular people achieved their success in order that we can share the information with other SAFARI readers where it might be useful.

Please note that we only share personal information which is in the public domain (or where the subject of the information has given us an explicit agreement to do so) so make sure you give us written permission if you are happy for your name to be published.

GOVERNMENT FAVOURS CONVICTIONS OVER JUSTICE. A short while ago, SAFARI petitioned the Government as follows: "We the undersigned petition the Prime Minister to replace the Government's goal of trying to achieve more convictions for alleged rape and other sexual crime, with a goal to achieve 'more justice for victims'. Just going for 'convictions' CREATES victims of false allegations." The details of the petition were "This Government often talks about the need to achieve more convictions for alleged sexual offences yet they do not appear to remember that many rape allegations are FALSE. We should not be making it easier to convict those ACCUSED of these crimes, as many may be innocent ... rather we should make it easier to convict those GUILTY of these crimes as well as those GUILTY of making false allegations. Convicting someone wrongly accused of a sexual crime may increase conviction rates but this, surely, should not be done at the expense of justice. Let's put 'justice' back into the justice system."

The Government's response was incredible, demonstrating that they have simply lost their way. Their response (along with our comments) follows: "The Government is committed to improving conviction rates for rape. Rape is a dreadful crime which deeply affects the lives of victims and their families, and which inspires fear in our communities. Research published in 2006 found that 5% of women and 0.4% of men say they have been raped at least once since the age of 16. A number of people will also be raped at a younger age. Currently very few of these victims report this crime to the police and, of those who do, only 6.5% of cases result in a conviction. Increasing the rate of offences brought to justice is vital in terms of reducing crime by preventing rapists from committing further offences and sending a deterrent message to potential offenders, and - most importantly - encouraging victims to come forward and report offences and have the confidence to remain in the criminal justice system. The Government does not agree that 'many' rape allegations are false. Research suggests that between 3% and 10% of reported cases are false." Here, the Government confirms up to a massive 10% of allegations are false.

"Where false allegations do occur, the police and CPS have powers to prosecute the false accuser. Whilst any false allegation is clearly wrong, we believe the low levels of reporting and conviction rates for rape are a much larger-scale problem. There are a number of safeguards in place to prevent the wrongful conviction of the innocent. The case against the accused must be proved beyond reasonable doubt; the evidence of the prosecution is subject to cross-examination by the defence; and, as well as the evidence against the accused, the prosecution is under a continuing duty to disclose any unused material which might reasonably be considered capable of undermining the prosecution case or assisting the case of the accused. Finally, it is an important principle that those who are convicted of an offence should have the right to seek leave to apply to a higher court to review their conviction. The Government considers that these safeguards are working satisfactorily."

Here, the Government demonstrates a total lack of knowledge of how the justice system works ... which is frightening as they are in charge of it! They say that case against the accused must be proved beyond reasonable doubt, but they allow someone's false words to be enough to convict. They say the prosecution is under a continuing duty to disclose any unused material, but the prosecution often *don't* do so, and yet convictions are not overturned as a result. They say defendants have a right to seek leave to apply to a higher court to review their conviction, but all this means is they can *apply* - but without *grounds* they can't appeal. *Innocence is not grounds for appeal* (although it should be). Worryingly, they say 'only 6.5% of rape cases result in a conviction. Increasing the rate of offences brought to justice is vital'; this clearly demonstrates that the Government no longer follows the 'innocent until proved guilty' ethos as they are going for a higher percentage of alleged crimes resulting in convictions - even if the defendant was innocent. This is unacceptable.

They state: "Increasing the rate of offences brought to justice is vital", but use the word 'offences' to apply to *all* rapes including those that never happened, and they also fail to understand that making false allegations of rape is an offence in itself and they don't appear to want to do anything to bring *these* offences to justice.

If *anything* is 'vital' it is 'justice for all' - not just 'convictions at any cost'. The Government works for us - we don't work for them.

So here's a project for SAFARI readers: Find out how voters can obtain changes in the law to achieve justice, when the Government refuses to accept this is a problem and also refuses to implement the necessary legislation or enforce legislation already in place to protect the innocent? (For example, the Police & Criminal Evidence Act - PACE - is designed to protect defendants, but the police often break this law and are allowed to get away with it.) Ask your solicitor, barrister, MP, Police, etc. Then send copies of the answers you get to SAFARI.

Remember: SAFARI is no longer just a support group that publishes stories and writes to the Government ... we now want to work more closely *with* those who have the power to achieve change.

As said earlier. It's time for ACTION.

Gema Revelles is facing jail after she admitted falsely accusing her ex-employer of indecently assaulting her following her dismissal in August.

Prisoners are often moved from one prison to another - in many cases with little or no warning. Please note that prisons do *not* let us know the new address so if you're moved, please let us know yourself otherwise we may continue to send your newsletter to your old address. We'd like to take this opportunity of thanking the Prisoners' Location Service who do a great job helping us re-locate those who we eventually discover have been moved.

SAFARI E-PETITIONS: Please get everyone you know with Internet access to sign our on-line Government ePetitions. 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 2009			
<i>Non-lifers:</i>			
All offences	5	of 40	12.5%
Rape	1	of 20	5.0%
Indecent Assault	2	of 8	25.0%
Other Sex	0	of 2	0.0%
Violence	0	of 3	0.0%
Property	0	of 0	n/a
Drugs	0	of 0	n/a
Others	2	of 7	28.6%
Total Sex	3	of 30	10.0%
Total Non Sex	2	of 10	20.0%
<i>Lifers only</i>	0	of 0	n/a
[ No lifers were considered this month ]			
Figures for month of August 2009			
<i>Non-lifers:</i>			
All offences	0	of 38	0.0%
Rape	0	of 25	0.0%
Indecent Assault	0	of 4	0.0%
Other Sex	0	of 4	0.0%
Violence	0	of 0	n/a
Property	0	of 0	n/a
Drugs	0	of 0	n/a
Others	0	of 5	0.0%
Total Sex	0	of 33	0.0%
Total Non Sex	0	of 5	0.0%
<i>Lifers only</i>	0	of 0	n/a
[ No lifers were considered this month ]			

Unusually, in August, not one single applicant achieved parole. Terry says, "This seems to support the view in the panels that the slowly dwindling numbers of pre-2003 Act cases that are left have a significant proportion of serious, high risk sex offenders."