

Issue  
71

# SAFARI

Supporting All Falsely Accused with Reference Information

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Dec '09

Letters are forwarded on to us via: /

SAFARI, c/o: 170 Poplar Road South,  
Merton Park, London, SW19 3JY

Jan '10

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

A busy couple of months for false accusers...

ELIZABETH CHRISTIE HAS BEEN sentenced to two years' probation after admitting falsely accusing a former partner of rape. Sheriff Cowan said: "I could send you to jail for five years. You acted very, very stupidly."

EMMA WALLACE HAS BEEN JAILED for four months after falsely accusing a man of raping her. Luckily the man had a convincing alibi and Wallace eventually pleaded guilty to three counts of perverting the course of justice.

GEMA REVELLES (referred to in our last newsletter) has been jailed for nine months for inventing a sexual assault allegation against her boss after he sacked her. After two interviews, she eventually admitted telling lies saying that she'd made the allegation because she was too ashamed to tell her family she was jobless. Revelles was jailed for nine months.

VICTORIA SALTER HAS BEEN JAILED for a year after she falsely accused two teenagers of raping her. The court heard that Salter had been filmed on a mobile phone during the sexual encounter and had been partaking 'enthusiastically', demonstrating that it was consensual.

CHRISTINA DALLISON HAS BEEN JAILED for two years after falsely claiming two men she willingly had sex with, had raped her. It was disclosed that Dallison had also made a false rape claim against another man four years earlier. Cindy Allen of Leicester's Rape Crisis Centre said: "We at Jasmine House deplore any person who brings false accusations of rape as it damages the credibility of all and wrecks the lives of innocent people."

CHLOE DOLTON HAS BEEN JAILED for two years after falsely accusing two men of raping her. Her claim prompted an £86,500 police investigation. The men maintained that they had had consensual sex with the woman and CCTV evidence obtained by police prevented a miscarriage of justice as it backed up their statements.

JENNIFER DAY, WHOSE STORY appeared in issue 69 of the SAFARI newsletter, has failed in her appeal against her two-year prison sentence for making a false rape claim. Mr Justice Henriques called Day's two-year sentence "well-measured" and said scarce police resources were diverted and innocent victims faced a "terrifying allegation". Lord Judge said: "Every false allegation of rape increases the plight of those women who have been victims of this dreadful crime. It makes the offence harder to prove and, rightly concerned to avoid the conviction of an innocent man, a jury may find itself unable to be sufficiently sure to return a guilty verdict."

ANTHONY HUNT, WHOSE CONVICTION for rape was quashed in 2005, has been unsuccessful in his bid to sue his accuser for malicious prosecution. The judge ruled that the accuser was not the prosecutor, so could not be sued for malicious prosecution. In these types of cases, it may well be better to ask the police to pursue the accuser for perverting the course of justice by making a false statement to them.

EMMERDALE ACTOR, LEWIS LINFORD, has been found not guilty of sexually assaulting a woman in a nightclub. It took the jury just seven minutes to return a not guilty verdict. Apparently the woman cannot be named for legal reasons. Lewis, who appeared under his real name of Lewis Smales, was accused of fondling her bottom and trying to put his hand up her skirt. After he was cleared, Lewis joined many others who argue for a change in the law where a person charged with such allegations remains anonymous until a verdict is reached.

THE ASSOCIATION OF TEACHERS and Lecturers (ATL) have said false claims blighted careers and damaged private lives. They surveyed 1,155 support staff and found that nearly 30% of school staff have been the subject of a false allegation of misconduct by a pupil. The ATL said the safety of children was paramount but argued staff should not be presumed guilty.

ANDREW PELLING MP RECENTLY asked Maria Eagle, Minister of State at the Ministry of Justice, how many prisoners had been held in prison on remand (i.e. not convicted) who went on to be found not guilty of the charges on which they were originally remanded. She confirmed the figures for 2007 (2008 not yet available) was 11,400. That's an average of 31 *innocent* people being jailed *every single day*.

GOVERNMENT FORCE INNOCENT motorists to cover the majority of their court costs. They no longer allow motorists who were prosecuted, but found to be innocent, to reclaim most of their legal costs. The public was outraged by this decision and Jeanette Miller of the Association of Motor Offence Lawyers launched an ePetition against it. An incredible 21,916 people signed it. The Government has admitted their decision is simply to save money. A Ministry of Justice spokesman defended the change in arrangements saying, "The Government is committed to ensuring that those who are most in need of legal representation or advice receive it. However, we must do so in a way that makes best use of taxpayers' money... We have no intention of preventing someone from challenging what they believe to be an unfair prosecution in court, but it must be done at a fair and sustainable rate."

ANDRE HANSCOMBE, the boyfriend of Rachel Nickell, has written a letter of apology to Colin Stagg who had been falsely accused of her murder. Colin had spent over 15 years in prison before being acquitted of killing Rachel; Robert Napper eventually admitted committing the crime. Andre wrote: "I had been led to believe by officers of the Metropolitan Police that they considered you responsible for my partner's death. I am sorry for the ordeal that you have endured during virtually the whole length of this very sad affair, and any part that I might have had personally to make it worse." Colin Stagg responded: "It was a really kind gesture. I know how difficult it must have been for him to make. I accept his apology with gratitude."

THE GOVERNMENT HAS BEEN FORCED into a partial retreat over controversial plans to store the DNA samples of thousands of innocent people on the national database. Adults arrested but later cleared of violent and sexual offences will have their DNA removed from the database after six years instead of an earlier proposal to store it for twelve years.

While this is a step in the right direction, SAFARI still believes it is wrong to continue to treat the innocent as criminals by retaining their DNA when those who haven't been falsely accused are not subject to the same treatment. We believe that either everyone's DNA should be kept or only the guilty's DNA should be kept.

Shami Chakrabarti, the director of the human rights organisation, Liberty, said: "It seems the Government still refuses to separate the innocent and the guilty and maintains a blanket approach to DNA retention. This grudgingly modified policy creates a repeat collision course with the courts and ministers look stubborn rather than effective or fair. Nobody disputes the value of DNA and anyone arrested can have a sample taken and compared to crime scenes, but stockpiling the intimate profiles of millions of innocent people is an unnecessary recipe for error and abuse."

WE HAVE JUST LEARNED that there is to be a "Silent walk for Justice" in Edinburgh on 4<sup>th</sup> December 2009 (apparently this is a yearly event). If you would like to take part, eMail gujeborgesson@hotmail.com. We realise this will be too short notice for most of you but we thought it best at least to mention it.

ON THE SUBJECT of walks, demonstrations, meetings, etc for the falsely accused, we realise that SAFARI can't organise them on readers' behalf – we simply don't have the time or resources to do so. However, if readers can organise them themselves, we can consider featuring details in the SAFARI newsletter. So if you wish to organise anything like this, give us as much notice as possible (ideally at least 12 weeks).

Please remember that we can only promote events specifically of interest to the falsely accused and which are ethical and legal. So you may wish to check with us before you organise anything just in case your proposed event won't qualify for a mention in our newsletter. We won't for example, publish details of a plan to storm Parliament demanding change! However, we probably would cover details of a public meeting, a silent protest, etc.

In issue 70 we set readers subject to lifetime registration on the Sex Offenders Register (SOR) the task of writing to their solicitors regarding the *Human Rights decision in the Appeal Court on 23<sup>rd</sup> July 2009*, which ruled lifetime registration to be illegal. Many of you did this and answers were forwarded to us.

The most recent legal news received by us is dated October 2009 and states: "*The position with the SOR challenge is that the Government is currently seeking leave to appeal to the Supreme Court. At present, the Court of Appeal Judgement is therefore ineffective pending the outcome of this. If the Government is refused permission to appeal, then a change in the law will be required before any application can be made to be removed from the register. If the Government is granted permission to appeal, then there will be a hearing at the Supreme Court some time next year and the outcome will have to be awaited. If they win, there will be no change in the law. If they lose, the law will have to be changed before any application can be made to be removed from the register. At present it is therefore a matter of waiting.*"

SAFARI will keep readers informed about progress. If any reader hears any more information about progress on this issue, please do let us know.

YOUR TASK THIS TIME IS THIS: **False Memory** is the phenomenon in which a person is convinced a memory is true when it is not. It was first postulated and diagnosed more than 100 years ago. More recently, clinical evidence suggests it is more widespread than had previously been appreciated. False memories are often created by psychotherapy, counselling, police and Social Worker interviews, etc.

If you were falsely accused of committing a crime that the alleged victim *truly believed* had occurred when it had not, we want to hear from you if it has been suggested or proved that the alleged victim suffered from False Memory Syndrome. In these cases, the accuser is not actually *lying* (as telling a lie means *knowingly* saying something that is untrue) but simply *believes* what they think they remember. They are therefore not to 'blame' and should not be prosecuted, but it's vital that any conviction for the non-existent crime is overturned. In cases like this there are no winners. The British False Memory Society, who can provide more details on this syndrome, can be contacted via <http://www.bfms.org.uk> or at BFMS, Bradford on Avon, Wiltshire, BA15 1NF.

ANTHONY WEST has had his conviction for rape quashed. Appeal judges argued that not enough had been done during the trial to "correct false factual and emotional impressions potentially engendered by the (*prosecution's*) closing speech".

HMP WAKEFIELD NEWSLETTERS ended up in the salvage! Prisoners in HMP Wakefield were shocked to discover that issue 70 of their SAFARI newsletter ended up in the prison's recycling centre! We are very grateful to Prison Officer Ian Johnson who kindly brought this to our attention, as well as to the prisoners who did the same. Mr Johnson has not been able to establish why the newsletters went astray, but has agreed to take action if it happens again. We hope this issue of the newsletter successfully gets to all HMP Wakefield prisoners and we are including a copy of issue 70 with it.

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 September 2009			
<i>Non-lifers:</i>			
All offences	1	of 29	3.4%
Rape	0	of 11	0.0%
Indecent Assault	0	of 6	0.0%
Other Sex	0	of 2	0.0%
Violence	0	of 1	0.0%
Property	0	of 0	n/a
Drugs	0	of 0	n/a
Others	1	of 9	11.1%
Total Sex	0	of 19	0.0%
Total Non Sex	1	of 10	10.0%
<i>Lifers only</i>	0	of 0	n/a
[ No lifers were considered this month ]			
Figures for month of October 2009			
<i>Non-lifers:</i>			
All offences	3	of 40	7.5%
Rape	0	of 26	0.0%
Indecent Assault	1	of 4	25.0%
Other Sex	1	of 5	20.0%
Violence	0	of 1	0.0%
Property	0	of 0	n/a
Drugs	0	of 0	n/a
Others	1	of 4	25.0%
Total Sex	2	of 35	5.7%
Total Non Sex	1	of 5	20.0%
<i>Lifers only</i>	0	of 0	n/a
[ No lifers were considered this month ]			