

- (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 **PayPal Donate** button on our website

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

HELEN DALBY has received a ten-month suspended jail sentence after admitting perverting the course of justice by making a false rape allegation. Ms Dalby had had consensual sex with a man she'd met through a telephone dating service but felt so guilty about cheating on her husband that she told him she'd been raped by a stranger. Her husband told her she should tell the police and, instead of admitting the lie, followed through with a full medical examination and even helping create an e-fit of her imaginary attacker. The judge ruled that this case was 'exceptional' because Ms Dalby did not act out of 'spite or malice', and imposed the more lenient suspended sentence. Outside Grimsby Crown Court, Ms Dalby said: "I am very, very sorry. It is the biggest mistake of my life. I didn't want to hurt anybody."

LUCINDA HICKS has admitted falsely claiming she had been raped at knifepoint by an unidentified man. Ms Hicks admitted making false representations and causing the police to devote time and services, at the public expense, to an investigation which she knew to be false.

ROSANNE ENGLAND has been jailed for 18 months after making a false accusation of rape. She cut and then tore her underwear and scratched her own face before telling police a masked stranger had entered her house. After giving a detailed description of the alleged rapist, police arrested an innocent man, Derek Cummings, as he fitted the description and had no alibi. Luckily for Mr Cummings, the Forensic Science Service discovered that Ms England's clothing had been cut before being torn and 24 days later she finally admitted to police the allegation was completely untrue. Sentencing Ms England, the Recorder of Winchester, Judge Keith Cutler, said that such an allegation could have left Mr Cummings facing a jail term of at least eight years. Mr Cummings said he still had trouble from people close to where he lives who wrongly believe "there is no smoke without fire" and he cannot go into certain pubs.

DESMOND UTTLEY has had his wrongful conviction for raping a 15-year-old girl quashed at the Court of Appeal. During Mr Uttley's trial, the girl identified him as her attacker, although she had given the police two descriptions of her assailant – neither of which matched him. At the appeal, Strathclyde University forensic science lecturer, Dr Adrian Linacre, had analysed DNA samples from swabs taken from the teenager and found no DNA matching Mr Uttley, but did find there was some from three other male sources. Lady Dorrian, who heard the appeal with Lady Paton and Lady Smith, said Dr Linacre's evidence was capable of being regarded as credible and reliable. She said: "We are in no doubt that a reasonable jury, properly directed, would have found this evidence of material assistance in its consideration of a critical issue at the trial, namely the identification by her of the appellant as her attacker. It is clear from the questions they asked that the jury considered this to be a material issue. We are satisfied that the verdict, returned in ignorance of this evidence, must be regarded as a miscarriage of justice."

Andrew Robathan (Conservative MP for Blaby) has responded to one of our readers' requests about what the public can do to change the law to achieve justice for the falsely accused. He said: "The simple answer is that voters get changes in the law by voting for a Government that believes in freedom and individual responsibility - unlike this Labour Government.... This Government has gone a long way - on many issues - to reduce the justice available to individuals, in my opinion. I challenge the Government daily on its record and of course when we get back into Government we will try to improve the situation." Keep your responses to this question coming; in the meantime, we'll be discussing the subject further with Andrew Robathan and other MPs. SAFARI has often argued that citizens need to be able to vote on *policies* rather than just parties as it is rare that any one party has *all* the best ideas.

IN THE HOUSE OF LORDS on 5th January 2010, Lord Hylton produced a written question asking "How many teachers have been falsely accused of offences in the most recent years for which figures are available?" The answer, provided by Baroness Morgan of Drefelin, was "The operation of disciplinary procedures in schools, including the handling of accusations involving teachers, is a matter for local determination. Accordingly, the information requested about offences, including accusations that may subsequently turn out to be false, is not routinely held centrally. In 2007 the Department for Children, Schools and Families carried out a review of allegations against staff working with children and young people across the whole of the children's workforce. 128 local authorities provided data on 3,099 allegations where action was concluded in the period 1 April 2007 to 30 September 2007. 2.8 per cent of these concluded allegations were judged to be malicious and 13.4 per cent were judged to be unfounded. Local authorities were asked to record allegations in all categories that applied, so it is possible that some allegations may have been counted in both of the above categories."

JACK STRAW MP, LORD CHANCELLOR and Secretary of State for Justice confirmed, in December 2009, that if any Police Officers are not following correct legal procedures, they can be reported to the Independent Police Complaints Commission (IPCC), 90 High Holborn, LONDON, WC1V 6BH. If you know of any Police officers not following correct legal procedures - especially if their actions have helped produce a miscarriage of justice - please advise the IPCC and keep SAFARI informed about any progress you might have on this issue.

PRISONER NUMBERS IN ENGLAND are changing from the XX1234 format to the X1234XX format. If your number has changed, please let us know the new number and remember to include your old number in your letter so that we can trace you properly.

THIS ISSUE'S 1<sup>ST</sup> SAFARI TASK: Finding a good solicitor. We received a letter recently stating: "The question that needs asking about our justice system is where are the decent hard-working solicitors that preach about fighting for the innocent – because I'm still searching. Can anyone really help or is it all just empty words." A good solicitor is not one who *claims* that they can help you but one who *actually* does so. So this month's task is for any reader who has a solicitor who they can actually *recommend* (based on results and not just promises) to give us their solicitor's contact details and confirm in writing that they are happy for us to make contact with them with a view to adding them to a SAFARI 'recommended list'.

THIS ISSUE'S 2<sup>ND</sup> SAFARI TASK: The next United Kingdom General Election is due to take place on or before Thursday 3<sup>rd</sup> June 2010 (probably on Thursday 6<sup>th</sup> May 2010). The newly elected Government will be responsible for bringing in new legislation for up to the next five years. Despite being a breach of Human Rights, the Government still do not allow prisoners to vote, which means those innocent prisoners are not even allowed to help vote in a Party who will help them. However, innocent prisoners' families & friends *can* vote so this is the time to write to your own MP asking them to outline what their party intends to do to better protect the falsely accused and wrong convicted should their Party win this year's General Election. If you get a reply that specifically outlines a policy that would assist the falsely accused (as opposed the usual 'we'll do all we can to help people' type of reply), please forward a copy to SAFARI.

HOW THE APPEAL COURTS WORK. Were you aware that members of the public can freely visit the Appeal Court (Royal Courts of Justice, Strand, London, WC2A 2LL) and sit in on appeals? It's a great way to see how appeals work and to get ideas about the best way to present your own appeal. When you walk in, items you are carrying will be subject to standard security checks and you will walk through a security scanner. Once in, you can pick any court and just walk in (quietly!) and sit down in the public gallery. Much of what you hear may be legal technicalities but you do get to hear the arguments made as to why an appeal should be successful and the judges' reasoning behind why the appeal is or is not successful. Please note that it is not permissible to take photographs or make video or audio recordings of cases being heard.

PLANNING FOR SUCCESS: So you've been falsely accused and possibly wrongly convicted. How can you put things right? It's all too easy to fall into the trap of firing off loads of letters on vague subjects to random people in the hope of achieving success. But you need to be more organised than that. You need a plan. So what do you need to do? Here are some useful tips:

Firstly, and most importantly, decide on your goal. Is it to win a trial? To overturn a conviction? To prove your innocence? Once you've decided this, you can ensure that all the actions you take are specifically designed to achieve those goals and you're not wasting valuable time and effort pursuing goals that you're not really interested in.

Find a solicitor to help you with the legal issues. Remember that solicitors – even good ones – are not magicians. They, sadly, can't win your case just because you're innocent. They need to follow the rules of law. So you need to help them by providing them with the necessary information to help them win. For example, to win an appeal you generally need to be able to provide *new evidence* – that's is to say something that was not available at the trial and which, *had* it been available is likely to have resulted in a different verdict.

Date all your outgoing letters. It never ceases to amaze us how many people fail to do this; undated letters make it very difficult for recipients to keep track of what information is new and what is old.

Keep copies of all your outgoing letters so you can remember what you said to whom and when you said it.

Keep a record of the dates of all communications between you and other people. If you hope for a reply, make a note in a diary for 2-3 weeks' time reminding you to chase it up should a reply not be forthcoming. Without a reminder you can simply forget.

Keep deadlines in mind and stay well within them. If, for example, you have 30 days following a conviction to lodge an appeal on a legal argument, missing that deadline can mean you won't be allowed to appeal on that basis; you'll then need fresh evidence or fresh legal argument.

Be *specific* in your communications and stick to the point. Long rambling letters are difficult and tiring for recipients fully to take in. (The same applies to letters sent to SAFARI – **please keep them short!**)

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.

The Parole Board for England & Wales have kindly supplied SAFARI with a breakdown of those granted release on Parole despite maintaining innocence since March 2004. The purpose was to dispel the myth that it was impossible to achieve parole whilst maintaining innocence.

(It was always difficult, but rarely impossible.)

With new parole rules in place, these figures are no longer as meaningful as they have been in the past and we have decided, therefore, to stop publishing the figures after the December 2009 ones. Terry McCarthy has kindly agreed to provide an article on this subject for a future newsletter.

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 Nov 2009			
<i>Non-lifers:</i>			
All offences	1	of 37	2.7%
Rape	0	of 23	0.0%
Indecent Assault	1	of 4	25.0%
Other Sex	0	of 4	0.0%
Violence	0	of 1	0.0%
Property	0	of 0	n/a
Drugs	0	of 0	n/a
Others	0	of 5	0.0%
Total Sex	1	of 31	3.2%
Total Non Sex	0	of 6	0.0%
<i>Lifers only</i>			
	0	of 0	n/a
[ No lifers were considered this month ]			

Figures for month of Dec 2009			
<i>Non-lifers:</i>			
All offences	1	of 44	2.3%
Rape	0	of 21	0.0%
Indecent Assault	1	of 11	9.1%
Other Sex	0	of 3	0.0%
Violence	0	of 0	n/a
Property	0	of 0	n/a
Drugs	0	of 0	n/a
Others	0	of 9	0.0%
Total Sex	1	of 35	2.9%
Total Non Sex	0	of 9	0.0%
<i>Lifers only</i>			
	0	of 0	n/a
[ No lifers were considered this month ]			