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

THE NEW COALITION GOVERNMENT has called on the people of Britain to help them formulate policy. This is your chance, finally, to achieve the necessary changes in the law to protect the falsely accused. Visit:

<http://yourfreedom.hmg.gov.uk/>

and submit your suggestions now. No Internet access? Ask friends or family to do this for you. The Government is interested in finding out which laws you would like to remove or change because they restrict your civil liberties. After just seven days of launch, it had received 9,796 ideas and 51,957 comments.

PRIME MINISTER, David Cameron, confirms false allegations are a serious problem. On 9th June 2010 he stated in Parliament: *"What I would say is that none of us should ignore the fact that somehow there is a problem with this. We know that a lot of people are falsely accused, whose careers and lives can be blighted."*

The opposition then jeered him. He continued:

"Opposition Members shake their heads, but in some cases people have committed suicide. One of the proofs is that when the right hon. and learned Member for Camberwell and Peckham (Harriet Harman), now leader of the Labour Party, was in office, she commissioned a report into this issue by Baroness Stern, which found that 8 to 10% of reported rape cases could result in false allegations." We're delighted the coalition Government recognises the problem, and would just like to point out that it is even worse than the 8 to 10% figure suggested, as most falsely accused people are never able to *prove* their innocence so their convictions continue to be considered 'safe'.

WITH THE GOVERNMENT moving so fast to return Justice to the Justice System, SAFARI is stepping up its activities and we need to communicate with our readers more often. So, if you've got access (even through a friend or family member) to eMail, please do eMail us at safari_editor@yahoo.co.uk and ask to be added to the SAFARI eMailing list.

Postal newsletters will continue to go out 2-monthly (but if you are happy to receive them via the Internet then we'll remove you from the 'SnailMail' list to reduce our costs) but eMails will go out more often.

Almost all 650 MPs are now on our eMailing list and receive links to our 2-monthly newsletter.

BERNADETT KORE has been jailed for 18 months after admitting attempting to pervert the course of justice by making a false rape allegation. It appears that she had made it up to get rid of her partner, who has since left the country.

MELISSA ANNE-MARIE CARTER has been jailed for two years after falsely accusing PC Matthew Tarrant of rape after he spurned her advances. She only admitted the truth when officers confronted her with text messages she had sent to Mr Tarrant begging to see him again.

Judge Julian Hall told her *"Government ministers and social commentators talk about the very low conviction rate [for rape]. These people also talk as if false complaints of rape are frequently made but they are able to say this because people like you occasionally do."* (SAFARI would also like to remind readers that there are many more false allegations but these are virtually impossible to prove.)

LEYLA IBRAHIM has been jailed for three years after she falsely claimed she had been raped by her friends. She had slashed her body, hair and clothing to make her rape claim appear more convincing, and even gave herself a black eye to support her claims. At her trial, the judge said she had invented the whole incident in order to teach her friends a lesson after they abandoned her at the end of a night out.

TEMITOPAY ADENUGBA has been sentenced to 18 months in prison after admitting lying about being raped to get a student deadline extended. Adenugba had falsely told police that a cleaner had used a key to access her room and forced himself upon her.

DANIELLE ROBINSON has been handed an eight-month suspended prison sentence for texting a fellow juror involved in a separate trial. She texted *"...he's been in prison before and is a paedo and when he broke into the pub he took all the kids underwear xx."* The accusations were totally unsubstantiated and later found to be a pure fabrication.

JUDGE PATRICK ROBERTSHAW has blasted prosecutors after a false rape allegation should never have been brought to court. The judge said, *"The evidence did not, and was never going to, prove rape. The prime overriding consideration in the CPS' decision had been merely that the complainant wished the case to go ahead."* The woman had already, 18 months earlier, made a false allegation against another man.

ASO MOHAMMED, who had been arrested and cautioned for taking pictures of his girlfriend's naked child, has had his caution quashed and has been awarded £500 damages under the Human Rights Act. (R [on the application of Aso Mohammed] v Chief Constable Of West Midlands [2010] EWHC 1228 [Admin]). The caution was "fundamentally flawed", as there was insufficient evidence to afford a realistic prospect of conviction, and the judge ultimately found that there was a clear breach of Mr Mohammed's article 8 rights as the unlawful caution was found to be a direct cause of the interference of his rights to private and family life.

SAFARI HAS BEEN IN CONTACT with our MP who has confirmed that we should all lobby our own MPs and that *"duplication of effort is effective: much better to have the same matters raised with many MPs by their constituents."* This is why we occasionally ask SAFARI readers to write to their MPs on particular subjects – as more and more MPs are becoming aware of the extent of the problem, the tide is turning.

A 'LETTER A WEEK CAMPAIGN' is ongoing amongst Prisoners Maintaining Innocence (PMIs). Prisoners are using their weekly "free" letter to write to the Government (Kenneth Clarke QC MP, Secretary of State for Justice, Ministry of Justice, 102 Petty France, London, SW1H 9AJ) objecting to the laws that put and keep innocent people in prison. SAFARI supports this campaign in general and would like to remind all those taking part that the new Government is already looking at ways to help the cause, so we recommend complaining about the *laws* that are bad and not the current *Government* itself, as it already appears to be on the side of true justice. Just make sure each letter is at least a little different to the previous one; try to keep them fresh and include new ideas on the best way forward. And remember, prisoners' family and friends can write in too; the more who write, the more impact it'll have.

THE GOVERNMENT has dropped plans to introduce legislation to allow rape defendants anonymity; instead they are considering a 'non-statutory' solution. The proposed legislation was always fundamentally flawed as it singled out one type of defendant over others, and only provided anonymity until charge rather than conviction, but we are disappointed they didn't just *improve* the proposed legislation instead of effectively *scrapping* it.

THE PAROLE BOARD WRITES FOR SAFARI: We decided to stop publishing parole figures after issue 72 and the Parole Board's Terry McCarthy was kind enough to write an article to explain further. We are grateful to Terry for producing the article (which appears below) and for supplying the figures to us consistently every month since March 2004. Terry Says:

"For some time now, the Parole Board has produced monthly reports for SAFARI on cases where it awarded early release to prisoners who claimed to be innocent. These reports were also used by the Board itself to help identify trends in release rates in general and as comparisons to the release rate for all prisoners. However, the Board stopped producing these reports recently, the last relating to figures for March 2010.

The figures themselves were never designed to be particularly instructive over and above showing the media and public that prisoners could get parole without necessarily having to admit guilt. It was no great surprise to learn that the release rate for prisoners who maintain their innocence was much lower than that for the prison population in general – we expected that to be true because it is harder to assess risk for someone who does not discuss their offending. But it did help explode the myth, in some quarters at least, that no one got parole until they had abandoned their principles and pleaded guilty.

Had the Parole Board the luxury of greater resources, I think we would like to have gone further than just producing the figures in such a stark and uninformative way. For example, although we included in our table room for figures about lifers, we were never able to pin down exactly how to gather them accurately. It may seem confusing to the reader that the Board could produce good figures for determinate parole cases, but not for lifers. The difference was that the overwhelming majority of determinate parole cases were considered on paper by panels sitting at our headquarters. It was a simple matter to place a pro forma in front of each panel and ask them to identify which cases came under our category, and state the outcome.

Why could we not do this for lifers? Well for one thing, lifer panels never sit at our offices so the administration would be much more difficult. Spotting cases is not as easy as it looks. The dossiers are not labelled and it sometimes requires a thorough read of the documents to discover whether the prisoner admits the offence or denies it. With the amount of cases for lifers and IPPs that we have, our staff simply do not have time to read every case in detail before it goes to the panel, and the panels themselves have enough to do with preparing themselves for the hearing.

Moreover, now that there is no longer a right to an oral hearing, many decisions are taken on paper by members working at home, which adds another layer to the administration that would be involved.

Additionally, on the lifer side, there would be a danger of double counting: we may do a paper decision and record the case at that stage. However, the prisoner may subsequently persuade us that an oral hearing is required, which may not take place for many months. If we were not very careful, the oral panel might then send a return for the same case and we would have inaccurate figures.

Systems could be put in place, but they would need to be fool-proof, and given the Board's other priorities and the imminent public sector cutbacks, we cannot justify throwing resources at the issue just now.

Turning back to the statistics we have so far, it has become clear that less and less prisoners serving determinate sentences are being released across the board. Because proportionally less prisoners who maintain their innocence are released, these numbers have become extremely low.

In April 2006, 35% of those applying for parole while maintaining their innocence were successful. That figure was fairly typical for a monthly return around that time. However, we have since seen the percentage fall like a stone and for many months now the returns have been less than 10%. We have not done any thorough research, but two things stand out as likely contributory factors:

- *Release rates in general have fallen across the Parole Board, including for lifers. There could be any number of reasons for this but, as our Chairman recently said in an interview with the Guardian newspaper, intense media and public pressure, particularly when a case goes wrong and someone commits a serious offence while on licence, may well have made Parole Board members that bit more cautious when it comes to releasing offenders;*
- *The Criminal Justice Act 2003 virtually abolished parole for the majority of newly sentenced determinate prisoners. Automatic release at half way is now the order of the day and the Parole Board plays no part. All we are left with are the very long term sexual and violent offenders (the majority serving sentences over 10 years) who are at the high end of the risk scale and would not have had a good prospect of parole in any case. Added to that, those who are serious sex offenders and have not done the sex offender treatment programme because they maintain their innocence, leave us with a difficult task when it comes to assessing risk.*

The bottom line is that both SAFARI and the Parole Board doubt whether the statistics now have any real value in terms of information, and there is a danger that they will become misleading. The Board will keep SAFARI on its list of contacts and is grateful to Phil and Fly for publishing our offerings every month. We hope their readers have appreciated it as well and will understand why we have now decided to stop."

WERE YOU AWARE that you are allowed to sit in and watch appeals against convictions take place at the Court of Appeal in London? It's a great way to find what works (and what doesn't!) at appeal. Visit the Royal Courts of Justice at Strand, London, WC2A 2LL (opposite Essex Street). You can see the hearing list at:

http://www.hmcourts-service.gov.uk/cms/list_coacrim.htm

Keith Vaz MP said on 8th July 2010: *"...I believe passionately that those who are falsely accused are also victims. I do not mean those who are acquitted because there is not sufficient evidence, but those who are maliciously - I think that this point was made - falsely accused of rape or any other crime or misdemeanour. It is a terrible thing to be falsely accused when those accusations are not put to the relevant person and they are not given a chance properly to respond. Unfortunately, that is how the criminal justice system works at the moment."*

REMINDER: if your solicitor is doing a good job and achieving results, please do write to us to let us know who they are and what they've achieved. We're still trying to build a list of recommended solicitors and have received very few recommendations so far ... are most solicitors really that bad??

YOUR TASK FOR THIS ISSUE is to write to your own MP (if you're not sure who that is, you can go to <http://findyourmp.parliament.uk>) and to Kenneth Clarke QC MP, Secretary of State for Justice, Ministry of Justice, 102 Petty France, London, SW1H 9AJ to ask the Government:

1. Following the Supreme Court's decision, on 21st April 2010, that those subjected to lifetime registration on the Sex Offenders Register have had their Human Rights breached, can the Government introduce the necessary legislation to enable these people to be considered for removal from the register, and for those maintaining their innocence not to be refused permission simply as a result of their (very possibly true) claimed innocence; people should be allowed to demonstrate that they are not a risk in order to be removed from the list.
2. Following the Government's recent decision *not* to introduce the fundamentally flawed (as it singled out one crime over any other) legislation to allow a defendant anonymity in alleged rape cases, can the Government now introduce anonymity for defendants in *all* cases, and until point of conviction, not just charge? This ensures that all defendants are treated *by the media and public* as innocent until proved guilty, which is the way it was always supposed to be. Lives are ruined by the media's love of 'a good story' – which they seldom update if someone is found innocent or has their conviction quashed.

...and for you to send (via eMail or post) copies of any supportive or constructive replies you receive to SAFARI.