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 c/o Birmingham TUC
 8 Milk Street
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 c/o Stockport Labour Party Club
 2 Lloyd Street, Heaton Norris,
 Stockport.

CAMPAIGN NEWSLETTER/SHEFFIELD B6
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 1 Orlestone Road
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THE CAMPAIGN
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THE RELEASE AND
 EXONERATION

OF THE
 BIRMINGHAM SIX

NATIONAL BIRMINGHAM SIX CAMPAIGN

Aug '90 NEWSLETTER 30p

HOW MUCH LONGER?

"There were only two of us. These six people are innocent. I have never met these guys in my life. The first I ever saw of them was when I saw photographs of them in the papers, and on television."

These are the words of the ex-IRA man who appeared on the television programme "World in Action" on Monday 23rd July, and admitted responsibility for planting the bombs in two Birmingham pubs, killing 21 and injuring a further 162.

There were calls by a few Tory hotheads for the DPP to prosecute the programme-makers for concealing the man's identity. The Home Office managed to shut them up by Tuesday morning, as an official acknowledgement that this man was indeed guilty of the Birmingham pub bombings would lead to the inescapable conclusion that the Birmingham Six are indeed innocent.

"World in Action" continue to insist that the man's identity, together with that of his accomplice, is known to the authorities anyway, and has been since 1975. There is ample evidence to support this.

The Home Secretary is reported to have passed the information in the programme to the Devon and Cornwall police inquiry. That inquiry, involving 45 officers, was supposed to be "limited" to investigating the material submitted by the men's solicitors eight months ago. But it has been set no time limit and, while it is so useful a dumping ground for every embarrassing bit of evidence pointing to the Six's innocence, it looks like staying that way.

The argument has been won many times over. The Home Secretary has the power to order the men's immediate release and exoneration. But the case has still to be re-opened. How much longer before the Birmingham Six win the justice they have for so long been denied?

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WRITING TO THE HOME OFFICE

Writing to the Home Office can be rather dispiriting. The reply, when it comes, is written to a formula, usually by a Mr AH Chapman of C3 division. In it the legal history of the case is retold to show the thoroughness of British justice, and the Home Secretary is portrayed as a reasonable man who must abide by the Appeal Court's decision, until such time as new evidence, that has not previously been before the courts, is brought to him. Indeed, we are told, he has recently received some new material from the men's solicitors and is in the process of examining it right now to see if it constitutes "new evidence, which may cast doubt on the safety of the convictions." And we're told that the inquiry by the Devon and Cornwall police is part of this process.

If we mention the Serious Crime Squad, we're told that these matters are in the hands of the Shaw Inquiry; if we mention the Guildford Four, we're told that of course there's no connection between the cases. And a recent ploy when anything embarrassing is mentioned - like Special Branch document number 10368/74, the Cronshaw papers, the pile of missing evidence, the possible presence in Birmingham of Guildford police officers - is to say that it is one of the matters being looked into by the Devon and Cornwall police inquiry. And that's why it's taking a long time!

Foreign governments and representatives of international human rights organisations are told in addition that the Appeal Court judges are very senior, and are treated to a patronising explanation of the separation of powers between the judiciary and the executive in Britain. It is emphasised that the Home Secretary is doing everything he possibly can already, and therefore International concern is superfluous, and action unnecessary.

Fortunately, people abroad (apart from the Irish Government) quickly see through this. They continue to raise the case of the Six internationally. They recognise that the Home Office's position is part of the problem. And they know that International pressure will be part of the solution.

But in this country we have no option but to keep writing. It may seem like a pointless exercise, but every letter counts. The Home Secretary has received about 50 letters a week, since the beginning of

this year, so Mr Chapman of C3 is quite a busy man. To keep on writing also lets the Home Office know that we won't be fobbed off that easily.

For example, the Home Office needs reminding that the Appeal Court judges got it wrong. They upheld the convictions despite having set aside all the forensic evidence of Dr Skuse, which had been before the jury in 1975; and despite the testimony of six witnesses - all with evidence of the men's ill-treatment while in police custody. The fact that the Court took so long to get it so thoroughly wrong gives us even more cause for anxiety. After all, this is the stuff that show trials are made of. Amnesty International, who have experience of such things and were present throughout the Appeal Hearing, are still voicing their concern (see pages 9-10).

In 1988 it could have been argued that the Appeal Court judges genuinely did not believe that the police could behave so badly in such an important case, then lie to cover their tracks. But since then the Guildford case has shown that such things did happen in 1974, and whole sections of the police have since become infected: the West Midlands Serious Crime Squad is one of them.

As well as asking himself whether a jury in 1987 would have reached the same verdict as it did in 1975, the Home Secretary could usefully ask himself if an Appeal Court would reach the same decision in 1990 as it did in 1987 - and whether the DPP would still seek to sustain the convictions (a crucial factor in all recent cases where miscarriages of justice have been finally corrected). That is why the disbandment of the Serious Crime Squad, and the release of the Guildford Four are significant events.

So to insist on abiding by the Appeal Court verdict is ridiculous. The convictions must obviously be quashed. It does not matter how it's done, as long as it's done quickly. At present the Home Secretary shows no sense of urgency at all. We were not impressed by his enlistment of the police to help him decide whether the material presented to him before Christmas constitutes new evidence or not (we all know the "new evidence" issue is a red herring anyway). And to allow the Devon & Cornwall inquiry to take as long as it likes, when so much supposedly depends on its outcome, is simply wrong.



Photos: David Green

ABOVE: Sean Stafford and David Bookbinder, deputy-leader and leader of Derbyshire County Council, with Margaret McAndrew and Pat McAndrew of the Derby Campaign.
RIGHT: Kelly's Heroes, playing at the same benefit, in May.

PUBLIC MEETING

at
ISLINGTON TOWN HALL
Upper Street, London N1.
7.30pm
THURSDAY 27TH SEPTEMBER

Speakers:
LORD TONY GIFFORD
CHRIS MULLIN MP
BREDA POWER, MAGGIE McILKENNY
Cllr. MAUREEN LEIGH



CAMPAIGN NEWS

Information Pack

The information pack has been completely overhauled and updated. It will be ready in September, price 2.00 from most Campaign groups. Advance orders from Birmingham.

Newsletter

The newsletter is produced in Sheffield at approximate 3 month intervals. Contributions, especially cartoons and pictures & reports of local activities, are welcomed.

If you're not on the mailing list, and would like to be, write to the Campaign newsletter address (see back page) enclosing £1.00. Free to affiliates.

Donations to meet the cost of producing the newsletter gratefully accepted.

Back Copies (OCT 89, JAN 90, MAY 90) 50p each.

Exhibition

Three sets of the Campaign's exhibition are now available for hire, to display in public places. It consists of eight A1 laminated boards (+ Title board), with velcro fixings, suitable for mounting on exhibition stand or wall. It gives a full history of the case, from the men's arrests to the announcement of the latest police inquiry. For more details (including cost) contact Birmingham, Sheffield or London campaigns.

Petition

The National Campaign's new petition, calling for the release and exoneration of the Birmingham Six, is now available from the National Campaign address in Birmingham. Please help to circulate it in your area, especially where no Campaign group exists near you.

If you would like to start a new group, contact the National Campaign for support and advice.

Benefits continue to be well-attended, providing a primary source of income for the Campaign. KELLY'S HEROES are still giving stalwart support, playing benefits for free and raising the case at their gigs - often putting members of the audience in touch with local Campaign groups. Many thanks to them.

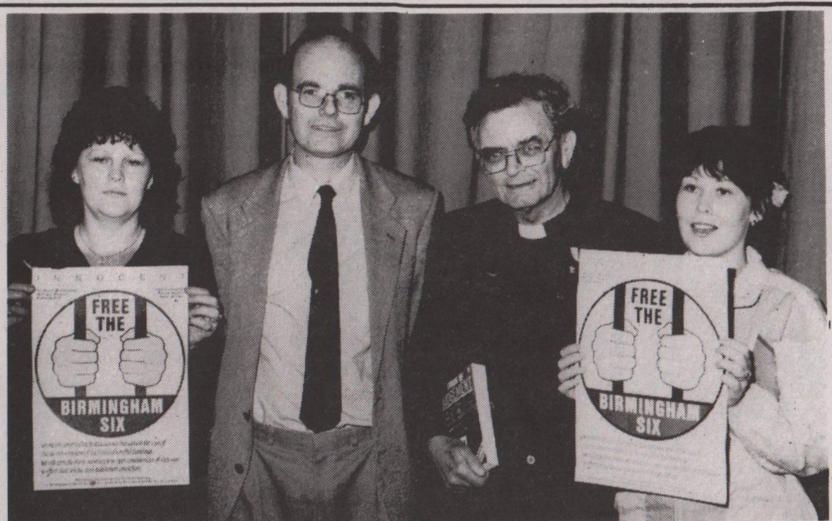
In London a host of performers, artists etc have joined with the Campaign to organise various benefit events. There was a successful comedy evening at the Red Rose Club, Islington, and an "Entertainers for Justice" at the Bloomsbury Theatre, as we go to press. In November, to coincide with the 3rd anniversary of the Appeal Hearing, there are to be "Six nights for the Six" - a week of cultural, social and political events to focus attention on the case. See next newsletter for details.

CAMPAIGN NEWS

CHRIS MULLIN MP spoke at many public meetings around the country. His message is to keep up the letter-writing campaign, especially to Conservative MPs.

IN BIRMINGHAM he appealed for witnesses from the railway police to come forward if they saw the Six in New Street Station.

Also in Birmingham, on June 25th, a vigil was held outside St Phillips Cathedral to coincide with events in Copenhagen and Dublin (see *International News* and *News from Ireland*). Information was handed out and people asked to sign the new petition.



PHOTOS: Mark Salmon



TOP RIGHT: Public meeting in Birmingham with Ann Farrell, Chris Mullin MP, Father Joe Taafe and Maggie McKilkeny. ABOVE: Daughters of Richard McKilkeny, Ann and Maggie, on the vigil with Dermot and Sinead.

POLICE

THE WEST MIDLANDS POLICE AUTHORITY has some new faces after the local elections. Following the disclosure that 4 of the Serious Crime Squad had returned to "normal duties" and that the rest would probably follow shortly (See page 5), one of the new members asked the Chief Constable Ron Hadfield when they would be informed about the others. She was told in no uncertain terms that, if and when they did return to work, the authority would not be informed at all.

THE SHAW INQUIRY into the West Midlands Serious Crime Squad is not expected to report until next year, and even then is not expected to make public its findings, other than informing complainants if their complaints have been upheld.

But the BIRMINGHAM UNIVERSITY/NCCL-SPONSORED INQUIRY is due to publish its report in September. One of the investigators, law lecturer Tim Kaye, is seeking an urgent meeting with the Chief Constable to discuss matters which have come to light in the 70 or so complaints they have investigated.

West Midlands News

Media

In April, columnist Peter Rhodes of the Midlands newspaper the *Wolverhampton Express and Star* dismissed the Granada programme *Who Bombed Birmingham?*, together with Chris Mullin's book and the whole of the Birmingham Six Campaign, as "a few facts and a lot of hype".

When the journalist wrote to Hugh Callaghan to ask for a visit, Hugh was therefore understandably concerned and considered refusing the visit (this was the newspaper that had also splashed a photo of Hugh and Johnny Walker on its front page under the heading "The Bombers 15 years On"). But he decided to talk to Peter Rhodes and plead for some accurate reporting.

As a result, Peter Rhodes' "Exclusive" on June 13th was a very sympathetic account of his interview with Hugh at Long Lartin, and his column on 15 June told quite a different story from that of his column in April. Hugh had, quite simply, gone through his case with him and pointed out the glaring inconsistencies in the West Midlands police version of events. How, asked Mr Rhodes in his column, could Geoffrey Dear square his allegations that Hugh and the others were simply "foot-soldiers" of the IRA, commanded by others (those named by Granada), when the men's convictions rested on the idea that Johnny Walker was supposedly a brigadier and the others lieutenants? Somebody was clearly trying to pull the wool over the public's eyes, and it looked like the police: "Today the West Midlands Serious Crime Squad is disbanded, its reputation sullied by a series of faked confessions and fabricated evidence."

Since then he has continued to support the men's case, and on June 28th devoted his column to the weakness of the forensic case against the Six, in the wake of the collapse of the Maguire convictions.

This story of a journalist's awakening to the truth proves what the men have been saying all along: all people have to do is find out about the case and think seriously about it. The truth will speak for itself.

Since the men were reduced from Category A to Category B status last December, they have been patiently working away like this, meeting journalists, politicians and many other people and putting the facts to them. It has been hard work; but the strength and dignity with which they are campaigning for their freedom will ensure that they win.

Back to work for the Serious Crime Squad

At the end of June, the new Chief Constable Ron Hadfield announced that four of the disbanded squad would be returning to "normal duties". He said that there now remained 32 officers on "non-operational duties", and that these would gradually be returned to their usual work, unless allegations laid against them were sufficiently serious to warrant suspension. The numbers puzzled journalists who'd been told last summer that 53 Squad and ex-Squad members had been moved to desk jobs. Hadfield replied that 17 of these were only drivers and had therefore not been affected.

Altogether 137 officers have been served with notices that they could face official complaints: the 53 mentioned above (including the 17 drivers and the four who have returned to work), 58 other officers serving in the W. Mids Police and 26 serving elsewhere. Hadfield said there was an anomaly because only Squad members and ex-members had been moved to desk-jobs, and some of these (including the four) had no complaints made against them. We presume he means individual complaints because he also confirmed that some allegations had been levelled against the entire Squad.

Clare Short has pointed out that senior officers in the squad, with supervisory responsibility, could thus get off scotfree if no allegations were laid directly against them.

This would include Detective Inspector Peter Higgins, who was one of the four returned to "normal" duties. In 1974 he was a Detective Sergeant who had undertaken the initial interviewing of Hugh Callaghan. Though it had taken the psychopathic DSgt Michael Hornby to frighten Hugh sufficiently into "confessing", it was Higgins who recorded the pack of lies concerning the times and conduct of these interviews.

Another of the reinstated four was DC Douglas Bell. In 1974 he was the driver (or *only* the driver?) of the car in which Gerry Hunter was viciously assaulted by Reade on the way to Birmingham from Morecambe. Later, he and his colleague from the Regional Crime Squad, DS David Millichamp, beat Hunter up in a vain attempt to make him sign a confession, which they then fabricated anyway.

Millichamp is still working in the West Midlands police; we don't know if he is one of the officers being investigated by the Shaw inquiry. The same goes for DSgt James Kelly, who was in the Squad in 1974 (another extremely violent man as Johnny Walker can tell you) though we do know that he received an official reprimand in 1986.

Kelly's sidekick in Walker's interrogation was DC Thomas Sutcliffe. He was involved in the arrest of Patrick O'Toole and three others in 1977, for a payroll robbery. They were convicted and sentenced in 1978. O'Toole was released in '81 still proclaiming his innocence. He alleges that Hornby planted shotguns at the flat of one of them, after stealing the keys, and that Sutcliffe and Ball (see below) fabricated their confessions. This case cannot come under the Shaw inquiry (as it is pre-1984) but may be looked at by the NCCL-sponsored inquiry at Birmingham University.

DSgt Michael Hornby and DCI Ray Bennett, ex-head of the Squad (and interviewer of Paddy Hill in 1974) are, we hope, still on non-operational duties. Both have been prominent in recent cases as well: Bennett in that of Hassan Khan, and Hornby in a host of cases, including that of Ronnie Bolden. Both will therefore be the subject of civil actions being brought against the police (see newsletters passim).

We still don't know who the two officers are who were involved in the Birmingham Six interrogations, and were also responsible for the false confession (or "unsatisfactory standards of documentation", as the Home Office called it) of Derek Gordon (see October newsletter). In 1987 he received 20,000 in compensation for false imprisonment.

Martin Foran (see newsletters passim) has finally had some good news. After getting the knockback earlier this year, when he was told that all documents relating to his case had been shredded, his solicitors now have copies of his custody sheet and interview notes, with clear evidence of alterations. Martin is desperately ill; his case is urgently in need of review, and he should be in hospital. The officer behind both his frame-ups was DI Paul Matthews. Matthews also attempted to frame Malcolm Herring, but was unsuccessful (Herring was acquitted in 1986, and his case is now being investigated by the Shaw inquiry); he was more successful with Paddy Hill. In 1986 he went missing and has since surfaced in Lanzarote.

Of the 26 officers who had direct contact with the Six, at least 17 have been involved in other cases where defendants claim they were framed or forced into making confessions. Only in five (so far) of the cases, have these claims been proved in court - Bolden, Khan, Gordon, Herring and Clifford Jones, implicating only a few of the officers (Bennett, Matthews and Hornby, who was investigated for the Jones case while the Six's '87 Appeal was being held; as usual he escaped being disciplined).

Many of the remaining officers were allegedly involved in the case of Martin Foran (who was first framed in 1978). Martin has always been aware of the connections, and his supporters are convinced that it is this large overlap between the cases which keeps him in prison.

Some of course have left the force, including Detective Superintendent George Reade (pictured right) and Detective Sergeant Brian Morton, neither with clean records (see October and January newsletters)



Roger Ball, as well as being involved in the O'Toole case (above) was, as a Detective Chief Inspector, responsible for the relentless bullying of police cadet Adrian Dart (see May n/1). In 1974, when he was still a Sergeant, he assaulted Johnny Walker and Gerry Hunter. Now, as Mayor of Leek, he is bullying the Labour group on the Council. Coun. John Plant told the local paper: "This was always a friendly council, but since Coun Ball was elected there has been no negotiation and we have been kicked off committees and outside bodies."

MEETING WITH SOVIET HUMAN RIGHTS DELEGATION

On 3rd July, members of a visiting delegation of independent Soviet human rights organisations were briefed on miscarriages of justice in Britain. A meeting was convened by Andrew Puddephat, General Secretary of the National Council for Civil Liberties (NCCCL), and comprised representatives of the Birmingham Six, Tottenham Three and Carl Bridgewater Four campaigns. The Soviet representatives were present on behalf of the Moscow Helsinki Monitoring Committee and the Soviet Commission on Humanitarian Issues.

One of the Soviet representatives was Ernest Ametistov, a lawyer who is a well-known human rights activist within the Soviet Union and one of the leading figures in "Memorial",

which assists the victims of the Stalin era. He contrasted the men's treatment while in police custody with the fact that the Soviet human rights movement has successfully promoted a change in Soviet law which requires that all persons as soon as they are arrested, and whatever the charge, must have immediate access to legal representation. The Soviet representatives agreed to send statements to Mrs Thatcher calling for the men's release, and to further publicise the men's case among independent human rights bodies in the Soviet Union.

INTERNATIONAL

CSCE: THE SIX AS AN INTERNATIONAL ISSUE

Birmingham Six relatives and campaigners returned from a major inter-government human rights conference held in June in Copenhagen snowed under with pledges of support for the men's case from government and international human rights bodies from across Europe and North America. A delegation organised jointly by the National Birmingham Six Campaign and the Dublin Co-ordinating Committee on Miscarriages of Justice was present in the Danish Capital during the Conference for Security and Co-operation in Europe (CSCE) which is the body that arose out of the 1970s Helsinki Accords. The recent changes in Eastern Europe meant that the Copenhagen conference was the most widely-attended human rights meeting ever held in Europe.

On 25th June, the campaign mounted a presentation on the men's case as part of the CSCE (Parallel Activities). (See May newsletter). Speakers at the presentation were Gerry Conlon of the Guildford Four, Jeremy Corbyn MP, Richard Balfe MEP, Breda Power (daughter of Bill Power), Kate McIlkenny (wife of Richard McIlkenny), Father Bobby Gilmore (Chair of National Birmingham Six Campaign) and Michael Farrell, Irish journalist, lawyer and historian. Among those attending the presentation were Soviet Government representatives, Amnesty International (Denmark), Amnesty International (Sweden), members of the Danish Parliament, TV and press journalists from Canada, Denmark and the Soviet Union, as well as members of the Danish public.

The Danish media gave major coverage to the men's case, with full page interviews in the national press and a 90-minute live interview with Gerry Conlon and Breda Power on Danish radio.

The Campaign held a 90-minute briefing session with a cross-party delegation of Danish MPs at the Danish Parliament. Those present included two MPs from parties within Denmark's ruling Conservative coalition, Denmark's former Justice Minister as well as MPs from opposition parties who all pledged support for the men's case and undertook to raise within their respective political parties a proposed Danish parliamentary deputation to the British Embassy to press the British Government for an independent inquiry into the case. They also agreed to press for the men's case to be raised within the Council of Europe Legal Affairs Committee.

We held meetings with 21 out of the 35 European and North American government delegations participating at the

CSCE including meetings and briefing sessions with the USA, Soviet, Spanish, French, Hungarian, West German, Polish, East German, Dutch, Czech, Greek, Irish, Vatican, Maltese, Cypriot, Turkish, Danish, Swedish, Norwegian, Canadian and British Government delegations.

Particularly significant was an official invitation from the Soviet Government for the campaign to participate in the 1991 Moscow Human Rights Conference (which we of course hope there will be no need for us to attend) and a meeting with the head of the Czech Government delegation who is a close personal advisor to President Vaclav Havel and who was very supportive.

The East German Government delegation, several of whom had had direct experience of wrongful imprisonment, expressed their full support for the men's case and undertook to seek an urgent joint meeting with the West German Government delegation to press for united activity on the men's case. Several government delegations pledged to raise the men's case in their closing speeches at the conference.

The purpose of the meeting with the British government delegation was to request that in their report to the British Foreign Secretary Douglas Hurd (who of course is no stranger to the men's case), he be advised of the widespread interest and support for the men's case both at the conference and among the Danish people.

A major disappointment, however, was the lack of activity on the part of the Irish government delegation. Ironically, our meeting with them and with Ireland's Ambassador to Denmark was by far the least satisfactory of the many meetings held. The Irish government delegation refused to raise the men's case (or indeed any other issue) at the conference.

The Birmingham Six, their families and the Campaign remain convinced that only when the British Government finds that it is more embarrassing to keep these innocent men in prison than to grant them justice, will they finally take decisive action to end their long nightmare. International pressure has a vital role to play in achieving this objective, and it is to be regretted that the Irish Government, while supporting the men's cause, seem incapable of understanding this.

Paul May, Chair London Campaign.

THE EUROPEAN PARLIAMENT

The European Parliament's Legal Affairs Committee has authorised its *rapporteur*, Rinaldo Bontempi, to visit Britain and establish contact with David Waddington, the prison authorities and the Six's lawyers, as part of its investigation into the case. Rinaldo Bontempi's "study mission" will also look at the procedures for judicial review in cases where new evidence comes to light. He feels strongly that it is part of the European Parliament's role to ensure that every European citizen can feel protected by a fair system of justice.

PRESSURE

EUROPEAN TV

European TV stations continue to take an interest in the case. Belgian TV fully covered the events organised by the Christian Movement for Peace, and various Irish support groups, on the International Day of Action on March 31st. Several Belgian MPs are backing the case, and are willing to raise it in their own Parliament, and also with the British Embassy.

Dutch TV recently made a 15-minute film, consisting of interviews with Chris Mullin MP, Paul May and Breda Power, to introduce the showing of *Who Bombed Birmingham?* on Dutch television. West German TV ARD are also in the process of making a film on the men's case, and have already filmed interviews with various members of the men's families and the Campaign.

CAMPAIGN IN IRELAND

Another spectacular event was staged in Dublin late at night on June 25th. The *River Parade of Innocence* was attended by over 12,000 people, including many foreign film crews in Dublin for the Eurosummit. As usual, most people in Britain were unaware of it (though a tiny part of it could be seen on the recent World in Action programme). Margaret McIlkenny and Paul Hill made short speeches, appealing to the Irish Government to raise the Six's case more effectively, given the wishes of the overwhelming majority of the Irish people.

This support was demonstrated by the huge response to the National petition, which called for the immediate release and exoneration of the Six, and was signed by over 112,000 people in just over two months. It was handed into the British Embassy on June 23rd by members of the McIlkenny family - Richard's brothers Paddy, Martin and Anthony, his daughter Margaret, and two of his grandchildren - with MEP Niall Andrews and TD Monica Barnes.

Outside, the Booterstown Support Group's weekly Saturday picket (see below) went on around 6 people who were dressed in prison uniforms and standing silently behind symbolic bars. The whole event featured prominently on RTE TV news. The petition was to be forwarded to David Waddington who, Embassy officials said, was expecting its arrival. Apparently the Ambassador, Nicholas Fenn, while maintaining the Government line ("the courts must decide") has bowed to Irish opinion slightly by claiming that the British too have "agonised" over this particular issue.

THE CAMPAIGN ABROAD

Birmingham Six groups now exist in Helsinki, Amsterdam and Lisbon, as well as many American cities. The Helsinki Committee is working on a petition, signed by Finnish MPs and human rights groups, to be presented to the British Embassy

Father Bobby Gilmore, National Campaign chair, is at present in America, visiting Boston, New York and Washington. He is meeting US Senators and Congressmen to discuss the resolutions on the Birmingham Six, which are at present before both assemblies, and to work out with them, and other organisations, the best way forward following the Human Rights Caucus hearing of the case in March. (See May newsletter).

KENNEDY VISIT

Meanwhile Paul Hill accompanied Courtney Kennedy on a visit to Hugh Cailaghan and John Walker at Long Lartin Prison. In a statement to the Press afterwards, she said: "I will brief my brother Joe on my return about developments in the cases and will also further highlight their plight through my work with the Robert F. Kennedy Memorial human rights group. There is no doubt in my mind that these men are innocent and should not be behind bars a day longer."



Nelson Mandela receiving a copy of Robert Ballagh's Birmingham Six poster from Dunne's Stores striker Cathryn O'Reilly.

Mandela receives gifts

Nelson Mandela, released earlier this year from a South African jail after 25 years in captivity, was given two gifts on behalf of the Birmingham Six during his recent visit to Dublin.

Tony Gregory (Ind) gave the deputy president of the African National Congress (ANC) a specially bound copy of Derek Dunne's book, *The Birmingham Six*. It bore the inscription "Presented to Nelson Mandela on the occasion of his visit to Dublin, by Tony Gregory on 1st July". Mr. Man-

dela said that he was familiar with the Birmingham Six case.

Mr. Mandela received the book shortly before he accepted his award of "Free Man of the City of Dublin" which he had been granted on his 70th birthday when he was still in jail.

Cathryn O'Reilly, one of the Dunne's stores strikers also presented Mr. Mandela with a copy of Robert Ballagh's poster of Birmingham Six.

The Euro-ad (directed at the EC Heads of State attending the Eurosummit) was carried in the Irish Times on June 23rd. The following Sunday it was carried in the Sunday Business Post, in an appeal to the business community.

Booterstown Support Group's weekly Saturday picket is now held from 12.00 to 2.00pm, outside the British Embassy, 33 Merrion Road, Dublin. They also hold random pickets, so watch out for them when driving into Dublin from the ferry. If you're on holiday or visiting Dublin this summer, please give them some support.

The Irish Government . . .

The Irish Government continues to place its faith in bilateral discussions with the British Government. In a written reply to questions from TDs David Andrews and Pat McCartan, Gerry Collins (Minister for Foreign Affairs) said that this was "the most effective" way to get a result. The Government, he said, had "repeatedly and forcefully conveyed their views to the British Authorities."

Ray Burke, the Minister for Justice, was reported in the Irish Post to have told David Waddington that a speedy release of the Birmingham Six is "crucial to Anglo-Irish relations". As these no doubt forceful confrontations are not reported at all in the British press, and in fact are often denied as having taken place by Home Office spokesmen in Parliament, it seems likely that the desired "effect" has more to do with the Irish Government's image at home.

Its consistent refusal to raise the case officially at the CSCE in Copenhagen (see May newsletter) has continued to attract criticism. It has continued to maintain that such action was not appropriate. Even a letter from British MP Chris Mullin failed to change its mind.

However, the group of Campaign and family members, who attended the parallel conference for Non-Government Organisations (NGOs), was unprepared for the complete lack of support from the Irish Government delegation in Copenhagen (unlike other Government delegations - see report page). A member of the Campaign said:

We asked if the Irish Government delegation would raise the men's case in their closing speech at the conference - as several other government delegations had agreed -

and were told no. We asked if they would help organise a press conference on the men's case (as other government delegations had done for NGOs from their countries) - and they said no. We asked if they would at least assist the men's relatives and campaigners in securing meetings with other government delegations and were told no. When we asked if there was anything they were prepared to do, their answer was again in the negative.

We would not wish to personally criticise the officials concerned who were clearly embarrassed with the "line" which the Irish Government had instructed them to adopt . . . but if it is "not appropriate" to raise this manifest injustice at an inter-government conference on human rights, precisely when and where will the Irish Government summon up the courage to highlight the case internationally? . . . As a voluntary campaign with slender resources, we are frankly sick and tired of doing the Irish Government's job for them."

The Irish Government has now completed its 6-month presidency of the EC, during which time it utterly failed to use its position as chair of all the committees to help the men at all. This fact has not escaped Richard McIlkenny who made a statement in late May from Gartree Prison:

"All we want is for Mr Haughey to stand up and tell Europe and the world that the Six are innocent and that Britain is wrong to keep us in jail. . . . At the moment Charles Haughey is President of Europe yet he has not uttered a single critical word in that capacity about the way his nearest European neighbours have treated us. For all these years we have rotted in British jails yet now, when there is a unique opportunity for Mr Haughey to highlight our plight, he has not spared one breath for us."

CHURCH NEWS

Pax Christi and Justice and Peace groups continue to keep the issue alive in the Churches. The London Campaign had a stall at the Justice and Peace Conference in North London, and also at the 3-day "Seeds of Hope" festival, held in Rothwell, Northants, where Breda Power spoke at a well-attended meeting.

Dr Donal Caird, Church of Ireland Archbishop of Dublin, has publicly declared that the cases of the Guildford Four and Maguire family have "revealed serious shortcomings in the British judicial system", and suggests that the original trial of the Birmingham Six was "questionable".

Protest in the cathedral

There will be six empty seats in the front pew of St Mary's Cathedral in Edinburgh tomorrow when the former deputy-governor of Britain's most secure prison is ordained as a priest. John Morrison, until recently responsible for 900 staff and 1,300 prisoners at Wormwood Scrubs, has invited Billy Power, Patrick Hill, Hugh Callaghan, John Walker, Gerard Hunter and Richard McIlkenny to the ceremony. All are old acquaintances from his days at the Scrubs, but none will be able to attend, for the men are still prison inmates, known collectively as the Birmingham Six.

Morrison, aged 53, has turned his back on a brilliant career in the prison service, say his former colleagues, but he insists he has no regrets. Of his invitation to the six he says: "I always planned to invite them and prayed against all the odds recent pressure might have won their release. But they will be with me in my heart." Morrison is among the group's firmest supporters. "I got to know them all very well and I cannot over-emphasise their innocence. What I remember most is their undoubted and patient goodness. They are remarkable people. I once told them they were doing their purgatory now. They are suffering like Christ."

The TIMES, 29th June 1990

The Irish Post, 19th May 1990

A WORD OF THANKS: I would like to take this opportunity to thank our campaign workers who were responsible for the large advertisement in The Irish Post of March 24, for my 60th birthday. I was very flattered by this very kind gesture.

I would also like to thank all those good people who sent me St. Patrick's Day cards and the many birthday cards I received. I cannot reply to all the letters and cards I receive daily. All I can do is thank the senders by publishing this letter in The Irish Post. Finally, I would like to thank The Irish Post and its readers for all the support we have been given over the years. I hope this will continue more than ever in the future. We are very lucky to have such good people who give up their valuable time to help us. This is appreciated very much by each and every one of us and also by our families.

We need your support and we thank each and every one of you who help in any way, whether it be in a large or small way. Every bit counts!

As I was finishing this letter I heard on the radio that Cardinal Tomas O Fiaich has died. On January 30 last, John Walker, Gerry Hunter and I met him for the first time. He had met also the other three men who make up the Birmingham Six. He was accompanied by Fr. Raymond Murray.

One thing that impressed the three of us that January day was the Cardinal's concern about our case, and also Fr. Murray's concern. It was a pleasure to meet the Cardinal and we are grateful that he came to see us in what was sadly his last year. He will be greatly missed.

HUGH CALLAGHAN
H. M. Prison,
Long Lartin,
South Littleton,
Evesham,
Worcestershire WR11 5 TZ.

BIRTHDAY
GREETINGS!
on OCTOBER 15th
to
GERRY HUNTER

The addresses of
all the men are
on the back page

The Forensic Case Against The Birmingham Six

According to the 1975 trial judge, the forensic evidence formed one of two critical chapters in the case against the Birmingham Six, the other being the "confessions".

The tests at Morecambe

The prosecution case rested largely on the results of "Greiss" tests, for nitroglycerine, and tests for ammonium and nitrate ions, conducted at Morecambe police station by Dr Skuse (see table). At the time, both tests were used for screening purposes only, but this did not prevent Skuse from claiming immediately to the police, and later at the trial, that they proved that some of the men had recently handled explosives.

The TLC tests

Those swabs that Skuse declared had give positive results (Hill's, Power's and Walker's) were taken away to Skuse's laboratory at Chorley and subjected to Thin Layer Chromatography (TLC), which is about as sensitive as Greiss, but slightly more reliable. The results were negative.

The GCMS tests

The swabs were then taken to Aldermaston and put through a process known as Gas Chromatography/Mass Spectrometry (GCMS), which is at least 100 times more sensitive than Greiss. A positive reading for nitroglycerine is obtained when the right size "blip" appears on a screen after exactly 4.2 minutes. This is recorded by way of a trace onto paper. It is generally recognised that at least 3 positive readings have to be taken from each sample before the test result can be interpreted as positive.

All the swabs that had given positive results for Greiss tested negative under the sensitive GCMS test. But according to Dr Skuse, a sample taken from Paddy Hill's left hand - which had tested negative under previous tests - gave one positive reading under GCMS. The paper bearing the trace was lost before the '75 trial. However the forensic expert called by the defence - Dr Black - told the court that he had seen it earlier and he had not thought it constituted anything like a positive result.

When asked by the defence how a sample that had given a "strong positive" under Greiss (as in the case of Paddy Hill's right hand) could register negative under more sensitive tests, Skuse had suggested that all the nitroglycerine had evaporated in the time between the tests.

Dr Skuse disgraced

By the time of the Appeal hearing, independent forensic experts had conducted tests proving that, using the Greiss method, nitrocellulose gave identical results to nitroglycerine. The Home Office itself had conducted its own tests which verified these conclusions. In the end even the Appeal Court judges had to recognise that Skuse was a fool, and set his entire evidence aside.

Dr Drayton discovered

However, the Appeal court was reluctant to bid farewell to all the prosecution's forensic case. Fortunately for them, the prosecution had unearthed another scientist, a Dr Drayton, who had witnessed Skuse's conducting of the GCMS tests. She had recorded a reading in her notebook as "possible Ng present". She could not remember if the sample (from Paddy Hill's left hand) had been run the requisite

	McIlkenny	Hunter	Walker	Power	Hill
Greiss Test	negative	negative	negative	RH pos LH neg	RH pos LH neg*
Ammonium/ Nitrate ions	negative	negative	positive	RH pos LH neg	RH neg LH pos
TLC	-	-	negative	negative	negative
GCMS	-	-	negative	negative	RH neg LH "pos"

* This swab was taken at Morecambe, but tested later.

three times and she had not recorded any other reading. The trace had disappeared (Skuse said there never was one) and the previous pages in her notebook had been torn out, so it was impossible to assess at what stage in the procedure she had made her note. But the Appeal Court judges were delighted with her evidence. They said, in their judgement:

"...the fresh evidence on this topic makes us sure that Hill's left hand is proven to have nitroglycerine upon it, for which there is and can be, no innocent explanation. That conclusion is fatal to the appellants."

This is what the Home Secretary means when he says that the Appeal Court has carefully considered the forensic evidence. One of the men's solicitors has likened it to diving into the nearest wastepaper basket, seizing a crumpled scrap of paper and saying "This'll do".

The May Inquiry: Implications

The May inquiry has not thrown any more light on the actual forensic evidence which was used to convict the Birmingham Six in 1975. The TLC tests which have come under scrutiny in the Maguire case were given no weight in the Six's case when they failed to confirm Skuse's initial findings. However, the Government scientist Dr Thomas Hayes (who, with Dr Higgs, was criticised in Sir John May's report) did make a guest appearance at the Six's Appeal in 1987. He was brought in by the Prosecution to support Skuse's assertion that all the nitroglycerine in Skuse's samples had evaporated en route from Morecambe to Chorley. Dr Hayes did his best, but tests conducted by the defence had already convincingly demonstrated that such wholesale evaporation of nitroglycerine is impossible. What continues to mystify the general public, in the Maguire case, is the strength and consistency of the positive results of the TLC tests, given the Maguire's obvious innocence. There is no such mystery in the Birmingham Six case. It is very clear that the forensic case against the Six is now composed entirely of wishful thinking on the part of the Appeal Court Judges. Sir John May would give it no credence at all.

No-one is suggesting that the scientists involved in the Maguire case were as corrupt as Dr Skuse. But what the May inquiry did find is that senior Government scientists "imperfectly understood their duties as forensic scientists and as witnesses"; ie they were willing to selectively present their findings in an effort to bolster up the prosecution case. The prosecution lawyers (and the Judge) then ruthlessly used the "scientific" evidence to bludgeon the jury into bringing in "Guilty" verdicts. The same processes were at work in the case of the Birmingham Six.



New Information

New information, including documents that have emerged from a police inquiry and statements by former police and prison officers, has raised further doubts about the reliability of the convictions of the six men sentenced in 1975 to life imprisonment for bombing two pubs in Birmingham the previous year.

The government has held that the evidence could not have been fabricated in the course of the police investigation and that the prisoners' allegations of ill-treatment during detention were without merit. The credibility of this position has been further undermined by the June 1989 disbanding of the West Midlands Serious Crimes Squad after evidence emerged that police officers had been involved in prosecutions based on unreliable confessions, and by a series of disciplinary sanctions and criminal convictions - in unrelated cases - of some of the detectives who had interrogated the six men. An inquiry was set up in August 1989, under the auspices of the Police Complaints Authority, to investigate allegations of malpractice in obtaining confessions in cases handled by the West Midlands Serious Crimes Squad between 1986 and 1988.

Some of the twenty detectives from the West Midlands Serious Crimes Squad who interrogated the Birmingham Six have subsequently faced disciplinary charges arising from other cases, or been party to criminal or civil actions for assault. The detective inspector who obtained incriminating evidence from Patrick Hill, one of the six, was made to resign from the police in 1986 after he was found guilty of disobeying lawful orders. He had been accused in court of fabricating alleged confessions on two occasions in 1985 and 1986. The detective superintendent who was responsible for supervision of the interrogation of the "Birmingham Six", was in 1977 named in a civil suit for assault which was successful. A detective sergeant, who testified at the trial of the "Birmingham Six" that the men had received no injuries while they were in police custody, was sentenced in 1983 to 12 months' imprisonment for assault in an unconnected case.

The inquiry into the West Midlands Serious Crimes Squad has revealed that the squad had in the past maintained a policy of destroying most documents from their criminal investigations after only two years. In general, the practice of other United Kingdom police forces is to retain such files for longer periods of time. The Metropolitan police routinely preserve documents relating to serious crimes permanently. As a result of the former West Midlands policy, an estimated 2000 statements from the "Birmingham Six" case were destroyed. These documents included statements which reportedly could have offered crucial support for the alibis of the six at their original trial, but which had not been made available to the defence.

Documents from the 1987 Devon and Cornwall police investigation into the treatment in custody of the "Birmingham Six" have raised further doubts about the evidence used to convict the men. The documents contain a statement, from the former sergeant in charge of the cells at the police station where the six were first taken after arrest, which

IN AUGUST 1988, AMNESTY INTERNATIONAL ISSUED AN EXTERNAL PAPER ON THE CASE OF THE BIRMINGHAM SIX. THE PAPER DEPLORED THE CONDUCT OF THE APPEAL HEARING, IN PARTICULAR THE TREATMENT OF THE NEW EVIDENCE, AND URGED THE GOVERNMENT TO RE-OPEN THE CASE.

IN FEBRUARY 1990, ANOTHER EXTERNAL PAPER WAS ISSUED: "UPDATE ON THE CASE OF THE SIX MEN CONVICTED OF BOMBINGS IN BIRMINGHAM (KNOWN AS THE BIRMINGHAM SIX)". BELOW IS THE SECTION ON NEW INFORMATION.

tends to confirm defence claims and to contradict the chronology of events put forward by the prosecution. The prosecution maintained that the six had been given over to the custody of the West Midlands Serious Crimes Squad at least several hours later than the time offered by the defence. The defence maintained that the West Midlands officers had falsified their records of the initial interrogation in order to cover up the fact that the men had been pressed into making involuntary confessions during questioning at least several hours before the time suggested by the prosecution. In his statement, the former sergeant claims to have seen the West Midland officers with the six some 2 and a half hours before the time at which the prosecution insisted they had first been seen. While the sergeant initially offered this evidence at the trial, he claims to have retreated from the story during the judge's questioning. However, in a recent interview he has confirmed his initial statement made to the 1987 Devon and Cornwall police inquiry.

The inspector in charge of the police station where the six men were first taken after arrest has similarly challenged a key point in the prosecution's chronology. In his statement to the 1987 Devon and Cornwall police investigation, the inspector supported the evidence given at the trial by a local chemist who supplied ether for forensic tests being carried out on the six men at the police station. The chemist claimed at the trial that he had delivered the ether between 5 and 6 am on the morning of 22 November 1974 - at least 2 hours before the time accepted by the prosecution. The judge dismissed the chemist's account as inaccurate. However, the former inspector corroborated the chemist's account in his 1987 statement to the Devon and Cornwall investigation. His recollection of the chemist's delivery of the ether before he went off duty at 6am supports the defence's argument that the interrogation and forensic testing of the six men had been under way for some time before the prosecution maintained that such tests had begun.

One of the 14 members of a Birmingham prison's staff, acquitted in 1976 on charges of having assaulted the "Birmingham Six" just after their transfer from police custody to the prison, has now admitted to taking part in repeated beatings of the men. The retired prison officer has said that he had lied about his participation in the beatings in the 1976 trial. He also repeated his prior statement that when the six arrived at the prison, they were already marked by "a multitude of injuries" including cuts and bruises.

Amnesty International Concerns

Amnesty International believes that a considerable body of evidence exists that the six men were ill-treated while in police custody and that their confessions were obtained involuntarily. New information, including documents that have emerged from a police inquiry and statements by former police and prison officers, has raised further doubts about the reliability of the convictions of the six. The organisation continues to urge the government to review the case once again.

TRADE UNION NEWS

The TUC's Annual Report has a substantial section on civil liberties which, after some prompting, refers to the TUC's support for the re-opening of the case of the Birmingham Six. The final report will be voted through at the Conference this Autumn, and so will become conference policy.

A resolution is going to the National Association of Probation Officers (NAPO) conference in October. If it is passed, NAPO will join the growing list of Trades Unions that have now adopted the men's case at conference level. These include TGWU, UCATT, NALGO, NUJ, NUPE, GMBATU, COHSE, CPSA and the Fire Brigades Union.

The CPSA motion was vigorously opposed by the executive, who tried to block it, but it was still passed. The executive are now saying that they can take no action until there has been a membership ballot. The next step is to ensure that they carry out such a ballot.

The Birmingham Six resolution at the MSF conference (whose executive support the men's case) was composited with a "Time To Go" resolution, and fell. If resolutions have to be composited, the best strategy is for them to be composited with motions about other miscarriage of justice cases (not just Irish) or about changes to the British criminal justice system (not just the PTA).

The Campaign will be speaking at fringe meetings at both the NAPO Conference, and the TUC at Brighton.

ICTU SEEKS SUPPORT

At the recent Irish Congress of Trade Unions (ICTU) a motion sponsored by Dublin Trades Council calling upon the Congress to redouble its efforts to highlight the Six's case was passed. Part of it read: *Mindful of the major interest expressed by Trades Councils through the UK... the Council calls on the ICTU Executive Council to meet with the British TUC to develop this issue at national and international level.*

There was loud applause for the suggestion that the ICTU and the TUC should send a joint delegation to the British Government on behalf of the Six.



LABOUR PARTY NEWS

Official Labour party policy is now that the Six's case will be reviewed immediately by Labour in Government; but that they will be left to rot in jail by Labour in Opposition. Five resolutions on the case, some aiming to remedy this, are going up to Conference this year (motions 420-424).

There are also a number of motions on reforms to the criminal justice system (389-399), mostly about the admissibility of uncorroborated confessions. We're hoping that when the Birmingham 6 motions are composited it will be with the Criminal Justice motions, rather than with those motions that set their case purely in the Irish context. (See Trade Union News).

In June, the London Labour Party Conference *unanimously* adopted a motion calling for an immediate review of the case. Also 150 people attended a fringe meeting on the case at the Labour Party Women's Conference. Support for the immediate re-opening of the Six's case is thus likely to be overwhelming. (The leadership would block any motion that took their innocence for granted.)

Merlyn Rees is again in favour of immediately re-opening the case, appearing on the recent *World in Action* programme with Sir John Farr (whose stand on the case continues to put to shame that of some senior Labour politicians).



Delayed justice

AFTER reading Sir John May's report, the Home Secretary had no choice but to refer the Maguire case to appeal. The report sternly criticises the judge, Lord Donaldson, for his summing-up in the original trial for failing to emphasise the unconvincing nature of the forensic evidence. The reopening of the Maguire case, coming as it does shortly after the freeing of the Guildford Four, prompts demands which are well justified for the whole appeals system to be improved.

The fear is that in a trial where the jury wrongly returns a verdict of guilty - perhaps because public hysteria is aroused - an early appeal may merely tend to confirm the original error. For the Court of Appeal presumes that the jury has reached a proper verdict of guilty unless there is proof to the contrary or a glaring deficiency in the summing-up.

Admittedly, as these two cases have demonstrated, the system of English justice has, to its credit, shown itself capable of admitting mistakes and putting them right. Yet wrongful convictions have been corrected only after many years of waiting and campaigning for a retrial. As far as the Maguires are concerned, relief comes after their sentences have been served.

Justice so long delayed is justice denied. How much longer before the reopening of the case of the Birmingham Six?