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 HM Prison LONG LARTIN, Evesham, Worcs. WR11 5TZ.  
 HM Prison PARKHURST, Newport, Isle of Wight, PO30 5NX

#### CAMPAIGN/SUPPORT GROUPS

DUBLIN DANNY McNAMEE SUPPORT GROUP  
 c/o 12 Heytesbury St, Dublin 8.

CROSSMAGLEN DANNY McNAMEE SUPPORT GROUP  
 71 Ardross, Crossmaglen, N. Ireland.

LONDON DANNY McNAMEE SUPPORT GROUP  
 c/o Irish Prisoners Appeal, PO Box 447, London SW9 8BW

MARTIN FORAN DEFENCE CAMPAIGN  
 PO Box 7, 190 Alum Rock Rd, Saltley, Birmingham 8

MARTIN FORAN SUPPORTERS  
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MARTIN FORAN SUPPORT GROUP, Box 2794, Dublin 4.

BRIDGEWATER 4 CAMPAIGN  
 PO Box 2273, Wythall, Birmingham B47 6LU

TOTTENHAM 3 FAMILIES CAMPAIGN  
 247a West Green Road  
 London N15 5ED.

SHEFFIELD TOTTENHAM 3 CAMPAIGN  
 322 School Road, Sheffield S10 1GR.

CARDIFF 3 ACTION COMMITTEE  
 56 Alice St, Butetown, Cardiff.

#### OTHER ORGANISATIONS

CIVIL LIBERTIES TRUST  
 c/o LIBERTY, 21 Tabard St,  
 London SE1 4LA. Tel:071 403 3888

PRISON REFORM TRUST  
 59 Caledonian Road, London N1 9BU.  
 Tel: 071 278 9815

THE CAMPAIGN FOR THE BIRMINGHAM SIX HAS NOW ACHIEVED ITS OBJECTIVES AND HAS DISBANDED. THIS IS THE LAST NEWSLETTER. AFTER THE MAILING THERE WILL BE NO FURTHER USE FOR THE MAILING LIST AND IT WILL BE DESTROYED. MANY THANKS TO ALL OF YOU FOR YOUR MORAL AND FINANCIAL SUPPORT.

CAMPAIGN NEWSLETTER  
 34 BURNGREAVE BANK  
 SHEFFIELD S4 7HL

#### INFORMATION PACK

The PRISON REFORM TRUST have produced a Prisoners' Information Pack which includes a series of information sheets on different aspects of prison life, sympathetically and clearly written. There is also a list of current organisations which help prisoners and their friends and relatives, and a booklet listing all the prisons and remand centres in Britain, giving information on visiting times and transport details. Free to prisoners. £2.50 to everyone else

## NATIONAL BIRMINGHAM SIX CAMPAIGN

# May '91 NEWSLETTER 30p



## THANK-YOU!

*I want to say a big thank-you to all of you who've supported us over the years. Just knowing about the growing campaign kept us going through the bad times - especially after the failure of the '87 appeal.*

*There were so many individuals who wrote to us and sent us cards that we couldn't possibly reply to everyone, but your support was tremendously important to us. As a result we now have our freedom, and shall remain at all times indebted to you.*

*Please let us not forget the others we left behind in prison who also are innocent. The nightmare is over for us, but it still goes on for them.*

Billy Power  
 (on behalf of The Six)

Contents: back page

## The Games DPPs Play

The referral last August of the case of the Birmingham Six to the Court of Appeal officially brought to an end the shameful role played by the Home Office in this scandal: the buck now passed to the DPP's office a few doors down.

Immediately, and from all sides, there were calls on the DPP to do the decent thing and announce that he would not be contesting the Appeal. The case had been referred on the strength of an ESDA test on police notes of an interview with Richard McIlkenny in which Supt. George Reade, the officer in charge, had played a key part. In case the DPP had not grasped this point, a letter from one of the men's solicitors, sent the day after the referral, would have left him in no doubt.

The DPP prevaricated for 4 months before announcing, at the first preliminary hearing in December, that he *would* be contesting the Appeal but could not yet say on what basis. From November he had been taking favoured journalists out to lunch in order to intimate to them that there was still a strong case against the men, but he was less forthcoming with the men's solicitors who spent this period trying to get hold of the material on which they assumed he was mistakenly basing his strong case.

Did he have grounds for believing that the forensic case against the Six was not in shreds after all? Had he been swayed by new flights of fancy cobbled together by Reade and the other discredited officers for the benefit of the Devon and Cornwall inquiry? If so, the solicitors needed to see both the forensic reports they knew the Home Office had commissioned and, crucially, the records of the detailed interviews they presumed the Devon and Cornwall inquiry had conducted with Reade and Co.

After November, when the DPP finally released the Home Office forensic report, which he'd had in his possession since September and which stated categorically that there was no forensic case against the Six, the main concern of the lawyers was to get their hands on the records of the police interviews. These were the subject of numerous letters passing between the lawyers and the DPP's office. By the time of the 2nd preliminary hearing on February 7th (when the dropping of the forensic case was officially announced) even the Judges began to see that, with only 12 working days to go before the Appeal was due to

start, the men's lawyers were justified in their alarm: not only was the DPP not disclosing vital information, but he was still prevaricating over the basis on which he was to contest the Appeal.

It was not until the 3rd preliminary hearing on February 18th that the reasons for this lack of disclosure became apparent. For all this time *there had been no detailed interviews in the DPP's possession*. The Emperor had no clothes. That very week-end Reade had been interviewed in Australia and the transcripts of that interview had only just reached the DPP. Yes, he would disclose the contents to the men's lawyers. A week later it was announced that the DPP would not after all be contesting the men's Appeal.

So as well as the question of what 45 officers from the Devon and Cornwall police had been doing for nearly a year (at £100,000/month), apart from conducting ESDA tests, why had the DPP been pretending for 6 months that he had grounds for contesting the Appeal when he hadn't - 6 months of anxiety and tension for the men, for their families, for the solicitors and for all those campaigning on the men's behalf?

People take refuge in games when they can't cope with reality. The DPP knew that the outcome of the Appeal had to be the release of the Six, but he couldn't face it. The favourite game in the DPP's box of tricks, as in that of the Home Office, is delay. Its cynical use in this case was unforgivable. He deliberately used it as a wholly illegitimate prosecution strategy to see if evidence supporting his arbitrary decision to contest the Appeal would "turn up" if he waited long enough. He probably did not intend to use it as an instrument of torture, but that was its effect.

The trouble with these games is that defence solicitors are always at a disadvantage because they, unlike the prosecution, have to do things by the book. If they don't, the DPP can penalise them by prolonging the legal process - and therefore their clients imprisonment - indefinitely. In this case, fortunately, public and international pressure redressed the balance of power. If it hadn't, the lawyers could still be waiting for the DPP to make up his mind, and Graham Boal QC could even now be telling the nth preliminary hearing that "the totality of the interviews are not yet available".

## Boal Games

*Somebody should have told Graham Boal QC that once the DPP throws in the towel the game is over. For he seemed determined to pick up where Igor Judge QC had left off in 1987, and then to spin it out as long as possible.*

*Prior to the appeal, the men's lawyers had made a tactical decision to present only "non-contentious evidence", ie evidence that was accepted by both sides, in order to ensure their clients' speedy release. This was why no new evidence was presented to the Court - just the same old evidence but looked at in a different way.*

*But Graham Boal had no such scruples: as well as resurrecting the so-called circumstantial evidence in his*

## THE JUDGEMENT

Court of Appeal judgements are curious affairs. The Lord Justices read out their reasons for allowing or rejecting the appeal, but neither prosecution nor defence are allowed to intervene to ask questions or to correct their Lordships on their often tenuous grasp of the facts.

Almost everyone present on 27th March 1991 was expecting the Lord Justices' primary concern to be the exoneration of themselves and their judicial colleagues from any blame for the men's long incarceration, and so it proved to be.

Their Lordships had the difficult task proving that the judgements of the 1976 appeal (convictions upheld), the 1987 appeal (convictions upheld) and the 1991 appeal (convictions quashed) were all correct. In particular, Lord Lane's judgement in 1988 had ruled out any possibility that the men were beaten while in police custody, so they had to make sure that the 1991 judgement did the same.

Having firmly located their judgement in Alice in Wonderland territory, they then presented a highly selective version of the evidence submitted at the various appeals.

### THE BEATINGS

Of the 1987 evidence of ex-PC Tom Clarke, a witness to the beatings at Queens Road police station: "In 1977, Mr Clarke was dismissed from the police force after being convicted of theft... It is not altogether surprising that the Court of Appeal rejected his evidence as worthless".

No explanation was proffered as to how Tom Clarke could confirm unpublicised details of the men's statements (had he psychic powers?); no mention was made of his vigorous protestations of innocence of the charge laid against him.

Of the 1987 evidence of ex-WPC Joyce Lyness, who returned to the witness box to correct her earlier vague and sanitised evidence of the men's treatment: "When asked why she had changed her evidence she replied that the main reason was that she had seen a programme on television about bullying in the army."

The facts are that Joyce Lyness returned to explain that, prior to the appeal, she had received threats to herself and her children from West Midlands police officers. This was why she had not told the truth when she first gave evidence. After an agonised week-end, when *coincidentally* she had seen a TV programme about bullying in the army in which the "whistle-blowers" had similarly been subjected to threats, she decided she too must tell the truth. For what other reason would someone voluntarily admit to perjury?

*closing submissions, he had the nerve to claim that because no new evidence had been presented about police brutality, then the men must have lied about their treatment at the hands of the police. Yet, as he well knew, considerable new evidence pointing to police brutality had been in the dossier presented to the Home Office in December 89 - sufficient to persuade the Home Secretary to institute the very police inquiry to which all parties in court had been paying such fulsome tribute.*

*Boal's performance was all the more offensive because it was so transparently obsequious to the judges. Igor Judge had joined their ranks shortly after the 87/88 appeal. Perhaps Boal needed telling that the job of prosecution counsel in the case of the Birmingham Six is not the sure path to promotion it used to be.*

### THE FORENSIC EVIDENCE

Of the Greiss test: "The (1987) Court of Appeal held that, as there was so much doubt as to his procedures... they could not safely regard (Skuse's) tests as being specific for nitroglycerine. The Court of Appeal was, if we may say so, plainly right."

Well yes, your Lordships, you "may say so", but what about Lord Lane's absurd conclusion that the GCMS result on Paddy Hill's left hand was "fatal" to all the appellants? The 1991 court's comment that "Science... has moved on in 16 years" doesn't exactly address that question.

### THE ESDA TESTS

With almost palpable relief, their Lordships turned to the reason for the Home Secretary's referral of the case: "Nobody has been able to think of an honest explanation for the result of the ESDA test of the first McIlkenny interview. At best the officers were lying..."

They did not mention that ESDA has existed since the late 70s, nor ask why Devon & Cornwall failed to apply it during their previous "investigation" in 1986/87.

### THE READE SCHEDULE

The 1987 Court of Appeal declared itself baffled as to the purpose of Reade's schedule of "interviews" with the men, having rejected the only plausible explanation, ie that it was a draft police perjury plan.

Now it grudgingly accepted that the crossing out of the Hill interview is "difficult to explain" and that "on the evidence now before us, Supt Reade deceived the court." But their Lordships would not "go further than that without having heard Supt. Reade". They showed no such compunction when they re-accused Tom Clarke and Joyce Lyness of having given perjured evidence in 1987.

### THE ROLE OF THE COURT OF APPEAL

The judgement then launched into a lengthy defence of the Court of Appeal itself. Incredibly they attempted to pin part of the blame for previous judgements on the inadequacy of the defence lawyers: at the 76 Appeal "virtually the only issue before the court was the fairness of the summing up"; at the 87 Appeal "nobody suggested... that Dr Skuse's results could have been due to... contamination from... soap"

"Nobody knew that Dr Drayton would modify her view... Nobody knew that the 'contemporaneous' notes... were written on four pads..." and so it went on.

[continued on page 12]

## THE POLICE AND THE SIX

Sixteen officers were primarily responsible for the interrogation of the men. Fourteen of these were named in court by Michael Mansfield QC as being either liars or "unreliable witnesses". True to form, the Judges' summary mentioned only four as having lied to the Court. They are Reade, Morris, Woodwiss and Langford. All have now left the force - Langford retired late last year.

Seven officers involved in the Birmingham 6 case are still serving in the West Mids police. They are: DCI Ray Bennett, DC John Brand, DSupt Richard Bryant - accused of perjury by Michael Mansfield; DCI Watson and DCI Millichamp - accused of being unreliable witnesses; and DC Bell and DS Higgins - who were members of the disbanded Serious Crimes Squad but who, along with DCI Bennett, have now been reinstated. Another Squad officer accused of perjury, DS Michael Hornby, retired on medical grounds late last year.

The other "unreliable witnesses" mentioned by Mansfield were DI John Moore, Kelly, Sutcliffe and French. All these have also now retired - Kelly in the last year.

Hornby has been involved in several cases which have collapsed or been successfully appealed against, primarily because of the discrediting of his evidence.

The Devon & Cornwall police inquiry is expected to be completed soon. Chief Constable John Evans will pass reports on the officers involved to the DPP to see if there are grounds for criminal prosecutions. He has already stated that he has found no evidence of police brutality and has no plans to interview any of the six men about their experiences in police custody.

The Chief Constable of the West Midlands police, Ron Hadfield, has said that, as yet, there is no evidence against the seven serving officers and there are therefore no grounds to suspend them pending possible criminal or disciplinary proceedings. He also refuses to apologise, on behalf of his force, either to the Birmingham Six or to the victims of the bombings whose painful memories will continue to be kept alive as long as this scandal drags on.

Meanwhile, senior policemen and judiciary seem to expect the world to swallow the rather unlikely story that four of the men signed statements - now accepted to have been a pack of lies from start to finish - entirely of their own volition.

### TRUE STORIES FROM THE WEST MIDLANDS POLICE [NO.3]

Following the release of the Birmingham Six, the West Midlands Police HQ, Lloyd House, was put on high security alert. All parking round the building was banned. So while milkman Mr Kevin Ferris was inside, attempting to persuade West Midlands police officers to pay their milk bill, other security-conscious officers were outside preparing to tow away Mr Ferris' milk float.

Mr Ferris raced out of the building just in time to prevent it disappearing, but earned himself a parking ticket anyway. "I just came around to get my money", he protested, "They owe me 150 - I haven't been paid in three weeks".

A spokesman for Birmingham Dairies told the Birmingham Post that Mr Ferris can be at Lloyd House for up to an hour and a half collecting his money, because he has to go to each department and "some departments are 4 quicker at paying than others."

## It's a great feeling...

Thursday March 14th brought to an end an episode in the lives of all who campaigned to set right the injustice done to the men known as the Birmingham Six.

Over the years people came into the Campaign at many levels. There were those who offered goodwill and encouragement, those who were financially supportive and those who provided various resources to the Campaign. Then there were those who were active, who collectivised all the effort and directed it in such a way as to make it effective at the level of government, church, media, trade unions, human rights agencies and other relevant networks both nationally and worldwide. This effort was demanding and many people made tremendous sacrifices mentally, emotionally and materially, never seeking any personal credit or publicity. The purpose at all times was to give support to the relatives and the men in their search for justice.

The appearance of the six men outside the Old Bailey on a sunny spring afternoon made it all worthwhile. Hughie Callaghan summed it up for all of us when he said outside the court: "It is a great feeling to have people believe in you again."

SINCERE THANKS TO ALL WHO IN ANY WAY  
ASSOCIATED WITH THE CAMPAIGN.

Fr. Bobby Gilmore, National Campaign Chair

\*\*\* Campaign Celebrations! \*\*\*

### GLASGOW BIRMINGHAM 6 CAMPAIGN

CEILI

4 Provinces Ceili Band

Clachnacudden

at GOVAN TOWN HALL

June 21st 1991 8.00 till late

Tickets 4.00 from Glasgow Campaign

### NORTHWEST BIRMINGHAM 6 CAMPAIGN

PADDY & THE WILD COUNTRY

at St. Brendans Irish Centre

City Rd, Old Trafford, Manchester

May 23rd 1991 8.00-12.00

Tickets: 2.50 at door or

1.00 in advance from NW Campaign.

## The fight must go on.

The Campaign to free the Birmingham Six has achieved its objectives and will now disband. The Six were eventually freed because of public pressure at home and, vitally, pressure from abroad. The men's 87/88 Appeal failed despite the efforts of pioneering TV documentary-makers, a few brave (or defiant) public figures here and abroad and a handful of Church leaders and MPs who had lined up behind the men, their families and their indefatigable solicitors. But the Campaign refused to go away and its steady growth, nationally and internationally, finally brought about the men's release over three years later.

To fight the Campaign we all needed detailed knowledge of the case (the publication of Chris Mullin's "Error of Judgement" was of crucial importance) and we had to maintain public and media interest by making that knowledge freely available. Personal details of the men themselves, and many of their relatives, became public property. Family members and Campaigners devoted every minute of their spare time to the Campaign. The money to finance the campaign had to be raised and, in the final stages, we had to rely upon the generosity of a large number of individuals and organisations just to keep going.

Other Campaigns have had to follow the same exhausting path and are finally beginning to snowball. Now is the time to bring pressure to bear on behalf of the TOTTENHAM 3, the BRIDGEWATER 4 and MARTIN FORAN (see pages 6-7). The last of the 74/75 "political" cases, JUDITH WARD, may now respond to pressure (page 10). The MAGUIRES Appeal Hearing is due to start as we send out this newsletter (page 10).

But what of the continuing injustices suffered by the Irish Community in Britain, let alone the North of Ireland, as a direct result of British policy in Northern Ireland? More cases, bearing a striking similarity to the case of the Birmingham Six, are being created all the time. Those of DANNY MCNAMEE and PATRICK McLAUGHLIN are described on page 11. Both are palpably innocent and both are a long, long way from being released. The operation of the Prevention of

Terrorism Act continues unabated against the Irish community in Britain (see page 12); the particular problems faced by Irish prisoners and their families continue to give cause for concern to those who are aware of them (page 13).

And what of the hundreds of other people in British jails who are victims of injustice, but who have no campaigns behind them? We only have the space to briefly mention a tiny proportion of these. Those that we do are mainly from the West Midlands, and their cases have only come to light because of the cavalier way that the West Midlands Crime Squad fitted up their victims (see pages 13-14). There are many, many other innocent prisoners with far less chance of getting their cases re-opened. The Six since their release have mentioned at least a dozen they know personally. Small organisations such as "Conviction" have begun the useful work of documenting these cases and supporting such prisoners (page 15), and occasionally a case reaches the television screens (eg The Cardiff 3 - page 15), but we must remember that over 5 years elapsed between the first *World In Action* programme and the release of the Birmingham Six.

Even if it were possible for campaign groups to be formed for every one of these cases (and sheer force of numbers makes that impossible), those groups would then have to compete with each other nationally and internationally for media attention, for supporters, for resources, in order to attract flagging public interest. All to bring pressure to bear on a complacent Home Office, which at present shows no sign of wanting to change its ways.

The alternative for these people is to rot in jail while they wait for the lucky legal break which will enable their cases to be re-opened (depending on the quality of their lawyers). One other alternative remains: that is to unite to change the system. An initiative by "Liberty" (formerly the National Council of Civil Liberties) is outlined below. For many of the imprisoned innocent, the success of this Campaign may be their only hope.

## New Campaign for Justice:

LIBERTY is set to launch a major campaign highlighting the principle flaws in the criminal justice system, and calling for basic reforms to be instituted now.

The objectives of the campaign are:

1. to raise awareness of the number of unsafe and unsatisfactory convictions which result in prison sentences for innocent people
2. to achieve an immediate review of all those cases where serious doubts about the conviction have already been expressed
3. to put pressure on the Home Secretary to remedy some of the worst flaws in the system now, rather than wait

at least 2 years for the Royal Commission to report.

Posters and leaflets will be produced and it is hoped that a petition can be widely circulated.

The Criminal Justice Campaign will be looking for support from Parliament, from the Trade Unions and the Churches, and from all other organisations and individuals campaigning on justice issues.

If you or your organisation want to get involved in the Campaign, or would like more information, please contact:  
LIBERTY, 21 Tabard St, London SE1 4LA.  
Tel: 071 403 3888.

### TOTTENHAM 3

On March 19th 1987, Mark Braithwaite, Winston Silcott and Engin Raghıp were all convicted and sentenced to life imprisonment. They had been found guilty of having taken part in the murder of PC Keith Blakelock during civil disturbances in Tottenham in 1985.

The only evidence against them were their own uncorroborated - and in one case unsigned - statements, made after days in custody and without the benefit of legal advice.

These so-called "confessions" were ambiguous, confused and self-contradictory. They were the flimsiest possible basis for conviction following a trial which was the subject of prejudicial, racist and almost hysterical reporting by sections of the media.

The three men were all refused leave to appeal by Lord Chief Justice Lane, in December 1988.

WINSTON SILCOTT was the first of the three to be arrested, on October 12th 1985. He was held incommunicado in Paddington Green police station and interrogated by the officer in charge of the investigation, Det Chief Supt Graham Melvin.

It was already clear that police believed Winston to have been centrally involved in the disturbances, and his name had been put repeatedly to many of those arrested, in particular to a number of extremely vulnerable juveniles. These children, some of whom attended the Moselle special school on the estate for pupils with learning difficulties, were interrogated until they were broken down and crying.

Several eventually caved in to police suggestions and named Winston as having been involved in the killing. Two also incriminated themselves and were charged. They were acquitted after the judge threw out their statements, in one case describing them as "fantasy."

The allegations assented to by these children were put repeatedly to Winston, who denied them. In one interview, Melvin alleged that Winston said to him: "You ain't got no evidence, those kids will never go to court... You can't keep me away from them."

Winston refused to sign the record of that interview, denying that he had ever responded like that. In court, his defence chose not to challenge Melvin's account of the interview, since this would have exposed Winston's previous convictions to the jury. Instead they argued that these few words ought not to be construed as any admission of guilt.

ENGIN RAGHIP, an illiterate with an IQ of 73, was arrested in October 1985. He was held for 5 days without any access to a solicitor, despite a magistrate's ruling that he must be allowed legal advice. He initially admitted that he had gone to the disturbances out of curiosity, but that he had left long before the time of Blakelock's killing.

Under police pressure, he later assented to their suggestions that he had been in the crowd surrounding Blakelock's body, carrying a broomhandle. He continued to deny any intention to kill or injure Blakelock.

Engin was charged with affray and released on bail. Over six weeks later, he was re-arrested and charged with murder, under the "joint enterprise" theory, ie that he shared a common purpose with those that had killed Blakelock.

MARK BRAITHWAITE, who suffers from claustrophobia, was arrested in January 1986 and held for 2 days incommunicado. He initially denied any involvement in the disturbances, but as his continued confinement took its toll, he requested a series of interviews with police officers.

The statements he made during these interviews amounted to an admission that he had been present at the attack on PC Blakelock's serial, and that he had struck an officer on the side and the leg with an iron bar.

Despite the fact that the description of the officer that he gave did not fit Blakelock, and that there were no wounds on the body corresponding to the blows that Mark said he had struck, these statements were taken as an admission to murder.

#### NEW EVIDENCE:

1. Since his trial, Engin Raghıp has been examined by a leading psychologist, who has determined that his IQ is borderline "sub-normal" and that he is abnormally suggestible and compliant when faced with authority figures.

2. The man who initially gave Mark Braithwaite's name to the police has now admitted that he did so because the police wanted names, and Mark was someone that he did not know. The statement in which he named Mark contains so many inaccuracies that it is almost certain that Mark was not present at the attack.

3. A top psychologist examined Mark in 1990 for the BBC TV documentary *Beyond Reasonable Doubt?* and confirmed that he suffers from claustrophobia.

4. The custody record of Mark's detention, recently obtained by his lawyers, show that he did indeed complain of claustrophobia, and requested interviews with the police while suffering its effects.

RECENT DEVELOPMENTS: In December 1990, the Home Secretary referred the case of Engin Raghıp back to the Court of Appeal. The same month, new evidence relating to the case of Mark Braithwaite was submitted to the Home Office, who are considering it.

THE CAMPAIGN: The Tottenham 3 Families Campaign (address on back page) meets monthly in London. Support groups currently exist in Sheffield and Manchester.

### BRIDGEWATER 4

MICHAEL HICKEY (Ashworth North Hospital, Maghull, L31 1HW)  
JIM ROBINSON (Gartree Prison); VINCENT HICKEY (Long Lartin)  
(The fourth man, PAT MOLLOY, died in prison in 1981.)

On 19th September 1978, Carl Bridgewater, a newspaper boy, was delivering papers to Yew Tree Farm in Staffordshire. He interrupted a burglary and was shot. This caused nationwide outrage and revulsion. Three months passed and the police had still not charged anyone. Meanwhile public pressure for them to do so was mounting.

At this point Vincent Hickey voluntarily walked into a police station and pretended that he had knowledge of the Bridgewater case in order to bargain for immunity for himself on another matter.

On the basis of this false information, the police then arrested Pat Molloy and beat a confession out of him, which implicated himself and named the three other men as having done the actual murder. Seven days later, when Pat Molloy gained access to a solicitor, he told him that the confession was false, and described how he had been terrorised into signing it. He also wrote several anguished

### CONTINUED FROM PAGE 6

letters from prison, before he died, confirming his story and proclaiming the innocence of all four men.

At the trial in 1979, the police produced no forensic evidence, no fingerprints, no identification evidence, no murder weapon and no stolen property linking the men to the scene of the crime. Instead they relied on the confession, "circumstantial" evidence, and a series of dubious prosecution witnesses who lied under oath. For tactical reasons, Pat Molloy's solicitors had advised him not to deny his confession and not to give evidence in court.

All four men pleaded not guilty, but because Molloy did not go in the witness stand, lawyers for the other three men could not challenge the damaging confession statement in front of the jury. Pat Molloy was found guilty of manslaughter and got 12 years. The others were found guilty of murder: Vincent Hickey and Jim Robinson received 25 years (minimum) and Michael Hickey, who was 17 at the time of the trial, was detained indefinitely.

In December 1981 Lord Lane refused an application for leave to appeal. Three police inquiries then followed, the results of which were kept secret, and at the end of each the Home Office announced that there was to be no further action on the case.

On the basis of fresh evidence, the Home Secretary referred the case back to the Appeal Court in October 1987. The Appeal took place November 88/January 89, lasting over 8 weeks. One of the Judges, Lord Russell (see February newsletter), made it clear that he would accept no criticism of the police.

The Appeal Court accepted that the prosecution's evidence was tainted, and their case weakened by the use of unreliable witnesses. But new witnesses supporting the men's alibis were disbelieved and a witness who came forward to say that her evidence at the original trial was mistaken was dismissed as irrelevant. It came as no surprise when the appeal was dismissed.

A subsequent application to appeal to the House of Lords was refused in August 1989. That same month, the West Midlands Serious Crimes Squad was disbanded. At least six of the officers who interrogated the men were members of the squad. The officer who obtained Pat Molloy's confession, DC John Perkins, has been disciplined twice for falsifying evidence and gaining false confessions.

New evidence is shortly to be presented to the Home Secretary, mainly concerning the "confession" of Pat Molloy. This was said by the police to have been taken contemporaneously, yet four language experts have independently come to the conclusion that Pat Molloy could not possibly be the author of the confession statement. Their reports will form part of the submission to the Home Office.

Another crucial element in the prosecution case was the evidence of another prisoner, Tex Ritter, who claimed at the original trial that he had overheard Jim Robinson admit the crime while in prison. Despite two psychologists' reports that Ritter is a pathological liar, the Appeal Court Judges decided that he had told the truth that

particular day. A retired prison officer has since come forward to allege that Ritter has openly admitted his role in the case, and that the privileges he enjoys in prison are directly connected to that role. This information is also included in the submission to the Home Office.

However, whatever the strength of the new evidence, it is obvious that in this case extreme public pressure needs to be brought to bear on the Home Office. Contact the Campaign for more information (address on back page). For a detailed history of the case read "Murder at the Farm" by Paul Foot (Penguin).

### MARTIN FORAN

Martin Foran has been imprisoned twice on Serious Crimes Squad evidence. The first time was for robbery, for which he got ten years in 1978. The only evidence against him was an "oral confession". He did not fit any of the descriptions given of the robbers, and one of the victims has always maintained that Martin is innocent - and testified to that effect at Martin's unsuccessful appeal in 1980. The Judges ruled that the confession still stood.

While in prison he went on hunger strike to protest his innocence, which led to various medical problems which were left untreated until 1983, when he had an operation which was only partly successful.

He was released in February 1984 and continued his campaign to clear his name. He was constantly harrassed by the West Midlands police until September 1984, when he was arrested and charged with armed robbery. DI Paul Matthews was the main police witness (see newsletters passim); he testified that Martin made a verbal admission. Again, he did not fit the description of any of the robbers who, according to the victim, were young, black and with local accents. (Martin is Irish with a strong Limerick accent and was in his forties at the time). He was found guilty and sentenced to 8 years in May 1985. The West Yorkshire police have investigated this case and cannot understand how he was convicted at all.

While on remand, in early 85, Martin's health got worse and 3 separate appointments were made for him to be examined by visiting doctors. But on each occasion he was transferred to another prison just before the appointment. On the third occasion, in desperation, he took a prison officer hostage. For this, a further 6 years was added to his sentence.

Finally, in June 1986, he was given a colostomy operation. 4 weeks later he was assaulted by prison officers who ripped out the colostomy and stamped on the wound. (He later sued and in December 88 received 750.00 in compensation.) The operation itself was bungled and continues to cause Martin severe pain, distress and embarrassment. Martin has gone on to develop cancer in one eye and last year suffered a heart attack.

West Yorkshire officers began investigating his complaints against the Squad in October 89, but his case is still no nearer being re-opened. He has completed the 1985 sentence, but is now serving the 6 years for the hostage-taking incident. An application for parole for this sentence, on compassionate grounds, has just been rejected by the Home Office. They gave no reason.

Martin Foran is in Frankland Prison. See back page for full prison address and addresses of support groups.



◀ Breda Power catches up with Billy Power (left) and Johnny Walker, as they're driven from the Old Bailey.

Paddy Hill and Billy Power. ▶

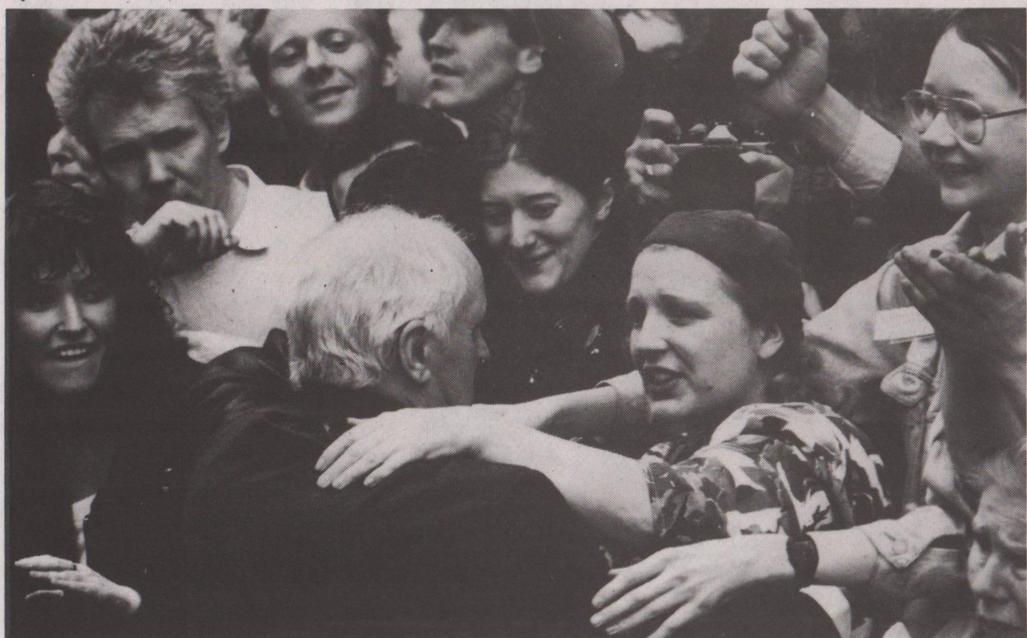


▼  
L to R: John Walker, Paddy Hill, Hugh Callaghan, Chris Mullin MP, Richard McIlkenny, Gerry Hunter, Billy Power. Behind: Fr. Joe Taaffe, Kate McIlkenny, Theresa Walker, Maggie McIlkenny, Paddy McIlkenny.

▶ Gerry Hunter with daughter Tracy.  
Photo: John Harris



▶ Hugh Callaghan embraces friends in the crowd.  
Photo: John Harris



## THE MAGUIRES

The case of the Maguire family, and their innocent neighbour Pat O'Neill, is one of the most scandalous and tragic "miscarriages of justice" of all. An entire family was literally ripped apart: children were deprived of both their parents, a 14-year old boy was sent to prison, and the transparently honourable Guiseppe Conlon was allowed to die there. All on evidence which only the most trusting could believe was not a deliberate and cynical fit-up from the very beginning.

It is a measure of the scandal that the family have had to wait so long for justice. Annie Maguire was the last to be released, in 1985, but her efforts to get the family's name cleared saw no result until the release of the Guildford 4, in October 89, when her case was referred back to the Court of Appeal. In June 1990, the DPP announced at the May Inquiry that he would not be seeking to uphold the convictions. It has taken another year for the full Appeal hearing to be heard.

At the recent preliminary hearing, the DPP attempted to have all the grounds for appeal dropped save that relating to the forensic evidence - and he appeared to be intent on

keeping alive the idea that the Maguires had been "innocently contaminated" with nitroglycerine. If indeed there was any contamination with nitroglycerine in this case, the police and the DPP's office know exactly how it happened, and that it was far from "innocent". It will be interesting to see how the authorities attempt to explain this one away.

Among the other grounds of Appeal that the DPP wanted dropped was the contention that both the trial judge (Lord Donaldson) and the Appeal Judge (Lord Justice Roskill) did not give enough weight to the defence case. The DPP's main aim overall seemed to be to exonerate the judges, and the Metropolitan and Surrey police, and to pin the blame on a few incompetent forensic scientists. He also challenged the right of Guiseppe Conlon's family to present a case on his behalf.

Fortunately, none of this nonsense was accepted by the Judges, and all six grounds of appeal will be heard. Leave to appeal was also granted to Guiseppe Conlon's family. The hearing is expected to last for 3 weeks.

## JUDITH WARD

One of the first cases mentioned by Billy Power outside the Old Bailey when he was released was that of Judith Ward, the woman jailed for life for the bombing of a soldiers' coach on the M62 in February 1974. 12 people died in the blast, including a woman and two children.

It was fitting that one of the Birmingham Six should mention Ms Ward, on their release, because hers was one of the first names mentioned to them in Morecambe police station. After Dr Frank Skuse had carried out his now discredited tests on the Six, the West Midlands Police told Paddy Hill "You've got more gelly on you than Judith Ward"

An English woman born in Stockport in 1949 and with no real links with Ireland, Judith Ward had gone there as a teenager to work at a riding school, and by 1972-3 had become interested in Irish politics, hanging around the fringes of Sinn Fein. But Sinn Fein officials were either suspicious of her or did not take her seriously, and would not let her do anything more than sell papers for them.

She had been convicted of the M62 blast just before the Birmingham bombings. The evidence against her had been Greiss tests conducted by Dr Skuse - which were not confirmed by more sophisticated tests - and her own confessions. There was no identification evidence and there were no fingerprints. No arms or explosives were found, no-one else was arrested.

The confessions were rambling and highly suspicious. In the first one she admitted collecting the bomb from a top Sinn Fein official in London and planting it on the coach. But the Sinn Fein man was at home in Ireland at the time of the supposed pick-up and Judith Ward herself was 100 miles away at the time the bomb was planted.

That clearly would not do and the police got her to make several more vaguer statements, which could not so easily be contradicted. But then in the witness box she suddenly

claimed to have been married to a prominent South Armagh IRA man who had been shot dead some months earlier. His family and fiancée, and Judith's friends, all denied the story and there is no record of the ceremony in the church where she claimed it took place.

Crown counsel was reduced to claiming that she was lying in some of her statements, but telling the truth in those which supported the prosecution case. Her own lawyer suggested she was a Walter Mitty-like character who imagined or invented important and exciting roles for herself. During the trial it emerged that she had several times before confessed to involvement in IRA activities, but the authorities had dismissed her as a fantasist.

The IRA categorically denied that she had had anything to do with the M62 bombing or had even been an IRA member. They have maintained so ever since and she has never been regarded as a Republican prisoner.

Now that the forensic tests used on her have been shown to be worthless, the only evidence against Judith Ward is her confessions, but it is now obvious that she was highly suggestible and a "confessor" at the time. No reliance should have been placed on them without substantial corroboration.

Without a family or community network to support her, Ms Ward for years lost hope of challenging her conviction but now she is anxious to fight it and seek an appeal hearing. Despite garbled reports in the press, she is not determined to turn away potential supporters, but for tactical legal reasons she did not want too much public comment on her case in recent months.

She can be contacted at HMP Holloway, Parkhurst Road, London N7, where her number is 994466.

MICHAEL FARRELL

## Patrick McLaughlin

On Friday November 7th 1985, Patrick McLaughlin came to London to look for work, leaving his family behind. He registered for social security, then spent the week-end drinking and socialising in the Kilburn area of London. Late on the Sunday night, he got a lift in a van to a party in a Harlesden flat where he fell asleep for the night.

The next morning an unexploded bomb was discovered outside Chelsea barracks. The bomb was in a holdall, padded with various items including a black plastic bag. In a side pocket were some personal documents which led the police to the flat in Harlesden. After interviewing the people there, police attention focussed on McLaughlin and another Derry man who had been at the party, Peter O'Loughlin.

McLaughlin had stayed in London a further week before returning to Derry. Numerous witnesses later testified that there was nothing suspicious about his behaviour in that time. He was arrested in Derry on December 19th. He and O'Loughlin were charged jointly with conspiracy to cause explosions. Both proclaimed their innocence.

The van was found at the end of December and discovered to contain traces of explosives and various articles belonging to McLaughlin, including a *Puzzler* magazine on which he had written his name and address.

O'Loughlin was discharged at the beginning of the trial because there was no evidence against him, but Patrick McLaughlin was sentenced, on November 25th 1986, to life imprisonment. The jury had difficulty reaching a decision and eventually returned a 10-2 verdict after the judge ordered them to get a move on.

The prosecution case centred on 3 points: his fingerprint on the black plastic bag in the bomb package; newspapers and the *Puzzler* magazine found in the van; and a conversation with a police officer, DI Glass, who alleged that McLaughlin said he'd been aware that "a couple of people [at the party] had been up all night making the bomb." McLaughlin adamantly denies this, although he doesn't dispute the rest of the interview.

At the trial, Glass admitted that he could not recall asking McLaughlin who had been up all night making the bomb, nor could his colleague - present at the interview recall the incriminating words being said.

The fingerprint was on the inside of the plastic bag, and traces of explosive were found on the outside of the bag. The prosecution scientist said that the explosive traces could have got onto the bag just by having been stuffed into the holdall with the bomb. But the judge, in his summing-up, called the bag a "wrapper" for the explosives.

McLaughlin's appeal was heard in February 1988. The grounds were that the trial judge had misconstrued the scientific evidence, misdirected the jury, and had put that jury under undue pressure. The Appeal Court judges were as usual unwilling to look at the conduct of the trial and upheld both the conviction and the sentence.

### INFORMATION:

Article in *New Statesman* 10.6.88 by Bob Woffinden.  
Irish Commission for Prisoners Overseas (address page 13)

## Danny McNamee

Gilbert "Danny" McNamee, a physics graduate from Queens University, Belfast, was convicted in 1987 of conspiring to cause explosions, and sentenced to 25 years. The sole evidence against him was three fingerprints - two on electrical tape on devices found in arms caches in 1983 and 1984, and one on a Duracell battery found among debris after a controlled explosion of a bomb in London in 1983.

Danny has always maintained his innocence and stated at his trial that, as an employee at the Dundalk electrical firm Kimbles, he had handled thousands of Duracell batteries and had routinely used tape in his work. These could have been picked up by anyone with access to the workshop.

Danny's trial lasted 10 days and during that time the British media persistently referred to it as an "IRA Trial". Danny had told the court that he totally disagreed with the IRA which he held responsible for the deaths of his father, in a pub-bombing, and two elderly cousins - shot as suspected informers. The IRA insist he was not a member. There was no evidence to suggest otherwise.

The conspiracy charge named 3 Irish men already convicted for IRA offences. But because Danny did not even know these men, the charge included the words "and persons unknown"

Another disturbing aspect of the case is that the charge against him was changed *twice*. The first occurred 10 days before the hearing, when the dates of the conspiracy were changed so that the prosecution could bring in the Hyde Park bombing of 1982; Danny's lawyers asked for an adjournment in order to prepare a proper defence against this additional (highly emotive) charge, and were refused. Then, on the last day of the trial, when all the evidence had been heard, the charge was changed again to include conspiracy *outside* the UK. Legal observers believed this was because the prosecution had not been able to prove that any conspiracy had occurred *within* the UK - the original charge. Of course there was no evidence presented at all to support this further charge.

In his summing-up, Justice McGowan devoted 5 times longer to the prosecution's case than he gave to the defence.

Danny sought leave to appeal on the basis that the trial was unfair, and the judge biased. This was heard by Lord Lane in January this year. There was also new evidence from a fingerprint "expert" to suggest that even the fingerprint evidence was inconclusive. Unfortunately this man changed his mind during the hearing. This probably made no difference to the result as Lane was already infuriated by the criticism of the trial judge. He refused leave to appeal, and also leave to appeal to the House of Lords.

Danny's lawyers are now considering taking the case to the European court of Human Rights, on the grounds that a defendant is entitled to know all the charges against him and should be given time to prepare a proper defence.

Danny McNamee is in Parkhurst Prison (address back page)  
Support groups: Back Page.

## INJUSTICE and the PTA

### "Detainee may sue London Police"

London police may be sued for wrongful imprisonment by a Tyrone woman released last week after five months on remand in "shocking" conditions.

Siobhan McKane, aged 26, is seeking legal advice, complaining that she should never have been arrested and that police badly treated her in custody. Police threatened to take away her young son, she alleges, if she refused to cooperate.

The Irishwoman was freed by Thames Magistrates' Court last week after the Crown Prosecution Services said it was not pursuing the case against her because of lack of evidence. She had been charged with her husband, William McKane, of conspiring to cause explosions on or before November 11 last in London.

Twenty-three-year-old William McKane has been committed in custody for trial, along with Limerickman Nesan Quinlivan, aged 28, and Strabane man Pearse McAuley, charged with conspiring to cause explosions. The latter two were arrested at Stonehenge and face further charges of conspiring to murder Sir Charles Tidbury, the former head of the Whitbread brewing company.

Siobhan McKane and her husband were amongst nine Irish people arrested on November 11 last in Kilburn and Willesden. She told reporters after her release last week that she initially thought she was being mugged. She recalled someone "jumping" on her back and then being dragged into a police van.

#### REFUSED WATER

Detainees were taken to Paddington Green police station for questioning and the

young Irishwoman has complained that she was strip-searched twice within a ten-to fifteen-minute spell, told by a policewoman that she would not see her two-year-old son again and repeatedly questioned over subsequent days, being refused water until she reported the matter to her solicitor.

After being charged, she was transferred to Brixton Prison, where she described conditions as being "shocking".

"I can't even explain what it was like. I wouldn't wish it on anyone. It is not a place for a woman," she said.

One of only two women held at Brixton, she was strip-searched repeatedly, after exercise, open visits and attending Mass in the prison chapel. Siobhan McKane said she regarded her treatment there as "torture".

She now plans to settle back in Strabane — she was in London on holiday visiting her husband when arrested — and points out that she has not been excluded from Britain under the Prevention of Terrorism Act (PTA).

Of the nine people originally arrested last November, William McKane is the only one still facing a charge of conspiring to cause explosions. Two were released soon after arrest, and five more were excluded from Britain under the PTA. This five included Tommy Brennan and Michael Brennan, brothers of Siobhan McKane.

Paul Hill, the first person to have been held under the PTA, expressed concern some time ago about the nine arrests and the way in which strongly Irish areas such as Kilburn and Willesden are policed.

*Irish Post April 13 '91*

### KILBURN DEFENCE COMMITTEE

This Committee has been set up by local people who have become increasingly concerned about the policing of their area. Its aims are to "defend the civil rights of all Irish people living in Kilburn who have been harassed, arrested or intimidated under the provisions of the PTA." The group is also trying to provide material help for the families of those held. Further details from: Kilburn Defence Committee  
Brent Irish Centre, 76 Salusbury Rd, London NW6.

### FOR INFORMATION/ADVICE ON THE PTA

The West Mids PTA Monitoring Project  
PO Box 817, Camp Hill, Birmingham.  
B11 4AF. Tel: 021 551 0503

*(continued from page 3)*

It's true that Lord Bridge's summing-up was the main issue before the Court in 1976. This was because he had completely ignored or distorted essential ingredients of the defence case - including the discrepancies in the confessions and evidence of the beatings - and also denigrated the defence witnesses. Lord Widgery's review of the evidence in 1976 was even worse.

And it was hardly the defence's fault that the Home Office Forensic Service, looking at the same evidence, reached opposite conclusions in 1990 to those of 1986/87. Nor did the defence have any more control over the thoroughness of the Devon & Cornwall investigation in 1986/87 than it had in 1990/91. Whose fault was that? The court had no answers.

### THE "CIRCUMSTANTIAL EVIDENCE"

As in 1987, their Lordships launched into a lengthy description of the alleged circumstantial evidence against the men. They did not explain their reasons for doing this. The original trial judge had instructed the jury to more-or-less disregard this "evidence".

### REASONS FOR RELEASE

By this stage an observer with no previous knowledge of the case might have wondered why on earth the convictions had been quashed. By way of explanation, their Lordships cited once more the ESDA evidence and then, unbelievably, the numerous implausibilities and inconsistencies in the confessions - which have existed for all to see for the last 16 years, but which the judiciary have only just noticed.

Their conclusion was: "If we put the scientific evidence on one side, the fresh investigation by the Devon and Cornwall constabulary renders the police evidence at the trial so unreliable, that again we would say that the convictions are both unsafe and unsatisfactory. Adding the two together, our conclusion was inevitable. It was for these reasons that we allowed the appeals."

### WHAT ELSE WOULD YOU EXPECT...?

Nowhere in the 73 pages of this judgement is there any sign of remorse. Nor of course is there any mention of the thousands of individuals and organisations, both in Britain and internationally, who refused to accept the manifest injustice perpetrated by the Court of Appeal in 1987/88, and whose efforts over the last three years are the main reason why in 1991 that Court reached the right decision.

Four of the men once known as the Birmingham Six were present to hear this exercise in judicial claptrap. Perhaps the most accurate description of the Court's grudging and graceless judgement was offered by Paddy Hill as he left the Court:

*"What else would you expect from a pig but a grunt?"*

### THANKS

Many thanks to the *Irish Post* for their longstanding and consistently supportive coverage of the campaign to free the Birmingham Six, and for their continuing coverage of civil rights issues as they affect the Irish Community.

The Irish Post, Uxbridge House,  
464 Uxbridge Rd, Hayes, Middx UB4 0SP

## IRISH COMMISSION FOR PRISONERS OVERSEAS

The ICPO was set up in 1985 under the auspices of the Bishops Commission for Emigrants, in response to concern expressed by prisoners and their families. It has offices in Dublin and London. The Dublin office deals with Irish prisoners throughout the world, not just innocent prisoners. For many years the ICPO prioritised the case of the Birmingham Six. It is now concentrating on working for the transfer of Irish prisoners in Britain to Ireland, where they can be nearer their families.

The ICPO estimates that there are about 1200 Irish prisoners overseas, 1000 of which are in Britain. Most of these are from the Republic, and most (about 700) are serving sentences in Britain for "non-political" crimes

The ICPO co-operates with other organisations such as Amnesty International and the Red Cross. Its work includes: providing useful information to prisoners, their families and their friends; representing prisoners interests to the appropriate authorities; organising visits for prisoners, eg via the Irish Chaplaincy Scheme in Britain; co-operating with other religious and non-religious groups to assist prisoners and their families, especially in cases of exceptional hardship.

The ICPO has also published a series of useful leaflets on many prison-related issues, including one on the Prevention of Terrorism Act. For more information write to the ICPO:

57 Parnell Square West, Dublin 1. (Ireland)  
1 Berrymead Gardens, London W3 1AA (Britain)

## COMMITTEE FOR THE TRANSFER OF IRISH PRISONERS

This is a group campaigning on behalf of Northern Irish prisoners who the authorities refuse to transfer to the North of Ireland, where their families live. Although it is Home Office *policy* to place prisoners near their families, regardless of where the crime is committed, it appears to be Home Office *practice* to punish the families of many prisoners (especially "political" prisoners) by condemning them to travel hundreds of miles to visit their relatives. On arrival at the prison they can find that the prisoner has been "ghosted" ie removed to another prison many miles away, without notice to anyone. For families in Northern Ireland, this is especially hard because of the length of the journey. In addition they are subject to the arbitrary injustices of the PTA, under which they can be detained at ports, strip-searched, and threatened with removal of their children and/or exclusion from Britain.

This practice is in contravention of Article 8 of the European Convention on Human rights and it cannot be justified for security or any other reasons. British jails are overcrowded, and Maghaberry Jail in Northern Ireland, reputed to be Europe's most secure prison, is almost empty.

More information from the Committee at:  
PO BOX 303, TOOMBE STREET, BELFAST BT1 1AA.

## INJUSTICE IN THE WEST MIDLANDS

Miscarriage of justice cases have always existed in this country, but they have been largely ignored by the general public. It took the exceptional arrogance and sloppiness of the West Midlands police to bring to public attention the possible extent of the problem. Nearly a hundred cases dating back to 1984 have been examined by the West Yorkshire police inquiry (under the supervision of the Police Complaints Authority), and many believe this to be merely the tip of the iceberg. Other cases, including many from before 1984, have been investigated independently by Birmingham University Law Dept. Their report, unlike that of the Shaw Inquiry, will be published in June, and can be obtained from the Civil Liberties Trust (address on back page).

It is difficult to convey the scale and extent of suffering caused by the Squad's Reign of Terror over the last 20 years (and probably for even longer than that). And for the victims themselves the nightmare is far from over. Only four so far have won their appeals: Keith Parchment, Hassan Khan, John Edwards and Tony Wellington.

The trial of the four officers involved in Keith Parchment's case starts on June 5th. Several appeals have been postponed until after that, including that of Gary Binham (see last newsletter). Binham is also hoping to appeal against another conviction for which he is serving a concurrent sentence.

At least 30 West Midlands officers (including about 20 from the Serious Crimes Squad) can be identified as being involved in known cases where crimes have been committed by the police - not including the case of the Birmingham Six. Some of these have had complaints made against them and, after police inquiries, a few have been disciplined. But all, apart from the four mentioned above, have escaped prosecution (though some are the subject of civil actions taken out by their victims).

All people convicted on Crime Squad evidence since 1984 have been allowed legal aid to seek leave to appeal, but this does not necessarily mean that leave to appeal will be granted. About 18 are presently appealing or seeking leave to appeal, and the delays in bringing these cases back to court are an indication of the reluctance of the authorities to put matters right. The waiting can only take a further toll on the prisoners.

Many more remain in prison with little hope of getting their cases re-opened, as matters stand at present, because they have no concrete "new evidence". It must be remembered that the evidence against many of them consists only of "confessions" and tests such as ESDA cannot be applied to statements that have disappeared or been destroyed, nor can they be applied to verbal "admissions". Evidence of innocence which has already been presented (and disbelieved) at their original trials cannot be used again.

Those who have served their sentences, eg Patrick Smith and Seymour Williams, find it difficult to bring the necessary pressure to bear to get their names cleared. Yet, until they are exonerated, their wrongful convictions will affect their job prospects, not to mention their psychological well-being, for the rest of their lives.

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And there are no signs that the West Midlands police intend to change their ways. They are still picking up innocent people and forcing them to confess to crimes they did not commit. One such person is Paul Ryland, who was charged with a double murder in January this year and was only freed in March when police charged someone else for the same crime, after DNA tests rather belatedly showed that Ryland could not have done it.

We only have space here to mention a handful of prisoners out of the many trying to get their cases re-opened. It's not for us to judge innocence or guilt, but it is obvious that none of these people had a fair trial. Sceptics might say that it is only too easy to make false allegations against a discredited squad. Yet most of these allegations pre-date the Squad's disbandment and it is worth recording here how one Squad victim, Keith Twitchell, responded to such a suggestion in an Observer article:

*The article makes the point that hardened criminals have often made unfounded allegations against*

### Framed by the Squad

**KEITH TWITCHELL** (Long Lartin)

Convicted of manslaughter and armed robbery and sentenced to 20 years in 1982. Confession forced by placing plastic bag over his head. Police attempted to plant forensic evidence (hair) - later dropped because defence proved it to be inconclusive anyway. No independent witnesses, and police identification evidence given at the trial differed from their own description of the robber recorded at the time. Told by solicitor that "Any appeal based on accusations against the police will be slung out by Lane." It was. Complaint in September 1983 led to investigation by Manchester CID; in October 1984 he was told that there was "insufficient evidence to prosecute".

**DEREK TREADAWAY** (Long Lartin)

Sentenced to 15 years for 1982 armed robbery. Confession forced by placing plastic bag over his head, and this time an alert solicitor arranged a medical examination the results of which supported Treadaway's claim, and were accepted by the Court. But evidence of two supergrassesses also accepted, although some of testimony of one shown to be unreliable. Civil action against the police for assault commenced 87, but still not heard in 1990, when police lawyers got the case dismissed on grounds that the delay was prejudicial to the police. Treadaway appealing against that decision.

**ROY MEADS** (C50783, HMP North Sea Camp, Frieston, Boston, Lincs.)

Arrested 1984 and sentenced to 15 years for armed robbery. Confession fabricated by police, who also tried to use evidence of a police informer (rejected by the trial judge). Conviction upheld on appeal on basis of "confession". Case looked into by West Yorks Inquiry, to whom Meads has given the names of 12 officers. Language experts interested in comparing fabricated confession statement with statements to West Yorks Police inquiry, but PCA regulations forbid the latter being made available to him. Geoffrey Robinson MP has taken up his case.

*West Midlands Serious Crimes Squad officers. But there is one argument never publicly used, and that is - does it not seem strange that these hardened criminals, when they fall into the hands of the WNSCS, proceed to make confessions, without which it would be impossible to obtain convictions? Much is made of today's sophisticated professional criminal and yet, in Birmingham, they regularly supply evidence against themselves when, it is claimed, they are pleasantly asked to do so by the WNSCS officers. And then, absurdly, risk the judge's anger by making false accusations of torture and fabricating evidence which are likely to get them longer sentences. Very sophisticated behaviour that. (Letter to B6 Campaign 1988.)*

Finally, our thanks go to all those prisoners who gave support to the Birmingham Six in prison, and who have contributed useful information to the Campaign about the Squad's activities. Many did so long before there was any prospect of this being helpful to themselves: particular thanks to them.

**CHARLES CAMPBELL** (HMP Ashwell, Leics)

Sentenced to 10 years for 1985 West Bromwich robbery. Alleges insertions and alterations made to his statements to police - some external corroboration of this. Dubious identification parade only other evidence. Campbell has long police record and solicitor claims alleged statements uncharacteristically naive. Appeal rejected in 1986. In 1988 documents destroyed after being requested for ESDA. West Yorks inquiry looking into his case.

**VALENTINE COOKE** (HMP Gartree)

Convicted in 1989 for armed robbery and sentenced to 10 years. Sole evidence against him that of a supergrass, proven to be unreliable (and responsible for the convictions of at least 9 others). Alleges he was threatened 2 weeks before his arrest that he would be done for armed robbery if he did not become a police informer. Has made a complaint about this against one officer, and another complaint against 2 officers for conspiring with the supergrass.

**GLEN LEWIS** (HMP Long Lartin)

In 1987 convicted and sentenced to 10 years for armed robbery. Given blank sheets to sign and threatened with hypodermic. Forced into signing away his right to a solicitor. West Yorks inquiry sent case papers to Crown Prosecution Service to consider prosecuting the officers involved. Home Office was approached re re-opening case in 1990, but refused. Now hoping to use linguistic evidence to get case re-opened.

**MICHAEL BROMELL** (HMP Gartree)

Sentenced to 7 years in 1987 for firearms offences. Wrote to West Midlands police claiming his confession had been fabricated. The disappearance of his file during the subsequent investigation led to the disbandment of the Squad. Wrote letter to Irish Post: see opposite page.

[Full prison addresses on Back Page of this newsletter.]

"Innocent prisoners are so isolated. They can protest their innocence for years before anyone will believe them. It's so hard to get through from the inside to the outside."  
*Billy Power*

Letter to Irish Post 10.11.90.

THE WEST Midlands Police Serious Crime Squad was disbanded by Geoffrey Dear in August 1989 and an investigation by the West Yorkshire police was put into operation. As an innocent victim of the Serious Crime Squad, I am very disappointed, to say the least, that the prisoners who were convicted because of its activities are still languishing in prisons throughout the country.

It was my original complaint which led to Geoffrey Dear disbanding the entire Serious Crime Squad and bringing in the West Yorkshire police to investigate serious complaints of alleged malpractice. You would think, therefore, that it would be in the interests of natural justice for the West Yorkshire police to interview me, as it was the disappearance of my files which led to the disbandment of the squad.

When I lodged my original complaint against the squad, I pointed out to Geoffrey Dear that it had come to my attention that files and records were going missing, and I asked him to ensure that this did not happen to any of my files. You can imagine my horror therefore when my prosecution files did go missing and I still find myself languishing in prison, when I know that my files would have exposed the fabrication of evidence which formed the prosecution case against me. It was only after I received a visit from Superintendent Fancott of the West Midlands Police, who assured me, in the presence of my solicitor, that if there was no justified reason for DC Woodley going to my files, "then it would be further evidence against him".

As a result of the investigation conducted by Superintendent Fancott, his recommendations were forwarded to the Police Complaints Authority, who forwarded their papers to the Crown Prosecution Service, who found that there was insufficient evidence to bring criminal charges against the six officers named in my complaint.

It must now be asked, if there was no malpractice and no fabrication of evidence, why did my files disappear? If DC Woodley was

under investigation with regard to my complaint, why was he allowed access to my case files, two weeks after the original complaint was lodged naming him? Why didn't Geoffrey Dear heed my warning and ensure the safety of my documents? Why haven't I been contacted by the West Yorkshire police?

It would be surprising, to say the least, if we were provided with adequate or truthful answers to these questions, when you critically examine not only the operation of the Serious Crime Squad in the West Midlands but police forces up and down the country that have fabricated evidence to convict innocent people - the Guildford Four, the Maguire family and countless others. Whilst it is recognised publicly and privately that there have been serious miscarriages of justice, it does not provide any comfort to an innocent person like myself that the exposure of such miscarriages of justice is now coming into public view.

How does an innocent victim like myself achieve justice, when I have no political, religious or financial backing to expose the corruption of the West Midlands Serious Crime Squad? There have been proposals from the Labour Party and dignitaries like Ludovic Kennedy and Lords Devlin and Scarman for a fresh look at the whole criminal justice system. This is indeed a welcome development, but the problem of police enquiring into police malpractice or corruption will remain.

How can we expect the police to investigate with impartiality alleged malpractices when they have a vested interest in presenting themselves as protectors of the public and not transgressors of the rule of law?

Who are the police accountable to? They are certainly not accountable to the public or any elected body. They are now a law unto themselves. It is the duty of everyone who believes in the rule of law and who believes in justice to support the creation of an independent body which will investigate alleged miscarriages of justice and not just the ones with political overtones, like the Birmingham Six, the Guildford Four and the Maguire family.

Under the rule of law we are all supposed to be equal. I demand and expect the same treatment as any other individual who believes he/she was wrongly convicted. I demand and expect as an Irish citizen the help and assistance given to other Irishmen by the Embassy and not to have my pleas for help ignored, as has been the case to date. I appeal to all who believe in justice to support me in my right to prove my innocence.

MICHAEL BROMELL  
H. M. P. Gartree,  
Market Harborough,  
Leicestershire LE16 7RP.

### LAST ORDERS

Irish Times Appeal Coverage: 3.00 inc p&p  
Text of Judgement (70 pages): 5.00 inc p&p  
From A.Richards, Bham TUC, 8 Milk St, B5 5TS

Other Campaign information etc has been placed in Birmingham TURC Library.  
Tel: 021 236 8323 if you want access.  
(Ask for Sue Davis or Anita Richards)

CONVICTION

PO BOX 522, SHEFFIELD S1 3FF.

"Conviction" was set up 18 months ago by two individuals from Martin Foran's Campaign who became aware of the need for support work for the many other prisoners who have been wrongly convicted. It brought out three newsletters in 1990 and another is due out shortly. The newsletters give detailed accounts of miscarriages of justice cases sent in by prisoners, by their families and by campaign groups, where they exist. The newsletters are free to prisoners and to unwaged people, but others who can afford it are asked to make a donation as the organisation is run on a shoestring.

"Conviction" prioritises victims of injustice in English prisons who would be largely forgotten otherwise and who, its members feel, have been targetted by a corrupt police force and an elitist legal system to carry the can for unpleasant crimes which would otherwise remain "unsolved". These are the poor, people belonging to ethnic minorities, people from the "rough end of town", people with police records already (usually for petty crimes), people with "minority" political beliefs, or people who are simply vulnerable, for any number of reasons.

"Conviction" doesn't have the resources to co-ordinate individual campaigns, but it encourages its supporters to adopt individual cases and, in particular, to write to the prisoner(s) concerned. This is seen as very important, both to support the prisoner and to bring home to the authorities that people on the outside are taking an interest in the case. "Conviction" are also interested in other prison issues and some of its subscribers are prisoners who are not fighting their sentences.

*We want to build on our belief that the struggle for human rights begins at home and must develop now... We might not live up to everybody's high ideals and certainly we don't have a sophisticated political analysis to baffle people with, but interest in our activity is slowly increasing.*

from "Conviction" Newsletter

Back-copies of the newsletter and a full list of Conviction prisoners is available from the above address (send sae). If you want to get on the mailing list, enclose minimum subscription of 2.00 (if waged). Donations very welcome.

### THE CARDIFF THREE

TONY PARRIS, STEVE MILLER, YUSEF ABDULLAH.  
Convicted in 1990 of the brutal murder of a Cardiff prostitute, Lynette White, in 1988. Description circulated at the time of the murder (white man covered in blood seen near the scene of the crime) did not fit the men, who were all black. Prosecution case and witnesses full of contradictions. Part of the case was the "confession" of one of the three - Lynette's boyfriend, who had low IQ and was very vulnerable. Confession gave no information about weapon. No forensic evidence linking the men to the murder - no blood on clothes etc. All three had alibis, supported. One of the men's barristers described trial as a travesty of justice. Lawyers currently preparing appeal. Case featured on "Black Eye" Channel 4.

Campaign Address on Back Page