

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

## GOVERNMENT - WAKE UP! ...AND SMELL WHAT'S AROUND THE ROOTS OF YOUR ROSES!

It's time that our Government recognised that people who are falsely accused and wrongly convicted are *victims of crime* – and more than time for the Government to clamp down on *these crimes* and the causes of them. The primary causes of these crimes are greed for easily-gained compensation, and the adversarial system - particularly in the Family Courts - in which these crimes flourish. Compensation, access and custody disputes, and simple spiteful revenge are the major breeding-grounds for false accusations. But, in the Government's eyes .....

ACCUSATION EQUALS GUILT! Our 'leaders' *must* stop making statements like "the rights of *suspects* must not outweigh those of the *law-abiding majority*" [Tony Blair – 23<sup>rd</sup> June 2006], and "the rights of *defendants* have to be balanced against the rights of *victims*." There's a clear assumption here that accuser equals victim, defendant equals perpetrator, and a suspect, by definition, is not a member of the law-abiding majority. If members of the Government, making public statements in which they are striving to be 'politically-correct', continually, *and without even noticing themselves doing it*, make these automatic presumptions of guilt, it's time they recognised that juries (without being consciously aware of it) do exactly the same thing. And that the supposed 'safeguards' in our legal system are quite simply not adequate to deal with cases of malicious false accusations.

And it's also more than time that they realised that *being innocent is not grounds for appeal*. In most cases of malicious false accusations, the only 'fresh evidence' likely to succeed is an admission *from the accuser* that they committed perjury, perverted the course of justice, and obtained money by deception. How likely do our leaders *really* think that is?

THE CAMPAIGN FOR CHANGE: In issue 30 we invited readers to join SAFARI's campaign by writing to their MP in an effort to achieve changes in the Legal System to protect the falsely accused. Many of you took part using our example letter as the basis for your outgoing letter and then sent copies of the replies you received to us; thank you. Some MPs were pleased to assist; others didn't seem to realise there was a problem! We've read all the replies sent to us and produced another letter (see final page of this newsletter) as a follow-up. We urge all of you again to write to your MPs, based on this month's example letter and to forward copies of replies to us. Together we *will* achieve change.

MARK DE PULFORD (Head of Trial Policy and Procedure Unit at the Home Office) has written to SAFARI saying: "Though the large number of organizations who have an interest in our area of responsibility make it impossible for us to maintain a close dialogue with individual groups, we do consult widely when bringing forward proposals for change. I will add your organization's name to our list of consultees and ensure personally that you receive such treatment for any future consultations on miscarriages of justice."

HOUSE OF COMMONS MENTION: On 6<sup>th</sup> June 2006, Ben Chapman MP said: "I pay tribute to my Hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) for her tireless efforts on behalf of teachers and carers falsely accused of sexual abuse. Indeed, a number of organisations are campaigning for the interests of the falsely accused - Falsely Accused Carers and Teachers, or FACT, **Supporting All Falsely Accused with Reference Information**, or **SAFARI**, and the False Allegations Support Organisation, to name but three. They campaign across a diverse range of issues within that broad area, including anonymity, although some of their aims in that respect differ." Parliament *is* beginning to take note ...

"MEGAN'S LAW": You may have read that Gerry Sutcliffe MP is being dispatched by Home Secretary John Reid to see how "Megan's Law" works in the USA, and whether a British version could be introduced. We ask the Government to recognise that supplying details of those convicted of alleged sexual offences to members of the public will do nothing to protect the public and just lead to anarchy.

The majority of those required to register on the Sex Offender's Register (including the hundreds of people who have been falsely accused and wrongly convicted of committing a sexual crime) who are *not* a danger to society will sign the register and live in fear, and the minority of people who *did* commit serious sexual crime are more likely to 'go underground' and fail to sign the register for fear of reprisals.

We understand that in the USA, Megan's Law results in only 80% of 'offenders' signing the register whereas in the UK at present, 97% sign. The 'missing 17%' in the US are likely to be the most dangerous offenders, who have chosen to go 'underground'. The re-offending rate for people convicted of sexual offences in the UK is only around 18%. Spot the similarity?

Under the US system, parents must be informed when offenders move to their area after being freed from prison. Shadow home secretary David Davis has rightly urged caution with the handling of alleged paedophiles. He said: "You've got to be very careful in this. Obviously we have to protect the rights and the safety of children - that's paramount, but we must also make sure we don't end up with some lynch mob law. And bear in mind we've had the Criminal Records Bureau failures, with innocent people being given apparent criminal records."

Liberal Democrat home affairs spokesman Nick Clegg said: "Of course every measure should be taken to protect children from paedophiles, but this should never topple into vigilantism."

Donations very much appreciated at:



Or hit the  
button on the  
website!

a/c name: 'SAFARI', Sort Code: 30-92-02, a/c No.: 2702360

Contact us by eMail at [SAFARI\\_Editor@yahoo.co.uk](mailto:SAFARI_Editor@yahoo.co.uk)

*(We can accept no responsibility for errors in this newsletter as we only share information received)*

LORD DENNING SAID: "Whoever it be, no matter how powerful, the law should provide a remedy for the abuse or misuse of power, else the oppressed will get to the point when they will stand it no longer. They will find their own remedy. There will be anarchy." Wise words. Let's go for the remedy – not the anarchy.

VERA BAIRD MP said on Wednesday, 26<sup>th</sup> October 2005 in a Westminster Hall debate: "Let us talk plainly: people are also fitted up by the police. I am not saying that that happens every day, but it does happen. It is imperative to understand that a lot of people are brought to trial who are not guilty and who are in dire distress because they are falsely accused. They must be represented properly."

LORD CAMPBELL-SAVOURS asked in the House of Lords (Tuesday 16<sup>th</sup> May 2006): "What assessment is being made of the incidence of suicide amongst men falsely accused of rape?" Baroness Scotland of Asthal replied that "My Lords, such cases are tragic but extremely rare. A recent analysis of reported rape cases indicated that approximately 3 per cent were false allegations, none of which went beyond the investigative stage." Does Baroness Scotland *really* presume that all cases which went beyond the investigative stage were of genuinely guilty people? Even if they were acquitted? We suspect that what *really* happened was that, in those 3% of cases, there was an *admission* (possibly forced by overwhelming evidence) that the accusation was false. It does NOT mean that the rest were true. The apparent naiveté among some ministers at this level is distressing – and terrifying.

JOIN THE PROTEST, 18<sup>TH</sup> JULY! Don Western has organised another protest, in support of the falsely accused, to be held outside the Royal Courts of Justice at The Strand, London; you are invited to attend. The police have approved the event. The protest is due to be held on Tuesday 18<sup>th</sup> July 2006 between 12 noon and 3pm. If you, or others with whom you are in touch, are interested in coming along and offering your support, please eMail Don Western direct on donbampi@btinternet.com, or ring him on (01278) 450 328. Toilets are available on site. Coffee & tea is available across the road, although you may prefer to bring your own rather than pay London prices! There are also several very good pubs close by. (You're virtually in Fleet Street – and journalists insist on good pubs!)

CRAIG RAMELL has been sentenced to 200 hours community punishment after admitting attempting to pervert the course of justice last June. He had cried rape and sparked a six-month police hunt because he regretted having sex with a homosexual couple he met after a night out at the pub. He claimed he had been attacked in the early hours in Clayton-le-Moors and maintained the allegation when questioned twice by officers. The area of the alleged crime, near the Lamb Inn, was secured, Scenes Of Crimes Officers were called in, and almost 50 police man-hours were wasted. And one of the two men he accused could have ended up in prison after forensic tests showed he and the defendant had had intercourse.

This is yet another case where the final admission that the accusation was false was finally forced upon the accuser by the existence of solid evidence that he was lying – including a female witness to the fact that the intercourse was consensual.

Sara Dodd, prosecuting, said Ramell alleged he had been dragged from the main road, forced to the ground, subjected to a sex act and then raped more than once. Sentencing, Recorder Alan Booth told Ramell: "It may well be you did things you regret but that's no excuse for maintaining a very serious allegation which could have caused other people to be arrested and possibly be brought before the courts."

LEON BENJAMIN FORDE has had his conviction quashed after being jailed 18 months ago and sentenced to eight years in prison in 2004. His accuser had falsely alleged he repeatedly raped her in "vampire" rituals two years earlier, when she was 13. But he won his freedom at the appeal court, after the prosecution accepted that the girl's testimony was undermined by evidence uncovered from a computer diary, which suggested she had "made it all up."

SAFARI used to provide details of solicitors who claimed to be prepared to fight vigorously for the falsely accused. We have now withdrawn this list as so many people complained that they did not receive a response from solicitors on the list. Our new solicitor list (free but postage stamps [not SAE's] appreciated to cover costs) now *only* carries details of solicitors that SAFARI readers actually *recommend*. So if YOU can recommend your solicitor, please send us their details, and (briefly!) why you recommend them. Note: there is only ONE solicitor on the new list so far!

HMP Littlehey have confirmed that they *will* continue to set a sentence plan requirement of attending the Sex Offenders Treatment Programme (SOTP) for alleged sex offenders maintaining their innocence, despite *also* refusing them a place on it. The prison claim that they don't set unachievable targets – but their actions here clearly show this to be untrue.

ON-LINE SUPPORT: There are several excellent support groups in the UK advising and supporting families of falsely accused people. One such group is PAFAA - People Against False Allegations of Abuse, who will help anyone who is innocent of allegations of abuse.

Many inmates will recognise the name "Helga" (who works in a voluntary capacity for a solicitor in Southport who is experienced in false allegations). This is the group she belongs to, and she has suggested that the innocent, be they pre-trial or released, and their supporters, can get online help by way of a message board and a live chat room.

To make use of this excellent and supportive facility, log on to [www.pafaa.org.uk](http://www.pafaa.org.uk) or [www.sofap.org.uk](http://www.sofap.org.uk) (it's the same site) and you can join the forum/message boards from there.

Once you have joined the forum and are able to send messages, you can also make use of the chat room (it helps to have Broadband but dial-up usually works). If others are on-line at the time, not only will you get advice and support, but it is also an excellent opportunity to make new friends who understand what you and your supporters are going through.

Thanks to Terry McCarthy (Parole Board for England and Wales) for statistics of those who achieved release on Parole whilst maintaining innocence.			
Figures for month of May 2006			
<i>Non-lifers:</i>			
All offences	12	of 57	21.1%
Rape	1	of 20	5.0%
Indecent Assault	1	of 6	16.7%
Other Sex	0	of 3	0.0%
Violence	0	of 1	0.0%
Property	2	of 7	28.6%
Drugs	5	of 7	71.4%
Others	3	of 13	23.1%
Total Sex	2	of 29	6.9%
Total Non Sex	10	of 28	35.7%
<i>Lifers only</i>			
	0	of 5	0.0%
[ 1 of the 5 lifers was recommended for open conditions ]			

**ACHIEVING CHANGES IN THE LAW TO PROTECT INNOCENT PEOPLE  
FROM FALSE ALLEGATIONS AND WRONGFUL CONVICTIONS**

In our May 2006 newsletter, we provided an example letter that readers could copy and send to their respective MPs in an effort to achieve changes in the Legal System. The response from SAFARI readers was fantastic and many of you forwarded copies of the responses you received from your MPs to us.

**Having read all those replies we have been able to formulate a suitable follow-up letter and we ask as many of you as possible (and your friends) to write to your MPs with this one.** We *did* see some very positive replies from MPs – great news! But it was interesting to see how many *bad* replies matched each other word-for-word! Obviously the Home Office believe what they are saying, and have produced a ‘standard’ response which fails to recognise the problem.

You can write to your MP at: “<Your MP’s name>, House of Commons, London, SW1A 0AA”. If you don’t know who your MP is, write “The MP for” followed by the area in which you live. As with the original letter, you can obviously put anything you want into your letter, but we suggest keeping it as short as possible and basing it on the following text. Avoid putting anything in your letter (such as referring to your own case) to which your MP might respond by saying “I cannot help you with your case, consult your solicitor.” Their action may well assist you in your own case anyway. Remember to include on the letter your full name and address, and the date, and send us copies of any replies. Here’s the suggested letter:

Dear <your MP’s name> (or “Dear Sir / Madam” if you do not know their name),

I am very concerned that our Legal System is failing people who are falsely accused of committing crimes; the Government seems oblivious to the problem, and believes that the systems currently in place are both adequate, and being enforced. From letters received from MPs and the Home Office, a number of things are clear:

The Government states (correctly) that the prosecution is allowed to call additional evidence *after a trial has begun*, but appears to be under the impression that the defence is given the necessary time and opportunity to respond to additional evidence presented by the prosecution. This is not the case. Typically the defendant is initially charged and told that on particular date(s) or time(s) they are accused of committing an offence; the defendant can then spend the following weeks to obtain the evidence that they were not even present at the date(s)/time(s) in question. At trial the defendant provides their alibi evidence, so prosecution change the dates, times, and places, with NO new evidence in support of their changes. At this point, whether it’s simply an unfounded ‘details-change’ or actual ‘new evidence’ which is presented, the case should be stopped completely and the defendant given some more weeks to produce their defence for what is effectively a new charge; what actually happens is that the defendant is given no time to prepare a new defence. This breaches their Human Rights.

The Government claims that the Independent Police Complaints Authority can deal with complaints against the police when officers have clearly breached PACE and other legal requirements in order to produce their flawed evidence but the fact is that the IPCC doesn’t work. In some cases, hard evidence of police actually breaking the law is provided but the IPCC still refuse to take action. The Police are simply backed up by the IPCC. What can someone do in a case like this?

Defendants clearly need to have the right to appeal against a conviction if the jury’s verdict is *perverse* (for example if – as has happened – defendants are found guilty of rape when the alleged victim is proved to be a virgin). The Right Honourable Lord Justice Auld recommended this in his “Review of the Criminal Courts of England and Wales” (September 2001) but, incredibly, the Government refused to implement this recommendation. Please – this decision not to act *must* be reversed.

I understand that the Government has recently completed a major public consultation about the Criminal Injuries Compensation Scheme which actually rewards people who make false allegations with hard cash! I knew nothing of this ‘public consultation’ and myself and others would have wanted to have been involved – is there still time to be consulted on this issue and if so, who should I make my views known to? Was SAFARI (one of the groups set up specially to support those who fall victim to false allegations) invited to contribute? If not, why not?

The Government says that the Crown Prosecution Service (CPS) ‘expects the highest standards of all its prosecutors’ and yet they don’t act when these prosecutors fail to achieve those high standards. How can these ‘high standards’ be *enforced*?

The Government states that those making false allegations leave themselves open to prosecution for perjury or perverting the course of justice, but those found guilty of making false allegations are not punished at the level quoted. An £80 fine, some ‘community punishment’ or a twelve months sentence (released after 6 months) is more usual. Compared to the thousands of pounds available from the CICA for ‘not getting caught’, it’s usually a good bet. Can you tell me what percentage of people have actually received a sentence exceeding 18 months for making a false allegation?

Finally, the Government claims that the Criminal Cases Review Commission (CCRC) is in place to overturn wrongful convictions, but MPs, including Ministers, seem to be totally unaware that ‘innocence’ is not in itself grounds for appeal, and the CCRC need ‘new evidence’ that a crime (for which the only evidence in the first place was someone’s false claim) was not in fact committed. Our present appeal system is simply inadequate to deal with cases arising from malicious false accusations. Most innocent but convicted people have little chance of winning an appeal. This must change.

Will you please do all you can to bring these problems to the attention of the Government and let me know what action it intends to take to ensure that the falsely accused are treated as victims, and afforded the protection they need.

I look forward to hearing from you.

Yours sincerely,