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THE FRAMING OF MICHAEL STONE FOR THE CHILLENDEN MURDERS: HOW PRISON CONFESSIONS HAVE BECOME THE ANTIDOTE TO *PACE*

Charles Earl

Charles Earl in an independent researcher and author.

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Libertarian Alliance
For Life, Liberty, and Property

25 Chapter Chambers
Esterbrooke Street
London
SW1P 4NN

Telephone: 020 7821 5502
Email: admin@libertarian.co.uk
Website: www.libertarian.co.uk

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It has often been claimed, or implied, that the British legal system is the envy of the world. It is certainly true that the finest tenets of British and specifically of English law have been exported to all or most of the civilised world, including the privilege against self-incrimination, the presumption of innocence, and the necessity of the prosecution proving its case beyond all reasonable doubt, but as is often the case, something that sounds fine in theory works in altogether different ways in practice.

As I write these words a man is sitting in a cell in Full Sutton high security prison, North Yorkshire, convicted of two of the most heinous murders in modern British criminal history. As things stand he has no chance of ever being paroled. The evidence against him - if it can be called evidence - is that while on remand awaiting trial for these murders he shouted a confession through the wall to the inmate in the next cell. No, that is not a misprint, the evidence against him, the only evidence, is that while on remand awaiting trial for these murders he shouted a confession through the wall to the inmate in the next cell.

How did this incredible conviction come about? To understand that we have to look at the real world in which the police and state prosecutors operate.

It is no great secret that the police in particular feel, often with more than a little justification, that in the fight against crime the scales are weighted heavily against them. The longer a crime remains unsolved, or even unreported, the more difficult it is to obtain meaningful evidence against the wrongdoer. In September 2002, the remains of 13 year old Amanda (Millie) Dowler were found in Heath Forest, six months after she had literally vanished off the face of the Earth. Although the police conducted a minute search of the area, it is doubtful if any meaningful forensic evidence still exists.[1]

Reliable eyewitness testimony is likely to be equally scarce, if it should emerge; and if as in most such heinous crimes the perpetrator acted alone, it is likely that he is the only witness. So what are the police to do? Traditionally, the legal authorities have relied on confessions. At one time, including in the not-so-distant past, these were routinely extracted by torture or by the threat of torture.

The problem with this method - apart from its obvious immorality - is that subjected to enough pain or misery, most people will eventually confess to anything, so unless a confession can be corroborated, by for example its leading to the discovery of the murder weapon, it is just as likely to compound the original crime by inflicting a further injustice on a totally innocent person. But it is not only confessions extracted under torture or by threats that are unreliable. It is well documented that totally innocent people will confess both freely and falsely to all manner of crimes.

In 1662, Issobell Gowdie confessed to renouncing her baptism to the Devil, being baptised in his name, and killing more than half a dozen people. She and her accomplices had sexual relations with the Devil, who was "abler for them sexually than any man could be. His members were exceeding great and long, but he was as heavy as a sack of malt and as cold as ice."[2]

She travelled with the Devil in the shape of a cat and a crow, among others. Her confession, which lasted four days, was entirely voluntary and corroborated by her accomplice, Janet Breadheid, who confirmed her story about killing all the male children of the Laird of Parkis by roasting clay images of them.[3]

While nowadays no British court would take such ravings seriously, confessions need not be incredible to be untrue. All too frequently they have been not only credible but fabricated from beginning to end, not by demented old women, but by the accused's interrogators.

The fabrication of confessions by police officers - known colloquially as *verballing* - has a long and dishonourable history in British law enforcement, one which has been recognised tacitly if not acknowledged publicly for well over half a century.

A formerly secret report dated 8th September 1931 reveals that: "At present, confessions made to Police officers can be proved in Court. In our opinion this is open to two grave objections. The Police are tempted to allege a confession even when none has been made, and they are encouraged to rely on confessions and to neglect to obtain all the evidence which a more searching enquiry would have yielded… We recommend that in the new Criminal Procedure Code, which is so badly needed, provision should be made for the recording of confessions by Magistrates who should be required to certify that the confession was, to the best of their belief, voluntarily made."[4]

If the problem of police verballing of suspects has long been recognised - along with the wider problem of *noble cause corruption*[5] - one might ask why has it been tolerated? The reason is probably because it gets results, and it does this largely because of a quirk in the legal system that police and prosecutors have colluded to exploit shamelessly, if often subconsciously, for decades. This quirk is the shield against cross-examination on previous convictions.

Briefly, if Mr A is arrested, charged with and tried for burglary, and has say three previous convictions for theft and receiving stolen goods, the prosecution cannot put these convictions in evidence at his trial. The fact that a man has previous convictions for any or even very similar offences does not of course mean that he must be guilty of the offence with which he is currently charged. When a defendant goes into the witness box it is assumed that he is of previous good character, although if he claims or even suggests that he is when he isn't, his previous convictions can be put to the jury.

The defendant will not lose his shield if he simply answers questions relating to his alibi, or to other matters which although they may be contentious, do not involve his questioning the integrity of a prosecution witness. But as soon as he accuses a prosecution witness - any prosecution witness - of lying, he will lose his shield. Faced with the choice between a denial from a known villain and the testimony of a fistful of police officers with fifty years service and half a dozen commendations between them, most juries will convict.

So how does a defendant impugn the testimony of police officers without also impugning their integrity? Claim that his (non-existent) confession was a joke? That he confessed under duress? Or because he was confused?

In 1967, echoing the 1931 report cited above, the campaigning organisation Justice proposed that genuine verbal admissions should be recorded by bringing a suspect before a magistrate.[6] It suggested also that pocket tape recorders be used in police cars,[7] and pointed out that the police had consistently opposed the use of tape recording on the grounds that "an experienced criminal could discredit [his accusers] by shouting out "Stop twisting my arm"".[8]

These proposals were not taken up, and the chief safeguard of suspects' rights remained the Judges' Rules, a series of administrative directions which had no legal force.[9] Four such rules were stated by 1912, they were increased to nine in 1918, and affirmed by a Home Office Circular of 1964,[10] but although (in theory) the Judges' Rules protected a suspect from oppressive questioning, they did little or nothing to prevent confessions being made up out of the whole cloth.

In this connection we will mention two serious miscarriages of justice: the Confait and Broadwater Farm cases, both of which involved fabricated confessions.

Maxwell Confait was a homosexual prostitute and transvestite who was found strangled in his bedsit in Catford, London in April 1972. He was almost certainly murdered by his landlord, with whom he had a bizarre relationship.[11] A fire had been started in Confait's room, and on account of this, three youths with a penchant for starting minor fires were shortly arrested. The oldest, eighteen year old Colin Lattimore, had a mental age of eight; Ronnie Leighton was fifteen; the youngest, Ahmet Salih, was only fourteen at the time. Confessions were obtained from them by dubious methods, but one of the accused had a water tight alibi, which led to the bizarre spectacle of the prosecution discrediting its own forensic evidence at the trial so as shift the time of the murder.

In November 1972, all three youths were convicted of arson with intent to endanger life: Colin Lattimore was also convicted of manslaughter, and Ronnie Leighton of murder. Their appeal failed in July the following year, but in June 1975 the case was referred back to the Court of Appeal by the Home Secretary, and in October of the same year their convictions were quashed.

The Confait case led to a 47 day official inquiry[12] in which Sir Henry Fisher heard oral evidence from 38 witnesses and received documentary evidence from more than two hundred others.[13] Fisher whitewashed the police investigation, putting down any impropriety to minor breaches of the Judges' Rules.[14] Although he suggested that the Confait murder investigation leant weight to the case for tape recording the interrogations[15] of suspects, nothing seems to have changed for another decade.

Just as scandalous if not more so than Confait was the Broadwater Farm case. In October 1985, serious public disorder broke out on a North London housing estate after Mrs Cynthia Jarrett, an overweight black woman, dropped dead from a heart attack during a police raid on her home. The Broadwater Farm riot led to the police coming under siege from an angry mob, and to the murder of 40-year-old police constable Keith Blakelock, who was literally hacked to death.

Three juveniles and three adults were eventually to stand trial for the murder; the latter were all convicted and sentenced to life imprisonment. The alleged ringleader, later demonised as the black beast,[16] was Winston Silcott, a tall, gangling Negro with a penchant for carrying knives, and a willingness to use them. After their conviction it was revealed that Silcott had actually been out on bail for murder at the time of the riot, and that by the time of the Blakelock murder trial he had already been convicted of the murder of Anthony Smith, who was stabbed to death in the small hours of December 15,

1984.[17]

The fact that one of their own had been killed led to the police behaving in an utterly grotesque manner, depriving suspects of their rights, and fabricating evidence out of thin air. Silcott was alleged to have made an unsigned confession in question and answer format which was later shown by the sophisticated ESDA test[18] to have been manufactured after the event. There was no other evidence against Silcott. This was curious to say the least, because the police took innumerable photographs of the Broadwater Farm riot, and if the accused had been present it is inconceivable that the extremely distinctive figure of Silcott in particular would not have been captured on film. The Tottenham Three, as they became known, were finally cleared by the Court of Appeal in 1991, although Silcott's conviction for the murder of Anthony Smith ensured that he remained incarcerated.[19]

It was not until the *Police and Criminal Evidence Act, 1984*, that suspects with previous criminal convictions had any meaningful protection from police verbals. Since *PACE*, all police interrogations have to be taped. Now, alleged confessions made to police officers in the backs of police cars[20] are likely to be ruled inadmissible. The Broadwater Farm case was on the borderline of *PACE*.[21]We will mention here in reverse chronological order three further cases of induced and fabricated confessions: the first very well known, the second less so, the third, buried in the legal archives: these are the cases of Colin Stagg, Keith Hall and George Roberts. The first two saw the police going to extraordinary, some would say bizarre, lengths, to extract confessions from suspects.[22] The third shows that often the police simply take it for granted that they will be believed, and that they are so arrogant they think they can get away with anything, however outrageous.

Colin Stagg was a slightly built and somewhat odd but basically harmless individual who in 1992 lived near London's Wimbledon Common where he was often seen walking his dog. In July of that year, the Common became the site of one of the most horrific and sensational murders of the decade. A young mother, Rachel Nickell, was hacked to death in front of her two-year-old son, who was, thankfully, spared. The victim, whose throat was slit, suffered 49 stab wounds.

Stagg may have come under suspicion because of his fascination with the occult, and the fact that he was both a loner and sexually inexperienced. He was arrested two months after the murder, but released due to "insufficient evidence", a police euphemism for no evidence at all.

Later, an undercover policewoman posing as a lonely heart and pretending to share his mystical beliefs, contacted Stagg and began a liaison with him lasting several months. Among other things she confessed to participating in the ritual sexual murders of a baby and a young woman. Most men would have been revolted by such claims, whether or not they took them at face value, but Stagg found this creature alluring, and under pressure confessed to a mythical murder - strangling a girl to death in the New Forest. He also gave her incorrect information about the murder of Rachel Nickell.

On the strength of a confession that wasn't really a confession, Stagg was rearrested, charged with the murder, and brought to trial, but after legal argument the trial judge, the extremely fair-minded and highly regarded Sir Harry Ognall, threw out the case. After studying the prosecution papers, Ognall dismissed the charge saying, "A careful appraisal of the material demonstrates a skilful and sustained enterprise to manipulate the accused, sometimes subtly, sometimes blatantly."[23]

The case of Keith Hall is both similar to and different from that of Colin Stagg, in that an attempt was also made to entrap him by an undercover policewoman named Liz,[24] but that unlike the totally innocent Stagg, Hall may well have committed the murder he was later charged with.

Hall's wife had disappeared without trace, and, with Hall suspected of her murder, "Liz" replied to a lonely heart advertisement[25] and tried to induce him to confess. This he did. He had, he said, strangled her and burnt her body. Like Stagg, his confession was covertly recorded, but at his trial at Leeds Crown Court in March 1994, it was excluded under *PACE*. Two academics, Choo and Mellors, comment that "Interestingly, the trial judge in Hall, having excluded the confession, took the unusual step of authorising the release of a full transcript of the confession - an action interpreted by many as a public statement that he was constrained by the law into excluding a confession which should really have been admitted."[26]

The case of George Roberts was so outrageous that it might have been amusing, but for the fact that he might have been hanged. In March 1953, Roberts stood trial at Cardiff Assizes for the murder of an elderly woman named Elizabeth Thomas. According to Roberts' counsel: "Matters alleged to have been elicited from him could not possibly have been obtained. The most primitive matters only can be communicated with this man."

This was because Roberts was a deaf mute - "mute by the visitation of God".[27] This put the trial judge, Mr Justice Devlin, in an embarrassing position. He solved the problem by directing the jury to find the accused not guilty.[28]

Although it took until 1984 for Parliament if not the judiciary to realise that police officers cannot be trusted, the courts still place undue credence on the evidence of

convicted criminals, but *only* when they testify for the prosecution.

In the 1970s, the use of 'supergrasses' was widespread. These were professional criminals who turned Queen's Evidence and received extremely light sentences or even financial rewards and new identities in return. In fact, supergrasses weren't new even then; in 1706, John Smith ("Half Hanged Smith") received a pardon for his services to the criminal justice system.[29] Though the use of supergrasses soon fell into disrepute, the occasional prison confession has never gone amiss.

Almost always such confessions are used in difficult cases where the prosecution is handicapped by a dearth of credible evidence and where the defendant protests his innocence vehemently.

A prison confession was used against James Hanratty, one of the last men to be executed in Britain. Hanratty was convicted of the August 1961 slaying of the government scientist Michael Gregsten, a crime that became notorious as 'the A6 murder'. After kidnapping Gregsten at gunpoint in his parked car together with the former's companion Valerie Storie, Hanratty shot his male victim through the back of the head, then raped Miss Storie before emptying his gun into her. Miraculously she survived, although paralysed for life from the chest down. Hanratty was arrested in Blackpool on October 11, and was subsequently identified by Miss Storie as the gunman. She had though picked out the wrong man at an earlier identification parade held on September 24 when she was still very weak from her ordeal.[30] Although her later identification of Hanratty was far from convincing, together with the other evidence, the case against him was quite strong. All the same, the prosecution felt it necessary to bolster the case with an alleged boast to another prisoner.

Roy Langdale was an habitual criminal who was facing a long gaol term for organised fraud. He ended up with a soft sentence after the prison authorities spoke up for him, which at least one author has suggested was the result of some sort of behind the scenes deal.[31]

When Hanratty went into the witness box he made no secret of his criminality, but protested that although he was a thief he was neither a rapist nor a murderer. The jury didn't believe him, and he was hanged.[32]

A prison confession was also used against Terry Marsh when he stood trial for the attempted murder of Frank Warren. Unlike Hanratty, a career criminal, Marsh wasn't just of good character, but of exemplary character. As well as a former undefeated world light-welterweight boxing champion, Marsh had served with both the Royal Marines and the fire service. There had though been bad blood between him and his former mentor, Warren, a man whose business etiquette had made him a great many friends and even more enemies. So when Warren was sensationally gunned down in the street in November 1989, there was no shortage of suspects. Marsh though was at or near the top of the list, having, it was believed, a strong personal motive. The only problem facing the police was that a motive was all they had. When his home was raided, Marsh was found to have ammunition in his possession, but in view of his background that was hardly surprising. Needless to say, no match was found to the bullet that had cut down Frank Warren. That being said, Marsh was remanded in custody and later stood trial for attempted murder.

He elected not to give evidence,[33] and was rightly acquitted. A defendant who doesn't go into the witness box is always taking a risk. No matter how often or how strongly the judge may warn the jury not to draw any adverse inference from an accused's silence, some jurymen must reason quite logically that he has something to hide. In this case it is easy to see the reasoning behind the trial strategy adopted by Marsh. There had obviously been strong words between him and Warren as well as bad blood, and it is not unlikely that Marsh may have at some point said something like "I'll shoot the bastard, one day", which is the sort of empty phrase that a clever - or duplicitous - prosecutor can twist out of context to convict an innocent man.

All of which brings us finally to Michael Stone.

For the benefit of non-UK readers, here, very briefly, are the facts. In July 1996, Dr Lin Russell and her two young daughters were the victims of a frenzied attack in a country lane in Chillenden near Canterbury, Kent. Mother and younger daughter were killed, but miraculously 9-year-old Josie survived. The story of her recovery from the trauma, injuries and brain damage has been well documented, but she was unable to give the police any meaningful description of the attacker(s).

A year after the attack, Michael Stone is arrested. Stone is an unappealing character; a drug addict who for many years had funded his addiction by crime, he also has a record for serious violence, including a hammer attack, which on the face of it is similar to the Chillenden killings, but was committed a decade and a half before, on a man, and in entirely different circumstances.

Questioned repeatedly by the police, Stone denies any involvement emphatically, although he is unable to account for his movements on the day of the murders, which is hardly surprising in view of both the passage of time and his mental state, not to mention his chosen profession.[34]

Forensic evidence linking Stone to the crime scene is non-existent, but the case against him looks promising: he is the type of man who would commit such a crime, he was seen wearing bloody clothing at or near the time

of the murders, and furthermore he boasts about the killings to several inmates while on remand.

At his trial at Maidstone Crown Court in October 1998, the case against him doesn't look half so impressive, and one by one the prosecution witnesses crumble. All the same, on October 23 he is convicted by a majority verdict and given three life sentences. Stone's legal team had advised him not to give evidence, a decision he says he was then entirely happy with.

Following Stone's conviction, one of the witnesses against him, Barry Thompson, has second thoughts; on October 24, Thompson contacts the national press and admits to perjuring himself. The first week in November, Stone's lawyers lodge an appeal, although it does not come before the Court of Appeal until January 2001, when he is granted leave; the following month his convictions are quashed and a retrial is ordered, although in view of the deluge of post-conviction media coverage, most of it extremely prejudicial, the venue for the retrial is moved well away from Kent.[35]

Now, conceding that it has not only no forensic or other meaningful evidence, the Crown seeks to rely on Stone's alleged confession which was shouted through the wall to the inmate in the next cell. The jury and the judge even visit the cell where Damien Daley was held, to confirm that he could have heard Stone's alleged incriminating statements. At least one newspaper described the scene as surreal as the nine men and three women good and true and Mr Justice Poole in turn were locked in the cell and got down on their knees to listen to a recitation from one of the best-selling Harry Potter novels.[36] The irony will not be lost to anyone who is in the slightest familiar with the theme of the J.K. Rowling books.

A greater irony is that if this alleged confession had been made off-tape to a police officer when Stone was being held for questioning, the judge would almost certainly have ruled it inadmissible. As Peter Mirfield points out in a standard legal work, it was established at Court of Appeal level that the exclusionary rule applies to confessions only if made to "persons in authority", which clearly does not include hardened criminals like Damien Daley.[37]

According to Stone, he was questioned about the Chillenden murders by the police a staggering 39 times; every single time he denied any involvement with them. He was so concerned about protesting his innocence that while on remand in Canterbury Prison he asked to be placed on Rule 43 (segregation) because earlier when he was on remand in Belmarsh Prison, other inmates were making up confessions to the murders. Then, we are asked to believe, after all this, he confesses freely to another inmate. By shouting through the wall. The prosecution proceed with this nonsense - the judge allows it in evidence, and the jury convicts. Stone's repeated – and confirmed - denials count for nothing. An uncorroborated confession made to one man of disreputable character on one occasion is taken as the gospel truth. Did anyone ever hear of such lunacy?

There is a well known saying, which in full reads thus: "...all presumptive evidence of felony should be admitted cautiously: for the law holds, that it is better that ten guilty persons escape, than that one innocent suffer."[38]

That would certainly be true if the accused were a police officer accused of being "bent for the job", but not for habitual criminals and drug addicts like Michael Stone who are best kept off the streets. The reasoning is that if Stone didn't commit the Chillenden murders he has committed other, if less serious crimes that he should be punished for, that if he hasn't he is the sort of person who would have murdered someone given time and opportunity, and if neither, well, he's only a scumbag anyway, a burden on society and a junkie at that.

This is obviously a state of affairs with which Stone himself is none too happy, but the wider issue is that his conviction is not simply an injustice, it is ludicrous. If Michael Stone can be convicted of crimes as heinous as the Chillenden murders on nonsense such as this, then not one of us is safe, although different standards apply to police officers.

In the spring of 2001, a murder trial was held at the Central Criminal Court in which the prosecution evidence was qualitatively superior by several orders of magnitude from that presented against Michael Stone. A police officer named Christopher Sherwood shot a man to death in a bungled raid at St Leonards, Sussex, in January 1998. James Ashley was stark naked; he had been in bed with his girlfriend, and, surprised at the raid, jumped up and was gunned down. There could be no question of his being armed. On May 2, 2001, without so much as a whimper from the prosecution, the judge halted the trial and directed the jury to return verdicts of not guilty to murder and manslaughter. The name of the judge was Mrs Justice Rafferty - Anne Rafferty QC, the prosecutrix in Michael Stone's first trial.[39] According to her entry in *Who's Who*, Anne Rafferty has been a High Court judge since 2000.

Regardless of the fact that police officers can shoot dead members of the public with near total impunity, it cannot be right that in a murder trial - indeed in any trial - an alleged confession made to a convicted criminal and admitted perjurer under such circumstances as that allegedly made by Michael Stone can be ruled admissible when a confession allegedly made in the back of a police car cannot.

PACE was brought in to safeguard suspects' rights, and it works. Since *PACE*, police verbals have all but disappeared, and there is no meaningful evidence that convic-

tion rates have suffered as a result. Indeed, the advent of *PACE* has not only protected suspects, but honest police officers. Although there is still some scope for abuse, it is difficult to dispute the contents of a tape-recorded interrogation. This must lead inevitably to less court time and police time being wasted by the investigation of complaints - both genuine and frivolous - and to lengthy *voire dire* arguments over the admissibility of disputed confessions.

Michael Stone's conviction for the Chillenden murders must be quashed. It is true that Stone could be guilty, although if he is, he is certainly doing a great impression of an innocent man wrongly accused, and framed. If Stone really did commit the Chillenden murders whether or not he made the cell confession claimed of him, then turning him loose on the public is doing none of us any favours. But terrible though that scenario may be, if he is innocent, as appears, then the alternative is far, far worse. Even more terrible is the fact that if Michael Stone is innocent, the real Chillenden murderer is still at large.

Notes and References

1 In its January 12, 2003 edition, the London *Sunday Times* reported that "months of tests on her decomposed body had failed to yield any clues about how she died or who killed her". Less than three weeks later, on January 31, a spectacular development was widely reported in the press; DNA evidence taken routinely from the scene of a burglary hundreds of miles away was found to match a sample taken from Amanda Dowler's bedroom, implying that she may have been abducted by someone she knew. Only time will tell, possibly, if this is a genuine lead, or even a genuine match.

2 *Why Men Confess*, by O. John Rogge, published by Da Capo Press, New York, (1975), pages 55-6.

3 Rogge, *Why Men Confess*, pages 56-7, (ibid.).

4 This quote, which relates to the Palestine Police, can be found in Public Record Office file CO733/208/13, pages 41-2.

5 Defined by the Police Complaints Authority * as "the use of dishonest practices to secure convictions or boost performance figures". Noble cause corruption is also known colloquially as being "bent for the job". * *PCA 10 Police Complaints Authority: The First Ten Years*, published by HMSO, London, (1995), page 16.

6 *Pre-Trial Criminal Procedure: Police Powers And The Prosecution Process, A Report By Justice*, Evidence to the Royal Commission on Criminal Procedure (Part 1), published by Justice, London, (1979), page 16.

7 Justice, *Pre-Trial Criminal Procedure...*, page 17, (ibid.).

8 Justice, *Pre-Trial Criminal Procedure...*, page 19, (ibid.).

9 *Police Questioning and the Judges' Rules*, by Gerald Abrahams, published by Oyez, London, (May 1964), page 15.

10 Abrahams, *Police Questioning and the Judges' Rules*, page 17, (ibid.).

11 Winston Goode was the first suspect; he committed suicide on May 22, 1974.

12 A public preliminary hearing was held in December 1975; unfortunately, the other 46 days, from September 6 to December 2, 1976, were held in private.

13 *Report of an Inquiry by the Hon. Sir Henry Fisher into the circumstances leading to the trial of three persons on charges arising out of the death of Maxwell Confait and the fire at 27 Doggett Road, London SE6*, published by HMSO, London, (December 1977), page 3.

14 Fisher, *Report of an Inquiry...*, page 11, (ibid.). Fisher even went so far as to claim that Lattimore's confession to the arson was true, and that the other two murdered Confait and then persuaded him to incriminate himself in the killing!

15 I refuse to use the sick euphemism "interviews".

16 If not in words then certainly by implication.

17 All media coverage of the Anthony Smith murder trial was suppressed under the *Contempt Of Court Act, 1981* for fear of prejudicing the outcome of the Blakelock murder trial.

18 Electrostatic Deposition Analysis was invented at the London College of Printing at the end of the 1970s. According to Conklin, Gardner and Shortelle in the *Encyclopedia of Forensic Science*, in 1988 the (US) Secret Service used ESDA in the investigation of a scientific fraud for a Congressional Committee, and "Its tests showed that laboratory data recorded in notebooks, supposedly in sequence, actually came from experiments that had been conducted two years apart."

19 Silcott appealed his first murder conviction too, but there is no doubt that he was rightly convicted. In his book *A Climate Of Fear: The Murder Of PC Blakelock And The Case Of The Tottenham Three*, the *Observer* journalist David Rose does his best to whitewash Silcott with insinuations of *racism* against the criminal justice system, but not only was Anthony Smith black, he suffered horrific injuries which at first Silcott denied inflicting, then claimed later that he inflicted only in self-defence. In November 1998, the Criminal Cases Review Commission declined to refer the Anthony Smith conviction back to the Court of Appeal. At the time of writing, Silcott is being prepared for parole.

20 The classic is "It's a fair cop, guv".

21 *PACE* came into force January 1, 1986.

22 The cases of Colin Stagg and Keith Hall are discussed briefly in the Internet document *Undercover Police Operations and What the Suspect Said (or Didn't Say)*, by the University of Leicester-based academics Andrew L-T Choo and Manda Mellors, which was published in the *Web Journal of Current Legal Issues* in association with Blackstone Press Ltd, (1995). I have drawn on this article here.

23 *The Times*, September 15, 1994, page 1.

24 The one who duped Stagg was known as Lizzie.

25 As the saying goes, you couldn't make it up, but the facts of both these cases are thoroughly - and for the police, embarrassingly - documented.

26 Choo and Mellors, *Undercover Police Operations...*, (op. cit.).

27 Roberts was either 48 or 51 years old, depending on whether you read the *South Wales Evening Post* for March 23 or March 24. He appears to have been of low intelligence as well as a deaf mute.

28 The case is reported in *The Criminal Appeal Reports January 19, 1953 To December 18, 1953*.

29 *Bent Coppers: A Survey of Police Corruption*, by James Morton, published by Little, Brown, London, (1993), page 243.

30 In his autobiography *Forty Years Of Murder*, the distinguished pathologist Keith Simpson pointed out that after the first serious suspect, Peter Alphon, surrendered himself to the police, they wanted to organise an ID parade at once, on September 22, but Dr Rennie at Guy's Hospital was in the process of removing two bullets from Miss Storie's body and only allowed the parade two days later. Valerie Storie studied the parade for five minutes before picking out a Spanish sailor. Detective Chief Superintendent Basil (Bob) Acott who headed the investigation was clearly shocked when Storie failed to identify Alphon, but to his credit instead of fitting him up for the murder he went back over the evidence and eliminated him from the inquiry. Alphon was later to make a tidy sum of money first by selling his story to the *Daily Express* for a thousand pounds, and then by repeatedly confessing to the murder - safe in the knowledge that he was in the clear - and implicating other people in a fanciful conspiracy, spurned on by Jean Justice, a failed lawyer with a grudge against the criminal justice system.

31 *Who Killed Hanratty? An Investigation Into the Notorious A6 Murder*, by Paul Foot, published by Penguin, London, (1988), page 151. It should be noted that Foot, the Oxford-educated former editor of *Socialist Worker*, is not the most reliable of observers, due primarily to his ruthless subjugation of truth to ideology. Nevertheless, Langdale's lenient treatment by the authorities is curious, to say the least.

32 In May 2002, the Court of Appeal upheld Hanratty's conviction; it had been referred by the Criminal Cases Review Commission in the light of developments in DNA technology. Hanratty's body was exhumed and it was found that there was a perfect match between his DNA and that of the man who raped Valerie Storie, i.e. the A6 murderer. In dismissing the appeal, the Court stated that the new DNA evidence "made what was a strong case even stronger".

33 Or take the stand, as our American cousins say.

34 In correspondence with the current writer, Stone pointed out that he was suffering from drug-induced psychosis, and is neither the psychopath nor the mental case he has been made out to be by most of the media. He writes about his past crimes with commendable candour but is emphatic that he is no child killer.

35 Stone's legal team argued that he should have been released in view of the impossibility of his receiving a fair trial, a hopeless submission in view of the gravity of the crimes.

36 *Harry Potter tale for jury: Prison visit to listen through a cell wall*, published in the *Manchester Evening News*, (Final), September 20, 2001, page 18.

37 *Silence, Confessions and Improperly Obtained Evidence*, by Peter Mirfield, published by Clarendon Press, Oxford, (1997), page 215.

38 *Commentaries on the Laws of England. Book the Fourth.*, By William Blackstone, Esq. Solicitor General to Her Majesty. Printed At The Clarendon Press. Oxford., (1764), page 352. This saying is believed to be originally of Italian origin; in her book *Trials of Evans and Christie*, F. Tennyson Jesse misattributes it to Benjamin Franklin.

39 Two of the senior officers connected with this raid were actually promoted by Chief Constable Paul Whitehouse, a calumny that caused such public outrage that the Home Secretary himself stepped in and forced him to resign.