


Police in M50 murder case 'ignored leads': The Home Office has received a list of 111 alleged miscarriages of justice. Terry Kirby and Adam Sage report | The Independent

 [independent.co.uk/news/uk/police-in-m50-murder-case-ignored-leads-the-home-office-has-received-a-list-of-111-alleged-miscarriages-of-justice-terry-kirby-and-adam-sage-report-1533597.html](https://www.independent.co.uk/news/uk/police-in-m50-murder-case-ignored-leads-the-home-office-has-received-a-list-of-111-alleged-miscarriages-of-justice-terry-kirby-and-adam-sage-report-1533597.html)

Terry Kirby

July 15, 1992

THE INVESTIGATION into the handling by West Mercia Police of the M50 murder case has been expanded, after allegations that detectives halted some lines of inquiry and improperly documented aspects of the case, it was disclosed yesterday.

The Police Complaints Authority said in a statement that the inquiry by Greater Manchester Police was being extended in order 'to review why various matters in the original investigation were not actioned for further inquiry, or eliminated or documented properly'.

The case is included in a dossier of more than 100 alleged miscarriages of justice which was presented to the Home Office yesterday. Campaigners say the number of inmates claiming the wrongful imprisonment shows the need for an independent review body.

Yesterday, it emerged that about 1,500 lines of inquiry stemming from public appeals for help were among the material not actioned by detectives.

In 1989, Eddie Browning, a nightclub bouncer with a reputation for violence, was convicted of the murder of Marie Wilkes, 22, a pregnant woman who was attacked when her car broke down on the M50 in Hereford and Worcester in 1988; her attacker cut her throat and dumped her two miles away.

Browning, from Cwmparc, South Wales, was convicted after the jury heard that he had been in a furious row with his wife, also pregnant, on the day and had travelled north to Scotland. He claimed he travelled over the Severn Bridge and M4, not via the M50; there was no other scientific or documentary evidence against him. In May, Greater Manchester Police were asked to investigate why a videotape of a West Mercia policeman about to undergo hypnosis to assist with his recall was not disclosed to the Crown Prosecution Service or the defence at the time of his trial.

The film shows the officer, who saw the murderer's car while driving along the motorway, recalling a number plate very different to the one on Browning's car. At the trial, the officer appeared to change his evidence and described a number plate closer to that of Browning's car.

Yesterday, Jim Nichol, Browning's solicitor, welcomed the developments. He said: 'The evidence against Eddie Browning was purely circumstantial. It was the prosecution's case that they had excluded all other possibilities; the fact that there are 1,500 other unexplored avenues

suggests that this was not the case. It is quite disgraceful that the defence was not told about this at the time.' The moves on the Browning case came the day after the Court of Appeal freed Wayne and Paul Darvell after hearing allegations that South Wales detectives suppressed scientific evidence and doctored interview records in order to secure their conviction for the murder of a Swansea woman.

Yesterday, the National Association of Probation Officers, the civil liberties group Liberty, and Conviction, which supports prisoners protesting their innocence, published details of 111 alleged miscarriages of justice.

In each of the cases, there 'appears to be a lurking doubt about the prosecution and proceedings at the trial', the three organisations say.

Most of the convictions were secured after the introduction in 1985 of the Police and Criminal Evidence Act, which was designed to provide safeguards against fabricated police evidence.

Uncorroborated confessions, the failure to disclose important material and poor legal advice are among the factors responsible for wrongful convictions, inmates say.

However, prisoners face huge barriers when trying to get their cases reopened, according to the dossier. 'Virtually all . . . have complained bitterly about the lack of legal aid and therefore legal advice. Many have been forced to prepare their own grounds of appeal.

'In a number of instances, protestations of innocence have clearly led to a denial of parole. Those claiming their innocence therefore are likely to serve a greater proportion of their sentence than those who admit their guilt.'

Harry Fletcher, Napo's assistant general secretary, said: 'It is quite scandalous that, in every case, the prisoners have been spending months, even years, trying to get a fair hearing.'

Inmate may risk parole

ANTHONY SLACKS, 26, knows that he could lose parole if he carries on protesting his innocence. Yet he is determined to do so. 'He won't give up,' his wife, Rose, said yesterday.

Slacks received a 12-year jail term for burglary in 1990. He is alleged to have broken into a house in Nottingham, tying up the occupants and torturing them in an attempt to find out if there was a safe in the premises.

The evidence against him was flimsy, according to the National Association of Probation Officers. Police failed to arrange an identity parade and confronted the victims with Slacks. Testimony implicating him was given by an informant, who received a suspended sentence for various offences, including burglary. There was also a sketch by Slacks, which police claimed was of the burgled house. He said it was of his former workplace. New evidence has cast doubt on the identification evidence and provided Slacks with a further alibi, according to NAPO.

Claim of self-defence

IN JUNE 1987, Satpal Ram was convicted of murder at Birmingham Crown Court at the end of a bizarre trial. A key defence witness had been a Bengali waiter with little knowledge of English: no interpreter was provided.

Six months earlier, he had been eating in an Indian restaurant in the city when a group of people started complaining about the music and making racist remarks. An argument blew up which ended with Ram injured and another man fatally stabbed.

The prosecution said Ram, 25, had committed murder. He says he was attacked with a broken bottle and was defending himself.

In the melee, one of the few independent witnesses with a clear view of the fight was the Bengali waiter. Yet his testimony in court was hampered by language difficulties.

Ram also says legal advisers should have told the court that he was defending himself, instead of claiming provocation. He has appealed against his conviction but it was upheld.

Campaign given hope

THE FREEING of the Darvell brothers by the Court of Appeal on Tuesday amid allegations of malpractice by South Wales police officers has injected new hope into the campaign on behalf of Ellis Sherwood (above), and Michael O'Brien who were convicted of murder at Cardiff Crown Court in 1988.

Det Chief Supt Don Carsley, the now retired head of South Wales CID - who was alleged during the Darvell hearing to have ordered the suppression of vital forensic evidence - was also in charge of the investigation which led to the arrest of O'Brien, 25 and Sherwood, 24, for the murder of a newsagent, attacked while carrying his nightly takings to the bank in October 1987. He died several days later.

They were arrested on evidence provided by Darren Hall, who had been with them on the evening of the killing. There was no scientific or eyewitness evidence against the men, who were alleged to have made verbal admissions to police, which they later denied.

(Photograph omitted)