


European court verdict will allow 1,300 murderers to have their cases reviewed | The Independent

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More than 1,300 convicted murderers, including Winston Silcott, Satpal Ram and Harry Roberts, are set to be given the right to have their sentences reviewed following a legal challenge by a former life-sentence prisoner.

The European Court of Human Rights in Strasbourg is expected today to strip the Home Secretary of the right to keep killers in jail.

A legal challenge by the convicted murderer Dennis Stafford has argued that the final decision on a prisoner's release should be made by a judicial body and not a politician.

The Home Office has fought the case, but government lawyers indicated last night that they expected the judgment to go against them.

A victory for Stafford will mean that 1,300 prisoners who have been given mandatory life sentences for murder but have served beyond the tariff recommended by the trial judge will be allowed to have their cases considered by the Parole Board at oral hearings at which they will be entitled to give evidence.

The decision of the Parole Board would be final and the Home Secretary would have no right to intervene. The Home Office is already preparing for the Parole Board to deal with 440 oral hearings over the next 12 months.

A defeat for the Government today would be a boost for prisoners who claim they are being kept in prison for political reasons.

Silcott, 42, was cleared of the murder of PC Keith Blakelock during the 1985 Broadwater Farm riots but is serving life for the murder of boxer Anthony Smith in 1984. He was told he would serve 14 years for the killing, which he says was carried out in self-defence.

Ram has served 15 years for the murder of Clarke Pearce in a fight in a Birmingham restaurant, also alleged to have been in self-defence. The Parole Board ruled in 1999 that Ram should be released on licence, but Jack Straw, then Home Secretary, refused.

Roberts, 65, who was jailed for the murder of three unarmed police officers in 1966, was given a tariff of 30 years.

Stafford, 65, was convicted in 1967 of murdering gaming machine collector Angus Sibbett. He was freed on licence in 1979 but breached the conditions of his release by going to South Africa, where he became a businessman.

When he returned to Britain in 1989, he was arrested and sent back to jail. He was released in 1991 but convicted three years later of a counterfeit traveller's cheque scam and sentenced to six years.

He expected to be released again after serving the minimum sentence of four years, but Mr Straw refused, claiming Stafford might commit further non-violent offences after a Parole Board ruling that he was not dangerous.

Stafford, who served an extra three years, successfully challenged Mr Straw's action in the courts, only for the finding to be overturned by the Court of Appeal and the House of Lords. Stafford then took the case to Strasbourg.

Michael Purdon, Stafford's lawyer, said: "This will clarify the test to be used to determine whether a mandatory lifer is to be released. What we want is for the decision to be taken by a judicial body."

Mark Leech, founder of ex-offenders' association Unlock, said: "Politicians should not be involved in sentencing."

Following a 1999 challenge by lawyers acting for the killers of James Bulger, Strasbourg ruled that only a judge, and not the Home Secretary, could set sentences for child killers.