

# Claire Curtis-Thomas

## MP to Stand Down

Claire Curtis-Thomas, who has long championed the cause of falsely accused people, is to stand down at the next election.

Ms Curtis-Thomas has written to Prime Minister Gordon Brown explaining that it is with "great regret" that she is to stand down. She also highlighted that making up her mind was "never an easy decision".

Ms Curtis-Thomas, 51, was elected to the House of Commons at her first attempt at the 1997 General Election. Her letter to Number 10 in full, reads:

*"The sense of privilege and pride I have felt as the Member of Parliament for Crosby for the past 12 years hardly needs stating.*

*"It is my home; its people have become my friends; its history and heritage I have learnt to admire, appreciate and cherish.*

*"Above all the sense of honour I have felt in representing the community I love has brought great warmth and meaning to my life.*

*"My family and I moved to this great community 13 years ago, and my children have grown up and been educated here. I'm very proud of where they live and work.*

*"It is however with great regret and sadness and after a lot of thought and discussion with my wonderful family that I have decided not to stand at the next general election.*

*"I wish to echo the eloquence expressed by Barbara Follett in her recent resignation letter, there comes a time when you have to think hard about your commitments, and the time you spend away from your family and the difficulties, stresses and strains that ensue.*

*"For some reason known to a collection of moribund male MPs, disconnected I presume from the day to day care requirements of a family, parliamentarians still work ludicrous hours and I am no longer happy to walk the*

*streets home at 12 o'clock at night having finished work an hour or so earlier. It is neither sensible nor practical.*

*"Relinquishing your role as an MP is never an easy decision to make, the Labour Party and our aspirations have been something that I have lived with since the day I was born.*

*"I am so proud to be a member of our party, and I will remain committed to our values and our objectives. We are the party that will always stand by the vulnerable, campaign for equal rights for all, fight for the protection of the environment and invest in those so much poorer than ourselves throughout the world.*

*"There are difficult and unforeseen days ahead for us, and I trust you will do the best you possibly can for our future, our country and our people; we know this is an election that we must win. My family and I will continue to campaign in the coming months.*

*"I thank the people of Crosby and Formby from the bottom of my heart for giving me the opportunity to represent them and I wish my successor the very best. Thank you for all your support over the years."*

A F.A.C.T. spokesman said Claire's decision to stand down will come as a huge shock to many of F.A.C.T.'s supporters. We owe a great deal to Claire and wish her all the best in the future. Right from the outset Claire has always been a conviction politician and has shown considerable courage and determination in fighting injustice. Whilst we know Claire would have liked to have done more there are very few politicians who have matched her grasp of the issues and her insight into the investigative processes and failings which sometimes occur. Her loss will be keenly felt both by her constituents and by many falsely accused people who, over the years, have depended on her wisdom and support"

*Read a summary of Claire's address to F.A.C.T.'s tenth anniversary conference on page 14*

**Have you thought about sponsoring an edition of FACTion?**

## Falsely Accused Carers and Teachers

F.A.C.T. is a voluntary organisation which supports carers and teachers who have been falsely accused and/or wrongly convicted of child abuse, and campaigns on their behalf for changes in investigative practice, and for reform of the criminal justice system.

### Committee and Editorial Team

F.A.C.T. is managed by a national committee who can be contacted as follows:

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### FACTion

FACTion is produced at approximately bi-monthly intervals at the national committee's discretion, and is provided free of charge to F.A.C.T. members.

The editorial team welcome articles for publication, of between 150 and 1,500 words, and letters of not more than 200 words. These should be sent, preferably by email to: faction@factuk.org or by post to FACTion, P.O. Box 3074, Cardiff, CF3 3WZ.

The editorial team reserve the right to edit any article or letter sent for publication.

All submissions must be accompanied by your name and address which, on request, will be withheld from publication.

The views contained in FACTion do not necessarily represent those of F.A.C.T., or its national committee.

Contributors are reminded that FACTion is also published on the internet and therefore is, potentially, available for everyone to read.

## Editorial

Firstly let me say how thrilled and pleased I was to see so many members and friends at the Tenth Anniversary Conference, I believe that this was the best attendance since the Dinas Powys conferences in the relatively early days of F.A.C.T.

I would also like to thank the many people who voted for me to become the Chairman of F.A.C.T. for the forthcoming year. I appreciate that I may not be everyone's choice, but I did sense that the majority were in favour of my appointment. I shall, to the best of my ability, endeavour to serve the membership in every way possible with that one constant aim in mind; that of obtaining successful appeals.

I was saddened on reading Ken MacKreth's posthumous Appeal Court Judgement which failed to clear his name. Yet another victim of false allegations who paid the ultimate price for something which we all firmly believe did not take place. I consider this to be an extreme example of an Abuse of Process. Ken was convicted for alleged offences which had supposedly occurred 27 years previously and was 86 years old and in poor health at the time of his trial. If this is an example of the 'British Justice' which is supposedly renowned throughout the world, it is an appalling indictment of both the British Justice System and the Government.

The number of successful appeals is nevertheless slowly but steadily mounting and this, taken in conjunction with the recommendations of the Home Affairs Select Committee's report, should have caused at least one or two people in the Justice System or the Government to consider the possibility of an inquiry into the matter of Historic Abuse in Residential Establishments. I believe that with the prospect of a new Government within the relatively near future, and the fact that the probable leader of the new administration was a member of the original inquiry, it is beholden upon us to press substantially for such an inquiry.

Another area which I believe is not functioning as it was intended, is the CCRC (Criminal Cases Review Commission) where the number of cases which are referred to the appeal court is dismally low. A fact which is not helped by the extremely small number of historic abuse cases which have been referred to them. If we want action we must be prepared to voice our beliefs with some degree of conviction and persuade those in authority to listen to what we consider to be a justifiable course of action.

George

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## AGM

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The F.A.C.T. AGM took place in Birmingham on the 5th September. Forty six members attended. Reports were received from the outgoing Chairman Gail Saunders and the Secretary (see reports on pages 4 and 5). The Treasurer also submitted a financial report outlining the income and expenditure during the preceding year. He reported that for the first time expenditure had exceeded income. This was partly due to reduced income during the preceding year and to the increasing cost associated with FACTion.

Although F.A.C.T. has money in reserve a number of cost cutting measures will need to be considered. However it is hoped to maintain membership fees at their current level (£20 per annum). The increasing cost of printing and distributing FACTion (approximately £500 per edition) and the reduced income from sponsorship makes the magazine vulnerable to cost cutting measures. The national committee will discuss this at their meeting later this month when a proposal to limit FACTion to four editions a year (plus a Christmas special) rather than the current six will be discussed. No changes will be made until 2010.

A presentation and vote of thanks was made to Gail Saunders on behalf of the Committee for all her work in past years. George Jensen was elected Chairman. Two new members, Val and Tracey were also appointed to the Committee.

A resolution submitted by F.A.C.T. North Wales calling for greater efforts to be made to increase awareness amongst potential jury members was unanimously passed.

## Chris Saltrese Solicitors

mail@chrissaltrese.co.uk

www.chrissaltrese.co.uk/

Chris Saltrese Solicitors is a law firm providing a premium service in representing clients accused of sexual offences and domestic violence, in criminal proceedings.

We have unrivalled expertise in these areas, both regionally and nationally.

Many of our clients face allegations as a result of domestic or relationship disputes, contact disputes, mental health problems, financial incentives and have no prior experience of the criminal justice system.

Often these allegations involve uncorroborated, historic allegations.

In this complex arena specialist legal advice and representation is vital especially as recent changes in the law, designed to convict genuine offenders, also put the innocent at greater risk of injustice.

We particularly welcome carers, teachers, and health care professionals who have been accused of abuse and are likely to be subject to a criminal investigation.

Where allegations have been made we would be happy to advise, whether or not criminal investigations are underway.

For further information please contact

**Chris Saltrese Solicitors**  
**13 Scarisbrick New Road,**  
**Southport, PR8 6PU**  
**Phone: 01704 535 512**

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## What kind of people had we become?

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The year was 1999. My wife and I were invited to the christening of an ex colleague's baby daughter. After the ceremony there was a reception at the clubhouse of a local golf club. It was a warm summer day and a group of us, all ex Ty Mawr staff and their wives were having a drink outside in the sunshine. Most of us were parents and grand-parents. Some of the wives were ex staff as well.

At the time, I had been charged with sexual abuse against boys at St. Aidans School, Widnes, Cheshire in the 1960s; another of our group had been suspended from work and was in that limbo-land of not knowing why. As you can imagine, the conversation was centered on the current investigations and what lay ahead. All were dreading that early morning knock on the door!

Close to where we were sitting a toddler about two years old was playing on the grass on a "kiddycar". The grass was uneven and he fell off the tricycle right in front of our group and started to cry. Not one of our group made a move to see if the young lad was alright.

The little boy's mother came running over and picked him up. She looked over at us obviously wondering why no-one had approached the little boy.

We looked at each other without saying a word, each one thinking, what kind of people had we become?

*Jim Hepburn*

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## Thank You

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The F.A.C.T. national committee would like to thank all those who attended, or took part in, our Tenth Anniversary Conference. Many of you we know travelled long distances to be with us. Your attendance and continuing support is much appreciated. Thankyou.

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## Howard Journal of Criminal Justice Article by Dr Naughton

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Our attention has been drawn to a recently published article on risk assessment for those in prison who maintain their innocence. The article, which was published in a recent edition of Howard Journal of Criminal Justice, is titled "*Does the NOMS Risk Assessment Bubble Need to Burst for Prisoners Who May Be Innocent To Make Progress?*"

Author: Dr Michael Naughton,  
Chair, Innocence Network UK (INUK);  
Senior Lecturer, School of Law and  
Department of Sociology, University  
of Bristol.

### Abstract:

The article considers, critically, a new course for prison and probation staff who work with indeterminate sentenced prisoners (ISPs) that has been devised by the National Offender Management Service (NOMS), which allows, for the first time, the possibility that some prisoners maintaining innocence may be innocent. However, whilst on its face this looks like a significant step, a closer analysis shows that the rationale and operations of the NOMS system of risk assessment for prisoners maintaining innocence remains trapped in a bubble which deters meaningful assistance to prisoners who may be innocent.

As such, prisoners maintaining innocence continue to be faced with the 'parole deal', a situation whereby they claim that they must choose to admit their guilt for crimes that they say that they did not commit in order to make progress through the prison system and obtain their release.

*Note: if you would like to review the full article please contact the editor.*

*The Howard League for Penal Reform is the oldest penal reform charity in the UK. It was established in 1866 and is named after John Howard, one of the first prison reformers. The Howard League for Penal Reform is entirely independent of government and is funded by voluntary donations.*

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## AGM Chairman's Report

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It seems to have been a very short time since I had the privilege of becoming the Chairman of F.A.C.T. and it is with a degree of mixed emotions that I am now standing down from the Committee to make way for a change in personnel. Like so many of our members, I have been involved with F.A.C.T. since its earliest days. During this time, I have met many remarkable people and will always look back on my association with our organisation with great pride and affection.

As we come to the end of our tenth year of campaigning, it is natural to question what has been achieved in this time and what more can be done to progress the cause. However, when I look back over the past twelve months alone and reflect on the vast amount of work that has been covered by the campaign as a whole, I am in no doubt of the value of our efforts and the necessity to continue.

Two of this year's events which I believe were significant, were the publication of the paperback version of Richard Webster's *Secret of Bryn-Estyn* and the publication of Dave Jones's book *No Smoke, No Fire*. Although these titles are quite different in style they both provide a record for posterity of the injustices brought about by investigations into historical abuse allegations.

Also this year, the Court of Appeal passed a significant judgement in the case of Frank Joynson. This judgement strengthened the issue of prejudice caused by missing documentation and questioned the merits of similar fact



evidence in certain circumstances. We were grateful to Mark Newby for taking the time to outline this important judgment in detail in an article published in FACTion for the benefit of all members.

It was the firm belief of the late George Williamson that the problem we faced as a campaign was a political issue above all else and that the solution could only be achieved through effective political lobbying. As part of George's powerful legacy, we have this year been involved in two important events at Westminster.

Committee members met with representatives from the All Party Group for Abuse Investigations (APGAI) at their request. In an extended meeting, F.A.C.T. provided the detail required by the APGAI to inform their continued work in Parliament.

More recently, F.A.C.T. was invited to give oral evidence to the Children Schools and Families Select Committee as part of their inquiry into Allegations Against School Staff. It was apparent from the recommendations made in the subsequent report that F.A.C.T.'s evidence had been accepted and acted upon.

In closing I would like to thank the members of the national committee for all their hard work on your behalf. They all work incredibly hard, and as I resume my place as a F.A.C.T. backbencher, above all I thank I thank you all, my dear friends, for your support and inspiration.

Gail Saunders

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## Report of the National Secretary

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Before I start my talk I would also like to say what a privilege it is to be part of F.A.C.T.'s tenth anniversary. A decade of real achievement. I came to F.A.C.T. a little later than some, via the North Wales route, but by that time I had already gained considerable experience fighting false allegations – mostly, but not entirely, concerning my own case.

I was first accused in 1991 - so in 2 years time I will have been involved in one way or another in fighting for justice for some 20 years. Never did I ever expect to be in this position, nor in 2003 I think it was, did I expect to be appointed F.A.C.T.'s national secretary. Looking back I have been very fortunate and my involvement with F.A.C.T. has helped me regain that sense of purpose that was cruelly taken from me.

In general terms this has in many ways been a year of mixed fortunes.

On the positive side we have seen several people released at last from prison and have been contacted by and helped and/or supported more people than ever before. This year we have also enjoyed improved standing with the media (press, radio and TV) and been well received by various government agencies including the APGAI (All Part Group on Abuse Investigations) and Children, Schools and Families Select Committee whose recent report on Allegations Against School staff not only raised the importance of this issue but also F.A.C.T.'s own profile. We have held 4 committee meetings as required by the Constitution and also celebrated our third Christmas Gathering in style. Thanks to Joy this now forms a firm part of our calendar.

On the negative side we have had difficulty in persuading members to share the burden of effort and, as a result, we have not made the progress we could, and should, be making. As I made clear last year I do understand why people do not commit themselves to greater involvement but the reality is that without direct support F.A.C.T. will not thrive.

Several of the Committee members, some of whom don't enjoy the best of health are well past retiring age, and/or have been in office for lengthy periods of time. If we are to look forward to another decade of F.A.C.T.'s continuing campaign we must acknowledge the reality that a good number of our activists will not be well enough – let alone alive - to hold office and carry out the work that they do. We are not quite yet at the critical point, but not far off it, so I would urge any one who has the time to assist, to do so. Next year I also will be looking for some respite from the present workload which is beginning to overwhelm me.

Overall membership of F.A.C.T. has remained steady throughout the year. However it has been personally disappointing that we do not seem able to convert interest in what F.A.C.T. does into increasing membership. Far too many people, for example, contact the helpline, say nice things about the advice given etc., but do not join the campaign or become members. This is not just a problem for F.A.C.T. but also other similar help-lines.

There have been two main disappointments this year. The first was the low turnout for our lobby of the ACPO Conference. This was especially disappointing as it has been an important part of our campaign for virtually a decade. I know there are some who feel it is time F.A.C.T. abandoned direct lobbying but I ask those of you who have been involved with F.A.C.T. since the early years to remember the positive results that have been achieved by lobbying, and by engaging directly with the general public. The other disappointment is our deteriorating financial position. The Treasurer will say more about this later but clearly we must ensure we live within our means. Either we increase our revenues or we scale back on things such as FACTion or cost of meetings etc.

*continued on page 16, col 2*

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## Risk and Reconviction Rates of Sex Offenders

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It is generally presumed that sex offenders, guilty or otherwise, will always pose a risk to society. But what does the research say?

According to the Home Offices own findings\* nine out of ten of those assessed by the Parole Board to pose a 'high risk' were not reconvicted of a sexual offence within four years. Of those who had 'denied' their offending only one 'high risk denier' was reconvicted of a sexual crime. This finding is to be expected as one would not expect those who are genuinely innocent to repeat their 'offending'.

Similar research was carried out by the Lucy Faithful Foundation but over a considerably longer period of time (21 years).

The findings in these studies were that only 25% of men who had been convicted of a sexual offence re-offended within a period of 21 years, the entire period of the study! The majority of those who did re-offend did so within ten years.

Carers and teachers who have been the subject of historic abuse allegations have, in the main, been accused of offences said to have occurred between ten and thirty years previously, and therefore have long passed the period of re-offending threshold before they were even accused!

Perhaps it is not so surprising that in July 2009 the Appeal Court determined that the requirement to have the names of offenders on the Sex Offenders Register for life contravened Article 8 of the Human Rights Convention, and that life time registrations must be subject to ongoing review. Predictably the Home Office are looking at ways to circumvent this ruling.

George Jensen

\* *Home Office Findings 164, (2002) Reconviction Rates of Serious Sex Offenders and their Assessment of Risk, Hood, Shute et al, HMSO.*

## Archiving Policy

From time to time members of the national committee receive case papers and other documents from F.A.C.T. members. Whilst great care is taken to store these in a secure and confidential manner storage inevitably poses some problems.

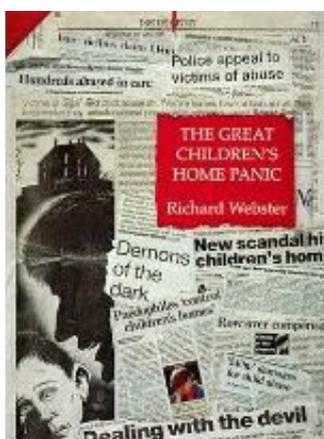
F.A.C.T. members are reminded that:

1. All papers and documents are sent at your own risk.
2. Do not, unless specifically requested to do so, send original documents.
3. It is your responsibility to indicate **at the time of dispatch**, whether or not you wish to have the papers returned to you.
4. If you want your case papers returned they will be sent to you as soon as possible. If there is a delay please do not hesitate to contact the person concerned.
5. If you do not indicate that you wish to have your papers and documents returned it will be assumed that they have been sent for F.A.C.T. to dispose of when it is appropriate to do so.
6. F.A.C.T. will only retain your case papers and any other documents you have sent in whilst they are being worked on, or for research or reference purposes.
7. Be aware that there may be legal restrictions regarding the sharing of information supplied by the Police, C.P.S. and Courts.
8. Recently a number of committee members have indicated that due to the volume of information received they must make room for new material.
9. If you have sent any information to a F.A.C.T. committee member and wish for it to be returned please contact them without delay.
10. All surplus or obsolete papers will be destroyed by the 31st December 2009.

## A BRIEF HISTORY OF F.A.C.T.

*A personal perspective by Rory who, for many years, was Chairman of F.A.C.T.*  
Who would have thought, amongst the 40 supporters of Basil Williams-Rigby attending their first meeting at Kensington Community Centre in Liverpool in November 1999, that the organisation they were about to create would still be alive and well ten years later - an organisation known as F.A.C.T., which has had such an impact on the lives of so many of its members.

Basil had been caught up in the grossly mis-named Operation Care and convicted in the August of that year. So, too, had Dave Jones, ex-Everton and then manager of Southampton who, because of his high profile, was attracting considerable press and media coverage. Police trawling was to produce a large number of complaints against 91 carers and teachers who had worked at St. George's, Formby (later Clarence House), and David Jones' appearance in court led to a demonstration by his many supporters, together with placards and even a slot on Sky News. That first meeting at the Community Centre gave voice to the outrage engendered by the injustices of trawling and the whole judicial procedure.



The Great Children's Home Panic

In 1998 Richard Webster had published "The Great Children's Home Panic", which was to prove an inspiration to many and, in particular, to Basil's brother-in-law, Harry Fearn, who became F.A.C.T.'s first Chairman.

In December 1999, the Campaign on behalf of Victims of Operation Care (CVOC) met for a second time and twelve days later a further demonstration took place outside the court where Dave Jones was making another appearance. Again, there was much local press coverage and a TV slot, this time on ITV.

Amongst the Fearn, Buckners, Lawsons, Strettles, Hoskins, Jolleys, Mills and others was a particularly knowledgeable and battle-hardened campaigner, George Williamson of AAFAA, who had formed his support group for domestic cases in 1998 and published their first newsletter early the following year. It was at the third meeting on 17 January 2000 that CVOC became F.A.C.T., the new name a brain-child of Barry Strettle. By then, barrister Mark Barlow and solicitor Chris Saltrese were on board; and Gwen Hurst of the Bryn Estyn Staff Support Team (BESST), which she had started with John Rayfield in 1992, and Gail Saunders, of the Friends of Derek Brushett (FODB), had been in touch. There was more publicity for F.A.C.T. when Dave Jones made his first appearance at Liverpool Crown Court, and campaign leaflets were distributed.

Events were unfolding at speed. On 15 February "Lost in Care" (The Waterhouse Report) was published, and Newsnight invited Chris Saltrese and Charlie Mills to take part. It was on that programme that Sir William Utting said: "It may be that innocent people are being convicted, but we ought to be more worried about the guilty who might get away".



Bryn Estyn Community Home

It was immediately after my own successful and remarkably quick Appeal on 20 March that Harry and Bernadette made contact and I attended my first F.A.C.T. meeting eleven days later - outraged by my own experience and appalled by the plight of many I had met in prison. Shortly afterwards, on 8 April, F.A.C.T. had its first Conference at De La Salle High School. It was here that Mark Barlow inspired us all by pointing out that we all had the ability to challenge, argue and petition. Indeed, it was our duty.

And so F.A.C.T. gradually began to spread its wings. Bev Brooks and Phil Sidebottom established a Yorkshire Group, and F.A.C.T. members began attending trials in Manchester, Liverpool, Grimsby and Chester. The second Conference on 15 July at St. Jerome's in Formby was another important milestone in F.A.C.T.'s journey. Formby MP, Claire Curtis-Thomas, concerned by the number of allegations and arrests in her constituency, courageously identified herself with our cause.

The third Conference on 16 September welcomed David Wood's much valued legal advice, but it was about this time that F.A.C.T.'s initial pioneering spirit began to be threatened a little by the pressures of the Campaign. As a result, vacancies on the committee arose and were filled by Doreen Strettle and myself. November was a busy month: an AAFAA Conference, when journalist Simon Caldwell spoke and where we met the redoubtable Bill Thompson for the first time; our own Conference; a hard-hitting Panorama Special "In the Name of the Children" by David Rose and featuring Roy Shuttleworth; and, on 30 November, Dave Jones' trial started amidst massive public interest. F.A.C.T. attended in numbers and took part in a most impressive silent walk through Liverpool. To great jubilation, on 5 December, the trial collapsed.

Also in December, we took part in the first Christmas Prison Vigil and, in the same month, the United Campaign Against False Allegations of Abuse (UCAFAA) was formed: a powerful combination of different campaigning groups with a common cause - including F.A.C.T., AAFAA and the British False Memory Society (BFMS).

By early 2000, Claire Curtis-Thomas had arranged a meeting at Portcullis House where we were able to present our concerns to a sympathetic Baroness Shirley Williams and others. It was about this time that Richard Newsham took over as Chairman from Harry. We felt that F.A.C.T. was well and truly rolling.

On 21 April in Warrington, Simon Caldwell spoke on "Anonymity and the Presumption of Innocence" and Bill Thompson on "Erroneous Investigative Procedures". At the following Conference at St. Anthony of Padua, we heard Kieron Reid on "Complaints Against the Police", and Satish Sekar on "Appeals Procedure". Bill Thompson presented the first of his five challenging and fiery "Historical Adult Allegations". However, in September we experienced the first of many disappointments when the Catholic Church's Nolan Report failed to reflect any of the concerns we had raised when we had given evidence to their committee. Still, the Campaign continued to gather momentum and F.A.C.T. played an important part in the UCAFAA Conference in London.

In October 2001, the first FAction was published, with Phil Fiddler as the first editor. It was to play a vastly important part in the campaign. In the same month the inaugural meeting of the All Party Group for Abuse Investigations



Portcullis House, Westminster

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## What Goes Round Comes Round

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Sir Jonathan Legg's decision to send letters to almost half of the Westminster MPs asking them to repay or to justify financial claims which, it seems for the most part, were made according to the rules that existed at the time and were approved by the relevant authority reminds me of one of my mother's favourite sayings. "What goes round comes round". Sometimes it was said with a degree of irony and retribution, and sometimes as a warning to me that whatever I did to others in this life, good or bad, the same might happen to me. It is claimed that Sir Jonathan Legg is rewriting the rules and judging yesterday's events by today's standards.

What should our attitude be? Should we applaud Sir Jonathan for biting the bullet and cleaning up Parliament? What should we make of the behaviour of all three leaders of the political parties who with one voice have called on those who have been asked to repay to do so without any fuss or protest?

Many carers and teachers throughout the UK will know only too well the dangers of historic investigations and of yesterday's events being judged by today's standards. They also know full well the impact of those managers, employers, community do-gooders and political leaders who, for often quite selfish reasons, support the populist or least risky view.

In this case it has been said that Parliament's reputation is more important than the reputation of a minority of MPs. This is the same attitude that local authorities have when historic claims of abuse are made about staff working in schools or care homes. Innocent staff are sacrificed, along with the guilty, for the common good. So it is with MP's.

The question is not what is best for the common good but what is right. MPs have a duty to challenge injustice wherever it occurs. We need a Parliament that is strong and principled, and treats all citizens - MPs included - with fairness and with justice. We also need leaders who have the courage to stand up for what is right - not what is popular or judged to be in the best interests of the majority. Justice must never be sacrificed. Mr Brown, Mr Cameron and Mr Clegg, what goes round comes round!

*continued on page 8*

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## Congratulations

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Congratulations to Ingrid Karmark on being awarded *The Contested Allegations Research Fund's* first award. Ingrid, who is currently working her way through a PhD at Kent University, was not able to be present at the Conference to collect her award which has been made for her outstanding contribution to justice issues which affect those accused of historic abuse. A Trust Fund spokesman said "We are delighted Ingrid has been the first recipient of this award and congratulate her. We await the conclusion of her research which is particularly relevant to those people convicted of historical abuse and maintain their innocence."

Ingrid has kindly agreed to write a paper covering some aspects of her research which we hope to publish in the Spring.

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## Birthdays

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Happy birthday to Brian and Philip. Brian's birthday is on the 22nd October and Philip's on the 14th December.

A number of people have contacted us querying whether or not they have missed any birthdays as the numbers seem quite low. Hopefully we haven't. Thankfully the numbers of men still in prison who we support are diminishing so there are less birthdays to record.

This is also reflected in our Christmas card list which will be circulated shortly.

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## Christmas Gathering

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Our Christmas gathering and vigil will take place on Saturday 12th December in Birmingham.

We hope this will still give us sufficient time to send out a Christmas FACTION with photographs and Christmas greetings to those in prison. If you would like to attend or to pass on a Christmas greeting please let Joy know.

(APGAI) took place in Portcullis House and we were introduced to another sympathetic and courageous politician, Earl Howe.

There was also another Conference at St. Anthony's, when we heard from Satish Sekar, Janet Boakes and Bob Woffinden. F.A.C.T. was gradually becoming more and more knowledgeable and consequently able to give



Chris Mullin MP Chairman of the H.A.S.C.

better support to its members. By December, the Christmas Vigil had been extended to ten different prisons.

The year 2002 was, I suppose, the year of the Home Affairs Select Committee. As requested, we had sent in F.A.C.T.'s submission. By then Richard Newsham had stepped down as Chairman at the AGM and I had taken over.

At our annual Conference, Roger Scotford of the BFMS spoke on "The Memories of Child Abuse or the Abuse of Memories" and we heard from Pamela Radcliffe, and from Richard

Webster on "Waterhouse - a betrayal of trust".

In May, BESST became F.A.C.T. North Wales and FODB became F.A.C.T. South Wales. By then, F.A.C.T. North East was also up and running.

On 21 May, F.A.C.T. (Phil Craig, Phil Fiddler, Chris Reeves and I) appeared before the Home Affairs Select Committee. Between 14 May and 11 July many F.A.C.T. supporters gave evidence to the Committee; and certainly some who were not, especially Mr. Garsden who said: "As a result of effective campaigning by F.A.C.T. and AAFAA, more and more cases are being thrown out - and more and more defendants are being acquitted because of the fear of the abuse lobby".

On 22 May, Terry Hoskins, Chris Reeves and I had also given evidence to the All Party Group.

Everything seemed something of an anti-climax after that, so the sad news of Daryl Gee's death in his cell on 27 August brought us firmly down to earth. He would have been 56 a month later.

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On 7 September we had our first Conference at Dinas Powys, organised by F.A.C.T. South Wales, and heard Rani Kaur speak on "Appeals Procedures"; and Richard Webster on "Corroboration by Volume".

By this time, there was some concern that F.A.C.T. did not have the wider organisational ability to respond to requests which were becoming more and more diverse and challenging. In short, we were growing out of ourselves and needed greater National input on the Committee. This triggered off considerable debate and no little opposition.

Meanwhile, however, we were hit by another tragedy : the death of Andy Shalders in his cell on 11 September.

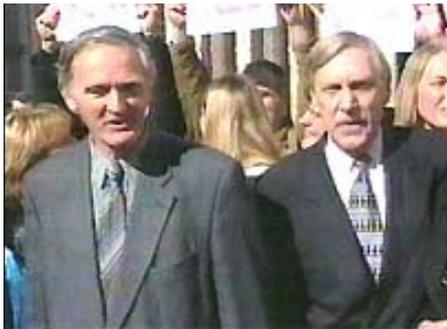
F.A.C.T. always provides a yo-yo of emotions and the end of the year was proving no exception.

On 16/17 October Basil Williams-Rigby and Mike Lawson were at the Appeal Court. Annoyingly, judgement was reserved until after Christmas, but there was real hope....

A week later, some F.A.C.T. members attended the Ray Wyre Conference, distributed a great deal of literature and had the opportunity to question Sir Ronald Waterhouse.

At the end of the month the Home Affairs Select Committee's recommendations were made public - and what hope they gave!

Another UCAFAA Conference on 9 November was followed by the annual Christmas Vigil in December.



Mike and Basil cleared at the Court of Appeal

In early 2003 I produced a "Way Forward for F.A.C.T." paper, which was circulated and mostly elicited a favourable response, particularly from Bob Douthwaite of F.A.C.T. North Wales.

Meanwhile, we heard in February that Bill Thompson had been accused and suspended in the most extraordinary circumstances, and later that month, at the Conference on 22 February, we

welcomed Claire Curtis-Thomas, who spoke about preparing for the Home Office response to the HASC recommendations.

On 14 March we celebrated another glorious milestone for F.A.C.T. : Basil Williams-Rigby and Mike Lawson were at last cleared at the Court of Appeal. Joy was unconfined (and I don't mean the Joy we know and love, though she may have been!)

But we soon came down to earth with a bump: the truly awful news of Rani Kaur's tragic death, followed by a disgraceful Government response to the HASC recommendations.

At our AGM in Warrington on 31 May, the Conference requested a Working Party to look into F.A.C.T.'s future constitution.

This was set up in June and reported back to the Dinas Powys Conference on 6 September. As a result, Phil Fiddler resigned and a new National Committee was elected. Gordon Rozario became Treasurer and Michael our Secretary. David Sherwell took over as FACTION editor and I remained as Chairman.

In October, the Historical Abuse Appeals Panel (HAAP) was launched, spearheaded by Mark Barlow and Mark Newby; and a new North West Committee was elected.

*continued on page 10*

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## CCTV in Schools

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The Guardian newspaper has reported that hundreds of primary and secondary schools across the country intend to install CCTV cameras in classrooms over the next five years to root out bad teachers and check up on naughty pupils.

According to the Schools Minister 94 schools in the UK already use high-definition cameras in their classrooms at a cost of £1,345 a year.

Teaching Unions and the public are divided on the issues. Some see CCTV as helping to drive up standards of teaching and pupil behaviour, others see it as unnecessarily intrusive. Teachers have also remarked that CCTV might help reduce the numbers of false allegations being made against school staff.

A F.A.C.T. spokesman said CCTV cameras are "not the answer" to reducing the increasing number of pupils who accuse their teachers of misbehaviour.

"If pupils know they are being televised and are minded to make a false allegation, they will just do so outside the camera's reach.

"This will make teachers even more vulnerable as it will appear that their alleged behaviour has been deliberate and has taken place in circumstances where it is unlikely to be detected."

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## We are all afraid aren't we?

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According to a recent article in the TIMES (14th August) there is a very real risk that school children are made to feel that all strangers may be dangerous and all men are threats. As a result children have become frightened of adults, and adults – terrified that any interaction of theirs might be misinterpreted – have become equally frightened of them.

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## Falsely Accused Given Anonymity

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Three Hartlepool men who were falsely accused of raping a 42 year old woman have been granted anonymity by the Judge sitting at Durham Crown Court.

A woman who cried rape has pleaded guilty to perverting the course of justice.

Their accuser admitted perverting the course of justice and will be sentenced on 26th October.

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## ISA Under Attack

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The Recruitment and Employment Confederation who represent 8,000 personnel suppliers says its members are still waiting for important information on how they should refer suspicions about employees to the vetting and barring agency, just two weeks before it comes into force.

Anne Fairweather, head of public policy at the REC said, "Our biggest concern is that from October 12th our members will face criminal sanctions if they don't refer information, but it's still not clear.

"They will refer too much in order to watch their backs, and then the ISA will have too much information.

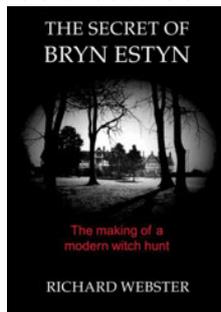
"In principle the scheme ought to improve safeguarding and be really simple to operate. But throughout this process, it hasn't been thought through. They've rushed it through without considering the consequences."

The Home Office said: "We have undertaken an extensive programme to explain the Vetting and Barring Scheme to its stakeholders, including those in the recruitment and employment sector. The head of public policy at the Recruitment and Employment Confederation is a member of our consultative group and has been engaged with on a regular basis."

By 2004, F.A.C.T. was forging ahead.

And then jubilation: Anver Sheikh was freed - the Prosecution case "holed below the water line", but - ominously - a new trial was ordered.

Meanwhile, David Cameron had joined the All Party Group, not particularly relevant at the time, but possibly more significant now.



The Secret of Bryn Estyn

After all he had been on the Home Affairs Select Committee. At the same time Professor Zellick became the new chair of the CCRC, which was working closely with HAAP.

F.A.C.T. also made a submission to the Bichard Enquiry, following the Soham murders, whose report was to set back F.A.C.T.'s cause in no small way and which would lead to problems with CRB checks and the like - and much more besides.

The F.A.C.T. website was by now vastly improved, the finances in good order and new alliances were emerging. Then AAFAA closed down, which had membership consequences for F.A.C.T.

But still F.A.C.T. motored on. The Conference and AGM at Dinas Powys on 11 September concentrated on a broader overall strategy, a re-examination of F.A.C.T.'s methodology, promotion of academic research, and the Innocence Project. A new lobbying campaign was also launched.

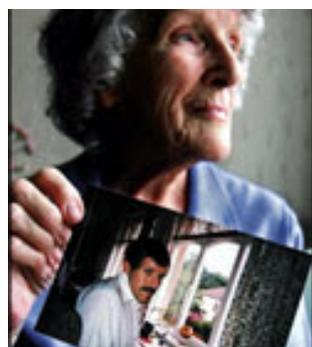
At the end of the year F.A.C.T. members attended a Conference, organised by APGAI: "Abuse Investigations - Systemic Failure".

Early in 2005 Anver Sheikh returned to court and was again found guilty. So much for the case being "holed below the water line".

We were cheered up, however, by the March launching at Portcullis House of Richard Webster's beautifully researched and immensely compelling "The Secret of Bryn Estyn". Meanwhile, Margaret Jervis and George Williamson had been hard at work producing background research for the lobbying campaign, part of which eventually became "Operation Release - The Right of the Innocent to be Heard". In October, Ian Argyle became the new treasurer.



Victorious Anver Sheikh



Molly Gee holding a picture of Daryl

Other developments included increased media cover: Teachers TV and Private Eye, for example. Indeed, many parts of the media were by now expressing our concerns. As Mark Barlow remarked recently, public perception has changed: "It's all about money, i'nit?" (anonymous sage).

A Research Fund was suggested at about this time. A Cambridge University Research Project was proposed jointly by HAAP and F.A.C.T. In March 2006, David Sherwell handed over editorship of FACTION to Michael, and the following month Daryl Gee's conviction was finally quashed and we were able to celebrate with his wonderful mother, Molly, at the May Conference.

Meanwhile, George Williamson continued to crack the lobbying whip, urging support whenever and wherever possible, though ACPO's reluctance to tolerate us in June was disappointing. On 9 September, at our Birmingham

Conference, it was a particular pleasure to welcome John Easling, our generous benefactor, and Dale Dunlop of Nova Scotia fame.

A month later, Anver Sheikh won his appeal in a landmark judgement, and justice was finally done.

In January 2007 George Jensen published his "Parole Matters", and George Williamson's 'National Awakening Day' proved popular. He was also keen to lobby not only the respective Parliaments and Assemblies but also, as he put it, other symbols of our concern.

By now F.A.C.T.'s role was evolving and becoming clearer: on one hand, it was providing a wealth of advice, help and emotional support, with Joy and Michael leading; on the other, it was campaigning to have innocent prisoners released, with convictions quashed and names removed from the Sex Offenders Register, and to bring an end to false allegations and wrongful convictions.

At the same time, the investigative focus was moving from children's homes, residential and non-residential schools to welfare and community based services. The challenge was increasing.

And then some more sadness in the North.

The new North West Committee had been ably led by Laurie Sutcliffe, so it was a considerable shock to learn of the death of this wise and kind man on 9 July.

On the other side of the world, Tom Easling was on trial, whilst back in England, at our October Conference, we heard Hermann Kelly telling Kathy's Real Story, a forensic dismantling of an accuser's false allegations; and hoped it would gain maximum publicity.

We had been concerned by George Williamson's poor health after the Spring Conference. This deteriorated further throughout the summer and, on 13 November, he died. Many F.A.C.T. members attended his funeral on 19 November in Yorkshire.



Christmas Gathering

*continued on page 12*

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## Shocking Number of False Allegations

In what will be seen as a welcome move by F.A.C.T. members the BBC has been investigating the causes and consequences of teacher stress. Anita Rani from the One Show on BBC told viewers that what emerged from this investigation was the shocking number of teachers who had been the victim of a false allegation.

Whilst this revelation will be no comfort to F.A.C.T. members the fact that the issue was raised on the BBC during prime time viewing shows just serious the problem has become, and how public attitudes towards those falsely accused by pupils are rapidly changing.

### ATTENTION RESIDENTS!

Lancashire Police have taken the unusual step of posting letters to local residents which say: 'ATTENTION RESIDENTS':

'There have been allegations made about a local resident paying inappropriate attention to young children in the area. Allegations of this nature are taken very seriously and this matter has been FULLY investigated by the police.

The result of our investigation is that the allegations have been found to be false and without any foundation whatsoever.

Can we take this opportunity to reassure the public that there is no suspected or known person/s of concern living in this area'.

The victim of the false allegations added: "When this letter came through my door I read it and thought 'Thank God'.

"I thought maybe now people will realise I've done nothing wrong and these kids have been lying and the so-called vigilantes will have egg on their faces.

"I said all along they will find the truth and then I want them prosecuted."

## Jersey Inquiry Branded 20 Million Pound Shambles

A three-month investigation by *The Mail on Sunday* has concluded:

1. The main witness behind Harper's decision to begin the search for bodies was a woman with a known history of psychotic fantasy and alcoholism. She named children she said she had seen jumping to their deaths from Haut de la Garenne windows and hanging from trees in the garden, where she said she also found a severed hand. None of these claims were true.
2. Eddie the sniffer dog – the animal that had supposedly found the 'scent of death' in the Portuguese flat where Madeleine McCann disappeared – no longer had a licence for UK police forensic work when Harper started using him in Jersey. Eddie, whose owner, Martin Grime, was paid £93,600 for less than five months' work, triggered the first excavations by barking at a spot where Harper's team then unearthed what was claimed to be part of a child's skull. In fact, as a Kew Gardens expert has now confirmed, it was a piece of coconut shell.
3. Financial investigators have spent months poring over the inquiry's costs. They have found they were massively inflated – not only by Harper's mismanagement, but by frequent trips to London, where he and his colleagues claimed expenses for lavish meals. Harper also retained the island's only police car equipped with a numberplate recognition device for his own personal use, and its driver, PC Andrew Linsell, as his chauffeur. He ordered Linsell to pick him up from home each morning, and sometimes kept him on duty late in the evening to ferry him around.

*continued on page 13, col 2*

To say that we miss George is an understatement; not only his crusading zeal and sheer hard work, but George as a man: funny, quirky, passionate, stubborn and occasionally infuriating, but always a loyal, true friend to F.A.C.T.

To hear that Tom Easling had been cleared came as a welcome relief.

But Joy's Christmas Gathering and Candlelit Vigil reminded us of those who had been unjustly accused and convicted, and who were languishing in prison.

With the New Year, 2008, came the hysteria surrounding the so-called discoveries in Jersey, stoked by the usual media exaggeration.

At our Spring Conference in April, Sir Roger Singleton and Adrian McAllister gave us details of the new Independent Safeguarding Authority.

Our sceptical response was soon justified in June by a report that 11.3 million people would now need to be vetted by the ISA, under the new requirements. No surprise there, then. And it wasn't long before further reports revealed a large number of CRB errors on their database. The misery caused cannot be quantified.

Meanwhile Jim Hepburn was taking up some of the lobbying work, and Iris Jensen was appointed Correspondence Secretary.

There was more sadness for F.A.C.T. in June, when we heard that Harry Dickson had died, and then Norman Owen in July: both loyal F.A.C.T. members, who are greatly missed.

Then, at the AGM on 6 September, I stood down as Chairman and handed over to Gail Saunders: much smaller and a great deal more glamorous.

I look back on my time with F.A.C.T., from that first meeting on 31 March 2000 to today - the 10th Anniversary Conference - with a great deal of gratitude for the opportunity to work with some wonderful people, many of whom have become friends. Together, we have seen F.A.C.T. develop from a local campaign group, focused on righting the injustice which had come into their lives, to a National - even International - Organisation responding to the needs of so many falsely accused and their families; and fighting for justice alongside enlightened lawyers, politicians, journalists, writers and fellow campaigners to eliminate this gross injustice in our society, which makes all of us vulnerable adults. We have demonstrated over the years that, unlike Sir William Utting, we are just as worried about the innocent people who are being convicted as the guilty who might get away.

Rory O'Brien

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## Debts of Gratitude

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Anyone who has been falsely accused will know the debt of gratitude they owe to so many people, family, friends and even strangers. Sometimes it is only in adversity that we really discover human understanding and kindness. Like so many of you I have been touched by those who believe in my innocence and who have stood firm even when under very considerable pressure themselves. We ought never to forget these people and today I want pay tribute to all those to whom during the past decade we owe a debt of gratitude.

As we have heard, when F.A.C.T. was first founded there were three lawyers who immediately identified with our cause. They were Chris Saltrese, Mark Barlow and Dave Woods. Each one of them has become a good friend of F.A.C.T. and today we salute them for all they have done to advance our cause and for the support they have given us as individuals and as an organisation.

Looking back over the decade I think it is fair to say that they are not the only people in the legal field who have supported and sustained us. There is Mark Newby from Jordan's who has never given up on our cause. Others we remember today are Paula Porter, Gill Rutherford, Karen Booth, Amada Long. In Wales we have Stephen Clarke and John Hughes. In Scotland John McCormick and in Northern Ireland John Greer. So you can see we have a strong network of support right across the UK.

We have also reason to be grateful to several barristers especially Paddy Cosgrove, the late Rani Kaur, (how pleased she would be to hear of our progress) and Pamela Ratcliffe who is with us today. We must remember that these are not easy times for criminal defence lawyers and that they too have been squeezed by various Government initiatives and changes in the law and judicial process. Yet they still give us their full support.

But let me get back to those early meetings in the North West. I can well sense the terror and anger felt by those who attended those first meetings. Decent people whose lives would never be the same again. We owe a lot to those in F.A.C.T. Merseyside (as it was then) for having the courage and foresight to band together and fight this injustice. People like Harry Fearn, Mike Lawson, The Carols, Tom senior, Vera and Tom junior, Phil Fiddler whose contribution in the early days was critical, Adrian and Rachel Esmat, Phil Faber, Barry and Doreen, Sue Wiseman, Joan Harrison and no doubt many more.

At about the same time a group was also being established in North Wales where the key figures were Gwen and John Hurst, John and Pat Rayfield and Bob and Ffreda Douthwaite. How good it is to see Bob and Ffreda here today. As Rory mentioned there have been other groups, in Yorkshire, the North East, the South West and more recently in the Midlands. Some have served their purpose and no longer exist but each have played their part.

In the North West as we have heard, political support was mobilised by Clare Curtis -Thomas MP but today I want to pay particular tribute to Alex and Carol Hampton who have managed the political campaign on Claire's behalf for well over ten years. We probably don't know half of what they do but they have always been there and have always been supportive. In North Wales the impetus came from a different source; Richard Webster. What a debt we owe him. But Richard has not been the only author to dip his toes into the murky waters of false allegations. There have been other authors who have actively supported our cause; Mike O'Brien in South Wales, Melanie Metcalfe, Mike Simpson who wrote 'That'll Teach You', Herman Kelly from Ireland who wrote that masterful book exposing what really did happen to Kathy, and more recently David Jones. They have not only strengthened our campaign and motivated us to succeed but more importantly perhaps have taken the issue to the general public.

*continued on page 20 (back page)*

Earlier this year, Harper defied a Jersey Royal Court order to return to the island to give evidence in an Haut de la Garenne abuse trial and to produce his 'day books' – the notes every UK Senior Investigating Officer (SIO) is required to make about everything he does and to store with inquiry records. Harper claimed they did not exist because Metropolitan Police security experts had advised him not to keep day books. A Scotland Yard spokeswoman denied this, saying the Met told Harper they were essential.

Source: David Rose,  
Mail on Sunday, 4th October 2009

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## Home Office Challenged Over CRB errors

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*This article by Chris Williams first appeared in 'The Register' on 5th August*

The work of the Criminal Records Bureau (CRB) is undoubtedly important and often contentious.

So when on Monday this week it emerged that the error rate at the CRB had multiplied by a factor of 2.3 from a total of 680 in 2007/8 to 1,570 in 2008/9, it warranted further investigation.

Those error totals include false positives (people blocked from positions who should not have been) and false negatives (people allowed to take up positions they should not have been).

The Home Office issued an interesting statement alongside the figures. It said: "For the first 11 months of 2008-09 the CRB's accuracy rate exceeded the previous years. However, a dip in the quality in the final month brought down the overall figure."

Apparently intended to cast the 2008/9 figures in a positive light, with some rough calculations the statement in fact suggested a worryingly sudden collapse in the CRB's performance.

In 2007/8 the CRB ran 3.4 million background checks. In 2008 it ran 3.9 million, an increase by a factor of about 1.15. The 2.3 times increase in the number errors therefore couldn't be a simple function of more checks passing through CRB systems.

According to the Home Office statement, the proportion of errors from April 2008 through February 2009 was actually better than the overall rate for the previous year, which was 0.02 per cent.

So, at the end of those 11 months, assuming a constant number\* of checks per month, there were fewer than 715 errors.

\*A reasonable assumption for these purposes. The Home Office told us there were 370,000 checks in March 2008, only

*continued on page 15*

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## Keynote Address by Claire Curtis-Thomas MP

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Claire Curtis-Thomas MP

### Ten Years of Progress and Setbacks

We were honoured to have Claire Curtis-Thomas, MP, with us at our 10th anniversary celebrations in Birmingham on 6th September 2009. Claire has always been a keen supporter of our organisation. Her practical involvement started in 2001. Two of her constituents came to talk to her about their grave concerns regarding a relative (also a constituent) who had just been convicted of acts of sexual abuse which were alleged to have taken place several years before when he was working with young people in a residential setting, of which he continues to maintain his innocence.

Having discovered that parliamentary colleagues had received similar complaints about false allegations of sexual abuse, Claire went on to convene an All-Party Group in the House of Commons in November 2001. The APGAI as it is better known is administered by Carole and Alex Hampton who provide the necessary secretarial support and general assistance. Its stated purpose being 'To question and debate the procedures and processes used by the authorities which lead to the arrest of individuals (in connection with abuse cases)'.

This development marked a significant and positive step in the progress of our organisation. Since its formation several MPs and peers across the political divide have been working towards establishing better safeguards in the investigative and judicial processes. Baronesses Elspeth Howe and Shirley Williams, The Earl Howe and Mr Tim Boswell are her main supporters and represent between them both Houses and all three main Parties.

This development in turn led to the Home Affairs Select Committee focussing its attention over a number of weeks on the Conduct of Investigation into Past Cases of Abuse in Children's Homes. A number of F.A.C.T. members were called to give evidence. David Cameron, a back-bencher at the time, was one of the members sitting on the committee.

The resulting HASC report, published in 2002 (HC 836) raised high hopes for all the teachers and carers affected by false allegations, but these were dashed by the Minister's official response, which ignored most of its recommendations and showed a lamentable lack of courage. (Government Reply to the fourth report from the Home Affairs Committee, HC 836, in 2003)

Throughout the past ten years Claire has developed a critical interest in police investigative methods and in the workings of the criminal justice system. Suggesting that several teachers and carers accused of sexual abuse might actually be the victims of false allegations and be in fact innocent is a brave stance for any MP and certainly not a vote-winning one!

ACPO (Association of Senior Police Officers) is another body that Claire and her colleagues have tried to inform and influence. Their Senior Investigating Officer's Handbook (July 2004) issued in the wake of the House of Commons Report, did not take into account many of the recommendations of the Committee, in particular those regarding the dangers of "trawling". A senior officer was heard saying "we did the Handbook on the basis that it would lead to more arrests" (!) The guidelines have since been reviewed.

Throughout the past decade Claire has been very concerned at the way witnesses are interviewed by police; a large number of them are sought in prison, they may be interviewed



Association of  
Chief Police Officers

several times, their statements written up by the interviewing officers with few precautions taken against contamination. She has repeatedly tried to convince colleagues in the House, Ministers and Senior Judges that witness interviews in these cases should be video-recorded. Witnesses of alleged sexual abuse and prisoners should be considered vulnerable and as such require the same precautions granted to children or victims of rape. Furthermore filming is more likely to reveal any malpractice on the part of the police, such as suggestion or contamination and would make collusion and fabrication on the part of the alleged victims more apparent.

Although the use of video-recording is gaining ground in certain police forces, it is still not compulsory and Claire is encountering resistance in her endeavours to get it universally established.



Claire addressing a packed audience at F.A.C.T.'S 10th anniversary conference

She is also convinced that the compensation culture is gravely prejudicial. She is fighting at all levels to dissuade authorities from allowing legal firms to advertise in prison for complaints to be made which would lead to compensation payments.

Claire fully supported the creation of HAAP (the Historical Abuse Appeal Panel) by bringing together specialist lawyers to join in this work and to prepare a body of research cases for the CCRC (the Criminal Case Review Commission). She has been instrumental in ensuring the provision of legal aid, in certain situations, for referrals to the CCRC.

Claire has also closely followed the work of the CCRC. It is now becoming clear that the vast majority of the cases which are referred are cases of historical sexual abuse. Speaking as a qualified mechanical engineer, she said that if the same piece of machinery kept failing, its design would surely need to be reviewed. Similarly, she suggested, the CCRC should now be asking itself why the same type of cases kept reappearing, and should take a critical look at the possible reasons why; it should give warnings about prejudicial investigative methods. Claire would also like to see the CCRC give rise to a new institution of research and learning, bringing together the fragmented elements of the justice system and spreading better practices. The incoming head of the CCRC seemed receptive to this idea.

Claire concluded by saying: "Over the last ten years, we have cried and we have laughed. There have been lots of ups and downs and a lot of pain. I am very sorry that I have not been able to achieve all that I would have liked."

Claire was presented with a bouquet of flowers on behalf of F.A.C.T. to rapturous applause and later spent time with several F.A.C.T. members.

*We are grateful to Claire Reeves for this summary of Claire's talk*

*continued from page 14*

*slightly above the monthly mean for the year of 325,000*

But by the end of March there had been 1,570, so there were at least 855 errors in one month. That compares to an average of fewer than 65 per month for the preceding 11 months.

For the monthly error count to explode by [such an] order of magnitude, surely something must have gone drastically wrong.

We asked the Home Office press office for details. Perhaps there had been a technical glitch, new software, new staff or processes? Whatever the cause of the CRB's disastrous month, surely it was in the public interest to disclose it, and what has been done to ensure this "dip" is not repeated?

Apparently not.

After we sent him our sums, a spokesman said: "Not one single factor can be attributed to this dip in the quality in the final month.

"Disclosure quality and accuracy is heavily reliant on the information supplied by the individual and is subject to fluctuations."

The implicit suggestion of his second sentence – that in one month more than 10 times more CRB check applications than normal contained dodgy identity data – is simply not credible.

But he also said not one single factor caused the "dip". Fair enough. So what were the factors? The Home Office refused to provide this information, while admitting its answers were "not helpful" and pointing out that it is possible to appeal against a CRB decision, if a complaint is lodged within 21 days.

Our attempts to extract an answer as to what went wrong at the CRB in March over the course of several telephone conversations on Monday and Tuesday were consistently and aggressively refused.

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*continued from page 15*

As a final effort to uncover why the CRB got it so wrong all of a sudden, we'll try a Freedom of Information Act request. In the meantime and possibly forever – assuming the Home Office really doesn't want anyone to know – the lesson of this story appears to be: Don't apply for a job in March.

Much worse was to happen a few days later to Anisa Borsberry, from Tyne and Wear, whose 11-year-old was being bullied by a group of girls. She, too, asked the bullies to stop. In retaliation, and knowing what a powerful weapon this was to use against an adult, the girls claimed Borsberry had assaulted them. Within hours they admitted lying. Nevertheless, the accusation of assault against a child is regarded as so serious that Borsberry was handcuffed in her home and held in police cells for five hours before hearing that no further action was being taken.

Or there is the case of Carol Hill, the Essex dinner lady threatened with dismissal for telling a mother she was sorry her daughter had been tied up and whipped in the playground. Normal, empathetic human behaviour, you might think. That wasn't the school's reaction. Hill was suspended for breaching "pupil confidentiality".

In every one of these cases a woman has been punished for daring to do what adults have always done in every society: uphold norms of behaviour by talking about them. But it has blown up in their faces because new unwritten rules about engaging with children are apparently being invented every day. The extent of society's neurosis means the consequences of approaching children are becoming alarmingly unpredictable.

That's as true for professionals as for anyone else. Traditionally, teachers have been thought of as potential mentors for children or confidants for those in distress. Increasingly they are

*continued on page 17, column 2*

*continued from page 5: Report of National Secretary*

That I think sums up the position generally. A year of hard work with some positive gains, some disappointments, and some issues that need immediate attention.

But what of the position personally? I have now been national secretary, I think for six years. I think it is true to say I have found the past year the most demanding ever. There are a number of reasons for this. The helpline has now virtually become a full time job and some new arrangements will have to be made to make this more manageable. On top of this I am still heavily involved in casework despite the fact that, with one exception, I have not taken on a new case for over six months. Increasingly cases drag on and inevitably get referred to one or more of the various listing tribunals. In addition the web site and FAcTion take up a good deal of time. This last week alone, despite it being school holidays I received over 300 emails, most of which have to be answered.

The fact is that I am not getting any younger, and whilst I can't ever see a



Candles lit to remember all those who are or have been wrongly convicted and imprisoned

situation when I am not involved with F.A.C.T. I cannot continue at this pace or level of intensity. It is not good for me, my family, or my health, or good for F.A.C.T. I have always said that whatever F.A.C.T. does it must do well. However I have been very conscious that 'mistakes' are creeping into my work. FAcTion is rarely error free. The website, which although much improved, still needs a lot of work doing to it. Several tasks which I have set myself remain undone – these include making an application to the ESME Fairburn Trust for grant aid, the development of a CRB special interest task group and some important work for the Research Trust.

Before I begin to sound like a grumpy old man let me tell you about some more pleasing interventions. As I said before, this year I have defended several people working in the public and private sectors, and also represented people at various listing tribunals. Not every case has been successful but many have, including one case on which I have been working for five years which resulted in that person being able to complete his teacher training and return to work. In another I successfully defended an elite sportsman who faced a life ban on coaching and participating in his sport. I was also able to help to ensure two individuals who faced the prospect of losing their occupational pensions following their convictions to retain their pensions.

Much as I enjoy these challenges I have decided that the time has come when I must retire from this aspect of my work. So if any of you have experience of

advocacy, or representation and would like to help out, please let me know. I was also very pleased with the warm welcome we got from the All Party Group and the Children, Schools and Families Select Committee. If we can reduce the workload I might have more time to do this type of work.

I should also point out that the Committee members are mindful of these pressures and are thinking of various measures to make the workload more manageable. In the short term this might mean a reduction in some services, including the manning of the help line, especially during school holiday periods.

Although things have been hectic I know we couldn't accomplish what we have without supporting each other. I am grateful for the committee's support and for your understanding. Without it I would not have coped. I also want to thank Gail for her encouragement and for all her work – not just this year but in past years as well. Like the rest of us she has given all her spare time she has to F.A.C.T., and over a long period of time. We owe her a great deal, not just for her committee work but also for her work with the Press and in arranging our conferences. We will miss her and wish her well.

Finally I would like to thank you for your support and for your attendance today. Many of you have been with us for a long time and without your help and encouragement I know that F.A.C.T. would not have survived a few years, let alone ten. It is a pity we still need to exist but there it is.

I would also like to say this. F.A.C.T. has not run its course and there is a lot that needs to be done. It is important we see this 10th Anniversary not as the end of an era, nor as the beginning of a new era but part of a continuing campaign that will stand the test of time. Whatever changes we have to make, together we can ensure F.A.C.T. has many more anniversaries to come.

Thank you.

Michael, National Secretary, Sept 2009

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## Spotted in the Times Educational Supplement

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Letters page: 2nd October. **Violence Isn't in our job description**

Mike Kent's incisive, balanced and realistic view of school life is always welcome. Last weeks column ("Hang on who's in charge?" September 25th) held significant resonance for me.

As I write I am at home nursing two broken ribs and a degree of psychological damage after restraining a young man with three other male staff supervised by the Deputy Headteacher and using approved methods -the pupil has severe autism. I was not the only member of staff to be hurt.

Having worked in special education for 35 years I have noticed that we are accommodating young people who ten years ago would have been in more secure environments. I am aware of attempted rape on female staff, physical and verbal and emotional damage and abuse of all types that is endemic in some educational environments.

Inclusion is philosophically and ethically correct. However, central and local Government need to provide human and other resources that are commensurate with the demands placed on educational and support services.

The health, safety and welfare of all staff involved in the education service should not be sacrificed on expediency, image and financial constraints.

We need to protect staff, ensure the welfare of vulnerable children and young adults and be cognisant that teaching and support staff should not be placed in situations where consistent, regular and systematic damage is tolerated or accepted by those in ultimate authority.

I am seriously considering early retirement - after 30 plus years of dedicated service - to protect my health and general well being.

Dr Len Parkyn, Senior Teacher, Vines Cross, East Sussex

*continued from page 16*

being warned away from that role and told to keep their distance by schools. Nowhere is that made clearer than in a draft advice guide for teachers issued this spring by the Purcell school for young musicians.

The guide begins by telling staff: "Some adolescents experience periods of profound emotional disturbance and turmoil when they may be unable to differentiate between fantasy and reality. They may even be temporarily insane. They can thus present a danger to even the most careful of teachers." This is child as wild animal; one that may bite at any moment. Teachers are told not to talk to pupils after coaching sessions, but to "usher them out of the room in a brisk no nonsense manner". They are told never to text pupils from their private mobiles, but to buy a second one for school use. This "should only be used for arranging appointments; chit chat should be avoided". Nor can a teacher ever be alone with a pupil in a car, except in case of medical emergency, when the child must be seated in the back, a written record made of time, date and place and a telephone call made to the pupil's parents to justify it.

The guide concludes that these procedures must become second nature, as any child may accuse a teacher and "your accuser could be of unsound mind". It finishes with this chilling sentence: "It is helpful to think of current pupils as clients, rather than friends, as a doctor does."

That these norms are taking hold is a sign of a sick society. What we are creating here is mass mutual distrust. First, children were warned about adults; now adults are being warned about children. It is bad for all of us; bad for our humanity, our happiness and our sense of belonging to anything but a narrow, trusted group. It is also disastrous for any hope of improving social

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mobility or social cohesion. The effects of this coldness and detachment will be worst for those who need adult guidance and contact most: those children who are growing up without strong social networks around them.

The Labour government appears to understand none of these dangers. Obsessed with physical safety, it is bringing in a screening authority this autumn, one that will cover perhaps one in four adults. It won't acknowledge the psychological and social disaster that's unfolding now, nor the pointlessness of much of the exercise. Most abuse is, after all, carried out in the home, and determined abusers will always evade the rules. David Cameron has made some of the right noises by saying children's behaviour should be a matter for all adults. It will take extraordinary determination to dismantle the walls of suspicion that we have begun to build.

*The Register (www.theregister.co.uk/ is an online website dedicated to 'biting the hand that feeds information technology.'*

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## Helpline

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May we remind you that whenever you use the help-line it is important you leave your contact details and repeat your phone number. We have recently had several calls out of hours from distressed people who unfortunately have left no details so we have not been able to contact them.

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## FACTion Sponsorship

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Those of you who were at our AGM will know that income from the sponsorship of FACTion fell last year. If you would like to sponsor or contribute towards the cost of an edition we would be pleased to hear from you. There is no set amount involved but it costs us approximately £500 to print and circulate each edition so every pound really does make a difference.

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## Incoming Chairman's Call for us to be more proactive

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### The Wind of Change Is With Us

May I say how delighted I am to see so many friends and visitors present today on what is for us an auspicious occasion. I feel sure that you would wish to join me in a vote of thanks to our speakers this afternoon.

I would however wish to offer a special thank you to Claire Curtis-Thomas who has supported F.A.C.T. for a number of years and is the Co-chair of the influential cross party group on abuse investigations.

This is F.A.C.T.'s Tenth Anniversary and I firmly believe that this conference will be a turning pointing in our organisation. Rory has, in his address, given a summary of what we have strived for – and what we have achieved in those ten years and it is because of what has been achieved in those years and laying a sound foundation – that I believe we have a real opportunity to be a force for movement in so many directions in the future.

That does not mean that we should lose sight of our fundamental aim - that of proving the innocence of those who are the victims of miscarriages of justice.

I joined F.A.C.T. in 2000 as a result of several of my staff having been, at that time, the subject of allegations which I felt sure were false. I am pleased to say that those with whom I was involved were acquitted of the allegations against them. Sadly there were other instances in which success eluded us.

At that time some of our members were involved in giving evidence before the Waterhouse inquiry. I have read the entire report of the Waterhouse Inquiry "Lost in Care" (I was always a glutton for punishment) and experienced a feeling of dismay about the report that was eventually presented. The inquiry's terms of reference were such that it did not properly examine the truth behind the allegations of abuse in North Wales and staff were wrongly accused. A view since shared by a number of prominent individuals including a very senior police officer. Next February will be the tenth Anniversary of the publication of that report.

I sense a wind of change is beginning to blow in our direction. Let me give you an example. Increasingly the media are making positive observations on issues with which we are concerned. Namely Injustice!

On several occasions over recent months we have been approached by the press – television and radio with requests for someone to appear, or speak, and for our opinion on a number of aspects concerned with the justice system. For example our observations and opinion regarding recent judgements which have been handed down in the High Courts. Such a request would have been unheard of even only two years ago!

Let me briefly recall some of the proceedings in which F.A.C.T. has, at least in part, been involved. I believe that these have started to change attitudes which have ensnared so many men and women over the years.

I am firmly of the opinion that we need to draw attention to the weaknesses in, and the failure of - The Waterhouse Inquiry in confronting the issue of false allegations in North Wales.

More recently we have been involved in providing information and opinion to the the new Independent Safeguarding Authority. You may remember that the Chief Executive, Adrian McAllister and the President Sir Roger Singleton addressed our conference last year. More recently we gave written evidence and later presented oral evidence to the Children, Schools and Families Parliamentary Select Committee Inquiry into Allegations Against Teachers and School Staff. You will be interested to note that F.A.C.T. was complimented on

its submission. We have also held a number of discussions with members of the Cross Party Parliamentary Group on Abuse Investigations.

We have produced a paper on the injustices which arise in disciplinary hearings. Recently the Appeal Court has found in favour of legal representation at such hearings in cases where there is a likelihood that the accused person may lose their job. We also had a group looking at issues relating to the sex offenders registration requirements, here again the Appeal Court has ruled that in certain circumstances such a requirement may be against the European Convention on Human Rights. It allows that the individuals should, from time to time, be able to make representation for the removal of their name from the register. I have written an article on this subject for FACTion which may appear in due course and possibly be of some help to individuals.

We have been speaking out against the restrictions imposed under the aegis of the protection of children, which disallows men from having contact with their own biological children. I know of men who have, for a number of years, been refused any form of contact with their children. Not even allowed to send or receive a birthday or Christmas card. That in my opinion is bureaucratic psychological abuse of children – and it is widespread! Here again the Appeal Court has made a judgement which is generally in line with what we have been advocating.

I mention these matters not to suggest that F.A.C.T. has been the driving force behind these developments, but simply to emphasise that things are changing, and that we may have had some small influence in these matters.

Michael has told you that he intends to reduce, or possibly discontinue his role in advising and representing F.A.C.T. members at various hearings. I have been involved in this side far less than he, but I have found it to be exceedingly time consuming and emotionally exhausting, and I believe that we can use our time and expertise more productively.

I also believe that we now have a golden opportunity to influence the thinking in some aspects of Government policy. There is a very real possibility that we shall have a new Government within the next twelve months and I firmly believe that F.A.C.T. must start pressing now for a total review of the Home Affairs Select Committee report of 2002 into historic abuse allegations in residential homes. I am also of the opinion that there should be a 'root and branch' inquiry into the 'trawling' method of police investigations, the Crown Prosecution Service's role in presenting the cases to court, often without any form of corroborative evidence, coupled with the gross misuse of 'similar fact' evidence.

I am firmly of the opinion that the time is right for F.A.C.T. to become a force for change. We must become more proactive and by that we should not only take every opportunity to make our views known in government circles and in the media, but to be constantly on the lookout for such opportunities. It is in this way that I feel sure we shall achieve our long term aim – that is to have the names of our men cleared. What is not often appreciated by the general public is that these men had their lives, and sometimes their marriages utterly destroyed by claims that the police or the CPS would not have taken the least bit seriously under different circumstances.

My message to you all is to go forward with hope, recognising that the wind of change is blowing, as indeed it did in Nova Scotia when the media began to acknowledge the improbability of the claims and the injustices which had been wrought on innocent people - and look what happened there! We must keep fighting.

George.

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## Ode from Joy

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*A tribute to our outgoing chairman,  
Gail Saunders.*

Her time as Chairman has been short  
In fact for just one year  
But Gail has been much more to FACT  
As you are about to hear.

Gail came to FACT via FODB  
Where she had great success  
As their spokesman on the radio  
And in the local Press.

She found a venue in South Wales  
When FACT began to roam  
And Dinas Powys then became  
Our once a year new home.

At the Cardiff Christmas vigils  
Where it was cold and damp  
Gail read out the prisoners names  
With a broly and a lamp.

She then became FACT's spokesman  
In our contact with the Press  
A role she filled most ably -  
We'd expect nothing less.

Our conferences need lots of work  
With a schedule often manic  
But Gail is there behind the scenes  
To see that we don't panic.

Although in stature Gail is small  
One could well say petite  
She's feisty and her larger foes  
Have often met defeat.

We'll thank her for her many roles  
With feelings that are warm  
I'm sure you will agree with me  
Our Gail went down a storm!



"If we're going to keep this quiet,  
we'll need a public enquiry"

There are also writers of a different kind we need to thank - academics - some of whom are with us today. Amongst them are Julie Price, Cardiff Law School; Mark Smith from Edinburgh University; Madeline Reeves; Dr Michael Naughton from Bristol University, founder of the UK Innocence Project; Dr Bill Thompson; Professor Heather Piper and Professor Pat Sykes.

The Press also have played their part. Things have changed considerably in the last ten years. Initially (with a few exceptions) the Press were hostile towards us, then we entered a period of mutual scepticism and now today we have a Press that, in good measure, recognise the extent of the problem we all face. Ignorance, stereotyping and a deeply flawed child protection system. Who would have thought that in 2009 both the Times and the Guardian would place justice issues at the forefront of editorial policy. Who would have thought in 2009 that a week hardly passes by without someone from the media contacting F.A.C.T. either for information or comment on a justice issue close to our heart.

We have a lot to be thankful for, whether it be from the print media (national and regional), radio or television.

I mentioned earlier lawyers and solicitors but one group I forgot to mention were experts. I am thinking particularly of Janet Boakes, Charles Pragnell, Jenni Watson and Mary and Ivan Geffin. Each have willingly shared their expertise and knowledge with us and have strengthened our resolve, especially during difficult or demanding times.

I want now to mention some of the people more closely associated with F.A.C.T., and in particular, former and present committee members. Some have already been mentioned but I want to add Gordon Rozario, Kath Brizzalari, David Sherwell, and of course, all our co-opted members. We also owe a particular debt to Rory and to Gail. Without their leadership F.A.C.T. would be in a very sorry state. I also want to pay a special tribute to Joy and Ian for all their work. In many ways they represent the heart of F.A.C.T. Their tireless, unselfish manner is an example to us all.

Over the years we have had some wonderful conference speakers. Individuals who have put their reputation

on the line and others who represent organisations of one sort or another. We have been inspired by what they have had to say and been motivated by their effort and commitment. We have also been shown respect by people we might not regard as our natural supporters, and we have been entertained. To each of them I say a huge thank you.

We owe a lot to many people, some of whom are no longer with us. To George Williamson, and it is so good to see Wendy here today, to my dear friend Harry Dixon, to the redoubtable Norman Owen and to the Reverend Laurie Sutcliffe. They represent all that F.A.C.T. stands for and some of its best talent.

There are also absent friends we should not forget. Dale Dunlop from Canada and John Easling from Australia. It still amazes me that they took the trouble at their own expense to fly over here and talk to us.

I mentioned earlier the role of MPs. We should not underestimate their contribution, especially those members of the Home Affairs Select Committee, Children Schools and Families Select Committee and the All party Group on Abuse Investigations, and a host of MPs who have not only supported falsely accused constituents but have also shown considerable understanding of the issues involved. Not every parliamentarian has been supportive but an increasing number are, and for that we should be grateful.

We have also received support from some unusual sources; men and women of the cloth. The Revd. Roy Jenkins who talked about the anguish of being falsely accused on BBC radio's 'Thought of the Day', Revd. Harry Dodds, Sister Elizabeth, Sister Barbara and many others.

We owe a massive debt to those who have endured high profile cases. I am not going to mention them by name but I do want to thank them for their courage and for lending us their stories so that we can progress matters on behalf of others.

Then there are those men and women who have paid the ultimate price despite being factually innocent. Each one of them has lit a candle in our heart and kept alive our campaign. Talking about campaigners we also owe a special debt of gratitude to several high profile campaigners. I include amongst these Florence Horsman Hogan, Maragaret Doran, Iain Henderson, Kath Brizz, John Pinnington, Trevor Jones and his colleagues at PAIN, (Parents Against Injustice), Phil and Fly Faber from SAFARI who send out hundreds of newsletters each month, Oliver Cyriax and Paddy Rossmore who do much to encourage debate on false memory.

Before I finish I want to turn to the various organisations that have supported and sustained us during the past ten years. They include AAFAA, the BFMS, FASSIT, FAYL, Innocence Projects, False Allegations Scotland, FASO, LOVE and UCAFAA. Not all of them have stood the test of time but each one of them has played its part and enriched and strengthened us.

To finish I want to thank all those who have taken part in our campaigns whether it is by writing letters, lobbying or attending vigils. I want to thank all those who have contributed to FACTion over the years; to our sponsors, advertisers and readers. Thank you too to all those who have made donations to F.A.C.T. - we are very grateful to all of you.

But most of all I want to thank you for your support today and the membership for their unflinching support over many years. It really is heartening that amidst all the anguish and the anger people still have the time - and energy - to think not of themselves but of others who need our support and for whom this campaign is crucial. On behalf of them I thank you all. Thankyou.

*Note: this is the text of a talk given by the national secretary which, because of time pressures, had to be shortened on the day. Congratulatory messages and letters of support from Lord Freddie Howe, Lord Paddy Rossmore, the Justice on Trial Team at the Guardian, Mark Newby, Mark Barlow, John Weedon, CCRC; Mary and Ivan Geffin, Bob Woffinden and Richard Webster were read out. In addition the following paid tribute from the floor, to F.A.C.T.'s work over the past ten years; Chris Saltrese, Dr Michael Naughton, Madeline Greehough and Pamela Ratcliffe. After the session ended a vote of thanks was proposed for Joy Gower for providing the celebration tea for those present, and for her team.*