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(PLEASE NOTE: We cannot assist readers with their own cases)

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Convicting the innocent does nothing either to reduce crime or to protect victims. It simply creates more victims.

The Only Thing Necessary for the Triumph of Evil is that Good Men Do Nothing

DONALD ADAMS (who died in custody in October 2018) has had his convictions for indecent assault against a male (G) plus indecent assault and rape against a female (M) quashed posthumously after leave to continue his appeal was granted to his widow. The original trial took place when Donald Adams was 77 years old. The convictions related to incidents alleged to have occurred between 1980 and 1987 – in other words, "historic abuse". Facebook records revealed that M and G, who had known each other as youngsters when they were both in a brass band of which Donald Adams was also a member, and had remained in touch since, had met up in a pub in Cardiff in 2016. At this meeting, the allegations were discussed between them. One of the two complainants, M, has a history of mental health issues, which was the subject of formal admissions at the trial, including the fact that M has been diagnosed with and treated for Dialectic Behaviour Disorder, a condition which is characterised by taking extreme positions. It was the appellant's case at the trial that M was now, many years after the event, viewing her past relationship with him through that prism in a distorted way, and that she was manipulative and capable of influencing others to support her allegations. Donald Adams admitted at trial having had a sexual relationship with M in the past but stated that all acts were consensual and none had occurred before M was 16 years old. The Court of Appeal found that the trial Judge had erred in not giving the jury any direction about whether, and if so how, they could rely on the evidence of each complainant when considering the allegations made by the other. In addition, the trial Judge was found to have been wrong not to have directed the jury about the possibility of collusion between M and G. As Rix LJ observed in *R v H* [2011] EWCA Crim 2344, at paragraph 24, the reality is that independent people do not make allegations of a similar nature against the same person in the absence of collusion or contamination of their evidence. The jury, therefore, should definitely have been directed as to whether or not each complainant's evidence could be used to support the allegations made by the other, and particularly where the two complainants had been discussing the matter between themselves before any complaint was made, three decades after the events were alleged to have happened. The Court of Appeal stated: "In this case, as we have indicated, no such direction was given. Moreover, it was a case in which, as we see it, the question whether the evidence of each complainant was admissible in relation to the allegations made by the other was potentially of great significance to the jurors' decisions."

In these circumstances, we consider that the failure to give any such direction makes the appellant's convictions unsafe."

The matter of Donald Adams' death from pneumonia, while in custody, was the subject of an investigation by the Prisons and Probation Ombudsman. Their findings were that his clinical and social care fell far below the level he could have expected to receive in the community; that Prison GPs did not adequately manage Mr Adams' abnormal blood test results or inform him of the need for prompt investigation; that his weight loss appears to have gone unnoticed by prison and healthcare staff until early August when such weight loss should have prompted an urgent medical review and investigation; and that Prison staff did not share information with healthcare staff or social care staff about Mr Adams' deteriorating health or mobility despite concerns being raised by Mr Adams' 'buddy' and a wing officer, and, as a result, essential assessments were not completed, and staff failed to provide adequate care. [*R v Donald Gordon Adams* [2019] EWCA Crim 1363.]

JENGBA (JOINT ENTERPRISE NOT GUILTY BY ASSOCIATION) are holding a fund-raising event at The Bread And Roses Pub, 68 Clapham Manor Street, London, SW4 6DZ on 7th December 2019 at 7pm-11pm. Feel free to join them for an evening of fun, music and laughter. (JENGBA Office: 020 3582 6444, Gloria Morrison: 07709 115 793 or Jan Cunliffe: 07725 727 520.)

ONE READER BROUGHT TO OUR ATTENTION this text by American judge and justice system reformer, Dennis Challeen (1936-2018), which clearly explains why prison doesn't work:

"Prisoners: We want them to have self-worth, so we destroy their self-worth. To be part of our community, so we isolate them from the community. To be positive and constructive, so we degrade them and make them useless. To be non-violent, so we put them where there is violence all around. To be kind and loving people, so we subject them to hatred and cruelty. To quit being tough guys, so we put them where the tough guy is respected. To quit hanging around losers, so we put all the losers under one roof. To quit exploiting us, so we put them where they exploit each other. We want them to take control of their own lives own their own problems and quit being parasites, so we make them totally dependent on us."

A SAME-SEX COUPLE, BEN & JORDAN, have been targeted by a vigilante group calling themselves "Yorkshire Child Protectors" (YCP). First, the group pulled them from the car, then falsely accused them of committing paedophilic offences and live-streamed a confrontation between themselves and Ben & Jordan to around 30,000 people. They also, according to Ben, hurled homophobic abuse, calling them 'pooffs' and 'gay nonces'. The group then seized Ben & Jordan's phones from them as they believe they would contain proof of inappropriate communication with their decoy who was pretending to be a child. The police eventually arrived, and the officers took Ben and Jordan's phones. Ben said: "The paedophile was still messaging their decoy while we were standing there and the police had our phones".

This proved that Ben and Jordan were completely innocent. In a statement, the group said: 'We at YCP take responsibility for our part played in these innocent men being arrested, but we won't be taking all the blame.' Instead, they blamed the sting on false intelligence from other vigilantes. As far as we are aware, they made no apology for the homophobic abuse they allegedly hurled at Ben & Jordan – which is hate crime. The live-stream was seen by 30,000 people, but their apology would only have reached a tiny minority of that figure. Supt Alan Farrow said: 'There can be nothing more important than the ongoing protection of our children, but this has to be spearheaded by the police and other law enforcement agencies.' SAFARI agrees. If you know a crime is being committed, tell the police, but do not confront the potential culprit. We hope YCP compensate Ben & Jordan for the terrible ordeal they were put through, although we doubt they will. We do not know if the members of YCP involved have faced any charges for their own crimes, including the assault on Ben and Jordan.

THE ALL-PARTY PARLIAMENTARY GROUP on Miscarriages of Justice ceases to exist while Parliament is dissolved for the General Election during which there are no Members of Parliament. The website and other communications channels will not be updated until after the election on 12th December 2019. After four oral evidence sessions, the Westminster Commission on Miscarriages of Justice has been continuing with its consideration of written submissions. Further updates will be made in the new Parliament. The report following the inquiry, containing its findings and recommendations, remains set to be published in early 2020.

(We strive to ensure the accuracy of all articles, but accept no responsibility for errors)

All our earlier newsletters are available (and printable) online at <http://safari-uk.org>

Donations gratefully accepted into account 'SAFARI', number: 02702360, sort code: 30-92-02



ARTICLE REMOVED PENDING RETRIAL

SAFARI wishes to apologise profusely for having failed to notice reporting restrictions on the case that appeared in this section of the newsletter. In our past experience, reporting restrictions on cases we have covered have always been to preserve the anonymity of complainants, who are referred to only by initials (which may or may not be their real initials). In this case, we have now learned that no reporting should have been done at all. We fully accept that SAFARI was in error in this instance.