



BIRMINGHAM SIX

COMMITTEE NEWSLETTER

Hugh Callaghan
Paddy Joe Hill
Gerry Hunter

Richard McIlkenny
Billy Power
John Walker

Newsletter No. 18 October 1990

Yes, they are still in jail

THE WEST MIDLANDS police found itself back under the spotlight last month as the British media, eager for a breakthrough in the Birmingham Six case, got over-zealous.

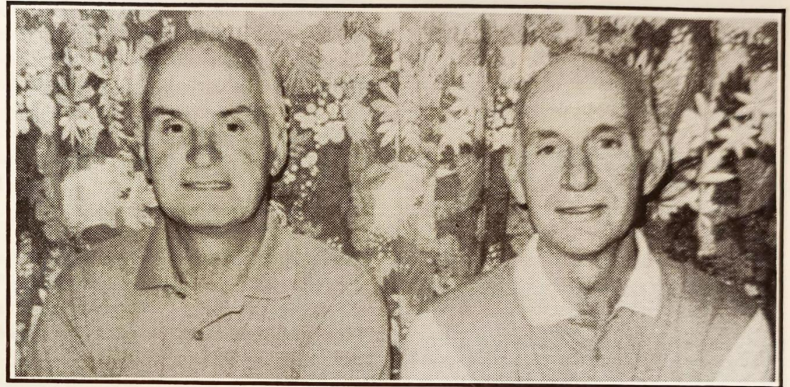
In early September, the BBC claimed that members of the West Midlands force had sent a report to the police Chief Constable recommending that the case not be contested when it reaches the Court of Appeal. This was vehemently denied by a senior West Midlands officer, but BBC reporter John McCloud stuck to his story. Anxious to strengthen its case, the news team reportedly tried to force relatives of at least one Birmingham Six family into making a televised statement. A young woman, daughter of one of the men, was told of an "important" breakthrough and then bundled off to the TV studio in a car. Upset by the heavy-handed treatment, she refused to appear.

The substance of actual news report is still unclear. Paul May, chairman of the London Birmingham Six campaign group, believes that no written report existed but that the lower ranks of the force may not wish the case to proceed. Meanwhile, Ron Hedfield, assistant head of the West Midlands police force, has allegedly issued a writ against the BBC.

Another split appeared in the West Midlands rank in late September. Frank Wilkinson, Assistant Chief Constable at the force, described the Birmingham Six case as one of a series of "major disasters" for the criminal justice system. Mr Wilkinson was addressing seminar organised by the Association of Chief Police Officers. It was also attended by an *Observer* journalist.

"There is no point being coy about it," Mr. Wilkinson said. "It has taken a series of major disasters in the criminal justice system to bring us together. The Guildford Four, the Birmingham Six and related cases have fallen through improper interview techniques, and from them the May inquiry has resulted."

The seminar frankly spelled the failings of current police interview techniques - inadequate knowledge of individual cases, macho-



Hugh Callaghan and John Walker in a rare pose for a photograph. Both men were in good spirits when they were recently visited at Long Lartin jail by a member of the Birmingham Six Committee. This picture was first published in the Irish News.

style interrogation techniques, and abusive treatment of prisoners.

Yet Mr Wilkinson's superiors said his statement at the seminar was not the "official" version. "Mr Wilkinson's comments appear to be very much his private and personal view and do not represent the official position," Deputy Chief Constable of the West Midlands force, Paul Leonard, told the *Irish Times*. "I do not feel that speculation or the expression of views by anyone who could be considered to be in a position to have privileged or deep knowledge - even though they do not - is particularly helpful."

Publicity of this sort can be a double-edged sword. It forces the British police, politicians and the legal establishment into a corner, but they might also decide to fight their way out. Equally so, the media coverage which helped propel the Birmingham case towards the Court of Appeal, could now damage the men's prospects. What if a reporter reveals some of Gareth Peirce's new evidence? Or manages to produce a new witness?

These fears were discussed at a September 5 campaign meeting in London. Both the men

and their relatives want to avoid intrusive media pressure, and the six have tentatively agreed to halt their interviews.

"This does not mean the campaign has taken a vow of silence," the London campaign newsletter reported. "There is now more work to do than ever. It is vital that we continue to disseminate information on the case on as wide a basis as possible, to ensure that, whatever the decision of the DPP, there is maximum knowledge of the facts of the men's case. Meanwhile, Mr. Chris Mullen M.P. has expressed the view that in the light of the new evidence relating to the original convictions he expects the DPP to decide not to offer any evidence when the case comes before the Appeal Court. If this happens, it could lead to the release of the Birmingham Six within a matter of weeks.

Warning

We would like to reiterate that only persons who are distributing copies of the monthly newsletter are authorised to make public collections on behalf of the Dublin Birmingham Six Committee.

Expert slams confession 'evidence'

In early September, the Scotsman published the results of a three-month study which claimed that the statements made by four of the Birmingham Six in police custody had been rewritten by their interrogators. The Scotsman newspaper has since sent this report to the UK Director of Public Prosecutions (DPP) and the Devon & Cornwall police.

WAS Billy Power's confession co-authored by three police officers during that first, critical night in Morecambe station? If Richard McKenny, Johnny Walker and Hugh Callaghan didn't write their statements, who did?

These questions are now being pondered by the Devon & Cornwall police, following the submission of fresh evidence by Scottish academic the Rev. Andrew Q. Morton. A retired Church of Scotland minister, Morton is also an expert on speech analysis techniques. He has given evidence in cases as far afield as Australia and the US. Most recently, he did work on behalf of the three men who received life sentences for the murder of newspaper boy, Carl Bridgewater, over a decade ago.

Morton's thesis is deceptively simple. His analysis of the syntax and word patterns which form the basis of speech has convinced him that each individual's sentence structure is as distinctive as a finger print. Certain words and structures recur so often, Morton claims, that a pure pattern can be created for each person.

Using samples of written and recorded speech, he plots the occurrence of key variables as a frequency chart. This 'speech' graph can then be tested against statements attributed - rightly or wrongly - to any given person.

In the case of the Birmingham Six, Morton found marked deviations when he studied statements attributed to four of the men. He compared the confessions signed in Morecambe police station to court transcripts and other records. These documents were obtained for him by the Scotsman and helped form the basis of his three-month study.

Most significant, the Scotsman reports, was his conclusion that Billy Power's statement had been written by up to four different people. Power, the first man of the four men to confess in Morecambe, was interviewed by Detective Sergeant Alan Watson and Detective Constable Michael French. Both, according to the Scotsman, were members of the West Midlands Serious Crime squad which was disbanded in mid-1989 following a string of appeal cases in which officers had been accused of tampering with confession evidence.

"The multiple authorship of the statement is enough to make the statement inadmissible," the Scotsman reports. "With further tests Morton believes he could identify the police officers responsible."

Moreover, the Rev. Morton concluded that neither Richard McKenny, Hugh Callaghan nor John Walker had created the confessions signed in their names.

"In my opinion, none of the confessions can be accepted as the utterance of the accused - in layman's terms, these statements are a fabrication," the Rev. Morton told the Scotsman.

This latest bombshell has now landed in the lap of the Devon & Cornwall police, which began its inquiry into aspects of the Birmingham Six case last March. This study team, reportedly 45-strong, has already acknowledged that Richard McKenny's statement is suspect and it was this conclusion, made in an interim report, which prompted the Home Secretary David Waddington to send the men's case back to the Court of Appeal. The DPP will not act until it receives the final dossier.

How prominently the Rev. Morton's evidence will figure in this report can only be guessed. Paul May, chairman of the London Birmingham Six Campaign, says the Scottish report is highly significant. His only fear is that the study could prove so damning that the Devon & Cornwall police will delay their conclusions even longer.

KENNEDY BLASTS APPEAL JUDGES

LUDOVIC Kennedy, the campaigning broadcaster and barrister, believes that the judges who sent the Birmingham Six back to jail after the men's unsuccessful 1987/88 Appeal should resign when the prisoners are finally released.

The three judges - Lord Chief Justice Lord Lane, Lord Justice O'Connor, and Lord Justice Stephen Brown - had been blinded by prejudice when they dismissed the men's evidence, Mr. Kennedy told the UK Liberal Democrats annual conference in Blackpool on September 17th. The Birmingham Six case had thus been a "story of police corruption followed by repeated judicial incompetence."

Mr. Kennedy also proposed a motion calling on the British government to consider the appointment of an examining magistrate and a change from the adversarial to the inquisitorial form of justice as practised in Continental Europe. The motion was adopted by an overwhelming majority.

A "sense of urgency"

IRISH FOREIGN Minister Gerard Collins has told the United Nations that the Irish Government wants the Birmingham Six case to be resolved at the "earliest possible date." His statement, which is seen as a significant indication of the Irish Government's firmer line on the case, was made to the UN General Assembly on September 26.

"The recent referral of the Birmingham Six case to the Court of Appeal is a particularly important and welcome development," he said. "These men have already spent sixteen years behind bars; I know that concerned people everywhere will share my Government's very great sense of urgency about a satisfactory resolution of this case at the earliest possible date."

Mr. Collins said the referral of the case back to the Court of Appeal, coupled with the resolution of the Maguire and Guildford Four case were a "very positive development in Anglo-Irish relations". They had caused "great concern" to the Irish Government and had cast a deep shadow over Anglo-Irish relations, he said.

Meanwhile, the Irish Bishops' Conference, has stated that there should be "no inordinate delay in bringing the (Birmingham Six) case to Court." The statement was made at the Bishops' Autumn Conference, September 25-26. It said the referral of the case to the Appeal Court was "a significant development."

"The Bishops' Conference reiterates its conviction that the Birmingham Six are innocent and that grave injustice will continue until their innocence is vindicated and they are free to leave prison."

BRUSH SETS THE RECORD STRAIGHT

SO HOW COME Brush Shiels, the popular Sixties rocker with the zany image, writes a song about the Birmingham Six?

It's a long story. First there was an interview with Annie Maguire, which he saw after she was released from jail. That stuck in his mind. Then came a series of Birmingham Six gigs, one of which featured the Kalinka dance troupe from Moscow in the Spa Hotel, Lucan. The women dancers were scantily dressed, and the crowd hooted in disbelief when Brush greeted the Soviet ambassador. "I distinctly remember that night, because it got a bit out of hand," he says.

After that came the occasional request from Joe Colgan, then chairman of the Birmingham Six Committee, to comper a quiz in the Teachers' Club in Parnell Square or judge a kids poster competition.

Then one day Joe asked him to write a song about the six men. "I said I didn't know anything about it. So he said, 'why don't you start from there?' He did, which is why the song is called "I Don't Know".

*"I don't know these Irishmen,
they call the six of Birmingham,
Only that someone lied,
in that court where they were tried..."*

*and I don't know why justice failed and
Irishmen wound up in jail.
I only know that someone lied
and those six men still wait inside."*

The lyrics lash on, driven by a forceful harmonica. But it's not emotional, nor preaching - just straight from the hip in customary Brush style.

"I basically think that 98 percent of the people of Ireland, including myself, don't know about the thing," he says. He likens his role to that of someone who happens on the scene of an accident and decides to stop. "Other people go around and pick up the pieces, and go to the hospital." He wrote a song, hoping to reach some of the people who never stopped or those who, like himself, took years to react.

*"Sixteen years is a long, long time,
But I believe the greatest crime was you
and me
We didn't care
We thought maybe they deserved to be
there."*

The idea that people will think he is climbing on a bandwagon just before the men are released terrifies him. For him the song is "too little, too late," a sort of "belated apology". He wanted to write a song about the Guildford Four, but didn't.

Like many Irish people, he thought they would never get out of jail. Now the Birmingham Six are on the verge of release. This time the song got written.

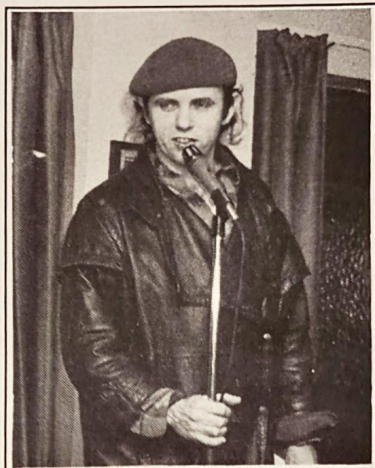
At heart, Brush is pretty serious. The street-cred is real, but so are the sentiments.

He wrote his first 'protest' song in the late Sixties. "New places, Old faces", was about eviction. "Better than I expected, but not as good as I'd hoped" was about drugs. A third song, about battered wives, also hit a social nerve. "I don't know", with its Dylan-style harmonica, belongs to the same time and place.

He wants the song to be a hit. It's not about ego, but getting the message across to as many people as possible. The fans, the fella who catches it on his car radio, the ones who never quite believed that the Birmingham Six were innocent.

"I'd like to think the song is bigger than me," he says. "It's very important that the message is bigger than the messenger. I think that the song is honest. It's like a 60s protest song. It's coming from a place where you once were. I've never improved. I peaked in 1969."

There he goes again, daft as a brush.



Brush Shiels

Greetings

*Best wishes to Gerry Hunter,
who will hopefully spend his
last birthday in jail on October
15. If you would like to send
your own greetings, please write
to his address on the back of the
newsletter*

Solidarity

PETRA KELLY, a representative of the West German Green Party, sent a personal message of support to the Birmingham Six Committee office following the news that the Birmingham Six case would return to the Court of Appeal.

"Wish you all much strength and solidarity for the decisive days ahead," she wrote. "In solidarity and best wishes." □

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Stop Press ... Stop Press ... Stop Press

Final call

Don't forget the Dublin City marathon, which will be held on the bank holiday weekend in late October. Runners and sponsors are still needed. Contact the office for details.

Picket

The weekly Saturday picket continues from 12.00 noon to 2.00 pm at the British Embassy, 33 Merrion Road, Dublin 4. Your support is needed. Please contact Eileen McGoldrick at Tel: (01) 883798.

Book

Derek Dunne's book, *The Birmingham*

Six, is available in English, Irish, French, Spanish and German. Price £2.00, plus £0.45 for post and package from the Birmingham Six Committee's Dublin office, or at leading bookshops. We also have the latest edition of *Error of Judgement*, by Chris Mullin.

Cork Campaign

Would you like to help the Birmingham Six campaign in Cork? If so please contact Ger, at (021) 821615, for details about collections, distribution of newsletters, petitions and tee-shirt sales etc.

Attention Readers

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Armagh Four

PUBLIC MEETING

Shelbourne Hotel

8pm

Thursday

25th October, 1990

Prominent speakers

The Birmingham Six Committee

Usher House, 40/41 Usher Quay,
Dublin 8, Ireland.

Tel: (01) 679 1644 Fax: (01) 6793639

The Birmingham Six Committee sponsors are: Gareth Peirce, solicitor; Tony Gregory, Independent TD; Chris Mullin, Labour MP; Paul O'Dwyer, attorney; Niall Andrews, MEP.

The Birmingham Six Committee is one of several groups working in Ireland, Britain and the US for the release and exoneration of the six men who were wrongly convicted in August 1975 of the Birmingham pub bombings. The group has no aims or agenda beyond securing justice for the six men.

Write to the six men in jail, and express your support.

Paddy Joe Hill, 509496, HM Prison Gartree, Market Harborough, Leicester, England.

Richard McIlkenny, 509498, HM Prison Gartree, Market Harborough, Leicester, England.

Billy Power, 509497, HM Prison Gartree, Market Harborough, Leicester, England.

Gerry Hunter, 509495, HM Prison Long Lorton, Evesham, Worcs., England.

John Walker, 509494, HM Prison Long Lorton, Evesham, Worcs., England.

Hugh Callaghan, 509499, HM Prison Long Lorton, Evesham, Worcs., England.