

Joint Enterprise

Not Guilty by Association

JENGbA

News

"You're Not Alone"

ISSUE 25: July-September 2013

Dear Friends and Fellow Campaigners

I can hear the collective sigh that this newsletter has finally arrived as we've had plenty of enquiries asking where it is, apologies for the delay.

Many of you will be following the recent news about the Kevin Nunes case. It seems the CPS are considering criminal charges against 14 serving and former police officers involving Gloucestershire, Northampton, Staffordshire and West Midlands Police force. I'm sure it will be no surprise to us if the CPS decides there is no case to answer and does not charge police officers with deliberately perverting the course of Justice. Why? Let's face it, the police, especially in JE cases do this in every court in the land, every day. The Old Bailey currently has multiple defendants in every court bar one. The DPP Guidelines have meant nothing because the Police and Prosecutors can frame the narrative of a case to suit conviction and like in the Nunes case withhold evidence that contradicts their version of events. Until the Police are held accountable for this type of immoral corruption especially in joint enterprise and conspiracy charges then the rule of law in this country no longer exists. Even the IPCC seem to believe charges are necessary – let's see what the CPS actually do; JENGbA know this type of misleading evidence from unreliable witnesses affects a lot of the cases we are supporting.

I visited HMP Gartree recently. I was told when booking the visit that I could not bring pen and paper and Steve Kidd whom I was visiting was told this also. It is interesting that the prison authorities obviously know about JENGbA now because of this newsletter and that you our inside campaigners are spreading the word. Apparently there was a documentary made inside Gartree earlier this year. When the researchers were interviewing inmates the JENGbA guys got together and suggested they discuss joint enterprise cases. Steve said they looked very uncomfortable and clearly knew what that meant but said they couldn't. Obviously they do not want to show the public prisoners who are maintaining their innocence because the public believe the myth that everyone who is in prison had a fair trial and deserves to be there. This is the myth JENGbA is determined to expose.

JENGbA had a stall at the Wigan Diggers festival last month spreading the word. A young lad came over to sign our petition and he was wearing our JENGbA bangle. When we asked where he got it he said he had heard one of the JENGbA women talking at an event London! We

also met Shelia Coleman from the Hillsborough campaign there and both campaigns agreed to support one another.

We held a fundraiser at the Wimbledon Irish Centre on 20th Sept. It was a great night with Comedians, Poet and Brazilian singers and dancers 'Tropicalia' who attempted to teach us the Samba.



"Tropicalia" – Samba for JENGbA!!

We will give you more notice next time so you can get even more families to attend. We gave an award to the JENGbA campaigner of the year, this was to Patricia Brown fighting for her son Tirrel, it was Patricia who the lad in Wigan got his wristband from.



She is a relentless campaigner – she goes to lots of community events and we are incredibly proud of her determination to get justice for her son and all the other innocent prisoners.

Sadly we heard from guys in Whitemoor of the death of a young man in there who had committed suicide. He was joint enterprise and innocent. I asked for his name so we could contact his family but we did not have him on our database. I know the newsletter is being shared on the wings but please tell others to contact us if they were

convicted under JE. We have already been thanked by a lad in Belmarsh, he said if it wasn't for this campaign he would have topped himself. I don't know if we would have made a difference to that desperate young man in Whitemoor but at least he would have known this struggle is for everyone convicted under this barbaric law.

A JENGBA campaigner Andy Dempsey whose son Jack was convicted of murder has written a book called 'By Appointment'. (Pen Press ISBN978-1 78003-550-5). It is a cracking good read, funny, insightful, tragic and full of details of how corrupt our British 'justice' system. Andy had a very colourful life and he shows how there is one rule for the rich and powerful and another for the rest of us. He is sadly very ill at the moment so we wanted to thank him for his support and let him know we will also continue fighting for Jack. Quote from his book:

"I have lived more than 66 years and I don't expect to be around much longer. But before I die, I want to help to expose the hypocrisy that underlies our society. Most people think the criminal justice system is generally decent but I know it's just a sham, a system designed to keep people under the impression that our rulers are just and fair. They are not. The majority of them are concerned principally with their own wealth and status in society and in promoting the appearance of virtue rather than real justice, social or penal. Their primary function is to maintain the status quo.

With members of my family and friends, the families of other Joint Enterprise victims, various civil rights and pressure groups and other concerned people, I will persist in trying to get justice for my son and other victims of the anti-social law known as Joint Enterprise and I will try to help with other miscarriage cases. There is now a growing number of people in this country who know the truth when they hear it, and they will definitely be hearing from us." Andy Dempsey

Stay strong, stay JENGBA and keep fighting injustice by spreading the word.

Gloria Morrison



Scene from "Common" in the BBC's new drama trailer

Jimmy McGovern's film will be shown in the Autumn schedule, although this covers the period til April next year. Your experiences have given Jimmy the inspiration to write his script – and given us the hope that the whole world will soon know about the injustice of Joint Enterprise, or Common Purpose. Watch this space for updates on screening times and watch out for the trailer on BBC.

Jan's Column

I was lucky to be a guest at the Sheila McKechnie Foundation award Ceremony in London. Watching strong, new campaigners of today mix with the well known campaigners of the past was fascinating. JENGBA's Gloria Morrison had been nominated and then went on to win the London Social Justice Campaigner of the Year award, sponsored by Trust for London. It may seem like nothing to all of you who still remain in prison coping with the daily battle to be heard let alone freed, but it isn't.



Gloria Morrison receiving her award from Sheila McKechnie Foundation

Photo courtesy Harmit Kambo/SMK

This award is recognition, it says the JENGBA campaign is relevant and that one of our campaigners is so relevant she deserves a prestigious Award and National recognition. Only a couple of years ago when JENGBA was born, Lord McNally was asked a question by one of our Patrons, Lord Ouseley. It concerned the Joint Enterprise principle, but Lord McNally insulted all of us involved with JENGBA by referring to us as the friends and families of violent gang members who were unhappy with the sentences our loved ones had received.

The SMK Foundations Award puts Gloria in the spotlight as a successful campaigner and Joint Enterprise back in room for serious debate. McNally can no longer dismiss our questions because to do so would mean he really is ignorant and incapable of doing what a member of the House of Lords is supposed to do.

People have been in touch from all over the World and in particular from America. There is something called the "Felony Murder Rule" in America and I am sure you have all heard of it even if you're not sure exactly how it works. After a bit of research I discovered that it is more or less the same as Joint Enterprise. On looking deeper I was very surprised to then discover in England, NI and Wales the Felony Murder Rule was once set in legislation, and had been abolished 1957.

So why was it abolished? Why did we abolish one law only to then use the common law version and just call it by a different name?

My research brought up the tragic case of Derek Bentley, the 19 year old who was hung for murder in 1953. This case is especially tragic because Bentley did not fire the shot that sadly killed a Police Officer.

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Bentley had already been apprehended and arrested when that shot was fired so technically he was in Police custody. I won't go into the details of the case or how and why he was finally acquitted over 40 years later, however, the important issue is the public's revulsion that surrounded the trial, the case against Bentley and the disgust at the state's determination to execute a teenager for murder, when he clearly had not murdered anyone.

Sound familiar? Men, women and children in prison for murder when they clearly did not murder anyone.

The only difference is you are all alive forced to live a life of misery. There are people out there who know you did not kill anyone but they would still be happy see you hang, and some of those people sit in the House of Lords. Much to my distress I have spoken to many people maintaining innocence who have been given life sentences, who have told me the death penalty would have been preferable to the endless living torment of a life sentence for a crime they did not commit

Public outrage, disgust and sheer revulsion towards the Felony Murder Rule in the 1950's is what brought about the abolition of the Felony Murder Rule and also the death penalty. Campaigning to abolish what was recognised as an unfair law that was not fit for purpose in a modern society was the right thing to do then and is the right thing to do now with Joint Enterprise. So how come 60 years on we are still doing the same thing our grandparents were doing? If we have to change the murder laws, then so be it.

It can never be too expensive (as I am sure any Government in power will tell us). The taxpayer pays for your incarceration and the taxpayer will pay for the work put in place for legal reform. It doesn't take a mathematician to balance the books and conclude that it is more expensive to convict and give life sentences to the innocent in comparison to implementing legal reform.

They say ignorance is no defence and it has been ignorance that this law is still being used, albeit by default, behind our backs and under an ancient common law name, but we are no longer ignorant of these facts, so it is time to be disgusted again and to be outraged. It is time for everyone with an ounce of common sense and moral fibre to demand the Common Law version of the Felony Murder Rule be abolished and that mandatory life sentences are only handed down to those that actually plan, commit and INTEND murder.

Janet Cunliffe



A WORD FROM THE INSIDE

Please get a quote out to your family and friends about your conviction and ask them to contact **JENGBA**. We expect a high rise in media interest when Jimmy McGovern's film "Common" is aired and this is a chance to have your voices heard by local press and radio in your home area as well as national media.

JOINT ENTERPRISE IS A COURT FULL OF LIES!

Letters from our Inside Campaigners:

A big hello to you all

Just a quick script to let you know I've moved address to HMP Gartree so I can still receive your great monthly **newsletter** as I have over the past 2 years. I'm spreading the word and just to let you know, you have great support from all the lads here in Gartree and I personally would like to say 'Thank you' for all the tremendous work that all you guys are doing to take JENGBA to newer and bigger heights and for all the support you give us guys unfortunate enough to be serving serious time under this barbaric and lazy law JE. God bless you all. **Jon Battams HMP Gartree.**

Me and my sister got found guilty to murder, secondary absent parties. I cannot believe how backwards the law is in this country. I've always grown up having faith in the courts to convict guilty people of their crimes. Now I also know they convict innocent people and far too many. It is heart breaking knowing that there are so many people in prison going through the same thing me and my sister are because of this lazy law. We are single parents with two kids each. Thanks JENGBA for supporting us on the joint enterprise fight.

Kelly Smith HMP Styal

Joint Enterprise is crazy – how it ever got into law in the first place I will never know but if it was not for people like all of you lot we would be just sitting here waiting to die. So thank you to everyone for everything you have done and are still doing now. I do believe one day our day will come but the only trouble is when? It will happen, this joint enterprise will be thrown out of the law as it should have been years ago.

Brian Townsend HMP Woodhill

Can't wait for Jimmy McGovern's film. In response to your PS on newsletter the judge in my trial "a nod or a wink is enough to show intent to murder!" Even today I still can't get my head around the fact that that is being used to convict multiple people of murder. JENGBA is gathering pace and I tip my hat to you with heartfelt affection for all you have done and are doing!

Brad Allardyce HMP Grendon

Thank you for what you are doing and your support. I write to tell you that the judge in our case did use the 'knowing look and nod and wink' to the jury. Also, perhaps it is nothing but Judge Brodricks was 'promoted' half way during trial to Recorder and went from your Honour to His Lordship and very soon after the trial he retired. It may be nothing but who knows?

Mark Collett HMP Coldingley

Thanks for newsletter and keeping us updated on things. I'm writing to let you know the judge in my case Lord Justice Cook used the 'the knowing look or a nod and a wink' when explaining to the jury what joint enterprise means. Thanks for everything you all are doing.

Anthony Parsons HMP Rye Hill

The feeling of being alone is overwhelming when in this situation. As is the helplessness you feel. There is so much you want to do just to prove to the world what you already know to be the truth. Any support you can get from the "outside world" is so welcome. Support of organisations such as JENGBA is fantastic. There are many times when you feel like giving up the fight then someone you have never met will write to you and tell you to carry on. Just the fact that someone out there is thinking of you some time each week as they put pen to paper is sometimes enough to change a really bad day into a great one. It is a long road and one that can only be finally completed with the help of people like you. Thank you.

Stephen William Marsh HMP Swaleside

Letter from The Right Honourable Lord McNally
Minister of State
102 Petty France
London SW1H 9AJ

Thank you for your letter regarding JENGBA's concerns about the Joint Enterprise Principle. In the Government's view, this area of law is based on sound legal principles and we are not minded to review or amend a law which serves as a useful tool in tackling crimes committed by gangs.

It goes on, but please write to him and put him straight.

**In 1940 George Orwell wrote
"The Lion and the Unicorn"**

And yet the gentleness of the English civilisation is mixed up with barbarities and anachronisms. Our criminal law is as out-of-date as the muskets in the Tower. Over against the Nazi Storm Trooper you have got to set that typically English figure, the hanging judge, some gouty old bully with his mind rooted in the nineteenth century, handing out savage sentences. In England people are still hanged by the neck and flogged with the cat o'nine tails. Both of these punishments are obscene as well as cruel but there has never been any genuinely popular outcry against them. People accept them (and Dartmoor, and Borstal) almost as they

accept the weather. They are part of 'the law' which is assumed to be unalterable.

Here one comes upon an all important English trait: the respect for constitutionalism and legality, the belief in 'the law' as something above the State and above the individual, something which is cruel and stupid, of course, but at any rate *incorruptible*.

It is not that anyone imagines the law to be just. Everyone knows there is one law for the rich and another for the poor. But no one accepts the implications of this, everyone takes it for granted that the law, such as it is, will be respected, and feels a sense of outrage when it is not. Remarks like 'They can't run me in; it's against the law', or 'They can't do that; it's against the law', are part of the atmosphere of England.

Sound familiar?

You can continue to do your part for JENGBA by putting pen to paper: If you have heard of any members of the House of Lords that you think would be moral and intelligent enough to understand the unfairness of JE then write to them asking them to urgently debate the issue NOW.

The best way to contact any member of the House of Lords is to write to the House of Lords.

**House of Lords,
London, SW1A 0PW**

Write to the new Director of Public Prosecutions, with some simple questions about JE and make sure you tell her of your daily torment and just how immoral it is to expect you to continue suffering in this unimaginable way.

**Alison Saunders
The Crown Prosecution Service
Rose Court, 2 Southwark Bridge,
London, SE1 9HS**

There is also the CCRC. Ask them what they think about JE and if they can review YOUR new evidence of "possible foresight" because that is what you want to submit.

**Criminal Cases Review Commission (CCRC)
5 St Philip's Place,
Birmingham B3 2PW.**

Be Aware! Some of the responses you receive will be soul destroying or just plain bonkers, but remember it will prove just how desperate these revolting people are when it comes to suppressing you as a Miscarriage of Justice and avoiding progressive law change.

If you need any further info or want to write to us:

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