

Joint Enterprise

Not Guilty by Association

JENGBA

News

ISSUE 5

March 2011

“You’re not alone”

From our Campaign Co-ordinator:

“When I despair, I remember that all through history the way of truth and love has always won. There have been tyrants and murderers and for a time they seem invincible but in the end, they always fall – think of it, ALWAYS”. Mahatma Gandhi

We have tragic news that one of our JENGBA campaigners has sadly died in HMP Wandsworth. Mr Darren Liston was found hanging in his cell last month, six days after being moved from the vulnerable persons unit in HMP Belmarsh in order to do a course at Wandsworth. Darren’s Mum contacted us to let us know the sad news and after meeting with her and Darren’s aunt we have, on their behalf, contacted the charity Inquest, who are now investigating the circumstances which led to Darren’s death. JENGBA will continue to support this family’s fight to have his conviction overturned and on behalf of all JENGBA

campaigners we offer our deepest condolences to his family. Any personal messages sent will be passed on to the family.

It is impossible for us on the outside to genuinely realise the horror and oppression you must be experiencing; especially since you are not guilty of the crime you have been convicted of; a conviction contrived by an archaic and corrupt law. The pressures are unimaginable, and I know those pressures are compounded by lack of contact with loved ones. We know that you can retain the

dignity and humanity that defines you as a free person and that institutionalisation will not rob you of this. In the moments of darkness that you must inevitably feel please remember it is you and your humanity that drives us to find justice for JENGBA prisoners. It will not be easy but we have right on our side, and that is a mighty sword.

Gloria Morrison



Darren Liston

13.08.82 – 06.02.11

Son, brother, uncle, cousin and loyal friend.

Darren loved football, especially the trials and tribulations of Tottenham Hotspur.

Wrongfully convicted and campaigning for his innocence.

MAY HE REST IN PEACE



“No wonder he thought life wasn’t worth living”

In November 2010 JENGBA received a letter from Darren’s mother. In it she wrote that, after he lost his appeal, his solicitor told him it’s like hitting a ‘brick wall’, there’s nothing he can do now (he said he knows Darren didn’t do the crime but was at the scene of the crime) but if he applied for another appeal and was turned down again he would have to start his whole sentence again from day one.

No wonder he thought life wasn’t worth living.

But this was the decision of a single judge (dated 14/10/10) and the application could have been renewed to the full court. Although the court can order that a prisoner can be forced to start his sentence again from the date of the appeal, this is just a sanction available to deter frivolous applications, and if the application is supported by counsel then the judges don’t regard it as frivolous and don’t add extra punishment. We have never heard of anyone being punished when their application is supported by lawyers, and we have never heard of a punishment of more than 28 days extra, which is risk most life sentence prisoners are prepared to take.

Nor does it seem that any mention of the CCRC was made. In that case, by depriving Darren of all hope, the solicitor may have contributed to his suicide. Just one of the effects of the Joint Enterprise law.

DR. ANDREW GREEN
Co-founder of INNOCENT and UNITED AGAINST INJUSTICE

JENGBA

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"You're not Alone"

Write to us at:

JENGBA
27 Old Gloucester Road
LONDON
WC1N 3AX
Phone: 07709 115 793
Email:
jointenterpriseinfo@gmail.com
www.jointenterprise.co

NEWS FROM OUR FAMILIES:

Retrial of a Joint Enterprise Case

Kelvin Horlock is in court in April. He and 3 co-defendants are to be retried for a joint enterprise conviction that they were acquitted of last year on appeal. There has been a press gagging order on their acquittal but Kelvin wants JENGBA to support him and his family during the trial. Kelvin and his family would appreciate support both inside and outside the court so anyone that can attend the trial will be most welcome. Please come and say hello to Kelvin's mum and the rest of the family. Kelvin's case has already made legal history and is of great importance to the Law on joint enterprise. His case is already being quoted in courts. This is one to watch very closely as it will have major impact on future cases.

House of Commons Meeting 26th April 2011

Many of you will know that the genesis of this campaign was started by a meeting at the House of Commons in March 2010. London Against Injustice put an advert in Inside Time asking families and supporters to attend a meeting in March 2010. The meeting was hugely successful in terms of the hundreds of people who attended. It was then we realised that this was a law incarcerating huge numbers of innocent people. Bruce Kent, the Chair, opened the Q & A, and family member after family member stood up to represent their loved one – it was incredibly moving. We are holding another meeting, hosted by Andy Slaughter MP Shadow Justice Secretary, on

26th April 2pm–Room 14, House of Commons. Please ask as many people as possible to attend and let us know via email or letter if they can attend. You must also demand that your MP attends. **Mr Paddy Hill** has agreed to be a speaker. It is twenty years since the Birmingham Six were released after being wrongfully convicted under joint enterprise. Paddy has recently been interviewed by BBC Birmingham (link is on our website) where he states that there are more innocent people in Prison now than there were twenty years ago – it is getting worse not better. He also says it was the British public that were instrumental in their release; not the judiciary or the law makers. We must follow his guidance and alert the unsuspecting public of what is really happening in our courts.

JENGBA Prisoner

Profile:

Wyndham Thomas HMP Cardiff

Wyndham, 19 and naïve, agreed to be a look out for a burglary on a non-occupied property. When the owner returned Wyndham shouted to his co-defendants to leave and he ran away. The owner was tragically murdered by one of the men inside the house. At his trial the jury told the Judge they did not want to convict Wyndham of murder but the Judge insisted it was a joint enterprise and they had to convict or acquit all; clearly Wyndham was denied the right to a fair trial under Article 6.

Trial by jury is a fundamental right for every Citizen, yet these appalling "directions" are allowing innocent people like Wyndham Thomas, and also Kevin Craigie to be convicted of these horrendous crimes which they most certainly could not and did not commit. The Jury's in both these so called "trials" were denied their right to acquit, and consequently innocent people suffer the consequences which in essence "destroys" their lives and also exposes this Criminal Justice System for what it is. Fortunately, we still have the European Courts as an option, without them, these decent people would have no hope of ever being exonerated, as they deserve. Wyndham was one of the first prisoners to write to JENGBA; he is currently 4 years over tariff and is fighting his conviction and parole.

URGENT REQUEST!! We are running low on funds and are now relying on donations - if you are able to make a donation please makes cheques payable to Joint Enterprise: Not Guilty by Association and send to JENGBA, 27 Old Gloucester Road, LONDON WC1N 3AX. No matter how small, every penny will go towards keeping loved ones up to date with our news. Our newsletter costs us £200 a month in postage alone. All JENGBA campaigners are volunteers and donate their time free of charge.

USEFUL LINKS

www.innocent.org.uk
www.unitedagainstinjustice.org.uk
www.insidetime.org

Offenders' Families Helpline

0808 808 2003 Mon-Fri 9am-8pm, Sat & Sun 10am-3pm

DON'T FORGET!
JENGBA film to be shown
Saturday 9th April 2011
At 1pm at
Notting Hill Coronet
Free entry – all welcome