

An abstract painting with a vibrant red background. Overlaid on this are various shapes and strokes in shades of blue, teal, and yellow-green. The composition is dense and expressive, with some areas appearing more defined than others, creating a sense of movement and depth. The colors are applied in a way that suggests organic forms or perhaps a map of a region, though the details are obscured by the abstract nature of the work.

Freedom Justice
for SAMAR & JAWAD

10th Anniversary Newsletter 1995-2005

**"No matter how bad are your conditions
And treatment,
Don't let anyone take away your humanity."**

Front cover

Al-Haja Zeinab

Jawad Botmeh 2000

Jawad painted this picture in response to the massacre in the West Bank town of Jenin by Israeli forces in 2002. He felt the need to tell the story of Haja Zeinab, an old woman living in Jenin, and those of the Palestinians. Haja Zeinab chose to sacrifice herself to save young people. Her name appears in the middle of the painting surrounded by other Arabic words, which refer to various torture techniques used on Palestinian prisoners in Israeli jails; to the various Palestinian uprisings of 1936- 1939, 1987-1993 and the present day intifada.



10th Anniversary Newsletter 1995–2005

This is a tenth anniversary edition of **Freedom & Justice for Samar and Jawad** campaign newsletter... eight years since their wrongful conviction and their incarceration in prison. It has been an inordinate long time of imprisonment for them. The campaign and the legal team have worked tirelessly to try to fight this miscarriage of justice in an effort to free them. Sadly, this has not been achieved as yet. We can only trust that the campaign has in some small way sustained them both and kept a link to the outside world... even though the outside world is in turmoil!

Jawad recently wrote: **'I would like to thank you for all your hard work and help with all these issues. I am also grateful for your dedication and support all these past 10 years. You made it possible for me to survive the experience and without your support I would have found it difficult to go through and survive this nightmare.'**

Since 1998 the campaign has attempted to produce newsletters for its supporters at six-monthly intervals, providing updates on the case and using them as a tool for organising action and support on various issues. This anniversary newsletter is a reminder of what has been achieved to date and what there is still to be done.



A Victory for Samar

Samar was finally de-categorised to Cat C on 20 October 2004. In the "current political climate" this victory is no small feat.

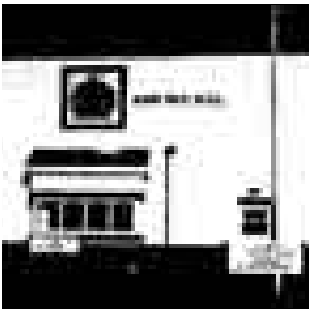
The prison board finally made an effort to listen and now deems that she can be trusted

in "semi-open" conditions even though she has been within a semi-open wing in HMP Send since last year. Therefore, their decision is only logical and should have been granted months ago.

There is no doubt that the numerous letters supporting Samar from all across the country helped tilt the balance, particularly in view of the board's emphasis on "public confidence". All the campaigning, complaining and endless representations etc., eventually backed the prison authorities into a corner leaving them with basically little option but to decategorise.

Samar can now move on with further de-categorisation steps and towards parole. It will also help with efforts to get the detention order lifted so Samar can start town visits, etc.

"there is no doubt that the numerous letters supporting Samar from all across the country helped tilt the balance"



Jawad's Appeal Rejected

As mentioned in the last newsletter, Jawad was refused decategorisation to Cat D.* He appealed against this decision, but alas this appeal was turned down.

There has been no formal

explanation of the decision and the prison authorities are not obliged to give one within any given time. Jawad is still in Category C conditions, which are closed. The Prisons and Probation Ombudsman is investigating the categorisation decision reached by HMP Rye Hill and all the surrounding circumstances that resulted in them refusing to downgrade Jawad to Cat D. The Ombudsman is able to make recommendations including that a particular decision should be quashed.

*(Category status differs between female and male prisons. Samar is now held in semi-open prison conditions whereas Jawad is still held in closed conditions.)

Prison History Scenario

Outlined below is an example of the complexity of what happens in prison in terms of the tasks involved in fighting for basic rights accorded to prisoners, as well as the difficulties for Palestinians held in UK prisons.

Every prisoner is entitled to an annual sentence planning hearing and review of prison status. Prisoners should be treated equally and should not be discriminated against if they protest their innocence. The seriousness of the offence should be dealt with by progress through prison status and sentence planning according to custodial behaviour... **If you're Palestinian and protesting your innocence, you can expect anything but a straight story.**

Whilst on remand Samar and Jawad were treated as Category A (high risk) prisoners. This meant strip searches on all visits, restricted movements, police clearance of visitors etc. Initially applications to be de-categorised were rejected. Correspondence revealed that objections to de-categorisation **included possible negative effects on the Middle East peace process**, as well as reasons such as the prison 'does not know them': 'high risk due to the serious nature of the offence': 'and denial of guilt and refusal to take rehabilitation courses'. Some of the anti-Arab racism, prejudices and ignorance have forced our friends to make comments to the prison authorities such as: **'Please note that I don't know where bin Laden or his associates are, and I have no WMD'.**

However, in one application to be decategorised the prison received 'security information' from police indicating they have no objection to de-categorisation. Even when decategorisation reviews have taken place neither the prisoner nor their lawyer were informed!

Sentence Planning

While the sentence planning reviews are meant to occur regularly and automatically, Samar & Jawad have had to ask for them on many occasions.

One scenario that occurred: There is an assessment of attendance for R&R course. The results show it is not necessary for the prisoner to attend. The officer does NOT indicate that it's crucial to measure progress in addressing offending behaviour. There is no mention that the course is a way to demonstrate or quantify how the prisoner thinks or acts (i.e. if they are redeemable after the serious offence committed). The prisoner is told that it's all voluntary. In light of the above recommendation, the R & R course is not attended, and hey presto later there is objection from the prison to decategorise because of failure to take an R & R course! **A no-win situation.**

Blatant Discrimination

How do other prisoners fare? Surprise surprise! British nationals charged with serious offences such as rape, child abuse, and murder can and have progressed through the sentence planning and through prison categorisation much faster than Samar and Jawad. That is even if, unlike Samar & Jawad, the prisoners have not been on “enhanced” regime (i.e. earning the maximum number of privileges in recognition of excellent and co-operative custodial behaviour) and even if their parole dates (i.e. the first possible date of release) are later in 2006–2008. Some examples:

- A couple charged with manslaughter and another person guilty of a violent kidnapping were moved to a semi-open wing quicker than Samar has. They have been on town visits and engaged in community work outside the prison for months.
- Two people with long sentences (over 12 years) were decategorised to open conditions over six months ago without being required to take any courses, again well ahead of Samar and Jawad.

The Inconsistency and Unfairness of the Parole Process

The factors against gaining parole for Samar and Jawad are three-fold:

- **The current political climate**
- **Media pressure**
- **Protesting their innocence**

A few recent court rulings indicated that it is unlawful to deny prisoners progress on the sole basis of the offence they were convicted of, or on the grounds that they are protesting their innocence. This year, the Parole Board went out of its way to confirm this in public statements. Yet, according to its own data, while prisoners denying guilt secured parole license in 24% of cases, the overall rate for all applications is 51%. This means that whilst some prisoners maintaining innocence get parole, they are twice as likely to be denied parole than other prisoners. While this puts paid to the myth that denial of guilt means that parole is impossible, it does suggest that a prisoner’s chances of early release can be affected by the denial of guilt.

Prisoners maintaining their innocence are also in difficulty because progress to parole includes taking courses to address “offending behaviour”. The system relies on course reports for its assessments, and failure to take them almost automatically count as setbacks to eligibility for parole.

“whilst some prisoners maintaining innocence get parole, they are twice as likely to be denied parole than other prisoners”

Factors in Favour of Gaining Parole

Early Removal Scheme

As of November 2003, according to a Criminal Justice Bill directive, foreign prisoners who are ‘not at risk’ to the public are to be released 4½ months early and immediately deported. This is to free 400 places in British jails. Similar British prisoners can be freed and tagged. (*The Times*, 31/10/2003)

Enhanced Regime

Since their incarceration in 1996, both Samar and Jawad have been at the top of the enhanced regime, i.e. they have had excellent custodial behaviour. This should count towards getting parole.

Social Support

Samar & Jawad have continued to enjoy strong social ties with their families, friends, and a large body of supporters and visitors. This should reassure the prison authorities that they would be well integrated upon release.



People still lie in prison despite support and despite the obvious

Case of Susan May

(Students research casts doubt on murder conviction, *The Guardian*, July 14, 2004)

A forensic science project by a group of first-year university students could help overturn the conviction of a woman who has been in jail for almost 12 years for the murder of her elderly aunt, according to friends, family and MPs. The central plank of evidence against May was what the prosecution insisted was her palm print in Mrs Marchbank's blood on the wall of the victim's bedroom. However, research by six first-year students at Paisley University found that it could not be conclusively proved that the mark on the wall was blood – it could be any number of substances. Their work, backed by the opinions of several eminent scientists, has been sent to the Criminal Cases Review Commission, which has taken the highly unusual step of reassessing the case after the second appeal was turned down.

Susan May, of Oldham, has protested her innocence since being sentenced to life in 1993 after being convicted of murdering her 89-year-old aunt. 'Why am I still in prison now when even first-year forensic science university students can unpick all this evidence? ...I should never have been convicted on such weak and, I say, fabricated evidence.'

Prison Jargon

High risk: danger to the public and national security
Closed: prisoner must be deterred physically from absconding

Semi-open: prisoner is 'lower risk, no need for deterrence but can't be trusted in open conditions

Open: prisoner can be trusted in open conditions, and can leave prison gates for a while

R&R: Rehabilitation and Reasoning

Voices from Inside

Poems by Women in Prison

'Voices from Inside' was produced as part of HMP Send's Education Dept programme of courses, working with poet Evelyn Sharp and co-produced with Epsom College of Further and Higher Education.

"I should never have been convicted on such weak and, I say, fabricated evidence."



Picket outside the Appeal Court, London in October 2000

Poetry by Samar

Behind my mask?

What's behind my mask?
I don't mind telling.

I'm not really afraid of shining a light there
Or letting air through.

I'm not scared.

But prison makes me weary,
And somehow fearful.
I don't want strangers,
Prying and prowling in my thoughts,
In my feelings.

Many people don't deserve to know.
They're judgemental, cold,
Interfering, negative.

In here, I still feel I can't write some things,
Even about what I've eaten today.
In case a 'someone' reads it.

Anyway...
What's behind my mask?

Many faces,
Faces of hope, love, tenderness,
Success, failure,
Doubt battling with dare... and more.

Different things come up to the surface.
Sometimes the mask hides pain or sorrow.
Other times, defiance and a smile
At some foolishness before you.

My mask is not lying.
It's just a door, a border.

The mask is a way to keep going.

My mask helps to actually tell myself.
I'm coping, I'll get through.
The mask helps to tell others,
You're coping, you'll get through too.



Paul Foot's Memorial – an ill-affordable loss

Sadly Paul Foot, the campaigning journalist, died on 18 July 2004. On the very day he died, he was preparing yet another article cogently arguing the innocence of Jawad and Samar.

There was a celebration of Paul's life at the Hackney Empire, London on Sunday October 10, 2004 at which campaign members were invited. There were about 20 speakers, including the sisters of Samar and Jawad, who paid tribute to him.

Many issues mattered to him, most of them, in one way or another, to do with exposing and fighting unfairness, injustice and lies and in particular against miscarriages of justice in the courts. He had taken up the case of Samar and Jawad highlighting their situation in the pages of the *Guardian* and *Private Eye*.

Samar's sister wrote in the publication *Paul Foot, A Tribute*:

"Honoured I am to have known Paul, although this was merely through campaigning around the miscarriage of justice that has devastated the life of my sister Samar and her co-defendant Jawad for the last nine years... Thank you, Paul, for digging into cover-ups until truth sets the innocent free. Thank you, Paul, for bringing laughter and hope to distraught hearts and minds. And although you may shriek at this, may Allah bless you."

AMNESTY INTERNATIONAL Annual Report of 2002-2003

"Amnesty International believes their convictions were unsafe and that they were denied the right to a fair trial".

European Court of Human Rights

The case was submitted for a hearing after the appeal to the House of Lords was lost in November 2002. It is still waiting to be heard by the European Court. The European Court has repeatedly ruled that "the prosecution's failure to lay the evidence in question before the trial judge and to permit him to rule on the question of disclosure deprived the applicants of a fair trial." On that basis Samar and Jawad should undoubtedly win.



Picket held in Beirut, Lebanon outside a meeting between a British Foreign Minister and Lebanese government.

Campaign Achievements

In the past 10 years, the campaign and its supporters have managed to gain much publicity for the case and raised its profile.

- The two victories we have secured have been in achieving the decategorisation of Samar and Jawad from a 'CAT A – high security risk – danger to public & national security' to 'CAT C – lower risk of absconding.' This has meant no longer being subject to such degrading treatment as strip searching, strict surveillance, approval of friends and family (police checks) for visiting, and censorship of mail etc.

- Numerous public meetings have been held across the country, as well as in the House of Commons with questions having been raised on the floor of the House. Three Early Day Motions have been tabled and signed by 55 cross-party MPs.

- Sponsorship has increased five fold and we have added MEPs, trade unions, civil liberties and human rights organisations, lawyers groups, religious leaders, writers, artists, public personalities, journalists and international NGOs, as well as us ordinary members!

- The campaign secured the support of UNISON, the country's public services and largest union.

- We have conducted letter writing campaigns to the authorities and taken out newspaper adverts in British and Arab broadsheets.

- Vigils, pickets and petition presentations to Downing Street and the Home Office have taken place. Representation has been made to Arab ambassadors in London. The case was raised at trade union conferences and Labour and Liberal Democrat Party conferences. More recently the campaign has spoken on public rally platforms in solidarity with the Palestinians and the antiwar opposition. Overseas, the support has come from the Occupied Territories, Israel, Lebanon, Jordan, UAE, Egypt, as well as from Europe, Canada and USA.

- In February 2000, the campaign submitted to the Prime Minister a 200,000-signature petition from Lebanon, West Bank and Gaza Strip urgently requesting the British government to release all information related to this case in the interests of justice.

- In September 2001, a major documentary on the plight of Samar and Jawad was broadcast on the Lebanese television station 'Future TV' locally as well as to audiences in Europe, North America, Africa and the Middle East. Audiences were shocked to learn that the British authorities are withholding vital evidence that could prove Samar and Jawad's innocence.

- On 10 October 2001, the campaign submitted a petition of over 4,400 signatures to Downing Street, the Home Office and the prosecution calling for justice to be done. A further 4,200 signatures have been collected since.

- The case and the campaign's activities have been covered by almost all the major broadsheets in Britain, Lebanon, Palestine, the UAE, Le Monde and Le Monde Diplomatic and occasionally in Egypt and Jordan.

- The campaign hired a London red bus to take to the streets of London publicising the case. A musical and poetry event was arranged with support from the likes of Emma Thompson, Jo Brand, Andy de la Tour, William Dalrymple, John Pilger, Dr Swee Ang and Mrs Doreen Lawrence.



Campaign bus used in London in 2001

"the case and the campaign's activities have been covered by almost all the major broadsheets"

- Samar has written some very moving, beautiful poetry, which family and friends in Lebanon are to publish as a book. Last December Jawad held (in his absence) a public art exhibition of his paintings and ceramics in London and this year in Durham a similar event is to be held.

- The campaign has produced 3 booklets about the case, and in conjunction with PSC, a pamphlet on Palestinian political prisoners was published. The campaign set up a web site and has produced material for sale to raise funds to run the campaign. (Publications can be found on campaign's web site.)

Some of the signatories on the on-going petition – from across the globe

(Includes artists, actors, writers, comedians, academics, lawyers, journalists, trade unionists, people of faiths, celebrities, and us ordinary folk!)

The petition calls on the British authorities to declare their convictions unsafe and to release them so they can rebuild their lives.

Michael Cashman MEP
Michael Verstraeten (lawyer, Belgium)
Simon Graham (Unison National Executive)
Annelies Moors (anthropologist, Netherlands)
Jeremy Hardy (journalist, UK)
Husam Khader (Palestinian Legislative Council, Palestine)
Jean Lambert MEP
Mark Steel (journalist UK)
Baroness Sarah Luford MEP
Mairead Corrigan Maguire (Nobel prize 1976 – N. Ireland)
Claude Moraes MEP

A. Sivanandon (Institute of Race Relations UK)
Laurent Brian (Ligue des Droits de l'Homme, France)
Dennis Brutus (South Africa)
M.Sawalha (Muslim Association of Britain UK),
Sir Ludovic Kennedy
William Dalrymple (writer, UK)
Lawrence Harris (Professor, UK)
J. McDougal (GMB Head Office, UK)
Benjamin Zephaniah (Poet, UK)
Dr Mustapha Barghouti (doctor, Palestine)
...and so on

List of MPs, Lords and MEPs

who have taken an interest in this case, signed an EDM or made a representation to the government about or on behalf of Samar and Jawad. If yours is not on the list perhaps you could write to them about your concerns at (House of Commons, London SW1A 0AA.)

John Austin
David Lepper
Harry Barnes
Elfyn Llwyd
Andrew Bennett
Ann MacKintosh
Harold Best
David Maclean
David Borrow
Alice Mahon
Tom Brake
Khalid Mahmoud
Colin Breed
Robert Marris
Karen Buck
Paul Marsden
Richard Burden
Jim Marshall
Ronnie Campbell
John McDonnell
Martin Caton
Kevin McNamara
Tony Clarke
Tony McWalter
Ann Clwyd
Alan Meale
Ian Colman
Mark Oaten
Frank Cook

Ian Pearson
Jeremy Corbyn
Adam Price
Jean Corston
Ken Purchase
Jim Cousins
Ernie Ross
Tom Cox
Marion Roe
Ann Cryer
Terry Roney
Valerie Davey
Mohamad Sarwar
Sue Doughty
Phil Sawford
Bill Etherington
Brian Sedgemore
Paul Flynn
Alan Simpson
Barbara Follett
Marsha Singh
Don Foster
Claire Short
George Galloway
Andrew Smith
Andrew George
Llew Smith
Neil Gerrard
David Taylor

Matthew Green
Richard Taylor
Win Griffiths
Jenny Tonge
Nick Harvey
Paul Truswell
Kevin Hopkins
Joan Walley
Glenda Jackson
Robert N. Waring
Robert Jackson
Hywel Williams
Lynne Jones
Mike Wood
Nigel Jones
Derek Wyatt
Andrew Lansley
Baroness Uddine
Lord Ahmed
Lord Gilmour
Baroness Howarth
Lord Hylton
Michael Cashman
Jean Lambert
Sarah Ludford
Claude Moraes
Graham Watson



Parliamentary Campaign

For the last 4 years the campaign has worked with a number of MPs and Lords to raise Samar and Jawad's case in Parliament focussing on matters concerning the investigation and conduct of the case. The result has been the tabling of questions to the House, the tabling of an Early Day Motion, and the co-ordination of a cross-party delegation to the Home Secretary.

Failure to Answer Parliament – No Answers Given

Between 2000-2002 MPs were told no answers could be provided because there was an appeal pending.

From 2003-2004 after the appeal was dismissed, questions raised were met by an invitation by the Home Secretary to read the trial transcripts from which they will be able to draw relevant conclusions!

Lynne Jones MP, a stalwart supporter of the campaign, asked about the conclusions reached by the British scientists concerning the type of explosive used in the bombing, where they were made, where the car bombs were assembled, who drove the cars and the reports from the Israeli scientists on samples removed from the bomb crater? Mr Blunkett replied: "An appeal to the House of Lords is pending in relation to these events. Since the matter is therefore *sub judice* it would not be right for me to comment."

Jeremy Corbyn MP asked a similar question nearly a year later and Mr Blunkett admitted for the first time that "It was never established where the car bombs were assembled or who drove the cars."

Mike O'Brien of the Foreign office also informed Rob Marris MP that "The Israeli Embassy made a representation for extra security to the Foreign and Commonwealth Office on 16 July 1994. I am assured that these were forwarded to the Diplomatic Protection Group, who are responsible for Embassy security, for action." (The bombing outside the embassy took place on 26 July 1994)

So you may well ask... How did the car carrying the bomb get into the high security private road which houses a number of embassies and is patrolled by armed police? On the afternoon of 26 July in Kensington, a woman drove an Audi into Kensington Palace Green, parked outside the Israeli Embassy, and persuaded PC Duncan, a fully armed Officer of the Diplomatic Protection Corp, to let her leave it parked while she went around the corner for some cigarettes. After she had gone, the car exploded. In addition the security cameras on the sides of the Israeli Embassy building did not contain any film, and so there is no camera footage of the bombing or the bomber(s).

Questions Tabled — Unanswered Questions

WHY was no statement taken from the Israeli Embassy employee manning the camera on the day of the bombing?
AND why did a senior intelligence officer involved in the bombings suggest that there could be Israeli involvement in the attacks?

WHERE is his report?

ARE the authorities doing anything about finding the actual bombers?

WHO wrote, typed and posted the claim letters?

WHO made the bombs and where were they made?

WHAT kind of explosives were used?

WHO did the unidentified fingerprints on key documents belong to?

WHAT results did the Israelis get from the samples they removed from the bomb crater?

WHY have they not revealed anything and not even been asked to?

“vital evidence was withheld.
In fact there was a cover-up”

Secrecy Pervades — Use of Gagging Orders (PII's), Human Errors Excuses, A Cover-Up

Public Interest Immunity orders were used after the trial and during the appeal to ensure vital evidence was withheld. In fact there was a cover-up by the **Police, Crown Prosecution Service, Special Branch, M15, M16**, all the way up to the **Home Office**.

Revelations at the Court of Appeal confirmed this shocking cover up: vital evidence implicating parties (an unnamed terrorist organisation) unrelated to Samar & Jawad was deliberately withheld from court. The prosecution lied at the trial when they said there was 'an intelligence vacuum'. At the appeal it was revealed by the defence that a freelance cameraman Tim Wise had reported his flat-mate to police in July 1994 (the month that the bombings took place), as he had found that the latter had several documents, including a list of ammunition and arms and a map of the Israeli embassy and its defences. Apparently two named detectives took a statement and removed all the documents. However, none of this evidence was ever disclosed to the defence. It was by pure chance they came to find out after the trial. There is also no guarantee that the Court of Appeal judges were shown all the material that was hidden from the original trial judge! It meant that Samar and Jawad were guaranteed never to have received a fair trial.



Picket December 2000 outside the Crown Prosecution Service, London on 4th anniversary of wrongful conviction

Petition (200,000 signatures) from Palestine delivered to 10 Downing Street on 17 February 2000



Is your MP one of the 55 cross-party MPs who've already signed?

This motion was tabled as EDM 1456 in 2002; EDM 202 in 2003; EDM 111 in 2004.

The current EDM is **EDM 415**, tabled on 16 December 2004, running until November 2005:

That this house notes that Samar Alami and Jawad Botmeh have always protested their innocence and that their 1996 conviction in relation to the 1994 bombings of the Israeli Embassy and Balfour House has been widely questioned; also notes the unanswered questions about the bombings, including the identity of the bombers; further notes that the prosecution scenario of an intelligence vacuum contrasts with the Israeli and British authorities having received contemporaneous prior warnings about imminent attacks by parties unrelated to Samar and Jawad. Further notes that the disclosure process has been plagued by the repeated use of public interest immunity certificates and by human errors conceded by the prosecution, police, MI5 and MI6, resulting in crucial information being withheld from the trial judge; notes Amnesty International's concern that the pair were denied their right to a fair trial; further notes that the United Kingdom Government has received official representations from many politicians and Arab governments on this case; believes that winning the war against terror and the United Kingdom's reputation are ill-served by jailing the wrong people and leaving the actual bombers free; and calls on the Government to re-open the investigation, make its results publicly known, and address the human errors so that justice is seen to be done.

Blunkett refuses and offers no favours!
Will Charles Clarke prove any different?

8 MPs and 2 Lords formed a cross-parliamentary delegation in Spring 2004 and attempted to meet the Home Secretary on a number of occasions. The first time Mr Blunkett refused, stating he does not intervene in miscarriages of justice. The second time he did not reply for 4 months and then refused to meet the delegation again. He suggested a meeting with a minister at the Home Office with responsibilities for the prison service.

The parliamentary delegation aims to:

- To restart the investigation to answer the unanswered questions.
- To investigate the human errors admitted at the Appeal Court whereby the police, the prosecution and the intelligence services failed to disclose vital evidence. *(The Attorney General in 2000 issued new rules whereby police officers and lawyers who fail to comply with current guidelines on disclosure should face disciplinary action.)*
- Question the use of PII's and suppression of evidence pointing to the guilt of other organisations/states in the bombings.
- Raise the issue of immunity the Israelis have enjoyed and that anything pertaining to their role, including scientific results, the warning they received, and the M15 report about possible Israeli involvement has been systematically excluded from disclosure.
- To warn the Home Secretary that the trust that Arabs and Muslims may have had in the criminal justice system has been shattered. How can the government work for peace and justice in the Middle East if it cannot respect the human rights of two individuals in the UK?

STOP PRESS – Parliamentary Delegation met with Paul Goggins MP (minister with responsibility for the Prison Service) on Wednesday 2 February 2005.

UNISON votes to support the campaign

Unison is the largest union (1.2 million members), representing public sector employees. At its annual conference in June 2003, Motion 81 was moved by 4 National Executive members and voted in favour with an overwhelming majority. This was after 2 years of lobbying with the help of the West Midlands Region of Unison.

The motion notes the wrongful conviction of Samar and Jawad, the unfair trial and use of Public Interest Immunity Certificates and instructs the NEC to support the campaign in all appropriate ways.

This victory is not only a milestone for the campaign, but also another vindication for Samar & Jawad. It is a great moral and practical boost for the campaign and for Samar & Jawad.

Since that time, the campaign has been working with Unison to translate the vote into concrete action and to spread the message amongst its members. It has supported the decategorisation campaign and collected signatures for the petition. Next year it will be helping the campaign to spread political support in Parliament and allowing us to have a stall at its Annual Black Members' Conference. Unison West Midlands Region is also hoping to mount an exhibition of Jawad's paintings in Birmingham this year.

The Criminal Cases Review Commission (CCRC)

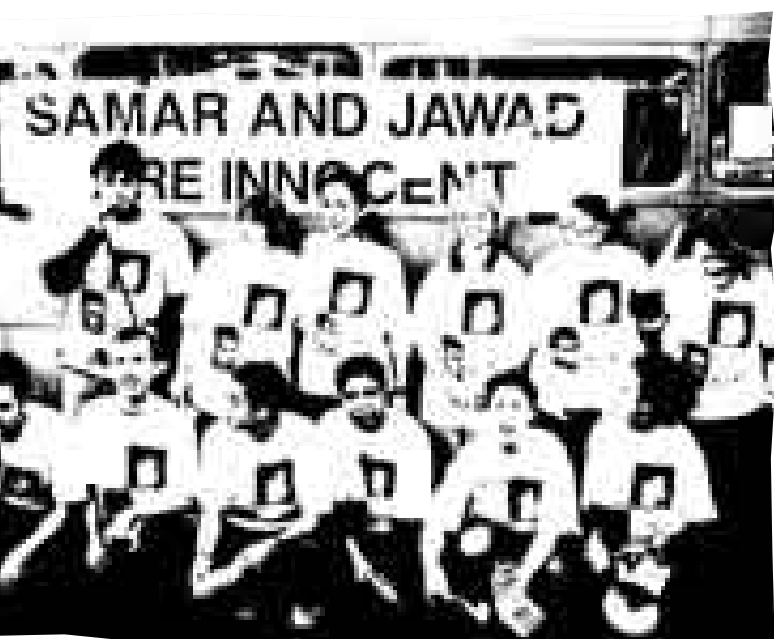
The CCRC is the independent public body set up to investigate suspected miscarriages of justice in England, Wales and Northern Ireland. The CCRC assesses whether convictions or sentences should be referred back to a Court of Appeal. It was set up as a non-departmental body on 1 January 1997, and took over responsibility from the Home Office and Northern Ireland Office for reviewing suspected miscarriages of justice on 31 March 1997 by virtue of the Criminal Appeal Act 1995. Officially, the CCRC do not consider innocence or guilt, but whether there is new evidence or argument that may cast doubt on the safety of an original decision.

The CCRC, however, has been the subject of quite severe criticism. 96% of applications to the CCRC fail. It is clear that the rate of failure is too high, and the Criminal Appeal Lawyers Association as well as MOJO (an NGO campaigning against miscarriages of justice) have been critical of this alarming statistic.

The high failure rate has led to a lack of public and media confidence, resulting in the birth of many new miscarriage of justice support groups over recent years. The media have started to turn to these groups to get the "real story" about miscarriages of justice, as the CCRC appears to have turned into a "toothless tiger". Further, the Statements of Reasons for failed applicants are poor in quality leaving applicants confused, bewildered and often depressed and angry.

Experienced lawyers, who deal with miscarriages of justice, speak of huge institutional resistance within the organisation in making referrals, and it is becoming clear that the CCRC, rather than being a body which facilitates the scrutiny of possible miscarriages of justice, has in many respects become a "gatekeeper" of justice. This was surely not the role that was intended for the CCRC.

In the context of Samar and Jawad's case, in addition to their appeal to the European Court of Human Rights, there will be an application to the CCRC in due course for them to investigate the safety of Samar and Jawad's conviction. In light of what is known about the CCRC, such an application will itself have to be the subject of scrutiny, both by Samar and Jawad's lawyers as well as by their supporters.



"experienced lawyers, who deal with miscarriages of justice, speak of huge institutional resistance"

Date for your diary

12 – 31st March 2005 there will be exhibition of Jawad's paintings and ceramics at the Lamplight Art Centre, in Stanley, Durham (part of Stanley Council Art Centre). This is a joint venture with PSC Durham.

Overseas Campaign – Palestine & Lebanon

A letter writing campaign in support of Samar and Jawad is to take place in Palestine and Lebanon. Addameer, a Ramallah based Palestinian NGO concerned with political prisoners will oversee a campaign aimed at getting Palestinian organisations to write to the British Consulate in support of Samar and Jawad to protest at their unfair treatment by the British Government. The same action will take place in Lebanon, where human rights organisations and other groups will be writing to the British Ambassador in Beirut.

UK Campaign – Get your MP to sign the Early Day Motion (see page 11)

Please write to Samar and Jawad at:

Samar Alami
RL RL 1436
HMP Send
Ripley Road
Woking
Surrey
GU23 7LJ

Jawad Botmeh
EP3888
HMP Rye Hill
Warwickshire CV23 8SZ

For Sale

Pack of 4 postcards depicting Jawad's paintings – £2
Pack of 2 cards depicting Jawad's paintings – £3

Cheques made out to FOSA.

Be Free Wherever You Are!

Respect yourself – and others – everywhere,
Everything will be better.
Free your mind and spirit.
Rise above and beyond
Your physical hardships
And realities
And a whole new world and possibilities
Open up.

Always remember
No one can stop the time,
And just as you came in to prison
Your day to come out must
And will
Come.

Prison will only be a chapter in your life.
No matter how long and hard it is,
It's never all doom and gloom.

You will encounter lots of human mediocrity
And wickedness,
Selfishness.
Greed,
Arrogance and pettiness.
But there is kindness,
Humour,
Some friendship,
Some humanity.

No matter how bad are your conditions
And treatment,
Don't let anyone take away your humanity.

At the same time,
Prison can be a positive experience,
An opportunity to 'win' and 'grow'
Despite the 'costs'.
You can learn to be patient and tolerant,
Let go of a lot of worries.
Learn about yourself and others.
Reflect on your life, on your case,
On your actions.
Think about the future.
And our future.

If you're in prison for other reasons,
Still prison is a phase of struggle
And possible positive change.
Issues about your family, friends
And community are much the same.
It's a social and psychological learning pot.

No matter why you end up behind bars,
One needs to try to reconnect
To our common humanity.
Stay strong, be proud – but not arrogant
Or self important.
Be humble, learning to give and take from
Others.

No matter how small your world becomes
And limited your livelihood,
You can still broaden your horizons
And keep your mind open, and heart free.

It's a victory to survive prison
Without too many scars or distortions.
You must – and can – do it
Even though it takes its toll.
It is also possible to emerge better
And undiminished.
That's a challenge!

**End the cover-up
Quash the conviction
Free Samar and Jawad**

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