

Discuss what is meant by the 'integrity' of evidence and using examples illustrate the impact of failures in the UK Criminal Justice system.

In simple terms, maintaining the integrity of the crime scene means protecting any potential evidence from being damaged or destroyed, and preventing any false evidence from being introduced to the area in question (Morris, 2003). However, it is quite apparent that many British cases in history have been found to struggle to maintain this integrity, and therefore miscarriages of justice are more common than would be assumed. This lack of integrity varies from case to case, as there are multiple points throughout the investigation where integrity could be lost and contamination could happen. This could either only be a small trip-up in integrity, such as in some parts of the trial of Peter Sutcliffe- where it was the police using physical notes to log their investigation, leading to cross-referencing being difficult to carry out- or where almost all of the trial's integrity is lost, such as in the trial of the Guildford Four- where extreme torture was used to force confessions. Either way, the severity of integrity loss is high, as a simple mistake could lead to the incorrect life sentencing of an innocent person.

As previously mentioned, the trial of Peter Sutcliffe lacks integrity on a variety of levels. This therefore provides readers with insight into how an error made by police officials could lead to a criminal not being arrested for many years following their initial committing of the crime. This is exactly what happened in this case, where Sutcliffe carried out his first assault in 1969, but was not subsequently arrested until 1981. There are many reasons for this wait. Firstly, it is apparent that the police were still using physical copies of their report and investigation notes, as this crime predated the introduction of computers to help with this. This therefore meant that cross-referencing was difficult to carry out, despite the fact that Sutcliffe was interviewed as a suspect for these crimes nine times (BBC News, 2015). The fact that cross-referencing was difficult to carry out shows that there was a lack of integrity, as the police therefore could not successfully determine whether Sutcliffe was the criminal they were looking for. However, the biggest lack of integrity in this case comes where Assistant Constable George Oldfield was seen as being too focused on a 'hoax tape' (Wilson, 1995). This tape discusses the case in detail and even claims to be from the 'Yorkshire Ripper' (which was the moniker that the killer of this case was commonly known as) The lack of integrity of this point comes where Oldfield used this tape as a means of eliminating suspects- of which Sutcliffe was one of- in order to try and find suspects that matched the hoaxter's description. It wasn't until 1981 that Sutcliffe was finally arrested for his deeds. This case is quite clear in showing readers that a lack of integrity is dangerous, as Sutcliffe could have potentially committed more crimes during his time being seen as 'innocent'. However, it is clear that the backlash this case faced did lead to the development of the Major Incident Computer Application (MICA), which in turn further evolved into the

Home Office Large Major Enquiry System (HOLMES), a software still used today to hold vast quantities of information in high-severity investigations.

As previously mentioned, on the other side of the loss of integrity spectrum compared to the Peter Sutcliffe case falls the investigation of the Guildford Pub Bombings of 1974, where four victims (now known as the 'Guildford 4') were convicted of bombing 2 pubs in Guildford, killing 5 and injuring a further 65. The lack of integrity is apparent when the means of which these 4 were convicted is mentioned. It is clear that they were tortured by police officers in order to gain confessions and, although the explicit details of their torture are not mentioned, it could be mentioned that it would have taken an inhumane amount of torture for these people to confess to crimes that they did not commit. Another key point of this case that shows a clear lack of integrity is how there was evidence given to the police that clearly suggested that these four were not in fact the criminals, however this evidence was subsequently ignored by the police (McKee and Franey, 1988). The fact that the police in question refused to pay attention to the evidence defending the 'Four' could easily be argued as an act of obstruction to justice, likely due to the pressure on police to catch the perpetrator(s) of the bombings. This is a clear lack of integrity as, to my knowledge, the search for the real Guildford bombers is still being carried out today, 45 years on, and although these four had their convictions quashed in 1989 (BBC News, 2018), they are still the suspected perpetrators that are mentioned when researching this event.

Another case that is similar to this- if not more severe- in terms of a loss of integrity is the case of the 'Birmingham six', a group of people who were accused of carrying out the Birmingham Pub Bombings of 1974, where 2 pubs in Birmingham were bombed, killing 21 and injuring a further 182. Similarly to the aforementioned case of the 'Guildford Four', the lack of integrity is apparent when the means of which these 6 were convicted is mentioned. They were also tortured, with more exact details being discussed, and they were also accused by flawed scientific investigations in a 'Griess Test'. This test was used to determine whether the accused had handled explosive devices, and the forensic scientist who carried these out determined that 2 of the men had indeed handled explosives, but this test has faced differing amounts of scrutiny online. The main aspect of this case that suggests the lack of integrity of evidence is when the suspects were tortured both physically and psychologically by police officers into giving false confessions to the crimes, including kicking, hair pulling hair and even being burnt by a lit cigarette. This clearly lacks integrity as- again- it would take an inhumane amount of torture to make people confess to a crime of this nature that they are actually innocent in, and the fact that more than just one of these people falsely confessed to the crime clearly shows us just how severe the torture they endured was. Another key point that shows us just how corrupt this case and conviction was can be seen where the convictions of the 6 were quashed due to suspected 'fabrication and suppression of evidence' by the police carrying out this investigation. However, this quashing came in 1991, 17 years after their initial arrest. This time gap also clearly shows a

lack of integrity of evidence, as it is quite apparent that the police officers were under pressure to arrest someone for the bombings, so they fabricated their evidence to justify their incorrect convictions. This also shows just how unlawful and unethical the criminal justice system can potentially be.

There is another case with a similar ending to the two given above, which is the murder of Karen Price. Her body was uncovered in 1989 by construction workers, but entomology analysis helped discover that her murder occurred in 1981. Two men- Idris Ali and Alan Charlton- were arrested in 1991 for her murder, however a potential lack of integrity also played a role in their convictions. This being how many aspects of the case breach the Police and Criminal Evidence Act 1984 (PACE), in particular how there was 'oppressive handling by the police of key witnesses' and also the credibility of the prosecution witnesses could be questioned. However, even despite the fact that this case has breached the PACE, Ali was released in 1994, yet Charlton is still in jail serving a life sentence (James, 2010). This clearly shows a lack of integrity, as even though the case has been ruled partly unjust in the aspect of prosecution, one of the two convicted members is still in jail to this day.

Another major case that shows a clear lack of integrity of evidence can be seen in is the 1999 murder of Jill Dando, where prime suspect Barry George was initially held responsible for her death. He was convicted in 2000 and was given a life sentence in 2001 (News.BBC.co.uk, 2007), which at the time was considered 'unsafe' by some observers (Smith, 2001). However, the main point of argument for the lack of integrity in this case comes a year and a half after the murder, where a single particle of firearm discharge residue (FDR) was found inside the pocket of George's overcoat, that was a match to the ammunition that was used during the Jill Dando's murder. However, this was the only bit of evidence that was traceable, and further investigation and analysis suggests that similar FDR could be found on 1 in 100 people, and does not necessarily mean that he was the killer. As this, as well as a relatively weak eye-witness testimony, was all the evidence that was provided to convict George of this murder, he was eventually acquitted in 2008 (News.BBC.co.uk, 2008) However, him being acquitted at this time still doesn't take away from the fact that he was in jail for 8 years unjustly. This is clearly another example of lack of integrity of evidence, as George was sentenced for almost a decade of his life for a crime he more likely than not was innocent for, over such a minute piece of evidence that would have been discovered to be more common if more research was put into said evidence.

Another smaller case that is similar to that of Barry George is the conviction of Michael Stone in 1997, for the 1996 murders of Lin and Megan Russell. It could be argued that this case lacks integrity of evidence as Stone was convicted purely off of Damian Daley's witness testimony, as there was no forensic evidence linking Michael Stone to these murders

(News.BBC.co.uk, 2005). The fact that there was no forensic evidence linking Stone to the murders brings up the question of whether witness testimony is a reliable source of evidence on its own to convict someone of a crime such as murder, as to an extent it could be seen as just one person's word against another's, therefore clearly lacking integrity of evidence.

Another case study that could be seen as having a lack of integrity of evidence is the assassination of Georgi Markov in 1978. He was a Bulgarian writer who had very political views, where he criticised the Bulgarian political regime rather heavily, which led to him having opposition from Bulgarian political officials. This was why he situated himself in London, which is where he met his demise. His assassination has been dubbed the 'Umbrella Murder' due to the way in which he was killed was being shot by a poison gun made to look like an umbrella. The way in which this case lacks integrity of evidence is where not much can be found out about the case in total, with most of the documents surrounding his assassination being 'unavailable, probably destroyed' (Wikipedia, 2019). However, past members of the KGB (the Soviet Union's main security group) have confirmed that the KGB themselves played a part in Markov's murder, possibly as a way to get back at him for his- in their eyes 'incorrect'- political views. However, despite this apparent partaking in the murder by the KGB, no-one has been convicted of carrying out this murder as of 2019. The fact that no current evidence surrounding this case can be found suggests a clear lack of integrity, meaning the question as to why no evidence can be found must be asked. It is also interesting how there was a different attempted assassination on another Bulgarian with similar political views to Markov just 10 days prior, using the same technique. Luckily Vladimir Kostov survived the assassination attempt, but the question again must be raised as to who was carrying out these attempts. This clearly shows that there was a lack of integrity of evidence, as two assassination attempts- with one being successful- were carried out on similar people within 10 days and the only known suspect is currently still living freely throughout Europe to this day.

Overall, it is quite apparent that there is a clear definition as to what 'integrity of evidence' means, as previously mentioned. However, what I found out during my research that is more interesting to me is the amount of cases not only in the UK but to as far as the United States that feature innocent people who get convicted unlawfully for a variety of reasons, whether it be a lack of evidence, evidence that gets interpreted incorrectly or even cases where the police in charge just jump to convict and arrest a suspect, rather than looking more into the case and discovering reasons that prove the suspect's innocence. On the other hand, it should be noted that the cases mentioned in this essay are only a small amount of cases that are brought up every year in the UK, so credit cannot be taken away from the police most of the time, where a lack of integrity of evidence is not as present. It is also worth noting how some miscarriages of justice being made led to a development and evolution in the criminal justice system, such as the Peter Sutcliffe case helping to advance the development of the information storing software, such

as HOLMES. So in that case it could be argued that a small incorrect conviction was worth the development of such a software that would prevent errors like the ones faced during the Peter Sutcliffe case from happening again.

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