

Police ask for inquiry into Gilfoyle evidence

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A police force has called on the policing watchdog to investigate allegations that it withheld evidence that could help to exonerate a man convicted of murdering his wife.

Eddie Gilfoyle was jailed in 1993 for killing his heavily pregnant wife Paula, who was found hanged in the garage of their Merseyside home.

The Times disclosed last week that a secret diary compiled by Paula Gilfoyle showed that she had previously tried to kill herself.

But Gilfoyle completed 18 years of a life sentence in prison protesting his innocence and fighting two failed appeals while police failed to hand over the evidence to his lawyers.

The Merseyside Police force has now asked the Independent Police Complaints Commission (IPCC) to investigate what happened to a locked box containing the evidence after Gilfoyle spent a week touring broadcast studios blaming the police.

Gilfoyle said today: "I am pleased that the matter has gone to an independent body to investigate the important material in the possession of the police that was not disclosed."

His former MP, Lord Hunt of Wirral, who has always believed in Gilfoyle's innocence and used to visit him in prison, said tonight: "It is a dramatic development greatly to be welcomed."

Mrs Gilfoyle was found hanged in the garage of their home in Upton, Wirral, in 1992 when she was 8½ months pregnant.

Her husband was jailed for life the following year after a jury was told by nearly 20 witnesses that she had been too happy and bubbly to have killed herself.

Only in 2010 did police give up to lawyers a locked box that had been seized from the Gilfoyles' home and contained Mrs Gilfoyle's youthful diaries and treasured papers.

These included a suicide note from an ex-boyfriend to her which used the same phrase she repeated in her own handwritten final note to her husband explaining why she was killing herself.

Her diary disclosed the previously unknown fact that she was engaged in her teens to a suicidal young man who killed a teenager after having sex with her in a park. Mrs Gilfoyle had bought her fiancé a wedding ring when he was serving life for murder.

The evidence that could have cleared Gilfoyle had been in police hands since at least 1994 and was withheld while he fought two unsuccessful appeals against conviction.

The Criminal Cases Review Commission, which investigates miscarriages of justice, twice used its statutory powers to demand all relevant evidence from Merseyside.

It said this week it was “very concerned” that the diary was never produced. The commission said it has “rarely if ever” known police forces to fail to comply.

In its statement, the force said: “Merseyside Police has endeavoured to be open and transparent in relation to the disclosure material reproduced in *The Times* last week. This material was provided to Mr Gilfoyle’s defence solicitors by the Force in August 2010.

“It is important that we seek an independent investigation on this issue to make sure the people of Merseyside can continue to have confidence in how the force handles serious cases.

“In the interest of transparency and in light of comments made by Mr Gilfoyle in the media this week Merseyside Police has voluntarily referred the matter regarding the disclosure of material relating to the conviction of Mr Gilfoyle to the IPCC.”

Gilfoyle claimed on *Broadcasting House* on Radio 4 on Sunday that he had been framed, and repeatedly made the point in two more BBC radio interviews and on ITV’s *Daybreak* yesterday.

For 20 years Merseyside Police has been unwelcoming to outsiders trying to examine the Gilfoyle case. When three years ago *The Times* found lost notes that could have given Gilfoyle an alibi at his trial, the force investigated the matter itself instead of calling in an outside force. It found insufficient evidence to support a prosecution of any police officer.

Christopher Graham, the Information Commissioner, strongly rebuked Merseyside for challenging his authority when he examined freedom-of-information issues in Gilfoyle’s case.

Gilfoyle said today: “I hope this decision will be followed by a swift referral of my case by the CCRC to the Court of Appeal. I am grateful for the investigative work of *The Times* in trying to uncover the truth.”

Lord Hunt said: “It is clear that there is disquiet at all levels of all the authorities as to what on earth has been going on. At last we may start to be getting to the bottom of everything that has been going wrong and has resulted in an innocent man, in my belief, having 18 years in prison, destroying his life.”

The IPCC said it “will assess this referral to determine whether there are matters that would warrant an investigation with IPCC involvement”.

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