

The Times Newspaper. 7th January 2012. Dominic Kennedy.

Clarke urged to press police for evidence on Gilfoyle

A senior peer has demanded that the Justice Secretary investigate whether more evidence has been withheld by police after [a secret diary emerged that could exonerate a convicted murderer](#).

Lord Hunt of Wirral, the former MP for Eddie Gilfoyle, said Kenneth Clarke should examine the "serious miscarriage of justice" that led to his constituent serving a life sentence for killing his pregnant wife.

The Tory peer, a solicitor who has always believed Gilfoyle was wrongly convicted, said the fabric of the justice system was being undermined.

Gilfoyle spoke yesterday of his disgust that police had his wife Paula's papers for 16 years while he languished in jail protesting his innocence. He was convicted of having hanged her and making it look like suicide at their home in Upton, Wirral, in 1992.

The jury at his trial heard that she was eight and a half months pregnant and had been too happy to kill herself. However, her papers show a darker side. Mrs Gilfoyle once took an overdose after a row with a boyfriend, had kept a suicide note from another lover and, as a teenager, was engaged to a youth involved in a sex murder.

This evidence has been in police possession since at least 1994 but was only handed to Gilfoyle's defence team in 2010.

Lord Hunt, a minister under Margaret Thatcher and John Major who now chairs the Press Complaints Commission, said: "I continue to express my outrage at the way in which this whole case has been handled. I have sent copies of all that has appeared in *The Times* to Ken Clarke expressing my disquiet and concern about the non-disclosure, limited disclosure and still uncertain disclosure of key evidence which was clearly instrumental in producing a serious miscarriage of justice.

"Key areas of evidence have been disclosed in dribs and drabs, reluctantly, locked away for years and then disclosed too late, giving rise to the suspicion that there may be more evidence which has not been revealed. It is undermining the fabric of the system."

Merseyside Police have declined to explain where this lost evidence was while Gilfoyle was serving life.

Gilfoyle, who has been released on licence, told *The Times*: "I am absolutely disgusted that they have sat on this and done nothing about it. They were more interested in putting an innocent man in jail for a crime that never happened." He said that he remembered his wife keeping the box that contained the diary in a bedroom wardrobe.

Gilfoyle, 50, a former hospital orderly who spent 18 years in prison and was freed in 2010, said: "I still don't go out of the house unless I am accompanied. It is as if, since the day I came out of jail, I haven't been out of jail."

He has been unable to adapt to the 21st century world of computers and smartphones he has discovered on release.

"It's like when you are a schoolkid, five years old, and you change school, for the first day it's all very strange, that's what my life is," he said. "I can't get my head round any of it. I haven't got the head space to do it."

The discovery of the box shocked Campbell Malone, the lawyer who fought Gilfoyle's unsuccessful appeals.

"All of this casts Paula in a different, more complex light from the way that she has been presented throughout, not just at the trial but the perception of her through the appeal process. I am appalled that it has only been made available to him and his lawyers at such a late stage," he said.

Matt Foot, Gilfoyle's current solicitor, said the material was "obviously relevant to the case and to Paula Gilfoyle's background". He added: "I do not understand why we have had wait for it to be served. The authorities have sat on this material."

The Ministry of Justice said it would respond in due course to Lord Hunt's message